

April 8, 2021

Chair Lee Beyer
Vice Chair Lynn Findley
Senate Committee on Energy and Environment
Oregon State Legislature
900 Court St. NE
Salem, OR 97301
Submitted via email

Re: CTA Comments on Senate Bill 582-9 - Oppose

Dear Chair Beyer, Vice-Chair Findley and Members of the Committee:

The Consumer Technology Association™ (CTA)¹ respectfully submits these comments to express our concerns and opposition regarding [Senate Bill 582-9 \(SB582-9\)](#), which establishes a producer responsibility program for packaging in Oregon. CTA appreciates all the work by Members of the Committee as well as the Oregon Department of Environmental Quality (DEQ) to engage stakeholders and discuss concerns. It has been a collaborative effort during a unique legislative session.

While CTA is appreciative of many of the changes made in SB582-9, CTA remains concerned over several components of the bill:

- **Truth in Labeling Task Force (Section 36):** CTA appreciates the recognition that the prior version of the bill was not a viable path forward and the creation of a Task Force is a crucial first step in addressing concerns around claims of recyclability for products and product packaging. The role of producer in the Task Force will be key. CTA has two suggestions on clarification to the current language:
 - **Producer Membership:** The Task Force will examine labels on products as well as packaging. Given that the definition of “producers” in SB582-9 is focused primarily on packaging, it is important to distinguish that producers should be represented from both the product and packaging perspective. CTA suggests the following revision:
 - Section 36(2)(c)(A). Five members to represent producers of products and producers of products contained in packaging. Representation shall include different product types as well as different packaging material types.

¹ CTA is the trade association representing the U.S. consumer technology industry. Our members are the world’s leading innovators – from startups to global brands – helping to support more than 18 million American jobs. CTA’s members have long been recognized for their commitment and leadership in innovation and sustainability, often taking measures to exceed regulatory requirements on environmental design, energy efficiency, and product and packaging stewardship.

CTA wants to ensure that there is fair representation among the various packaging material types (e.g., plastic, paper, etc.) for producers of products contained in packaging. CTA would also be open to the creation of separate, additional member slots for producers of products given labeling of products is specific to individual product types (e.g. consumer technology products versus food) while labeling of packaging may be applicable across industry sectors.

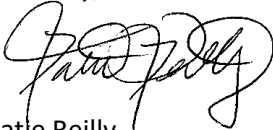
- **Evaluation of Legal Requirements:** CTA recommends the inclusion of additional language requiring the Task Force to evaluate legal requirements that producers may be subject to in other jurisdictions. CTA outlined several of these requirements in prior written testimony SB582 and in written correspondence with DEQ. CTA suggests the following addition:
 - Section 36(3). The task force shall study and evaluate misleading or confusing claims regarding the recyclability of products made on a product or product packaging. The study must include consideration of issues affecting accessibility for diverse audiences as well as the legal requirements in other jurisdictions for labeling of products and product packaging.
- **Costs and Forthcoming Producer Amendment:** CTA recognizes that DEQ has worked to establish parameters and cost control measures around various programs within SB582-9. However, CTA remains opposed to the inclusion of ancillary programs that are outside the scope of where a producer responsibility organization should direct its resources.

CTA supports the forthcoming “producer amendment” that was noted during testimony at today’s hearing. CTA anticipates that amendment will address our major remaining concerns specifically regarding costs. We look forward to the official language on that amendment and additional discussion.

Conclusion: CTA appreciates the opportunity to provide comments on SB582-9 and asks the Senate Committee on Energy and Environment to consider the language in the producer amendment in addition to CTA’s recommendations above. We welcome further dialogue with DEQ and other stakeholders and to be a part of the process for defining the role of producers in a shared responsibility system for packaging in Oregon.

Please do not hesitate to contact me with any questions or requests for additional information.

Sincerely,



Katie Reilly
Director, Environmental and Sustainability Policy
E: kreilly@cta.tech
C: 703-625-0054

cc: Senator Michael Dembrow
Senator Art Robinson
Senator Kathleen Taylor