



February 16, 2021

To: Senate Committee on Energy and Environment

RE: Opposition to Senate Bills 14, 581 and 582 -1

Chair Beyer and members of the committee:

Oregon's agricultural producers have serious concerns about the cost burden associated with SBs 14, 581 and 582 -1. We support the goals of recycling, and would like to see products recycled wherever possible, but these bills do not actually guarantee that the products in question will be recycled at a higher rate.

The Extended Producer Responsibility programs proposed in SB 582 (-1 amendment) and SB 14 would place a big burden on Oregon's mostly family-operated agricultural and food producers. DEQ and proponents developed these bills without any input from affected producers.

Big Costs: SB 582 -1 would require agricultural producers to track products used in "packaging" during the lifecycle of the product – which in many cases can be years of growing. Agricultural supply chains are not linear, nor are they computerized or automated. Tracking who is responsible for recycling which product, and tracking which product gets sold in Oregon, will be burdensome and daunting. DEQ estimates these programs could add \$100 million to the cost of recycling in Oregon.

One size does not fit all: Every Oregon retailer, wholesaler and manufacturer will be required to participate. The bills expressly include anyone who makes, imports, distributes or sells a "covered product." Ultimately, it will be consumers who pay most of the cost.

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SB 581 -1 would cover all types of plant and food packaging used to “contain” or “protect” products, including pots and plant tags, berry and egg containers, wrapping, boxes and totes, bags, buckets and any other product or material that DEQ decides to add in the future, without any consideration for the ability of agricultural producers to find affordable substitutes or even affordably comply with the program.

Big Penalties: SB 582 -1 would permit “any person” to sue “any person” for any violations and allow DEQ to impose penalties of up to \$25,000 per day.

Similarly, the so-called “Truth in Labeling” bill – SB 581 – would put Oregon’s agricultural producers in an impossible position. Many other states and jurisdictions require plastics to be labeled with the plastic resin code contained in the “chasing arrows” symbol. Even Oregon’s own producers would not be able to offer Oregon-specific packaging for reasons related to supply chain and cost efficiency.

We ask this committee to oppose these bills as currently written. Thank you for this opportunity to comment.

Oregon Farm Bureau
Oregon Association of Nurseries
Far West Agribusiness Association
Columbia Gorge Fruit Growers
Oregon Wheat Growers League
Oregonians for Food and Shelter
Oregon Dairy Farmers Association
Oregon Cattlemen’s Association
Oregon Wine Council