



american cleaning institute®  
for better living

February 22, 2017

Honorable Ted Kennedy  
Co-Chair, Committee on Environment  
Room 3200, Legislative Office Building  
Hartford, CT 06106

Honorable Craig Miner  
Co-Chair, Committee on Environment  
Room 3200, Legislative Office Building  
Hartford, CT 06106

Honorable Mike Demicco  
Co-Chair, Committee on Environment  
Room 3200, Legislative Office Building  
Hartford, CT 06106

**Re: Connecticut House Bill 7067: An Act Concerning Product Stewardship**

Dear Co-Chairs Kennedy, Miner and Demicco:

The American Cleaning Institute® (ACI) is the trade association representing the \$30 billion U.S. cleaning products market. ACI members include the formulators of soaps, detergents, and general cleaning products used in household, commercial, industrial and institutional settings; companies that supply ingredients and finished packaging for these products; and oleochemical producers. ACI and its members are dedicated to improving health and the quality of life through sustainable cleaning products and practices. ACI's mission is to support the sustainability of the cleaning products industry through research, education and science-based advocacy. Since 1926, ACI has promoted health through personal hygiene and effective cleaning.

**ACI must respectfully oppose House Bill 7067**

As described in House Bill 7067, the Commissioner of Energy and Environmental Protection shall adopt regulations to identify covered products that shall be included in a product stewardship program in order to reduce or eliminate postconsumer product. Whenever a covered product is identified for inclusion in a product stewardship program, the producers of such product shall develop a product stewardship program plan.

ACI would respectfully suggest that this responsibility is the purview of the legislature and should not be relinquished. With respect to packaging, for example, there are social impacts relating to employment and quality of employment as well as market impacts on the cost of recycled material. These are complex issues that deserve the kind of attention best assured by a fulsome legislative process where all interests can make their case in an unprejudiced atmosphere. This is significantly different than making a case before a pre-empowered agency or committee, no matter how open and transparent a process is undertaken.

### **Any program must prioritize and reward source reduction**

Protecting consumers and the product contained within the package is a high priority for cleaning product manufacturers. In both household and commercial settings, the ability to recycle a product may be necessarily restricted to maximize safety. Manufacturers are developing product dispensers that are refillable to maximize the use of the dispenser and reduce waste. Flexibles (plastic films and bags that refill dispensers) are becoming a priority for manufacturers since they are a great avenue for source reduction. Recycling infrastructure is adapting to the changing market place for both household and institutional consumers.

The reason for this priority is self-evident. No waste is better than waste that can be recycled or composted. Source reduction not only prevents waste, it reduces material and energy used in the supply of products. For example, source reduction in the cleaning products industry has greatly reduced water use, transport emissions, and carbon foot print per unit of product.

### **Promote, don't stifle, innovation**

Packaging regulations and recycling regimes must consider and protect packaging innovations. Cleaning product manufacturers invest millions to improve current products as well as new products. Consumer choices are sometimes driven by how a cleaning product is packaged. Moreover, a product's packaging may be just as much of a trade secret as the product itself. Protection of that information is the essence of maintaining the competitiveness of the marketplace. Any effort to force producers to reveal this information to competitors would be untenable. Also, new or altered products and packaging must not be subject to an approval process. Such a market hurdle would result in costly delays that would further inhibit the introduction of innovative products.

### **Minimize recycling costs**

The cleaning products industry is a major consumer of recycled resins for its packaging. The more costly the system for retrieving, processing and recycling recycled resins, the higher the costs of that product to those, like the cleaning products industry, that use it. Imposing a new system for collecting used plastic containers that increases handling costs simply would not benefit recycled resin markets. The less expensive the recycled resins the more attractive they are to use. Cleaning product manufacturers are committed to the incorporation of recycled content, including the use of post-consumer recycled resins, thereby supporting that market. Any changes to the current system should be subject to real cost-benefit analysis and be able to answer questions including whether the alternative approach would be as cost-effective as the current system or accommodate local differences as effectively.

We believe that a cost effective system of shared responsibility for end-of-life product/package management currently exists which includes all factors in the commercial chain including producers, consumers and government. This system has evolved, and continues to evolve, with shared costs and responsibilities between the parties. Among other factors, it efficiently accommodates variations in population density, transportation costs and local resources. Any

changes to the regulatory portion of the system should heed certain policy objectives to assure the system continues to work for cleaning product manufacturers and consumers, as well as the state and local jurisdictions. Waste management should continue to be a shared responsibility between all parties.

### **Cleaning product manufacturers are sustainability leaders**

ACI's goal for the industry is to create products providing hygiene and cleanliness, in a manner that is environmentally sound, socially responsible and economically viable, without compromising the ability of future generations to meet their needs. This on-going work is reflected in various sustainability program, product and packaging development efforts over the last decade.

Since 2011, ACI has been releasing biennial sustainability reports tracking the cleaning product industry's progress in a number of environmental impact areas. In 2014, ACI launched the Charter for Sustainable Cleaning. This is a voluntary lifecycle-based framework that promotes a common industry approach to sharing and reporting best practices for sustainability. Twenty-six companies, including cleaning product market leaders, have joined ACI's Charter for Sustainable Cleaning. More information about ACI's sustainability efforts can be found at <http://www.cleaninginstitute.org/>.

As members of the Charter, companies must not only report annually on a set of environmental metrics, but also must strive to implement a set of Sustainability Procedures and Activities (SPA). These SPAs provide a foundation for sustainable behavior within our member companies.

The **Packaging Design** SPA (described below) aims to encourage companies to design packaging in a way that minimizes volume and weight, minimizes environmental impacts, includes use of recycled content when available, and facilitates easy recovery of packaging components. As of the end of 2015, the majority of Charter members have implemented the Packaging Design SPA.

#### **Packaging Design (Formulators & Suppliers):**

Packaging should clearly fulfill its essential functions, including consumer acceptance; Charter companies shall design packaging and select packaging materials for their products in a way that seeks to improve the environmental profile of those products and their packaging across their lifecycles.

The packaging system design and material selection shall seek to:

1. Minimize packaging volume and weight.
2. Minimize environmental impacts and improve sustainability of the complete packaging system (i.e., primary, secondary and tertiary packaging) across the whole lifecycle of the system. To the extent that it can help achieve this, the packaging systems shall:

- a. Use the highest percentage of recycled material economically available, legally allowable and technically feasible
- b. Use refill packs and/or returnable containers
3. Permit materials to be readily recoverable and/or permit recovery after use as energy or by composting. The packaging components should be easily separable to facilitate recovery.
4. Encourage environmentally responsible use of the contents and disposal of the used packaging.
5. Minimize contamination that may arise as emissions or leachate from the materials when packaging waste is incinerated or landfilled.
6. Not inappropriately appeal to children.

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Thank you for your attention and consideration of these comments. ACI's approach is to enable our membership to drive improvements in sustainability across the industry and throughout the supply chain.

As you consider the next steps, we urge the state of Connecticut to consider ACI's decades long commitment to providing consumers with cleaning products that meet our commitment and on-going efforts towards a more sustainable future. For future reference, my contact information is (202) 662-2514 (direct dial) or via electronic mail at [jcassady@cleaninginstitute.org](mailto:jcassady@cleaninginstitute.org).

Respectfully Submitted,



Jacob Cassady  
Associate Director, Government Affairs  
American Cleaning Institute

cc: Vice Chairs Flexer, Somers and Gresko  
Ranking Member Harding  
Members of the Committee on Environment