



March 1, 2017

To: Maryland Environment and Transportation Committee

We would like to thank Delegate Robinson for introducing HB1349 on the labeling of Compostable, Biodegradable and Degradable Plastic Products. BPI is a nonprofit formed in 1999 with the mission to promote the production, use and appropriate end of lives for biodegradable products, including those designed to be compostable in commercial facilities. We oversee North America's largest third-party certification for compostable products, with about 7,000 items currently certified.

Legislation similar to HB1349 was passed in California, and came into effect January 1, 2012. The effort was to reduce the amount of "greenwashing" of products on the marketplace, where false and unsubstantiated claims negatively impacted both consumers and the environment.

For example, manufacturers were making claims that their bags were "degradable", but there is absolutely no standard for degradability. Therefore, consumers would buy the bag because it "sounded" like it would help the environment, but it's a false and misleading claim.

On the other hand, manufacturers can make the claim that a product is "compostable" if it meets the appropriate ASTM standard. This means that the bag will compost in a commercial compost facility under specific conditions in a specified time period. A product can be shown to actually meet this scientifically agreed upon standard, which has pass/fail criteria.

Accompanying written testimony from the Californians Against Waste will detail the success of CA's labeling law, which continues to help remove misleading claims from the marketplace, while simultaneously reducing the number of products contaminating composting facilities. HB1349 is not banning any products, nor is it requiring products to be compostable. It simply reinforces the Federal Trade Commission's guidelines that claims be well substantiated. This bill clarifies acceptable ways of making those claims, and says other methods are misleading to consumers, and can damage the environment.

A handwritten signature in blue ink, appearing to read "Rhodes Yepsen", with a long horizontal flourish extending to the right.

Rhodes Yepsen  
Executive Director, BPI