



## New Recycling Law Targets Large Corporations; Little to No Impact on Maine's Small Businesses

In July 2021, Maine became the first state in the nation to pass an Extended Producer Responsibility (EPR) for Packaging law that will make Maine's municipal recycling programs more cost-effective and greatly increase our recycling rate.

When fully implemented, this proven solution is projected to save Maine taxpayers \$16-17 million annually, by shifting the responsibility onto big, multinational corporations that already pay for local recycling programs in Canada, Europe, and dozens of countries where EPR for Packaging has been implemented.

**Maine's small businesses are an essential part of our economic future and are not significant contributors to the recycling challenges facing cities and towns. The EPR for Packaging law was specifically crafted to be fair to small businesses.**

Any brand that sells products in Maine that meets any one of the following exemptions **will not be affected** by the EPR for Packaging law (values below are annual totals):

- Realized less than \$5,000,000 in total gross revenue for the first 3 years of the program and \$2,000,000 after that; or
- Sold less than 1 ton of packaging material in total or less than 15 tons of packaging materials for local food producers; or
- Realized a majority of gross revenue from the sale of goods acquired through insurance salvages, closeouts, bankruptcies, and liquidations.

**Brands that produce between 1 and 15 tons of packaging waste will be able to take advantage of a flat fee structure. Fees are low and tied to the tonnage the brand introduces into the municipal waste stream. Fees are no more than \$500 per ton of packaging and no more than \$7,500 total per year.**

The following types of packaging are exempt from the EPR for Packaging law:

- Packaging produced by nonprofit & governmental organizations
- Packages sold outside of Maine
- Back of house & business-to-business packaging, not given/sold to customers

- Producers participating in Maine's PaintCare paint recycling program
- Bottles covered under the bottle deposit law
- Packaged goods used for donations
- Packages intended to be used as storage for 5 or more years (e.g., board game boxes)

**EPR for Packaging will require big corporations, which introduce the majority of the packaging that Maine taxpayers manage, to help pay for the recycling of their packaging.**

Under the EPR for Packaging law, a non-exempt "Producer" is a person who has legal ownership of a brand of a product sold in Maine that uses packaging. Only disposable packaging that goes home with the customer is covered.

- Examples of non-exempt brands: Amazon, Clorox, McDonald's, Walmart, Purdue Pharma
- Examples of non-exempt packaging: plastic tubs, cardboard boxes, plastic bags, and pouches

### Not an Exempt or Low-volume Producer? Here's What You Can Do Now:

- **Participate in the Maine DEP rulemaking process:** email [MainePackagingEPR@maine.gov](mailto:MainePackagingEPR@maine.gov) to be added to the Maine DEP distribution list and participate in the administrative rulemaking process that will determine the details of the program, including how producer payments will be calculated. Stakeholder engagement is scheduled to begin in summer 2022.
- **Consider ways you can reduce or change your packaging to reduce your fees:** Many companies that already participate in EPR programs around the world have discovered that they can reduce packaging materials or switch materials to reduce overall costs and do better for the environment. The new stewardship organization will also assist companies in finding ways to reduce fees.
- **For more information about Maine's new recycling law, visit [www.recyclingreform.org](http://www.recyclingreform.org)**

**More Than 500 Brands Do Business In Maine & Share Responsibility For Canada's**

**Recycling Programs** EPR for Packaging laws are common around the world. Five of Canada's provinces have this law, and two more are working to implement this type of law. Below is a sample of businesses that pay into Canada's programs and also do business here in Maine. Source: Canadian Stewardship Services Alliance ([www.cssalliance.ca/resources-list/](http://www.cssalliance.ca/resources-list/))

3M Canada Company	Crate and Barrel Inc.	Huggies	Nestea	Sealy
7-Eleven Canada, Inc.	Crayola	IKEA Supply AG	Nestle Canada Inc.	Sephora
Al Steak Sauce	Cuddle Down Ltd.	illy Espresso Canada	New Balance	Serta Division
Adidas	Dairy Queen Inc.	Irish Spring	Newell Rubbermaid	Sharp Electronics
Ajax	Danone Inc	JELD-WEN	Nike	Shop Vac
All-Bran	Dart Inc.	Jetl-O	NIKON CANADA INC	Siemens Canada Limited
Amazon Fulfillment	Dasani	Jimmy Dean	Nintendo of Canada	Silk
American Eagle Inc.	Dell	Jockey Company	Nordstrom Retail	Simmons Inc.
Apple Inc.	Dentyne	John Deere Canada	Noxzema	Skechers USA Canada Inc.
Aquafina	Dial	Johnson & Johnson	Nutri Grain	Smarties
Arby's Restaurant, Inc.	Dickies	Karo Corn Syrup	Ocean Spray	Smartwater
Argo Corn Starch	Disney Store Inc.	Keen Outdoor	Old El Paso	Smucker Foods
Aunt Jemima	Dole Foods Company	Kellogg Canada Inc	Oreo	Soda Stream
Barq's Root Beer	Dollar Tree Stores	KFC	Oscar Mayer	Softsoap
Bath and Body Works	Domino's Pizza	Keurig Canada Inc.	Palmolive	Sony Electronics
Bayer Inc.	Doritos	Kimberly-Clark Inc.	Panasonic Inc.	Texas Instruments
Bed Bath & Beyond	Dove	Kix	Party City Canada	The Dow Chemical Co.
Ben & Jerry's	Dr. Pepper	Kleenex	Payless Shoesource	Tiffany & Co.
Benjamin Moore	Dreyer's Ice Cream	Klondike	Pediasure	Tim Hortons
Best Buy	Duracell Canada Inc.	Kodak Canada ULC	Pepsi	Timex Group Inc
Betty Crocker	Dyson Canada LTD.	Kohler Canada Co.	Perrier	Toblerone
BIC INC.	ECCO Shoes Inc.	Kool-Aid	Pfizer Canada Inc	Toll House
Bisquick	Eddie Bauer	Kraft Heinz McCormick Co.	Phillips Electronics	Tom's of Maine
Bissell Canada	Eggo Waffles	Land O'Lakes Inc.	Pillsbury	Toshiba of Canada Ltd
Black+ Decker	Electrolux Home	Lays	Planters Nuts	Tostitos Chips
Blistex Ltd	Energizer	La-Z-Boy	Poland Spring	Total Cereal
BOSE LIMITED	Ensure	LE CREUSET INC.	Popeyes	Totino's
Breyers	Equifax Canada Inc.	Lean Cuisine	Pop-tarts	Toys 'R' Us
Bridgestone Firestone	Estee Lauder Ltd.	LEGO Inc	Post Foods Corp	Tresemme
Burberry Inc.	Ethan Allen Inc.	Lever 2000	Powerade	Trident
Burger King	Fancy Feast	Levi Strauss & Co.	Prince Pasta	Triscuit
Cabela's Retail	Fanta	LG Electronics	Procter & Gamble Inc.	Trix
Cadbury	FIJI Water Canada Ltd	Life Cereal Lowes	Progresso	Tropicana
Campbell's Company	Five Guys LLC	Lucky Charms	Purdue Pharma	Tupperware Inc.
Canon Inc.	Foot Locker	Lunchables	Purina ONE	Tyson
Cap'N Crunch	Friskies	Mars Canada Inc.	Q-tips	Uline Corporation
Capri Sun	Frito Lay Canada	Masonite Canada	Quaker Oats	Unilever Inc.
Caress	Frosted Flakes	Master Lock	QuizNos Restaurant	US Cotton
Carnation	Fruit of the Loom Inc.	Mattel Canada Inc.	Raisin Bran	Vaseline
CASIO	Fruit Snacks	Maxwell House	Ralph Lauren	Velveeta
CHANEL Inc	Fujifilm	McDonald's	Red Bull	Vitamin Water
Cheerios	Goodyear	Microsoft Corp.	Reebok	Wal-Mart Corp.
Cheetos	Google Corporation	Midas	Rice Krispies	WD-40 Company
Chex	Green Giant	Minute Maid	Ritz Crackers	Weight Watchers
Chips Ahoy!	Haagen-Dazs	Miracle Whip	Rold Gold	Wendy's
Coach Stores	Hallmark	Moen	Rolex Canada Ltd.	Wheat Thins
Coca-Cola	Halls	Molson Coors	Ruffles	Wheaties
Coffee-Mate	Hasbro Corporation	Mondelez Canada Inc.	Rust-Oleum Brands	Whirlpool LP
Colgate	Heinz	Motorola Mobility LLC	S.C. Johnson & Son Ltd.	Whole Foods
ConAgra Foods Inc.	Hellmann's	Mountain Dew	San Pellegrino Sabra	Williams Sonoma
Corn Flakes	Hershey Canada Inc.	Mug Root Beer	Canada Inc.	Wrigley Canada
Corn Pops	Hills Foods Ltd	Nabisco	Samsonite Canada Inc.	Xerox Ltd.
Costco Wholesale	Home Depot	Nature Valley	Samsung Electronics	Yamaha Motor
Cottonelle	Honeywell	Nescafe	Santitas	Yoplait
Cracker Jack	Hormel Foods Corp.	Nesquik	Sara Lee	
Craftsman	HP		Scott	



Natural Resources Council of Maine

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