



# Plastic Post-Consumer Recycled Content

## HB 168: Del. Jen Terrasa

### Did You Know?

- **Nearly 3 billion PET and more than 176 million HDPE plastic beverage containers were sold in Maryland in 2019.**<sup>1</sup> Fewer than a quarter were actually recycled and made into new products.
- **The plastic bottles you toss in the recycling bin most likely won't return as new bottles.** Producers prefer using new plastic because it is cheaper than using plastic recycled from used containers.<sup>2</sup> In 2020, only 11.5% of all U.S. PET plastic bottles were made from recycled materials.<sup>3</sup> So, although they are labeled as recyclable, most plastic bottles are actually made from new plastic. Most recycled plastic food and beverage containers are “down-cycled” to make textiles and carpet.<sup>4</sup>
- **By increasing recycled content in plastic containers, we reduce the production of new plastic and greenhouse gas emissions, divert waste from landfills and incinerators, and save energy.** Plastic is made from fossil fuels; it generates greenhouse gas emissions at every stage of a product's life cycle, from extraction, to plastic production and disposal.<sup>5</sup> Substituting new PET with recycled PET would reduce the amount of fossil fuels needed and could lower the energy requirements and the resulting pollution by as much as 75%.<sup>6</sup>
- **Ten international corporations have committed to voluntarily incorporate 10%-50% postconsumer recycled content into their plastic packaging by 2025.**<sup>7</sup> However, as of 2020, they were far from fulfilling that promise, and have no financial penalties for missing the targets.
- **Legislation to require recycled content in plastic products creates a stable demand for recycled plastic, stimulates the plastic recycling market, and creates incentives for producers to redesign their products to be more recyclable.** The European Union's 2019 Single-Use Plastics Directive requires all PET plastic beverage bottles from 2025 to contain at least 25% recycled plastic, and from 2030, at least 30%.<sup>8</sup> California, Connecticut, Maine, New Jersey, and Washington state have enacted legislation to mandate recycled content for plastic containers. In 2021, the Maryland General Assembly enacted HB164, an act to promote the development of markets for recycled materials and recycled products, including plastic.



*Photo courtesy of Julie Ainsworth*

**Support the Plastic PCR Content bill to reduce plastic waste, increase recycling, replace virgin plastic, incentivize redesign for recyclability, and stimulate recycling markets!**

## What This Bill Will Do:

- **Producers selling plastic containers in the Maryland would be required to increase postconsumer recycled (PCR) content:**
  - for plastic beverage containers to 50% by 2033;
  - for rigid plastic containers to store or package food to 40% by 2033;
  - for rigid plastic containers for personal care and household cleaners to 35% by 2035.
- **Producers would be required to register with the Maryland Department of the Environment (MDE) and pay an annual registration fee** calculated to fully fund the cost of administering the program. The producers would have to report the PCR content of their container brands every year.
- **Third-party certification of the postconsumer recycled content by an independent certifying body would be required.** Compliance would be motivated by penalties for missing the target.
- **The program would be evaluated five years after it is launched.**



## What Are the Program's Benefits?

- **Reduced production of new plastic and its environmental damage.** As companies use more recycled content, less new plastic will be created, reducing the demand for fracked gas and the pollution and greenhouse gas emissions associated with it.
- **Stimulation of markets for recycled plastic, especially food-grade recycled plastic.** It will generate demand for recycled plastic, in alignment with the objectives of Maryland's 2021 Recycling Market Development legislation (HB 164). Creation of these markets will also create new jobs.
- **An incentive for producers to redesign their containers for greater recyclability.**
- **Less wasted plastic in landfills, incinerators, and the environment.**

### Maryland Sierra Club

P.O. Box 278  
Riverdale, MD 20738  
(301) 277-7111  
[www.sierraclub.org/maryland/zero-waste](http://www.sierraclub.org/maryland/zero-waste)

[sierraclub.org/maryland](http://sierraclub.org/maryland)  
[facebook.com/SierraClubMaryland](https://facebook.com/SierraClubMaryland)  
[twitter.com/sierraclubmd](https://twitter.com/sierraclubmd)

Email: [legislation@mdsierra.org](mailto:legislation@mdsierra.org)



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<sup>1</sup> Container Recycling Institute, 2022. "2019 Beverage Market Data Analysis." Culver City, California. PET= polyethylene terephthalate (resin code #1). HDPE= High-density polyethylene (resin code #2)

<sup>2</sup> <https://www.businessinsider.com/low-oil-prices-hurt-plastics-recycling-2016-4>

<sup>3</sup> Container Recycling Institute analysis, based on data and press releases from National Association of PET Recyclers (NAPCOR) and Association of Plastic Recyclers (APR).

<sup>4</sup> National Association of PET Recyclers, Association of Plastic Recyclers. "PET Postconsumer Recycling Content Activity in 2017." [http://www.plasticmarkets.org/jsfcode/srvyfiles/wd\\_151/napcor\\_2017ratereport\\_final\\_1.pdf](http://www.plasticmarkets.org/jsfcode/srvyfiles/wd_151/napcor_2017ratereport_final_1.pdf)

<sup>5</sup> <https://yaleclimateconnections.org/2019/08/how-plastics-contribute-to-climate-change/>

<sup>6</sup> <https://www.recyclingtoday.com/news/napcor-pet-life-cycle-analysis-calculator/>

<sup>7</sup> Ellen MacArthur Foundation. Signatory Reports (2021). <https://ellenmacarthurfoundation.org/global-commitment/signatory-reports>. The 10 corporations and their 2025 commitments are: Kellogg (10%); Pepsico (25%); Colgate-Palmolive (15%); Unilever (25%); Coca-Cola (25%); S.C. Johnson (25%); Mars, Inc. (30%); Nestle (30%); Danone, S.A. (50%); and L'Oréal (50%).

<sup>8</sup> European Union Directive on the Reduction of the Impact of Certain Plastic Products on the Environment. June 5, 2019, p.

11. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L0904&from=EN>