



Plastic Postconsumer Recycled Content Program

HB 69

Did You Know?

- **More than 3 billion PET and 164 million HDPE plastic beverage containers were sold in Maryland in 2021.**¹ Only about 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.² As of 2023, the average amount of recycled PET plastic used in U.S. bottles and jars was only 16.2%.³ So, although they are labeled as recyclable, most plastic bottles are actually made from new plastic, and plastic beverage containers are “downcycled” to make carpet and textiles.
- **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.⁴ 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%.⁵
- **Ten international corporations have committed to voluntarily incorporate 10%-50% postconsumer recycled content into their plastic packaging by 2025.**⁶ However, as of 2023, they were far from fulfilling that promise; there are 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%.⁷ 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.



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;
 - rigid plastic containers to store or package food to 40% by 2034;
 - rigid plastic containers for personal care and household cleaners to 35% by 2036.
- **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.
- **MDE can impose administrative penalties for not reaching the targets**, but is authorized to reduce them due to market anomalies or shortage of supply
- **Producers would have to register by March 2026**; a program evaluation five years later.



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 and create new jobs, in alignment with the objectives of Maryland's 2021 Recycling Market Development legislation (HB 164).
- **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

sierraclub.org/maryland
facebook.com/SierraClubMaryland
twitter.com/sierraclubmd
Email: legislation@mdsierra.org



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¹ Container Recycling Institute, 2024. "2021 Beverage Market Data Analysis." Culver City, California. PET= polyethylene terephthalate (resin code #1). HDPE= High-density polyethylene (resin code #2)

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

³ National Association for PET Container Resources (NAPCOR) press release on the 2023 PET Recycling Report.

⁴ <https://napcor.com/news/2023-pet-bottle-recycling-reach-new-heights/>

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

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

⁷ Ellen MacArthur Foundation. 2024. The Global Commitment 2024 Progress Report. Only 20% of producers are signatories. <https://emf.thirdlight.com/link/pgm3hmtgpwtn-dwj3yc/@/preview/1?o> . 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%).

⁸ 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>