

# Truth In Labeling Task Force

## Meeting #5

Wednesday, 4/20/2022

# Welcome



# Discussion of accessibility

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# Questions for the experts

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# Next Steps

## Next meetings

- **Meeting #6 - 5/4, 2-4 p.m.**
  - Editing proposal(s)
- **Meeting #7 - 5/16, 2-4 p.m.**
  - Working/finalizing report
- **Meeting #8 - 5/23, 2:30-4:30 p.m.**
  - Finalizing report & next steps



# Note from the Chair & Vice-Chair

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The following adjusted Proposal #1 was updated following the robust discussion from the TIL TF Meeting #4 and the strawperson voting on the initial proposals. In crafting this new strawperson proposal, we sought to deliver something that we believed would comply with the 36 states that currently require chasing arrows around the Resin Identification Code and would also comply with CA SB 343. We believe this reflects the Task Force's consensus expressed desire for clear recyclability claims that would not confuse consumers and, additionally, addresses accessibility considerations for most Oregonians\*.

\*<https://www.pewresearch.org/internet/fact-sheet/mobile/>

# Proposal #1 – Recommendations to Legislature

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- If there are chasing arrows on a package, **REQUIRE** the strike-through for items not on Oregon's Uniform Statewide Collection List
- Mandate embedded **consumer-facing** recyclability labeling via commonly-used smart-labeling technology
  - Provide time for packaging producers to prepare for any changes to be adopted
- On-ramp for new materials

# Straw poll results proposal #1

## Proposal #1 - Recommendations to Legislature

- If there are chasing arrows on a package, REQUIRE the strike-through for items not on Oregon's Uniform Statewide Collection List
- Mandate embedded consumer-facing recyclability labeling via commonly-used smart-labeling technology
  - Provide time for packaging producers to prepare for any changes to be adopted
- On-ramp for new materials

### [More Details](#)

● #1 - Support as is.	6
● #2 - Could support with chan...	4
● #3 - Uncertain.	2
● #4 - Oppose.	0
● #5 - Oppose but could suppor...	1



## Task Force members who could support with changes:

- Dave Larmouth
- Kristan Mitchell
- Shawn Miller
- Will Posegate
- Dan Felton



# Proposal #1b – Potential add-ons

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- **Establish a threshold for requiring DO NOT RECYCLE labeling and/or chasing arrows with a strike-through on products**
  - (not on Oregon's Uniform Statewide Collection List AND not considered recyclable in California, threshold could be set as below 30-50% recycling acceptance rate, for example).

*Note:* This #1b proposal *requires* a DO NOT RECYCLE label, as opposed to RIC component of Proposal #1, which only applies if manufacturers elect to include chasing arrows.

# Straw poll results proposal #1b

## Proposal #1b - Proposal #1 with the below add-on.

- Establish a threshold for requiring DO NOT RECYCLE labeling and/or chasing arrows with a strike-through on products
  - Items not on Oregon's Uniform Statewide Collection List AND not considered recyclable in California, threshold could be set as below 30-50% recycling acceptance rate, for example.

### [More Details](#)

● #1 - Support as is.	4
● #2 - Could support with chan...	3
● #3 - Uncertain.	3
● #4 - Oppose.	3
● #5 - Oppose but could suppor...	0



## Task Force members who could support with changes:

- Shawn Miller
- Dan Felton
- Dylan de Thomas

# Proposal #2 – Recommendations for the PRO

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- **PROs run statewide ad campaigns to teach Oregonians about label changes**
- **Use eco modulation to support recycling labeling best practices**

# Straw poll results proposal #2

## Proposal #2 - Recommendations for the PRO

- PROs run statewide ad campaigns to teach Oregonians about label changes
- Use eco modulation to support recycling labeling best practices

### [More Details](#)

● #1 - Support as is.	8
● #2 - Could support with chan...	1
● #3 - Uncertain.	0
● #4 - Oppose.	1
● #5 - Oppose but could suppor...	3



### Task Force members who could support with changes:

- Steve Kramer
- Dave Larmouth
- Kristan Mitchell
- Will Posegate

# Proposal #3 – Future Status Quo +

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- Allow both Oregon's Recycling Modernization Act and California's SB 343 to be implemented
- Suggest coordination with OR DEQ and CalRecycle around accepted materials lists
- Suggest coordination with OR DEQ and future OR PRO around needed investments for materials “close” to making statewide accepted materials lists

# Straw poll results proposal #3

## Proposal #3 – Future Status Quo+

- Allow both Oregon’s Recycling Modernization Act and California’s SB 343 to be implemented
- Suggest coordination with OR DEQ and CalRecycle around accepted materials lists
- Suggest coordination with OR DEQ and future OR PRO around needed investments for materials “close” to making statewide accepted materials list

### [More Details](#)

● #1 - Support as is.	6
● #2 - Could support with chan...	0
● #3 - Uncertain.	2
● #4 - Oppose.	5
● #5 - Oppose but could suppor...	0



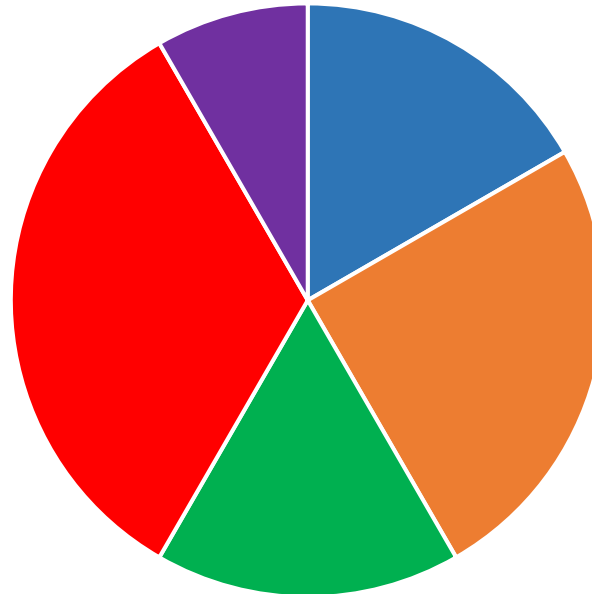
# ORRA proposal

1. Packaging not on Oregon's Uniform Statewide Collection List for commingled collection cannot have the chasing arrows anywhere on it or make any other claims about the packaging being recyclable.
  - a. Allow recyclability labeling on covered packaging if it uses chasing arrows symbol in combination with a clearly visible line placed at 45-degree angle over chasing arrows symbol to convey that item is not recyclable.
  - b. Allow glass to be labeled with chasing arrows, but must include language to "recycle separately" as unlike other states, Oregon does not collect glass in commingled
2. Require clear, standardized recycling labels (chasing arrows, instruction for separating products as needed) for items that are on Oregon's USCL.
  - a. Limit this requirement to commingled materials on USCL - see #1 and #1(b) above
  - b. Items for Depot or Event Collection (whether using existing infrastructure or Producer-provided), label with "check locally"
3. Mandate embedded recyclability labeling via QR code or other smart labeling technology This is not in lieu of labeling required in #2 above.
  - a. Consider pilot program, such as testing smart labeling options with letter coding, for example: C – commingled, D – depot, S – separate collection, G – garbage.
4. Require the Resin ID Code without any other triangle or chasing arrows shape
  - a. Incentivize removal of RIC with chasing arrows via ecomodulation fees.
5. Provide on-ramp for new material or materials that have developing markets Via SB 582/RMA USCL process
  - a. Also include off-ramp for materials that fail the USCL process
6. PROs run statewide ad campaigns to teach Oregonians about label changes
  - a. Via SB 582/RMA process
7. Use the PROs as a tool for removing a non-compliant product from sale in Oregon.
8. Require DEQ to review state criteria against enforceable federal statutory or regulatory recyclability labeling within 180 days of implementation at the federal level and permit DEQ to adopt federal criteria in lieu of state recyclability labeling requirements.
  - a. Subject to Oregon Legislature's oversight
9. Create Oregon's USCL, informing and discussing with California and Washington partners during the process to consider areas of alignment on the West Coast.
10. Provide time for packaging producers to prepare for any changes adopted.
11. Support labeling improvements at the federal level
12. Ecomodulation fees
  - a. Use to provide incentives for good labeling practice (lower fee)
  - b. Use to provide disincentives for poor labeling practices (higher fee)
  - c. Aligning with the implementation timelines in SB 582/RMA, for every year that "chasing arrows laws" are statutory requirements in the remaining 36 states, increase the ecomodulation fee paid by plastic packaging PRO members. Use the extra fees for additional contamination reduction and labeling education for Oregon consumers.

# Straw poll results ORRA proposal

## ORRA proposal

- #1 - Support as is. 2
- #2 - Could support with cha... 3
- #3 - Uncertain. 2
- #4 - Oppose. 4
- #5 - Oppose but could suppor... 2



## Task Force members who could support with changes:

- Anja Brandon
- Dan Felton
- Maya Buelow
- Dave Larmouth
- Kristan Mitchell



# Overview of TF Proposals

## Proposal #1

- If chasing arrows on a package, REQUIRE strike-through for non-USCL items
- Mandate embedded recyclability labeling via smart-labels
- On-ramp for new materials

## Add-on #1

Mandated Do Not Recycle Label

## Proposal #2

### Recommendations to PRO

- Statewide ad campaign on labeling
- Eco-modulation bonus for improved labeling practices

## Proposal #3 Status Quo+

- Allow both Oregon's RMA and California's SB 343 to be implemented
- Suggest coordination w/ DEQ & CalRecycle on lists
- Suggest coordination with DEQ & OR PRO on "close" materials

# Roll Call Vote

**Proposal #1**

**Proposal #2**

**Proposal #3**

**Proposal #1b**

**ORRA Proposal**

# Public Input



# Next Steps

## Next meetings

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