

Meeting Summary

Truth In Labeling Task Force

Meeting Summary: Meeting #5

4/20/2022

Zoom

List of Task Force Members in attendance

- Dr. Anja Brandon (Vice-chair)
- Dan Felton
- Dave Larmouth
- Dylan de Thomas (Chair)
- Jenny Slepian
- Kristan Mitchell
- Nicole Janssen
- Maya Buelow
- Shawn Miller
- Thomas Egleston
- William Posegate

DEQ Staff

- Alex Bertolucci
- David Allaway



State of Oregon
Department of
Environmental
Quality

Truth In Labeling
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www.oregon.gov/DEQ

DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.

Time	Topic
1:30 p.m.	<p>Welcome. The Chair welcomed everyone and thanked members for their attendance and effort. The Chair also thanked DEQ staff and Vice Chair Brandon, and reminded people about the opportunity for public input.</p> <p>Action by the Task Force No opposition – moving forward, all votes will be by roll call with the final vote and how members voted shared with all members.</p>
1:35 p.m.	<p>Discussion of accessibility Task Force members discussed what accessibility is and how it can be incorporated in labeling. Ideas discussed included:</p> <ul style="list-style-type: none">• Use of symbols that are universally understood.• Size of image/font.• Access to technology (smartphone or in-store scanners)• Colors• Universal, easy-to-understand• Use of technology, such as QR codes, to improve messaging• Abbreviations• Literacy• Location/prominence on package <p>Pew research on cell phone usage Oregon broadband adoption FDA Food Labeling Guide</p>
2 p.m.	<p>Task Force members asked questions of speakers who provided information on RIC and smart labeling.</p>

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Kim Holmes (4R Consulting), Patrick Kreiger (PIA) and Steve Alexander (APR) joined Task Force members and answered questions from their pre-recorded sessions sent to members before the meeting.

Discussion of proposals 2.0

The Chair and Vice Chair took the feedback from the previous meetings and presented edited proposals. ORRA presented a proposal also. All the proposals were matched with straw polls and discussion to see where the sticking points were, with a focus on what would need to change with each proposal to attract a larger degree of support. Find the straw poll results in the Meeting #5 slide deck on the [TIL webpage](#).

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

Proposal #1b –Potential add-ons

- 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.

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

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 lists

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.



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2:10 p.m.

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- 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.

No one signed up for public input at this meeting

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3:25 p.m.	Next steps. The Chair and Vice Chair will work to get materials out as quickly as possible. The next steps were reiterated. Action by the Task Force No opposition - The Chair asked for a vote allowing electronic voting between meetings. This change allows for voting via electronic means, with the final vote and how members voted shared with all members.
3 p.m.	Adjourn.



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List of attendees

Alicia Cafferty BSH Home Appliances Corporation

Andrea Fogue Oregon Refuse and Recycling Association

Beth Oregon Refuse and Recycling Association

Celine Swenson Harris

Cheryl Grabham Oregon DEQ

Colette Bazirgan

Denise Barnes Rogue Disposal & Recycling

Elena Bertocci Maine Department of Environmental Protection

Evan Sorce Office of State Representative

Paul Evans

Hannah Scholes

Heather Trim Zero Waste Washington

Janine Bogar

Jared Rothstein Consumer Brands Association

Jason Hudson Waste Connections

Jeff Newgard Peak Policy, LLC

Jeff Murray EFI Recycling

Jennifer Olson

Jennifer Dresler

Joel Baxter WestRock

Jonathan Levy AMP Robotics

Julie Tucker Emerald Systems

Julie Jackson

Justin Gast Oregon Dept of Env. Quality

Katy McDowell Thorn Run Partners

Kim Holmes

Kristin Leichner Pride Disposal & Recycling Company

Laura Leebrick Rogue Waste, Inc.

Lauren Aguilar AMERIPEN

Laurie Hansen Strategic Partners Group

Leah Navarro

Matt Markee

Morgan Beltz Oregon Business & Industry

Nicole Mann Dalton Advocacy

Paloma Sparks Oregon Business & Industry

Patrick Krieger Plastics Industry Association

Rocky Dallum

Rui Fernandes roundbanQ Inc.

Samantha Siegner

Scott Klag Metro

Shannon Crawford WM

Steve Alexander APR

Susan Robinson WM

Thomas Cuomo

Timothy Brownell Deschutes County

Vinod Singh

Alternative formats

DEQ can provide documents in an alternate format or a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.