



Session 4 - Considering Compostables and Hard to Recycle Materials

May 2023

5 KEY TAKEAWAYS

This session introduced perspectives from the composting industry (Biodegradable Products Institute), the flexible packaging industry (Flexible Packaging Association) and a state (Oregon) on how they want to see compostable packaging materials incorporated into an EPR for packaging program.

For the purposes of this webinar, compostables were defined as: *“packaging made from organic materials that breaks down in a compost system within a reasonable period of time and leaves no toxic chemicals or harmful particles behind. Compostable packaging...was identified as material designed with the **primary goal of composting** upon end of use.”* Hard to recycle packaging was defined as: *“packaging materials that are hard to collect, transport, sort, reprocess and/or lack robust end markets. These materials are not necessarily unrecyclable, they are just more difficult to recycle within the existing North American recovery system. Examples of hard to recycle products include, but are not limited to, multi-material pouches and bags, foam polystyrene packaging, coffee pods and films.”*

- 1 An ideal EPR program would balance sustainability with circularity.**

Sustainability means considering the benefits of a package in its design and use phases in addition to its end of life. While an EPR program for packaging is intended to help address end of life recovery of packaging, the program should have flexibility within to permit for multiple pathways towards recovery, including processes to help grow end markets and collection systems. An EPR system should also be cautious not to discourage or ban packaging, but rather, create a mechanism through which these harder to recover materials and formats could establish pathways towards increased recovery.
- 2 An EPR program will need to integrate with other policies, particularly in the case of compostables.**

Compost streams are made up of food, yard trimmings and packaging, which means packaging cannot and should not subsidize the full costs of composting but rather pay a rate proportional to the cost of handling the compostable packaging. Consideration may also be given to when and where packaging is a contamination to the system and how EPR systems could be designed to help address this challenge. A fee on contamination may be a future amendment to the Oregon law, based on the outcomes of a required 2025 study on compostable contamination from packaging.





3 Packaging recovery is likely to demand a suite of tools. EPR programs should reflect the need for this diversity.

Given the unique needs of our communities, products and packaging formats, EPR systems should be inclusive of multiple ways to collect, and process. Composting, mechanical recycling and chemical recycling may all be needed. Curbside, store-drop-off, depots, and even home composting may all offer different value. EPR systems should be flexible enough to permit producer responsibility organizations (PROs) and local government to collectively decide the best approaches for the recovery of a wide range of materials and formats.

4 EPR legislation should create an enabling environment which grants PROs the flexibility to collect widely recyclable and harder-to recycle and/or compostable materials.

This may mean empowering the PRO to make decisions rather than regulators having complete authority. Effective EPR system should provide for on-ramps as innovation is an essential aspect of packaging and recovery systems.

5 Although EPR systems may not immediately collect and process compostable or hard to recycle materials, users of these materials (producers) will still be required to pay into the system.

These materials still enter the recovery system, they may be collected and processed through alternative systems from curbside (i.e., store drop off, compostable collection, etc.) sometimes they may be treated as contaminants within the existing system because of redirection or consumer misunderstanding. These fees are expected and typically seen as fair but there is also an expectation of PROs that a portion of fees collected will go towards helping grow and advance collection and processing for these materials and not simply be seen as a source to subsidize recycling costs for widely recyclable materials.

Did You Know?

According to the [Packaging Compass](#) from AMERIPEN and PMMI, use of compostable and flexible film packaging is expected to grow significantly over the next 10 years.



Two of the top three materials lack the necessary infrastructure in the US to support recovery needs. The third, recycled content, will also require additional stimulation to meet US demand.