

ATTACHMENT D

CPSC PRODUCT STEWARDSHIP AND EPR: DEFINITIONS AND PRINCIPLES



PRODUCT STEWARDSHIP AND EXTENDED PRODUCER RESPONSIBILITY: DEFINITIONS AND PRINCIPLES

Reducing Economic, Environmental, Health, and Safety Impacts from Consumer Products

The growing product stewardship movement in the United States seeks to ensure that those who design, manufacture, sell, and use consumer products take responsibility for reducing negative impacts to the economy, environment, public health, and worker safety. These impacts can occur throughout the lifecycle of a product and its packaging, and are associated with energy and materials consumption; waste generation; toxic substances; greenhouse gases; and other air and water emissions. In a product stewardship approach, manufacturers that design products and specify packaging have the greatest ability, and therefore greatest responsibility, to reduce these impacts by attempting to incorporate the full lifecycle costs into the cost of doing business.

The terms *product stewardship* and *extended producer responsibility (EPR)* are often used differently by stakeholders involved in the product stewardship movement. The purpose of this document is to harmonize terminology in the U.S. and to guide development of policies, legislation, and other initiatives by governments, companies, and other organizations. By speaking the same language, we can have a constructive public discussion.

We use the following definitions for product stewardship and EPR. Since we define EPR as a legislative approach, we believe it requires further clarification and therefore developed the subsequent *Principles of Extended Producer Responsibility*.

Product Stewardship is the act of minimizing health, safety, environmental and social impacts, and maximizing economic benefits of a product and its packaging throughout all lifecycle stages. The producer of the product has the greatest ability to minimize adverse impacts, but other stakeholders, such as suppliers, retailers, and consumers, also play a role. Stewardship can be either voluntary or required by law.

Extended Producer Responsibility (EPR) is a mandatory type of product stewardship that includes, at a minimum, the requirement that the producer's responsibility for their product extends to post-consumer management of that product and its packaging. There are two related features of EPR policy: (1) shifting financial and management responsibility, with government oversight, upstream to the producer and away from the public sector; and (2) providing incentives to producers to incorporate environmental considerations into the design of their products and packaging.

PRINCIPLES OF EXTENDED PRODUCER RESPONSIBILITY

The following EPR Principles include key elements that should be included in all EPR legislation. Although these Principles will be applied differently by different jurisdictions, they are aspirational and considered best practice to achieve maximum results.

- **Producer Responsibility**
 - Producers are required to design, manage, and finance programs for end-of-life management of their products and packaging as a condition of sale. These programs may or may not use existing collection and processing infrastructure. Programs should cover all products in a given category, including those from companies no longer in business and from companies that cannot be identified.
- **Level Playing Field**
 - All producers within a particular product category have the same requirements, whether they choose to meet them individually or jointly with other producers.
- **Results-based**
 - Producers have flexibility to design the product management system to meet the performance goals established by government, with minimum government involvement.
 - Producer-managed systems must follow the resource conservation hierarchy of reduce, reuse, recycle, and beneficially use, as appropriate.
 - Products must be managed in a manner that is protective of human health and the environment.
 - Producers design and implement public education programs to ensure achievement of performance goals and standards established by government.
 - All consumers have convenient access to collection opportunities without charge.
- **Transparency and Accountability**
 - Government is responsible for ensuring that producer programs are transparent and accountable to the public.
 - Producer programs, including their development and the fate of products managed, provide opportunity for input by all stakeholders.
- **Roles for Government, Retailers and Consumers**
 - Government is responsible for ensuring a level playing field for all parties in the product value chain to maintain a competitive marketplace with open access to all, for setting and enforcing performance goals and standards, for supporting industry programs through procurement, and for helping educate the public.
 - Retailers only sell brands within a covered product category that are made by producers participating in an industry program, and are responsible for providing information to consumers on how to access the programs.
 - Consumers have a responsibility to reduce waste, reuse products, use take-back and other collection programs, and make appropriate purchasing decisions based on available information about product impacts and benefits.

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ENDORSEMENTS

As of January 25, 2013

We, the undersigned, support these definitions and principles to clarify discussions and to facilitate the establishment of more Product Stewardship programs and Extended Producer Responsibility policies in North America.

Businesses

[Peninsula Packaging Co.](#) (Packaging Producer)
[Reliance Carpet Cushion, Inc.](#) (Carpet Cushion Producer)
[Close The Loop, Inc.](#) (Recycled Product Producer)
[Terracycle](#) (Up-cycler)
[Amazon Environmental](#) (Paint Recycler)
[Los Angeles Fiber](#) (Carpet Recycler)
[Covanta](#) (Waste to Energy Company)
[Marin Sanitary Service](#) (Waste Hauler)
[AkkuSer](#) (Battery Recycler, Europe)

Stewardship Organizations

[Call2Recycle](#)
[Encorp Pacific](#) (Canadian)

State & Local Governments

[Alameda StopWaste, CA](#)
[Central Contra Costa Sanitary District, CA](#)
[Chittenden County, VT](#)
[City of Seattle - Seattle Public Utilities](#)
[City of Santa Monica, CA](#)
[Clallam County Solid Waste Advisory Committee, WA](#)
[Delta Diablo Sanitation District, CA](#)
[Illinois Counties Solid Waste Management Association](#)
[Iowa Department of Natural Resources](#)
[METRO, OR](#)
[New York State Department of Environmental Conservation](#)
[Oregon Department of Environmental Quality](#)
[South Short Recycling Cooperative, MA](#)
[Tampalpias Community Services District, CA](#)

Consulting Groups

Gracestone, Inc.
[Grossman Marketing Group](#)
Kathy Walsh, LEED
Peg Hall Consultancy
[Special Waste Associates](#)
KPS Consulting

Government Associations & Councils

[U.S. Conference of Mayors](#)

[Environmental Council of the States](#)

[California Product Stewardship Council](#)
[New York Product Stewardship Council](#)
[Texas Product Stewardship Council](#)
Midwest Product Stewardship Council
[Colorado Product Stewardship Council](#)
Massachusetts Product Stewardship Council
[Nebraska Product Stewardship Coalition](#)
[Rhode Island Product Stewardship Council](#)
[Vermont Product Stewardship Council](#)

Academia

[Rochester Institute of Technology \(RIT\)](#)

Non-Profit Organizations

[Sierra Club](#)
[Natural Resources Defense Council](#)
[North American Hazardous Materials Mgmt. Assn.](#)
[Solid Waste Association of North America \(SWANA\)](#),
[California Chapters](#)
[Associated Recyclers of Wisconsin](#)
[California Resource Recovery Association](#)
[Clean Water Action, California](#)
[As You Sow](#)
[EcoCycle \(Boulder CO\)](#)
[Environmental League of Massachusetts](#)
[Intervale Associates](#)
[MassRecycle](#)
[Michigan Recycling Coalition](#)
[Midwest Environmental Law & Policy Center](#)
[Natural Resources Council of Maine](#)
[Product Policy Institute](#)
[Product Stewardship Institute](#)
[Sierra Club, Connecticut Chapter](#)
[Teleosis Institute](#)
[Texas Campaign for the Environment](#)