

## **National Confectioners Association Extended Producer Responsibility (EPR) Principles**

The National Confectioners Association and its member companies are committed to ongoing efforts to improve the sustainability of packaging for confectionery products like chocolate, candy, gum and mints. Innovation from the private sector and investment through equitable extended producer responsibility (EPR) fees will provide important contributions to creating a circular economy, but there must also be shared responsibility among stakeholders and major improvements by federal, state, and local governments to repair and advance the nation's broken recycling infrastructure, which cannot yet fully address flexible packaging.

Plastic, specifically flexible packaging, is a highly efficient material that provides the right level of security, quality, product protection and preservation. However, the current recycling infrastructure is challenged by collection and sortation equipment that was not designed to handle present-day innovations in flexible packaging. There is a lack of end markets, and businesses and consumers are confused by a patchwork of regulatory regimes. Solutions to these shared problems need a uniform, comprehensive strategy - developed and implemented in partnership with governments and the entire manufacturing, packaging and recycling supply chain - in which EPR fees can be invested and that supports modern and efficient collection and sortation technology and the creation of robust markets for recycled content.

This overall approach paired with financial and technical input from the confectionery industry and other stakeholders will promote national uniformity; a set of reasonable food safety standards associated with packaging design and labeling; and economies of scale for the collection, sorting and recycling of packaging used by the confectionery industry, leading to a nationwide increase in recycling.

Consumers also play an important role in this process, and leveraging EPR fees to provide education can help eliminate confusion among consumers. The better the input into the recycling stream, the more chances there are to capture material to use in new packaging.

As confectionery companies continue modernizing their packaging and pursuing meaningful sustainability goals, NCA and the broader confectionery industry support the following principles to help establish EPR programs and ultimately create a circular economy.

### **Strengthen And Modernize Recycling Infrastructure**

Without investment to improve the process for collecting and sorting materials, packaging that could be recycled will continue to enter landfills and possibly the environment rather than facilities designed to recover those materials for future uses. NCA and its member companies support EPR policies that clearly earmark all raised funds to invest in much-needed upgrades to the nation's recycling infrastructure, including techniques to process new materials like flexible packaging and a focus on new circular waste solutions like broadscale composting.

## **Establish A Level Playing Field To Implement Circular Economy Strategies, Including Recycled Content Strategies And FDA Guidance For Food Packaging**

NCA supports investment in the value chain for recycling, packaging innovation and market development for recycled content. Strategies to improve recycling involving EPR program fees should be based on a level playing field across sectors, including confectionery, taking into account size and type of company and systems available to process materials. These strategies should be developed with input from all levels of government as well as food manufacturers, packaging manufacturers and recycling stakeholders. In addition, NCA supports establishing post-consumer recycled content standards for food packaging and other common-use consumer products and standardizing recycling labeling on common-use consumer products.

## **Eliminate Consumer Confusion Through A National Standard**

Study after study has found that recycling programs are confusing for consumers and businesses, and this confusion is a major barrier to improving the efficiency of these systems. This problem is particularly acute for confectionery product packaging materials like films and flexible packs. NCA and the broader industry support developing a standard across all levels of government to improve the understanding of recycling systems among consumers and businesses with the goal of increasing recycling rates.

## **Invest In Sustainable Packaging Innovations**

NCA and its member companies are initiating their own efforts and joining other consumer-facing industries to invest in the development and adoption of innovative packaging materials for common-use consumer products. These efforts are focused on developing innovative packaging that adheres to the highest standards for food safety while also being fully recyclable, compostable or reusable in order to reduce the environmental footprint of confectionery packaging.

## **Avoid Unintended Consequences**

As these innovations are brought to consumers, the confectionery industry supports comprehensive change to the system over bans and restrictions on certain materials and formats. NCA encourages lawmakers and regulators to recognize the entire lifecycle of packaging products – including the food safety aspects – when analyzing their impact on the environment. Prohibiting the manufacture or use of certain products without assessing the implications of replacement products from the perspective of food safety, manufacturing efficiency, life-cycle biodegradability, recyclability and lifecycle greenhouse gas emissions can result in unintended consequences – including creating more problems and costs for businesses, consumers and the environment.