

March 4, 2021

Representative Rick Hansen and Members
Chair of the Environment and Natural Resources Finance and Policy committee

Re: HF 1165 (Wazlawik) – Biodegradable or compostable item labeling requirements modified

Dear Chair Hansen and Members,

The City of Minneapolis thanks you for the opportunity to share our support of HF 1165. The City maintains the largest residential organics recycling program in the state with over 58,000 households signed up to participate. While the City's residents do an excellent job of composting the right items and our overall contamination rate is less than 1%, poorly labeled food-service items are the most common contaminant found in the organics recycling.

The confusion of products is not only at the household level. Restaurants are also often sold products from distributors that are not actually compostable. The City's Solid Waste & Recycling Division of Public Works and the Health Department often field calls and emails around food-service packaging because of poor labeling.

HF1165 is a consumer protection bill. Its passage will:

- Only allow items that are truly compostable to be sold/distributed in the State
- Reduce confusing labeling practices by manufacturers and distributors to restaurants and other food establishments buying take-out containers
- Reduce resident confusion if an item is compostable
- Reduce contamination received at source-separated organics compost sites allowing them to produce quality compost
- Reduce microplastics ending up in our environment.

Adoption of the bill will only impact manufacturers looking to label their products as compostable or biodegradable and distributors selling improper food service items. It does not require businesses to use these items.

For the continued success of our organics recycling program and Green to Go ordinance, we encourage you to support this bill. Please let us know if you have any questions.

Sincerely,

Steven Huser

Government Relations Representative
City of Minneapolis



SIERRA CLUB
NORTH STAR CHAPTER

North Star Chapter
2300 Myrtle Ave, Suite 260
St Paul, MN 55114

March 3, 2021

Dear Chair Hansen, Vice Chair Wazlawik and the Environment and Natural Resources Finance and Policy Committee Members:

I am writing on behalf of the North Star Chapter of Sierra Club in support of HF1165 which modifies the biodegradable and compostable item labeling requirements.

This change is an important step in clarifying for the public which items are biodegradable or compostable, whether they are purchased at a store or brought home from a deli or restaurant. Current labeling is often confusing or missing.

We get questions from the public and from our own members as to which products are compostable. Many products are labeled as 'eco-friendly' or 'made from 100% recycled material' and give the impression that they can be composted but might not meet composting standards.

Many food packaging items, such as coffee cups or deli containers, look like they are compostable but have a plastic lining. Even if organics facilities can remove some plastic by using sieves or some other means, it is impossible to remove all the plastic as they break down into microplastics.

Food packaging that does not have a plastic lining is often coated with per- and polyfluoroalkyl substances (PFAS) to make them grease and water resistant. With the labeling change, consumers can be confident they are not exposing themselves to these toxic chemicals and will not be contaminating compost.

People are increasingly aware of the plastic trash entering our environment, are working to reduce the amount they generate, and want to compost as much as possible. Clearly labeling compostable products, at the item level, will eliminate confusion. Consumers will be able to confidently purchase and compost items, avoid exposure to plastic and toxic chemicals, reduce their trash, and support a valuable resource that reduces the need for chemical fertilizers.

Thank you for your work in reducing waste and keeping composting material free of contaminants.

Sincerely,

Lori Olinger
Chair, Zero Waste Task Force
Sierra Club North Star Chapter

March 3, 2021

Representative Rick Hansen
Chair, House Environment and Natural Resources Finance and Policy Committee
407 State Office Building
St. Paul, MN 55155

RE: Support for HF 1165

Dear Chair Hansen,

The Partnership on Waste and Energy is a Joint Powers Board formed by Hennepin, Ramsey and Washington counties to address waste management and energy issues. We support initiatives that build on the state's waste hierarchy to reduce waste and to create a sustainable, circular economy that keeps products and materials in use and restores natural systems. We are writing today to support HF 1165, authored by Representative Wazlawik.

Landfills in the metro area are nearing capacity, making efforts to reduce and recover materials from trash increasingly urgent. Forty-six percent of Minnesota's waste was diverted from trash through recycling and organics recovery in 2018. The metro area has a statutory goal to divert 75% of waste from trash by 2030. Since organics comprise approximately 25% of the region's trash, success in achieving this goal requires significantly increasing the diversion of organics. Organics recycling also represents a major opportunity to reduce greenhouse gases from waste.

Minnesota's plastic bag labeling standards law (Minnesota Statutes Section 325E.046) currently states that any bag labeled as "compostable" or "biodegradable" may not be sold in Minnesota unless they meet a science-based standard. The Partnership supports expanding the statute to apply to all food or beverage products and packaging, establishing certification requirements for composability claims and requiring clear identification of products claiming to be certified as compostable.

Working to eliminate confusion for consumers, food establishments, recyclers and composting processors about the compostability of products is critical to helping counties achieve our statutory mandate. Currently, products can be labeled with terms such as "biodegradable" that lead people to think they are compostable, when in fact they are not.

Under the requirements of HF 1165, products that are claimed to be compostable must be certified compostable in order to be sold or distributed in the state. Third-party certification, such as through the Biodegradable Products Institute (BPI), whose certification process is the most highly regarded in the composting industry, assures consumers and compost site operators that products will properly compost.

RE: Support for H.F. 1165

Helping compost sites produce quality compost is key to closing the loop on organics recycling. Local composters need organic material free of contamination to consistently produce marketable end products for landscaping, road construction and garden projects. HF 1165 is an important step toward achieving sustainable organics recycling by giving consumers clear information on what products are truly compostable so organic material delivered to compost sites is clean and ready to compost.

Let me close with specific examples of why HF 1165 is important.

- Hennepin County required the City of Minneapolis to begin curbside organics recycling in 2015, and St Louis Park added curbside organics collection in 2014. The county then revised its solid waste ordinance in 2018 requiring certain commercial generators of organics to have a food waste recycling program starting in 2020. The ordinance also requires cities to offer new residential organics curbside recycling programs in 2022. By 2019, 40 percent of all organics collected in the county was delivered to the Brooklyn Park Transfer Station because of a county subsidy to spur development of organics collection.
- Ramsey and Washington counties, through Ramsey/Washington Recycling and Energy, are investing \$7 million of state bonding funds from the 2020 legislative session in a \$42 million upgrade of its Recycling and Energy Center. This will allow, among other things, for the roll-out of curbside organics collection for residents and businesses in the two counties starting in 2022.

The increasing number of businesses and residents involved in these programs will have more confidence in what materials they can divert from trash with labeling requirements like those established in HF 1165.

Thank you for considering HF 1165. We strongly support passage of this bill as an important tool for the region and the state to more easily achieve statutory recycling and waste diversion goals.

Sincerely,



Commissioner Victoria Reinhardt, Ramsey County
Chair, Partnership on Waste and Energy

cc: Peter Strohmeier, Committee Administrator
Commissioner Debbie Goettel, Hennepin County
Commissioner Fran Miron, Washington County