

Date: January 20, 2026

To: House Environment and Agriculture Committee

Re: Letter of Information on HB 1789 relative to extended producer responsibility

Dear House Environment and Agriculture Committee,

The Carton Council is composed of four leading manufacturers of food and beverage cartons – the gable-top and aseptic cartons that are used to package food and beverages. Our members, Elopak, Novolex, SIG, and Tetra Pak, formed the Carton Council in 2009 to deliver long-term collaborative solutions to divert valuable food and beverage cartons from the landfill. Through a united effort, the Carton Council is committed to building a sustainable infrastructure for carton recycling nationwide and works toward its goals of increasing access to recycling, as well as recycling of, cartons throughout the U.S. Currently, cartons have achieved 61% household access to recycling nationally. As of 2025, household access to carton recycling in the Northeast is 65%.

Food and beverage cartons are a packaging option with an excellent environmental profile used to hold a variety of products. Both gable-top and aseptic cartons are made primarily from high-quality paper fiber. In addition to renewable fiber, cartons contain thin polymer layers and, in shelf stable (aseptic) cartons, a small amount of aluminum. These multiple layers allow cartons to safely store their contents for long periods of time, helping to reduce food waste and associated environmental impacts. They do not prevent the package from being recyclable.

Cartons are recycled in one of two ways:

- At a full carton recycler where the entire carton, including the thin polymer layers and any aluminum, is turned into sustainable building products.
- At a recovered fiber paper mill, the extracted fiber is used to create new paper products such as tissue, toweling, and printing and writing paper or other paper-based packaging such as coffee cups.

Fiber recovered from recycled cartons saves precious natural resources in the making of new paper-based products and sustainable building materials. According to [US EPA](#), one ton of paper made from recycled fibers is estimated to conserve:

- 7,000 gallons of water
- 17 to 31 trees
- 4,000 kWh of electricity
- 60 pounds of air pollutants

The Carton Council supports the development and implementation of well-designed EPR systems for packaging and printed paper. To this end, the Carton Council suggests the following amendments to HB 1789:

- **Require the PRO to establish the recyclable materials list and revise it as needed.** In order to ensure that the latest industry-provided data is readily available and reflected in the recyclable materials list, the PRO should be responsible for developing and updating the list whenever necessary and according to specific criteria (see next bullet point). Currently HB 1789 requires the PRO to review the list of products and packaging materials determined to be recyclable on an annual basis only.
- **Establish clear criteria for the initial establishment of the recyclable materials list.** The criteria by which the recyclable materials list is initially determined and updated by the PRO is currently unclear. Carton Council recommends the following criteria be explicitly listed for evaluation by the PRO:
 1. Capacity and technology for collecting and sorting covered materials;
 2. Whether a covered material is of a type and form that is regularly sorted and aggregated for recycling processes or is included in a relevant ReMA specification; and
 3. Availability of responsible end markets, as defined by the PRO.
- **Require that program performance goals be informed by the statewide needs assessment.** HB 1789 proposes ambitious, uniform recycling rate and source reduction targets in statute. To ensure technological feasibility and equity among different material types, Carton Council recommends that the PRO set performance targets in the program plan using the statewide needs assessment as the primary baseline.
- **Explicitly define “covered entities”.** The Carton Council is encouraged to see that HB 1789 requires that services be provided to all residents, businesses, schools, and institutions. The Carton Council recommends explicitly defining these covered entities and expanding the list to include away-from-home settings to allow for the collection and recovery of additional packaging materials like cartons.

- **Establish an Advisory Board.** While not currently included in the scope of HB 1789, the Carton Council supports the establishment of a multi-stakeholder Advisory Board to oversee department and PRO implementation activities. Fiber-based packaging representation should be included in the Advisory Board.
- **Align any packaging labeling requirements with a reputable, certified third-party entity such as How2Recycle.** HB 1789 requires that PRO educational materials be provided to producers for inclusion on their packaging labels to inform consumers about the methods to responsibly reuse, recycle, or dispose of the packaging. To reduce the packaging redesign burden on manufacturers, Carton Council urges the committee to rely on established, certified third-party labeling schemes for such provisions.

The Carton Council is dedicated to building strong, sustainable recycling infrastructure and end markets. Over the past 15 years, the Carton Council has proactively invested over \$20,000,000 in recovery facility sortation technology, emerging and established recycling end markets, and community education necessary to drive the system forward. Our comments are offered in this context.

We appreciate the opportunity to suggest amendments to HB 1789 and look forward to continuing to engage with the Committee. The Carton Council is available and ready to provide any data needed to help make decisions beneficial to the recycling system in New Hampshire and continue to expand partnerships with public and private entities to further carton recycling. We look forward to the opportunity to discuss appropriate amendments with you.

Please don't hesitate to contact us for any reason.

Sincerely,



Jordan Fengel
Executive Director
Carton Council