



January 20, 2026

Representative Judy Aron
Chair, House Committee on Environment and Agriculture
107 North Main Street, GP Room 153
Concord, NH 03301

RE: House Bill 1789, An Act Relative to Extended Producer Responsibility - Oppose

Dear Chairwoman Aron and Committee Members,

The Consumer Brands Association (“Consumer Brands”) champion the industry whose products Americans depend on every day, representing more than 2,000 iconic brands. From household and personal care products to food and beverage products, the consumer-packaged goods (“CPG”) industry plays a vital role in powering the U.S. economy, contributing more than \$2 trillion to the U.S. GDP and supporting more than 20 million American jobs. The CPG industry also plays a crucial role in creating a more sustainable future through its products and has prioritized packaging and recycling innovation. All of the 25 largest CPG companies in the United States have made commitments to increasing recyclable content, source reduction, or reuse of materials. Eighty percent of those companies are working toward introducing fully recyclable packaging for all of their products by 2030 at the latest.

Consumer Brands supports well-designed and thoughtfully developed EPR legislation that involves and holds all relevant stakeholders accountable for ensuring packaging is designed and handled properly throughout its lifecycle. Good EPR legislation can be defined as a multi-faceted policy approach that aims to enhance the sustainability of a product and its packaging throughout its lifecycle – both upstream in packaging design and downstream in packaging waste management – holding all stakeholders accountable for improving the environmental impacts of packaging introduced in their state. Good EPR legislation is designed to simplify recycling in the state, ensuring a level of statewide uniformity on what is deemed recyclable to reduce consumer confusion, as well as to improve recycling capabilities through targeted investments into both mechanical and non-mechanical recycling infrastructure and services, increasing what can be effectively recycled. Performance goals and metrics required in these programs should be evidence-based, assessing current infrastructure and systems to handle packaging waste, leading to realistically achievable yet significant targets. Finally, an effective EPR program includes diversified funding from multiple sources, targeting specific challenges in the recycling value chain, and with legislative guidance and regulatory oversight, includes a strong PRO to assess fees on packaging and determine where and how program funds are spent to manage the recycling system.

Unfortunately, the packaging EPR program outlined under HB 1789 does not fit the aforementioned description of good EPR, and, in fact, might not really be considered true EPR.

The ultimate goal of establishing a true EPR program has been muddied by extraneous sustainability initiatives that have been tacked on in the drafting process. The current proposal includes a list of banned toxic chemicals and substances, not included in any existing packaging EPR law in the nation. This language is duplicative in nature, as EPR already incentivizes the reduction of toxic substances in packaging through an eco-modulated fee schedule, which is already included in HB 1789. The bill also includes impractical and non-evidence-based performance targets/requirements that go well beyond the goals outlined in any other existing EPR program. Furthermore, the bill lacks essential definitions, such as the definition of “recycling” and “covered entity,” which will make this bill entirely un-implementable. Finally, the program’s funding structure seems somewhat misaligned with current best practices. The current proposal would require producers to pay for the entirety of the program from its onset, which is well out of line with current packaging EPR funding best practices, making the program prohibitively expensive and ultimately unworkable for producers.

We believe that the complicated and layered current proposal under HB 1789 can only lead to drastically diminished effectiveness and likely consumer price increases. If we are aligned in establishing an effective EPR program that serves all of New Hampshire, protects businesses from undue and impossible-to-comply-with burdens, and safeguards consumers from rising costs of everyday packaged goods, the legislation might best center on the core elements of a successful packaging EPR program and forego the extraneous and duplicative initiatives that will inhibit the program’s success. To conclude, we believe that a true packaging EPR bill that focuses on improving recycling and advancing a circular recycling model is the best path forward.

Thank you for the opportunity to submit written testimony on this important piece of legislation. Consumer Brands is fully committed to working with the committee, state leadership, and critical stakeholders to deliver real, lasting solutions to New Hampshire’s recycling system.

Respectfully submitted,

Greg Costa

Senior Director, State Affairs
Consumer Brands Association
1001 19th St N, Arlington, VA 22209