



MN Composting Council

STATE CHAPTER OF THE
U.S. COMPOSTING COUNCIL

Compostable Product Labeling overview
and other legislative priorities and policy positions

mncompostingcouncil.org

The Minnesota Composting Council, founded in 2012, is a State Chapter of the United States Composting Council.

MNCC is dedicated to the development, expansion, and promotion of the composting industry based upon sound science, principles of sustainability, and economic viability. The organization will achieve its mission by:

- Encouraging and guiding research,
- Promoting best management practices,
- Establishing standards,
- Educating professionals and the public, and
- Enhancing product quality and markets.



Compostable Product Labeling



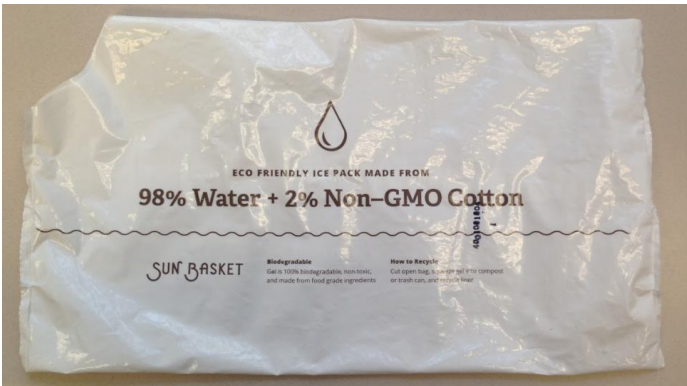
- Existing statute identifies when the term 'compostable' may be used on plastic bags (MN Statute § 325E.046)
- MNCC goal to expand this bill to also include food service ware and packaging
- 2020 session summary:
 - Governor's legislative platform in 2020
 - MNCC and MPCA worked together to develop language
 - Revisor's office reviewed
 - Confirmed author in Senate (Marty) and identified potential authors in House
 - Began identifying supporting organizations
 - Bill was not introduced
- Other states with similar legislation
 - WA, CA, MD

Key components of bill language

- Sets labeling requirements for other food service items in addition to bags
- Does not allow a covered product to be labeled biodegradable unless an ASTM standard is developed and is approved by the legislature
- Products can only be labeled compostable if they meet ASTM D6400 or ASTM D6868 standards and the results are verified by a third party who is a nonprofit that is capable of performing necessary analysis.
- Requires compostable products to be clearly labeled on the product, and on the product's smallest unit of sale, that it is intended for a commercial or industrial compost facility.
- MPCA will be given enforcement authority in addition to the Attorney General.

Definitions:

- **“Covered product”** means a bag, food or beverage product, or packaging
- **“Food or beverage product”** means a product that is used to wrap, package, contain, serve, store, prepare or consume a food or beverage such as plates, bowls, cups, lids, trays, straws, utensils, and hinged or lidded containers
- **“Packaging”** has the meaning given in section 115A.03, subdivision 22b
...a container or any appurtenant material that provides a means of transporting, marketing, protecting, or handling a product. “Packaging” includes pallets and packaging such as blocking, bracing, cushioning, weatherproofing, strapping, coatings, closures, inks, dyes, pigments, and labels.”



Examples of products with misleading claims



Improved labeling will:

- Prevent 'greenwashing' by manufacturers
- Reduce resident and food establishment confusion
- Improve compost quality (reduced contamination received at compost sites)
- Support compostable product manufacturers that are doing the right thing



Support for the bill

2020 Confirmed supporters

- Composters
- Compostable product manufacturers
 - NatureWorks LLC – confirmed 2021 support
 - NTIC / Natur-Tec – confirmed 2021 support
 - Self Eco - confirmed 2021 support
 - Organix Solutions
- Non-profits & Community Groups
 - Association of Recycling Managers
 - Clean Water Action
 - Minneapolis Climate Action
 - Zero Waste Saint Paul
- Government Agencies
 - City of Richfield – confirmed 2021 support
 - City of St. Louis Park
 - Pope Douglas Solid Waste Management – confirmed 2021 support

Other 2021 confirmed supporters

- Solid Waste Administrators Association (SWAA)
- Environment Minnesota
- Clean Water Action

Voice your support!

Visit MNCC's Advocacy webpage (mncompostingcouncil.org/advocacy) to find the following resources:

- Request for support letter from MNCC
- Resident support letter to send to their elected officials
- MNCC Legislative Platform & Priorities

MNCC has also joined the Minnesota Environmental Partnership to help connect us with other like-minded environmental organizations.

Support a Ban PFAS in food packaging

- Has been introduced in past years
 - 2021 bills #s: HF 79 / SF 70
 - 2020 bills: HF 3180 / SF 3225
- PFAS is added to many fiber-based food packaging items as a grease barrier.
 - PFAS are in a lot of other non-food related products too
- Compost sites (and other end-of-life) disposal options cannot control what they receive:
 - Managing contact water from compost sites is costly
- States who have passed PFAS bans
 - WA, ME, NY
- States who have introduced legislation
 - AZ, CT, IL, NH, MA, NJ, RI, VT, VA, WI



Additional Policy Positions

- Expand Opportunity to Recycle to include organics
- Support “Shall Use” compost mandates
- Increase funding for organics recycling programs and education
- Expand compostable bag requirement for yard waste statewide
- Support local control for solid waste management policies
- Fund infrastructure expansion
- Use compost in public projects
- Use ‘everyone pays’ model for curbside collection programs
- Prioritize source separation of organics over mechanical separation
- Use high solids AD & further process digestate via composting
- Allow cities to implement organized trash collection



2020 Legislative Platform

<p>Opportunity to Recycle: 5th Recyclable</p>	<p>The MNCC supports changes to 115A.552 that add source separated organic material as a 5th recyclable materials type to be collected in the Metropolitan Area and in cities with populations of 40,000 or greater (Moorhead, Duluth, St. Cloud, Mankato, and Rochester).</p>
<p>Plastic Bag and Food Service Labeling</p>	<p>The proposed amendment to 325.046 expands the requirement that any plastic sold in MN, for either film or food service ware, be labeled compostable only if it meets the ASTM D6400 for film or food service ware and ASTM D6868 for plastic coated paper food service ware.</p>
<p>PFAS Ban</p>	<p>MNCC supports banning sale, distribution, or use of Per and Polyfluoroalkyl Substances (PFAS) chemicals in food packaging. The ban should be implemented after the appropriate state agencies identify and approve safer alternatives.</p>
<p>Shall Use Compost Mandate</p>	<p>Political subdivisions, educational institutions, and other public agencies shall procure compost as part of their soil amendment purchases unless it is determined that the compost material does not meet the specifications required by the project.</p>
<p>Education</p>	<p>Consistent and continued education is necessary for organics recycling programs to succeed. Over the years, State supported waste reduction and diversion educational efforts have declined, yet recycling and organics recovery goals have statutorily increased. State statutes 115a.552 and 115a.072 should be amended to reflect increased educational needs and funding should be allocated for the MPCA and Counties to meet the requirements identified in the statutes.</p>
<p>Program Funding: SCORE</p>	<p>SCORE funding given to Counties, who are responsible for meeting the State diversion goals, has been siphoned away from its intended purpose to the State's General Fund, while new diversion programs and educational needs have increased to meet State diversion goals. All SCORE funding should be used for its intended purpose to support waste reduction and diversion programs.</p>
<p>Yard Waste: Extending Metro law Statewide</p>	<p>Extending statewide the requirement that yard waste be placed in a compostable bag meeting ASTM D6400 or D6868 or being debagged at a transfer site is critical in reducing plastic film contaminants in finished compost.</p>

Thank you!