

Northeast Waste Management Officials' Association ([NEWMOA](#))
**Resolution on the Definition of Product Stewardship & Extended Producer
Responsibility**
March 15, 2013

Reducing Economic, Environmental, Health, & Safety Impacts from Consumer Products

Whereas, approximately 30 million tons of municipal solid waste, including packaging are currently generated in the Northeast U.S. and disposed of each year; and

Whereas, currently the costs to manage most products and waste at end-of-life are currently borne by taxpayers and rate payers, and these costs are increasing substantially and will continue to do so unless policy changes are made; and

Whereas, there are environmental and human health impacts associated with improper management of mercury-added products, household hazardous waste, pharmaceuticals, sharps, and other products and economic impacts when waste becomes litter, including ocean litter; and

Whereas, more than 25 producer responsibility state laws have been enacted in the Northeast covering at least 6 categories of products; and

Whereas, the growing product stewardship movement in the United States seeks to ensure that those who design, manufacture, sell, and use consumer products take greater responsibility for reducing negative impacts to the economy, environment, public health, and worker safety. These impacts can occur throughout the lifecycle of a product and its packaging, and are associated with energy and materials consumption, waste generation, toxic substances, greenhouse gases, and other air and water emissions. In a product stewardship approach, manufacturers that design products and specify packaging have the greatest ability, and therefore greatest responsibility, to reduce these impacts by attempting to incorporate the full lifecycle costs in the cost of doing business; and

Whereas, stakeholders often use the terms *product stewardship* and *extended producer responsibility (EPR)* differently. Harmonized terminology in the United States for these concepts is needed to guide development of policies, legislation, and other initiatives by governments, companies, and organizations. By speaking the same language, we can have a constructive public dialogue.

Now, therefore, be it resolved that the Northeast Waste Management Officials' Association (NEWMOA):

Defines product stewardship as the act of minimizing health, safety, environmental, and social impacts, and maximizing economic benefits of a product and its packaging throughout all lifecycle stages. The producer of the product has the greatest ability to minimize adverse impacts, but other stakeholders, such as suppliers, retailers, government, and consumers, may also play a role. Product stewardship can be implemented through either voluntary programs or legal requirements;

Defines EPR as a mandatory type of product stewardship that includes, at a minimum, the requirement that the producer's responsibility for its product extends to post-consumer management of that product and its packaging. There are two related features of EPR policy: (1) shifting financial and management responsibility, with government oversight, upstream to the producer and away from the public sector; and (2) providing incentives to producers to incorporate environmental considerations in the design of their products and packaging; and

Endorses the following Principles of EPR, including key elements that should be considered in developing EPR legislation. These Principles are aspirational and considered best practice to achieve maximum results and will be applied differently by different jurisdictions.

Principles of Extended Producer Responsibility (EPR)

Producer Responsibility

- Producers are required to design, manage, and finance programs for end-of-life management of their products and packaging as a condition of sale. These programs may or may not use existing collection and processing infrastructure. Programs should cover all products in a given category, including those from companies that are no longer in business and from companies that cannot be identified.

Level Playing Field

- All producers within a particular product category have the same requirements, whether they choose to meet them individually or jointly with other producers.

Results-based

- Producers have flexibility to design the product management system to meet the performance goals established by government, with minimum government involvement.
- Producer-managed systems must follow the resource conservation hierarchy of reduce, reuse, recycle, and beneficially use, as appropriate.
- Products must be managed in a manner that is protective of human health and the environment.
- Producers design and implement public education programs to ensure achievement of performance goals and standards established by government.
- All consumers have convenient access to collection opportunities without charge.

Transparency and Accountability

- Government is responsible for ensuring that producer programs are transparent and accountable to the public.
- Producer programs, including their development and the fate of products managed, provide opportunity for input by all stakeholders.

Roles for Government, Retailers, and Consumers

- Government is responsible for ensuring a level playing field for all parties in the product value chain to maintain a competitive marketplace with open access to all, for setting and enforcing performance goals and standards, for supporting industry programs through procurement, and for helping educate the public.

- Retailers only sell brands within a covered product category that are made by producers participating in an industry program and are responsible for providing information to consumers on how to access the programs.
- Consumers have a responsibility to reduce waste, reuse products, use take-back and other collection programs, and make appropriate purchasing decisions based on available information about product impacts and benefits.