

STATEMENT TO

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 2515**

with Senate Floor Amendments
(Proposed by Senator SMITH)

ADOPTED: JUNE 21, 2021

These floor amendments would:

(1) exclude milk and milk products from the definition of “beverage”;

(2) exclude labels, caps, closures, and other items affixed to the container from the definition of "plastic beverage container";

(3) remove the authority of the Department of Environmental Protection (DEP) to require a method other than the use of market share or population when a manufacturer pro rates national data to calculate the average amount of postconsumer recycled content contained in its products sold in the State;

(4) remove the labeling requirements of the bill for rigid plastic containers, plastic beverage containers, glass containers, paper carryout bags, plastic carryout bags, and plastic trash bags;

(5) exempt packages and containers that contain plant-based products with names that include the names of dairy foods from the bill's provisions, and revise the definition of “milk product”;

(6) delete the explicit authorization for the DEP to adopt, in rules and regulations, provisions requiring alternative compliance measures to reduce the use of virgin materials;

(7) delete the requirement for the DEP to publish alternative compliance plans on its internet website; and

(8) delete the authority of the DEP to require a third-party verification of the required compliance certification that a manufacturer is in compliance with the post-consumer content requirements in the bill and require that the DEP, in consultation with manufacturers, study whether there exist independent, third-party verification organizations that can verify manufacturers’ compliance with the requirements in the bill, and appropriate accreditation standards for such organizations.