



Committee on Environment & Natural Resources
% Legislative Information Office
100 State House Station
Augusta, ME 04333

January 24, 2023

RE: LD 295, An Act to Ensure Accurate Recyclability Labeling for Plastic Containers and Plastic Packaging Material

Dear Sen. Brenner, Rep. Gramlich, and Members of the ENR Committee:

My name is Francesca “Ches” Gundrum and I am Maine Audubon’s Policy Advocate. Maine Audubon is a wildlife conservation non-profit – we fulfill our mission to “conserve Maine’s wildlife and wildlife habitat” by engaging people of all ages in nature through a science-based approach to education, conservation, and advocacy. On behalf of Maine Audubon and our 30,000 members, supporters, and volunteers, thank you for the opportunity to submit testimony in support of LD 295, *An Act to Ensure Accurate Recyclability Labeling for Plastic Containers and Plastic Packaging Material*.

By 2050, scientists expect plastic to outweigh all of the fish in the sea.¹ Currently, there are 150 million metric tons of plastic in our oceans, and we add another 8 million tons every year.² The plastic pollution crisis is significantly harming our wildlife, and seabirds in particular. Every year, a large portion of the seabird population ingest plastic, and plastic fragments have been found in nearly half of all seabird species.³ Recycling plastics is one important step in efforts to reduce the burden of plastics on the earth, but recycling efforts are stymied when materials that are not easily recycled make their way into our recycling stream. These materials can foul the existing recycling apparatus leading to shutdowns, costly repairs, and the need to dispose of all plastics – including the truly recyclable ones – with general trash until the recycling machinery can be repaired.

LD 295 would help support Maine’s existing plastics recycling systems by helping to prevent nonrecyclable materials from interfering with our recycling efforts. This legislation would require that plastic containers or plastic packaging material that are labeled as recyclable meet certain recyclability criteria in order to be sold in Maine. This effort will help address misleading claims about plastic containers and packaging materials recyclability.

¹ Ocean Plastics Pollution, CTR. FOR BIOLOGICAL DIVERSITY, https://www.biologicaldiversity.org/campaigns/ocean_plastics/.

² Rob Jordan, Do Plastic Straws Really Make a Difference?, STAN. U. (2018), <https://earth.stanford.edu/news/doplastic-straws-really-make-difference#gs.vbvj1n>.

³ Wildlife over Waste, ENV’T AMERICA, <https://environmentamerica.org/feature/ame/wildlife-over-waste>.

Scientists are still unearthing the far-ranging damages of accumulating microplastics in wildlife. A 2018 study demonstrated how microplastics in fish changed their behavior.⁴ The study demonstrated that, compared to controls, fish treated by microplastics had weakened feeding activity.⁵ Microplastic-treated fish had reduced swimming speed and range of movement, demonstrating that microplastics could have negative effects on hunting behavior.⁶ Furthermore, microplastics accumulated in the gills and intestine of the fish, causing significant changes to the gallbladder and liver and leading to lower growth, protein, and lipid contents.⁷ Fish are eaten by coastal birds, other wildlife, and humans, meaning that the known impacts of microplastic ingestion are not isolated to fish.

According to the School of Earth, Energy and Environmental Sciences at Stanford University, the most fundamental step in solving the plastic crisis is to get plastics out of our waste systems.⁸ In order to do so, we need to (1) implement thoughtful laws to control the problem and encourage innovation, and (2) encourage the manufacturing of products made from recycled and/or biodegradable materials.⁹ LD 295 is an important step to help us do both.

LD 295 will help Maine's recycling program in several ways, including making sure that what is being sent out to be recycled will actually consist of materials that are recyclable; protecting our existing recycling infrastructure; highlighting the importance of educating the public on what can and cannot be recycled; and better protect wildlife by aiding in efforts to reduce the volume of non-recyclable plastics in Maine. For these reasons and many more, Maine Audubon urges the Committee to support LD 295. Thank you for your consideration.

Sincerely,



Francesca "Ches" Gundrum | Policy Advocate

⁴ See Liyun Yin, et al., Polystyrene Microplastics Alter the Behavior, Energy Reserve and Nutritional Composition of Marine Jacopever (*Sebastes schlegelii*), 360 J. HAZARDOUS MATERIALS, 97 (2018), <https://www.sciencedirect.com/science/article/pii/S0304389418306708>.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ Jordan, *supra* note 2.

⁹ *Id.*