



**American
Forest & Paper
Association**

April 2, 2013

Honorable Susan Sosnowski
Chair, Senate Committee on Environment
and Agriculture
Rhode Island State Senate
82 Smith Street
Providence, Rhode Island 02903

Dear Senator Sosnowski:

On behalf of the American Forest & Paper Association (AF&PA)ⁱ, I am writing to express concerns about S.B. 404, legislation that would impose a fee on paper bags offered at retail. **We respectfully oppose this bill and urge you to amend this legislation to remove mandated fees on paper bags.**

We believe that paper is not part of the problem this legislation is trying to solve and charging residents of Rhode Island a fee for using a product that has “walked the talk” on environmental stewardship is misguided. The paper bag is a recycling success story. Not only are paper bags made from recycled paper, they are highly recycled themselves and are a fixture in community recycling programs throughout Rhode Island and the rest of the country. In fact, Rhode Islanders frequently use paper bags as their containers when recycling other paper products such as newspapers, magazines, envelopes, juice and milk cartons, and printer paper—all items that are accepted at the curb. According to the U.S. Environmental Protection Agency, the paper bag boasts a national recycling rate of almost 50 percent. More than 60 percent of paper consumed in the U.S. has been recovered for recycling each year since 2009 – and exceeded 65 percent in 2012.

We are also concerned that S.B. 404 defines “recycled paper bag” by specifying that each bag contain 40 percent “post consumer” recycled content. The problem with the post consumer qualifier is that it is a distinction without a difference in our view and only serves to draw attention away from the important fact that materials from every step in the paper production process are being reused instead of being placed in a landfill. All of the material that our industry counts as recycled is post-industrial but all of it may not

be post consumer—printer waste and converter scrap for instance. If we did not use these materials, they have the potential to be landfilled. We are particularly concerned that a limited definition of “recycled” needlessly excludes a key segment of the recovered paper marketplace. This will result in making production of our bags more difficult without any environmental benefit.

AF&PA is also concerned with the definition’s reference to “old growth” fiber as this term has no silvicultural or legal meaning. From a practical perspective, using older, high value trees as furnish to make bags would not be economically feasible. The other problem for our members is that there is no way to certify that our bags are compliant with an “old growth” prohibition given that there is no definition. It is conceivable that limbs or harvesting residuals from an older tree stand may find their way into the fiber stream for a paper mill. If this is considered “old growth,” we would have no way of knowing definitively and certainly could not certify that our bags are old growth free.

AF&PA respectfully requests that the Committee be mindful of the many positive environmental attributes of the paper bag as it considers this legislation. In light of the environmental performance of our product and the commitment of our industry to paper recovery and recycling, we believe that efforts to tax or impose other restrictions on paper bags as a means to reduce litter are misguided and could have negative, unintended consequences. We encourage you to avoid measures that penalize paper and, as always, we stand ready to assist you and offer our expertise as a resource as you continue the dialogue on this important issue.

For additional information, please contact Paul Poe, Director of Government Affairs, AF&PA at (202) 463-2479 or paul_poe@afandpa.org.

Sincerely,



Cathy Foley
Group Vice President

ⁱ AF&PA serves to advance a sustainable U.S. pulp, paper, packaging, and wood products manufacturing industry through fact-based public policy and marketplace advocacy. AF&PA member companies make products essential for everyday life from renewable and recyclable resources and are committed to continuous improvement through the industry's sustainability initiative - *Better Practices, Better Planet 2020*. The forest products industry accounts for approximately 4.5 percent of the total U.S. manufacturing GDP, manufactures approximately \$190 billion in products annually, and employs nearly 900,000 men and women. The industry meets a payroll of approximately \$50 billion annually and is among the top 10 manufacturing sector employers in 47 states. In Rhode Island, our industry operates 31 facilities and employs nearly 2,000 individuals with an annual payroll more than \$100 million. The estimated state and local taxes paid by the forest products industry totals \$12 million annually.