



MEMO OF OPPOSITION

S.1464 (Harckham)/ A.1749 (Glick)

Packaging Reduction and Recycling Infrastructure Act

MACNY – The Manufacturers Association, and The Manufacturers Alliance of New York oppose S.1464 (Harckham)/A.1749 (Glick), which would establish an extended producer responsibility program for packaging products. While MACNY supports efforts to improve recycling systems and reduce waste, this legislation imposes sweeping mandates, rigid timelines, and expansive regulatory authority that would significantly increase costs for manufacturers and, ultimately, for consumers across New York State.

The legislation establishes an ambitious implementation schedule, requiring applications for the initial Packaging Reduction and Recycling Organization within six months and DEC selection within nine months. Within eighteen months, DEC must issue all regulations and producers must register and submit required data, followed by submission of a comprehensive plan and completion of a statewide needs assessment within two years. No later than three years after enactment, producers must fully implement the program and may not sell, offer for sale, or distribute products in New York unless compliant, with the DEC authorized to impose conditions if a plan is not approved. For manufacturers operating in national and global supply chains, this compressed timeline leaves little room for packaging redesign, supplier retooling, safety testing, federal labeling review, and inventory phase-outs.

Beyond the initial rollout, the bill mandates a phased packaging reduction schedule measured against the first year a producer registers with the PRRO. These requirements apply to both primary plastic packaging and all other packaging materials. Three years after program implementation begins, producers must reduce covered packaging by 10 percent. The required reduction increases to 15 percent after five years, 20 percent after eight years, 25 percent after ten years, and 30 percent after twelve years. These reductions must be achieved through eliminating packaging components, transitioning to reusable or refill systems, substituting plastic packaging with non-plastic alternatives, or reducing packaging weight on a unit basis. Together, these escalating mandates impose long-term structural changes to packaging design and supply chains, beginning within just a few years of enactment, and risk disrupting product integrity, shelf life, and transportation safety.

The bill further layers in sweeping toxic substance prohibitions beginning three years after rulemaking, including bans on intentionally added PFAS, bisphenols, phthalates, PVC, polystyrene (non-EPS), heavy metals, and numerous other substances, followed by near-total prohibitions five years after rulemaking—even at trace levels to be determined by DEC. A Toxic

Packaging Task Force may recommend additional bans, with DEC required to adopt regulations within 180 days and impose effective dates within two to four years. These open-ended authorities create ongoing regulatory uncertainty, making long-term capital planning difficult for manufacturers.

In addition, recycled content mandates take effect two years after rulemaking, requiring 35 percent post-consumer recycled content for glass, 40 percent for paper carryout bags, and 20 percent for plastic trash bags, with DEC authorized to expand categories and increase targets. Recyclability criteria and recycling rate mandates further require packaging to meet specific sorting and end-market standards and impose reuse and recycling targets reaching 75 percent by 2052. These cumulative requirements will substantially increase production costs, compliance expenses, and reporting burdens.

Those increased costs will not be absorbed by producers alone. They will be passed along to retailers, small businesses, and ultimately to New York families in the form of higher prices on everyday products. New York is already facing affordability challenges and this legislation risks discouraging product availability, limiting consumer choice, and undermining the competitiveness of New York's manufacturing sector.

For these reasons, we oppose S.1464 (Harckham)/A.1749 (Glick).

ABOUT MACNY: [MACNY, The Manufacturers Association](#), is a 113-year-old non-profit organization representing manufacturers and other non-industrial service providers throughout Central New York. With a commitment to enhancing economic development and workforce opportunities, MACNY serves as an advocate for manufacturers, offering a wide array of programs and services to help businesses grow and thrive in a competitive global market.

ABOUT THE MANUFACTURERS ALLIANCE OF NEW YORK: The Manufacturers Alliance of New York is a statewide organization comprised of nine manufacturing associations, united to advocate for the manufacturing community in Albany and Washington.