



New York Farm Bureau
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MEMORANDUM OF OPPOSITION

Senate Bill 1185-B (Senator Kaminsky) /S. 2508-B (Part CCC)

AN ACT TO AMEND THE ENVIRONMENTAL CONSERVATION LAW, IN RELATION TO ESTABLISHING THE EXTENDED PRODUCER RESPONSIBILITY ACT

Date: 3/17/2021

New York Farm Bureau, the state's largest general farm advocacy organization, urges you to oppose the above referenced legislation. This bill would establish the Extended Producer Responsibility (EPR) Act.

This proposal would create an entirely new statewide recycling program and shift the program responsibility from private recycling/waste management companies and municipalities to "producers" (including farms and agribusinesses that sell dairy, wine, cider and other packaged goods, along with the forest product industry). Farm producers are entirely unprepared to assume this type of responsibility, from both a management and financial perspective, especially given the current farm economy and the economic impacts of the ongoing pandemic.

Legislation containing this magnitude of change, and frankly upheaval, to the current recycling system, which severely impacts farms and the general business community, needs thorough stakeholder input, including legislative hearings. Adding to the transparency challenges we face; the bill language was inserted in the Senate One-House Budget directly after it was amended to a "B-print" with no opportunity for conversation with Senate members.

Also, of concern, is language in the bill prohibiting farmers, agribusiness and other industries from increasing the cost of their product to cover the costs of their new recycling responsibilities. This is unlike the recently enacted law prohibiting the use of plastic bag ban in grocery stores, which allows those stores to charge consumers for using paper bags or existing EPR programs that the sponsor points to as successful.

If passed into law, this legislation could create very real negative impacts on farm viability, food access and cost all during a time that we are trying to encourage food production and on-farm processing of food products.

For these reasons, New York Farm Bureau respectfully requests your opposition to this legislation.