



March 13, 2023

**Minnesota House of Representatives
Commerce Finance & Policy Committee**

Chair: Rep. Stephenson (35A)

Vice Chair: Rep. Kotyza-Witthuhn (49B)

RE: Support for HF1315 / SF1321: Compostable product labeling

Dear Mr. Chair and committee members,

The Minnesota Composting Council (MNCC) is a state-wide 501c3 nonprofit dedicated to supporting and advancing the composting industry. We strongly support the passage of HF1315: Compostable Product Labeling.

For the past several sessions, the MNCC has been working diligently to gather support for this bill from various stakeholders and address concerns raised by the bill language. This bill has support from source-separated organics compost facilities in the state, local nonprofits and associations, compostable product manufacturers, and many government agencies including the Minnesota Pollution Control Agency (MPCA). Passing this bill is a win for our residents, a win for our businesses, and a win for our environment. It is also crucial to the success of residential and commercial composting programs and meeting Minnesota's recycling and composting goals.

Source-separated organics composters in Minnesota only accept third party verified certified products that meet ASTM D6400 or ASTM D6868 standards – as is required in this bill. The MNCC, cities, counties, haulers, and composters do a great job of educating residents about the products that are accepted for composting. Retailers and distributors often trust manufacturer claims and don't do additional vetting of products they sell to food establishments and put on their shelves.

Food-service items with false or confusing labels are the top contaminants arriving at composting facilities. Unlike traditional can and bottle recycling, contaminants are not able to be easily removed before the composting process. It's only after composting that contaminants are screened out. At this point many oil-based plastics have fragmented into microplastics that cannot be removed – reducing the quality and salability of the compost. It is crucial that we as a State do everything possible to help reduce confusion for residents and businesses on what can be composted. Only by having clean material can composters manufacture a quality sellable product.

If we don't work to curb contamination now, composters may have to make the decision to no longer accept food-service packaging at all. Colorado's largest composter just announced last week that it has

changed its acceptability list to food scraps only due to contamination ([Smart Cities Dive](#)). If Minnesota composters are forced to make this same decision, it will be detrimental to:

- Minnesota farmers who sell material to be made into compostable products
- Compostable product manufacturers in Minnesota
- Residents and businesses who now will have to dispose of this material as trash
- Our stadiums, businesses and public events who seek to be zero waste

Everything in Minnesota that is managed as garbage incurs Solid Waste Management Tax (and in some counties an additional Solid Waste Fee). Restaurants who use compostable food-service items are able to divert the majority of their waste stream for recycling or composting – avoiding much of this tax. The use of food-service packaging also helps divert additional food scraps for composting which is necessary to meet the State’s recycling and composting goals ([§115A.551 Subd 2](#)).

To assist retailers and distributors to only stock appropriate products, the MNCC has already created a [Compostable Products web page](#). After the passage of this bill, we will create additional educational materials and share them with the MN Chamber, Grocers Association, Retailers Association, local business associations, distributors, and more.

One other important item to note is that this bill will amend an existing law on the labeling of compostable plastic bags. Since its passage in 2009, the Attorney General’s office has not issued any citations for non-compliance with the law. The MPCA has merely used the existing law to educate and inform impacted organizations as a way to support, not penalize those not in compliance. As the primary goal of the bill is to reduce contamination arriving at composting facilities, when passed, the MPCA intends to do the same for all products claiming compostability - offer assistance to come into compliance, not penalize with citations.

An overview document of the bill, that includes financial impacts its passage will have on composters, and a list of supporters can be found on the [MNCC’s Advocacy web page](#).

Thank you for our time and your vote to support our farmers, composters, businesses, residents, and most importantly our soils by passing HF1315.

Please let us know if you have any questions.

Sincerely,



Kellie Kish
MNCC Chair
compostmn@gmail.com
608-792-9772