

What is Product Stewardship?

Product Stewardship is the act of minimizing health, safety, environmental and social impacts, and maximizing economic benefits of a product and its packaging throughout all lifecycle stages. The producer of the product has the greatest ability to minimize adverse impacts, but other stakeholders, such as suppliers, retailers, and consumers, also play a role. Stewardship can be either voluntary or required by law.

What is Extended Producer Responsibility?

Extended Producer Responsibility, or EPR, is a mandatory type of product stewardship that includes, at a minimum, the requirement that the producers responsibility for their product extends to post-consumer management of that product and its packaging. There are two related features of EPR policy: (1) shifting financial and management responsibility, with government oversight, upstream to producers and away from the public sector; and (2) providing incentives to producers to incorporate environmental considerations into the design of their products and packaging.

Principles of Extended Producer Responsibility

The following EPR Principles include key elements that should be included in all EPR legislation. Although these Principles will be applied differently by different jurisdictions, they are aspirational and considered best practice to achieve maximum results.

- Producer Responsibility

- Producers are required to design, manage, and finance programs for end-of-life management of their products and packaging as a condition of sale. These programs may or may not use existing collection and processing infrastructure. Programs should cover all products in a given category, including those from companies no longer in business and from companies that cannot be identified.

- Level Playing Field

- All producers within a particular category have the same requirements, whether they choose to meet them individually or jointly with other producers.

- Results-based

-Producers have flexibility to design the product management system to meet the performance goals established by government, with minimum government involvement.

-Producer-managed systems must follow the resource conservation hierarchy of reduce, reuse, recycle, and beneficially use, as appropriate.

-Products must be managed in a manner that is protective to human health and the environment.

-Producers design and implement public education programs to ensure achievement of performance goals and standards established by government.

-All consumers have convenient access to collection opportunities without charge.

- Transparency and Accountability

- Government is responsible for ensuring that producer programs are transparent and accountable to the public.
- Producer programs, including their development and the fate of products managed, provide opportunity for input by all stakeholders.
- Roles for Government, Retailers and Consumers
 - Government is responsible for ensuring a level playing field for all parties in the product value chain to maintain a competitive marketplace with open access to all, for setting and enforcing performance goals and standards, for supporting industry programs through procurement, and for helping educate the public.
 - Retailers only sell brands within a covered product category that are made by producers participating in an industry program, and are responsible for providing information to consumers on how to access these programs.
 - Consumers have a responsibility to reduce waste, reuse products, use take-back and other collection programs, and make appropriate purchasing decisions based on available information about product impacts and benefits.

Framework Principles for Extended Producer Responsibility

Framework EPR is an alternative to the current piecemeal approach of laws that address individual problem products like fluorescent lamps and batteries. The framework approach establishes consistent principles, clearly defined roles for all parties, and a transparent process for adding new product types. British Columbia and several other Canadian provinces have adopted the framework approach. The State of California, the Northwest Product Stewardship Council, the Vermont Product Stewardship Council, and the British Columbia Product Stewardship Council have adopted Framework EPR principles delineated below. Several states are also drafting framework legislation.

Framework Principles for Product Stewardship Policy

The following principles are intended to guide development of product stewardship policies and legislation that governs multiple products. It is primarily aimed at state legislation but is also intended as a guide for local and federal policy.

1. Producer Responsibility

- 1.1 All producers selling a covered product into the State are responsible for designing managing, and financing a stewardship program that addresses the lifecycle impacts of their products including end-of-life management.
- 1.2 Producers have flexibility to meet these responsibilities by offering their own plan or participating in a plan with others.
- 1.3 In addressing end-of-life management, all stewardship programs must finance the collection, transportation, and responsible reuse, recycling or disposition of covered products. Stewardship programs must:
 - Cover the costs of new, historic and orphan covered products.

- Provide convenient collection for consumers throughout the State.

1.4 Costs for product waste management are shifted from taxpayers and ratepayers to producers and users.

1.5 Programs are operated by producers with minimum government involvement.

2. Shared Responsibilities

2.1 Retailers only sell covered products from producers who are in compliance with stewardship requirements.

2.2 State and local governments work with producers and retailers on educating the public about the stewardship programs.

2.3 Consumers are responsible for using return systems set up by producers or their agents.

3. Governance

3.1 Government sets goals and performance standards following consultation with stakeholders. All programs within a product category are accountable to the same goals and performance standards.

3.2 Government allows producers the flexibility to determine the most costeffective means of achieving the goals and performance standards.

3.3 Government is responsible for ensuring a level playing field by enforcing requirements that all producers in a product category participate in a stewardship program as a condition for selling their product in the jurisdiction.

3.4 Product categories required to have stewardship programs are selected using the process and priorities set out in framework legislation.

3.5 Government is responsible for ensuring transparency and accountability of stewardship programs. Producers are accountable to both government and consumers for disclosing environmental outcomes.

4. Financing

4.1 Producers finance their stewardship programs as a general cost of doing business, through cost internalization or by recovering costs through arrangements with their distributors and retailers. End of life fees are not allowed.

5. Environmental Protection

5.1 Framework legislation should address environmental product design, including source reduction, recyclability and reducing toxicity of covered products.

5.2 Framework legislation requires that stewardship programs ensure that all products covered by the stewardship program are managed in an environmentally sound manner.

5.3 Stewardship programs must be consistent with other State sustainability legislation, including those that address greenhouse gas reduction and the waste management hierarchy.

5.4 Stewardship programs include reporting on the final disposition, (i.e., reuse, recycling, disposal) of products handled by the stewardship program, including any products or materials exported for processing.