



November 12, 2019

Senator Nathan Manning, Chairman
Senate Committee on Local Government, Public Safety and Veterans Affairs
1 Capitol Square
Columbus, OH 43215

RE: Support for SB 222

Good morning Chairman Manning, Vice Chairman Brenner, Ranking Member Maharath and members of the Committee:

I appreciate the opportunity to be here today. My name is Matt Seaholm and I am the executive director of the American Progressive Bag Alliance or APBA.

The APBA represents American packaging manufacturers and recyclers, and we would like to commend the members and the committee for considering Senate Bill 222, legislation that would ensure regulatory uniformity for auxiliary containers in Ohio. Additionally, we would like to specifically thank Senator Rulli for his leadership on this important issue.

On behalf of our members, their thousands of employees, and retail and restaurant customers from around the state, the APBA asks for your support for SB 222. This bill would ensure that future regulations regarding auxiliary containers are made at the state level, which will provide consistency across the state and help avoid the punitive costs and red tape complications of regulatory patchworks.

For certain industries and issues, it makes sense for there to be state-level regulatory consistency. Auxiliary containers fall under this category. States including Indiana, Florida, Michigan, Missouri, Iowa, Idaho, North Carolina, Tennessee, Texas, and Wisconsin have led the way on this issue and already established legislation that clarifies the need for auxiliary container policies to fall under the purview of states. These laws uphold economic health and competitiveness in service to businesses and consumers alike.

Unfortunately, we are seeing regulatory patchworks in states where there are no uniformity laws that have become a significant headache for businesses and consumers alike. In Ohio, this is already starting to appear. Earlier this year, the Cuyahoga County Council adopted a ban on plastic retail bags that will have no meaningful impact on overall litter and waste but will cost local retailers and their customers

millions of dollars every year. Even some local councils are deciding to opt out of Cuyahoga County's ban.

This local legislating leads to confusion not just for the manufacturers, but especially for the retailers. When auxiliary containers are regulated, banned, or taxed at the local level, it's common to see rules that vary from city to city and from county to county. Additionally, local ordinances – whether ban or fee-based – commonly establish varying manufacturing standards for products. Those standards are rarely consistent among localities, leading to inconsistent regulations from one jurisdiction to another. Likewise, the compliance reporting standards laid out in these ordinances are often different.

These varying laws and regulations have serious and inevitable drawbacks. They can lead to increased confusion, a sizeable and unnecessary regulatory burden on the industry, and an increase in costs that are ultimately passed on to the consumer. It is imperative that states proactively address this issue before they are faced with the same problems that we are already seeing in places across the country that have not passed uniformity laws.

For all of these reasons – economic health and competitiveness, job protection, and consumer savings – we believe auxiliary container policy is best determined at the state level. Thank you for your consideration and support of this legislation. I'm happy to address any questions.



Matt Seaholm
Executive Director, American Progressive Bag Alliance

CC: Senator Andrew Brenner, Vice Chair
Senator Tina Maharath, Ranking Member
Senator Hearcel Craig
Senator Bob Hackett
Senator Frank Hoagland
Senator Michael Rulli
Senator Tim Schaffer
Senator Cecil Thomas
Senator Steve Wilson