

Minimum Recycled Plastic Content Legislation: Institute of Scrap Recycling Industries Updates Position



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The Institute of Scrap Recycling Industries (“ISRI”) announced an updated position statement on legislation addressing:

- Use of recycled plastics in the manufacture of new products
- Minimum mandates for recycled plastics in certain products imposed through legislation for the purposes of strengthening end markets for plastics derived from end-of-life consumer products

The document is titled:

ISRI’s Position on Minimum Recycled Plastic Content Legislation (“Position Statement”)

ISRI describes itself as representing 1,300 companies in the United States and more than 40 countries that process, broker, and consumer scrap commodities, including metals, paper, plastics, glass, rubber, electronics, and textiles. It further states that the scrap recycling industry generates nearly \$117 billion annually in United States economic activities and provides more than 506,000 Americans with employment.

The purpose of the *Position Statement* is to provide:

. . . ISRI’s position on the use of recycled plastics in the manufacture of new products, and on minimum mandates for recycled plastics in certain products imposed through legislation for the purpose of strengthening end markets for plastics derived from end-of-life consumer products. This position is specific to plastics only.

By way of introduction, the *Position Statement* notes in regards to plastics:

Plastics are an incredibly diverse, versatile group of materials that are used in nearly all aspects of daily life, from life-saving medical supplies to light-weight food packaging. Despite the benefits plastics offer, many people in the United States are concerned about high levels of used plastic entering the natural environment. Using recycled plastic as a feedstock to manufacture new products is an environmentally responsible activity that also strengthens the economy by creating jobs and investment opportunities.

Plastics recyclers process material from commercial, industrial, institutional, and residential sources. While all four are important sources of material, they each have very different market dynamics. The markets for plastics sourced from industrial operations that were generated during a manufacturing process as a byproduct are strong, with supply and demand generally balanced. This plastic is generally homogeneous and “clean” and more easily recycled. All of this results in its desirability to be used as feedstock in the manufacturing supply chain. The market for these plastics – referred to by many as “pre-

consumer” plastics - does not require intervention in the form of government mandates or policies to support them.

The update to the former ISRI Position Statement includes the addition of new definitions for:

- Consumer
- Pre-Consumer Plastic
- Post-Consumer Plastic

Additional new provisions address:

- For the purposes of verification and measurement process as a byproduct that was collected for the purpose of recycling separate from the process that generated it, rather than being reclaimed within the same process
- Legislation that focuses on measuring recycled content using only post-consumer plastics (as defined below), provided that such limitations are not applied to any other commodity materials

The *Position Statement* retains other various content from the prior Position Statement.

A copy of the updated *Position Statement* can be downloaded [here](#).