



**TOXICS IN PACKAGING
CLEARINGHOUSE**

Annual Report

**Toxics in Packaging Clearinghouse
October 1, 2022 – September 30, 2023**

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and John Fay, TPCH Project Manager

Approved by Membership 1/14/25

The Toxics in Packaging Clearinghouse (TPCH) maintains [Model Toxics in Packaging Legislation](#), originally developed in 1989 to reduce the amount of lead, mercury, cadmium, and hexavalent chromium in packaging and packaging components that are sold or distributed throughout the United States. To date, the Model has been adopted by nineteen U.S. states, including: California, Connecticut, Florida, Georgia, Illinois, Iowa, Maryland, Maine, Minnesota, Missouri, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and Wisconsin. In 2021, TPCH updated the model legislation to include the addition of the class of perfluoroalkyl and polyfluoroalkyl substances (PFAS) and ortho-phthalates as regulated chemicals, as well as new processes and criteria for identifying and regulating additional chemicals of high concern in packaging. TPCH coordinates implementation of state legislation based on the Model, on behalf of its [member states](#), with the goal of promoting consistency across states. TPCH is located at the Northeast Waste Management Officials' Association (NEWMOA) in Boston, Massachusetts. NEWMOA manages and performs all administrative functions for the Clearinghouse on behalf of member states.

This report summarizes the activities and accomplishments of the Toxics in Packaging Clearinghouse (TPCH) from October 1, 2022, to September 30, 2023 (FY23). The first section of the report highlights TPCH's accomplishments in FY23. The remainder of the document is organized by major activity.

FY23 HIGHLIGHTS

- Technical Testing Workgroup finalized the Guidance for Regulated Community for the new Model.
- **39,386 site visits** to the [TPCH website](#) during the year. There were **142,237** page views on the site. An average of 3,282 visitors per month.
- TPCCH addressed **77 external communications** by telephone and email (55 initial inquiries plus 22 follow-up questions), an average of 6.4 per month. By location, FY23 inquiries came from mostly the United States, but also from Canada, China, Italy, Malaysia, Mexico, New Zealand, and Poland.
- In June 2023, TPCCH Project Manager Melissa Lavoie presented at the Food Contact Regulations 2023 conference held by Chemical Watch in Washington, DC
- **Convened** a two-day in-person and virtual Annual Membership Meeting in September 2023.

TPCH ADMINISTRATION

◆ Administrative Functions of the Project Manager

- Manages all aspects of organization, including coordination and facilitation of monthly two-hour virtual meetings with members and Executive Committee planning meetings.
- Coordinated and convened a 2-day annual membership meeting in September 2023.
- Recorded and distributed minutes for all virtual meetings and the annual meeting to members.
- Maintained TPCH electronic file of meeting minutes and all other TPCH documents.
- Fielded external communications and coordinated member responses to inquiries from the regulated community.
- Worked with TPCH Executive Committee to prioritize projects and meeting agendas.
- Prepared and distributed to members the [FY22 Annual Report](#) (July 1, 2021 – September 30, 2022), which was posted to the TPCH website.

◆ TPCH Financial Management

TPCH's finances were administered by NERC until early in 2022, when they were transitioned to NEWMOA. NEWMOA was the fiscal agent for the entire FY23 year.

Membership dues totaling \$42,000 funded TPCH staffing, travel, and expenses. Staffing hours included Executive Director oversight, Project Manager work, and Office Manager administration. NEWMOA also maintains the TPCH Reserve Fund in a separate account which ended the fiscal year with a balance of \$48,958.

◆ Additional Sources of Funding

No grants or contracts funded TPCH activities in FY23.

◆ Executive Committee

In FY23, the Executive Committee was in the 2nd year of a 2-year term, which ended in June 2023. At the end of FY23, the Executive Committee had begun a new 2-year term beginning 7/1/2023 and ending 9/30/2025.

Executive Committee 2021-23	Executive Committee 2023-25
John Gilkeson, Minnesota, Chair	Tom Metzner, CT, Chair
Matt McCarron, California, Vice-Chair	Kathleen Hennings, Iowa, Vice-Chair
Tom Metzner, CT, Member-at-Large	Emily DeMaio, NJ, Member-at-Large
Kathleen Hennings, Iowa, Member-at-Large	Michele McCaughey, RI, Member-at-Large
	John Gilkeson, MN, Chair Emeritus

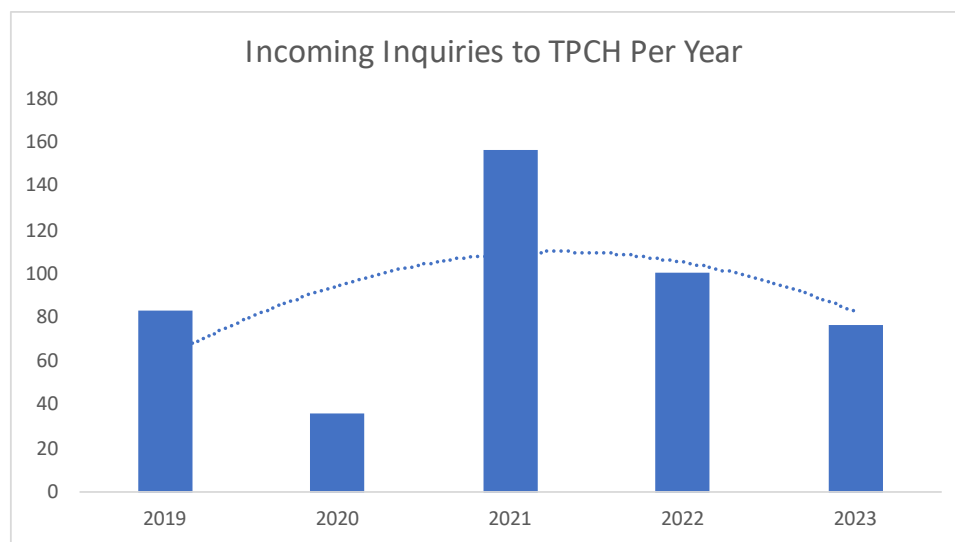
GENERAL INQUIRIES & EXEMPTION REQUESTS

◆ General Inquiries

The TPCCH Project Manager managed a total of 77 external communications by phone and email in FY23. Each initial inquiry can require multiple emails or phone calls to resolve, and many involve multiple discussions with analysis by TPCCH members.

The TPCCH Project Manager coordinates all incoming communications from industry, policy makers, advocates, and the general population. All inquiries are documented and shared with TPCCH members each year.

The bar chart below shows the number of external communications with TPCCH from FY19 through FY23. Inquiries on the components of the 2021 update to the model legislation were not as frequent, while other types of inquiries continued at normal historical levels. Communications included questions regarding the basic requirements of state toxics in packaging laws, obtaining a Certificate of Compliance, whether a specific item was considered “packaging” under state laws, and testing of packaging components.



Manufacturers, distributors, and retailers of finished goods or packaging products represented the majority of inquiries received by TPCCH. Other inquiries came from a range of organizations: testing labs, consultants, attorneys, government/legislative offices, students, advocates, media, and non-governmental organizations (NGOs).

By location, FY23 inquiries came from mostly the United States, but also from Canada, China, Italy, Malaysia, Mexico, New Zealand, and Poland.

◆ Exemptions and Other Requests

- TPCCH received no new requests for exemptions.

EDUCATION & OUTREACH

◆ TPCCH Technical Testing Workgroup

In May 2021, TPCCH formed a Workgroup to explore and research best available testing technologies for PFAS and ortho-phthalates in packaging. In FY23, the Workgroup continued meeting monthly, including inviting outside experts in the field of chemical testing, and developed a document of best practices for testing PFAS in packaging applications. Early in FY24 (November 2023), the Workgroup finalized, released, and posted the guidance document to the website.

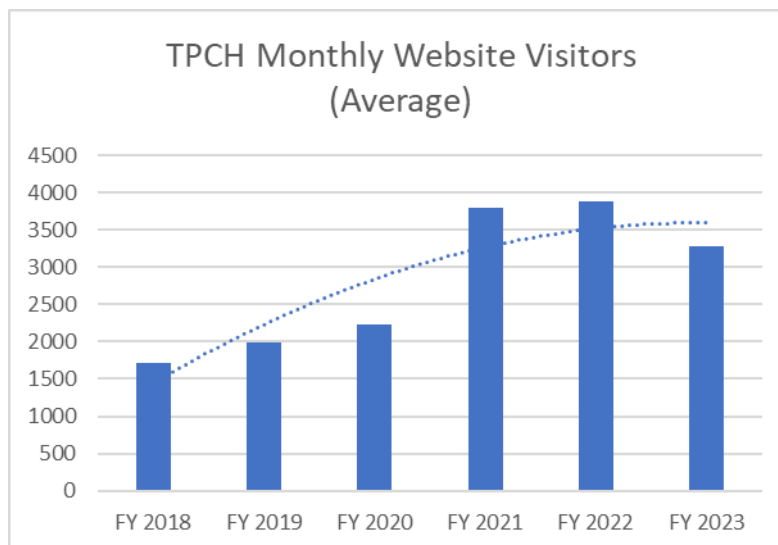
The document, *PFAS (perfluoroalkyl and polyfluoroalkyl substances) and Ortho-Phthalates in Packaging: A Guidance Document in Support of the 2021 Update to Toxics in Packaging Clearinghouse Model Legislation* can be found at:

<https://toxicsinpackaging.org/guidance-for-tpch-2021-model-legislation-update/>

◆ TPCCH Website Utilization¹

Monthly Visitors

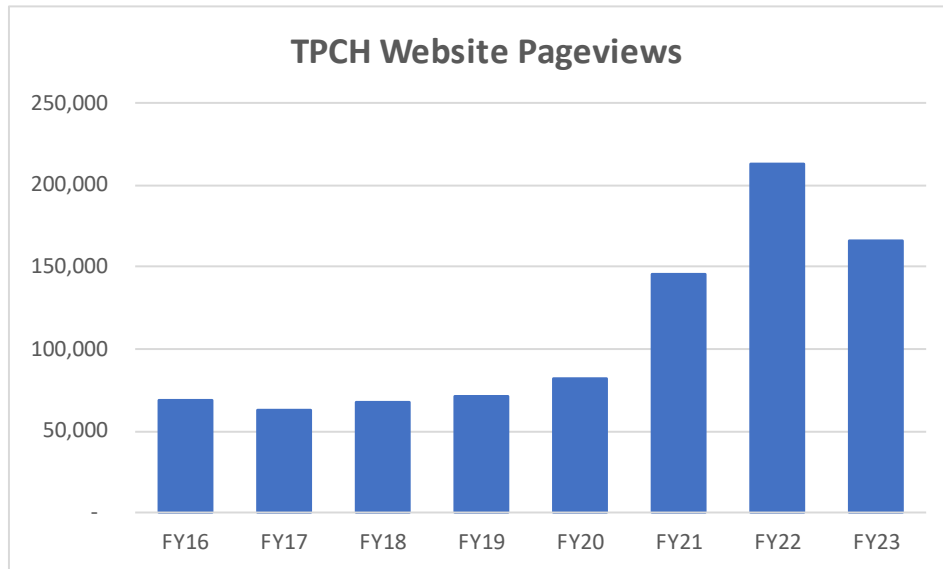
TPCCH had 39,386 visitors to the Toxics in Packaging Clearinghouse website in FY23, an average of 3,282 visitors per month. The bar chart below shows the average number of monthly website visitors from FY18 through FY23.



¹ Due to the changeover of website management and subsequent complete makeover of Google Analytics during FY23, these numbers are estimates from the best available data.

Website Pageviews

There were 166,151 pageviews in FY23 to the TPCCH website, a decrease of 46,698 pageviews from FY22. Pageviews tracked with visits, showing a similar surge during the 2021 Model Legislation Update and now tapering off.



Top viewed web page resources after the homepage were:

- [Model Toxics in Packaging Legislation](#) (includes [Model landing page](#)) (47,000 views)
- [2021 Update to TPCCH Model Legislation](#) (14,900 views)
- [Sample Certificate of Compliance](#) (11,500 views)
- [Frequently Asked Questions](#) (7,100 views)
- [The Clearinghouse](#) (the page that gives the background of TPCCH) (6,900 views)

Documents and additions to the TPCCH website in FY23:

- There were 7,999 document downloads in FY23, compared with 10,395 in FY22, and 5,653 in FY21.
- Added the [TPCH FY2022 Annual Report July 2021 - Sept 2022](#)
- Added the [TPCH Guidance Document for 2021 Model Legislation Update](#) (finalized in FY23, but posted in Nov 2023)

Presentations in FY2023

In June 2023, TPCCH Project Manager Melissa Lavoie presented at the *Food Contact Regulations 2023* conference held by Chemical Watch in Washington, DC. The presentation focused on how and why in 2021 the TPCCH updated their Model Legislation to include PFAS and ortho-phthalates. [View the presentation slides](#) at the TPCCH website.

MEMBERSHIP

◆ TPCCH Members

TPCH had 11 members (10 states and 1 industry affiliated member) in FY23. Member states included California, Connecticut, Iowa, Maryland, Minnesota, New Hampshire, New Jersey, New York, Rhode Island, and Washington. TPCCH also had one Advisory member, the Glass Packaging Institute.

The following is a list of the lead representative for each member in FY23:

- **California Department of Toxic Substances Control:** Matt McCarron
- **Connecticut Department of Energy and Environmental Protection:** Tom Metzner
- **Iowa Department of Natural Resources:** Kathleen Hennings
- **Maryland Department of Environment:** Edward Dexter
- **Minnesota Pollution Control Agency:** John Gilkeson
- **New Hampshire Department of Environmental Services:** Kathryn Black
- **New Jersey Department of Environmental Protection:** Emily DeMaio
- **New York State Department of Environmental Conservation:** Conor Shea
- **Rhode Island Department of Environmental Management:** Michele McCaughey
- **Washington Department of Ecology:** Kathleen Gilligan
- **Glass Packaging Institute:** Scott DeFife

◆ Member Communication

Routine correspondence with members was predominantly completed via email and Teams online meetings, and included meeting agendas and minutes, queries, requests for document review, and compliance issues.

◆ Screening

TPCH did not conduct any formal screening projects during FY23 but will be assisting New Jersey and Washington State with packaging screening projects in FY24.