FY 2024
ANNUAL REPORT

TOXICS IN PACKAGING CLEARINGHOUSE

The Toxics in Packaging Clearinghouse maintains the Model Toxics in Packaging Legislation and coordinates implementation of state legislation, based on the Model, on behalf of its member states, with the goal of promoting consistency across states.

Prepared By:
John Fay, TPCH Project Manager

TPCH

## TOXICS IN PACKAGING CLEARINGHOUSE

TPCH Purpose and Membership

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.

- ■ TPCH Member States
- ■ Non-member states with legislation
- ■ States without legislation
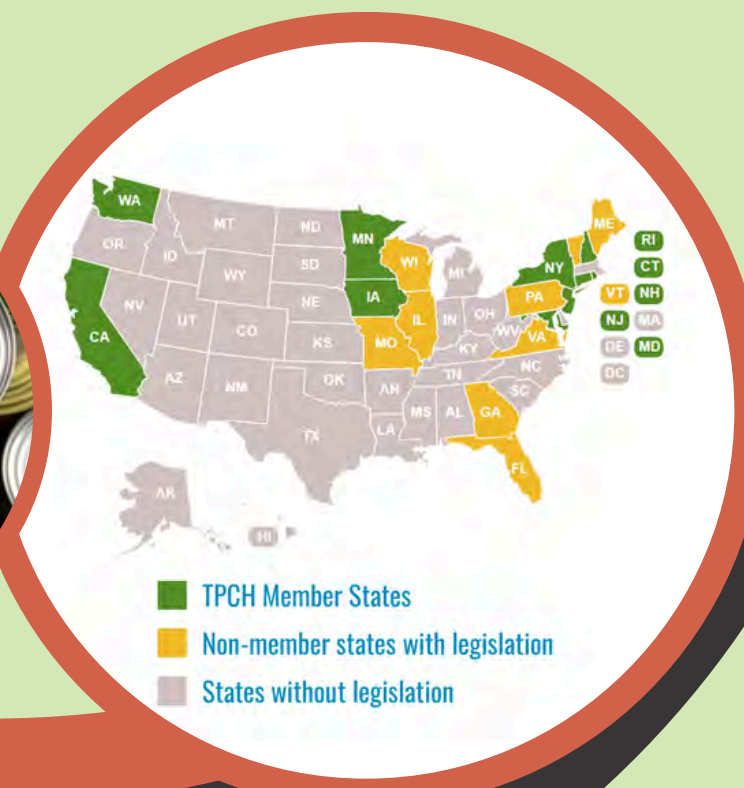
Note from the Chair

2024 turned out to be a year of growth and opportunity. While furthering our core mission, TPCH kept an eye on emerging trends of addressing toxics in packaging.

Thanks to a team of dedicated, experienced professionals called out of retirement, New Jersey DEP conducted the largest package testing program in our history. Staff went to numerous stores throughout the state and screened packages right off the shelf. In addition to the screening using an XRF, package producers provided certificates of compliance upon request. We eagerly anticipate the results on this extensive and ongoing screening project. TPCH thanks New Jersey DEP for undertaking this important project.

In September, TPCH conducted its largest outreach event ever, an open house with more than 100 attendees including trade groups, state officials and producers. Thanks to all TPCH staff and members for pulling this event together. Attendees learned about the important work done by the clearinghouse in administering existing Toxics in Packaging laws and our capacity to assist new states with newer laws including a growing number of states regulating the use of PFAS in food packaging.

Finally, TPCH welcomed a new partner, AMERIPEN, whose members include companies across the packaging industry supply chain, as a corporate partner. We look forward to increasing our membership in 2025 and for the TPCH to be the voice for states looking to address toxics in packaging.

TPCH Chair
Tom Metzner, Connecticut DEEP

FY 2024 Highlights

Melissa Lavoie presents at a PSI webinar, February 15, 2024 *"Toxics in Packaging and Extended Producer Responsibility"*

A virtual Open House was held on September 9, 2024

>100 Attendees

51 Inquiries answered from the regulated community

Website Visitors: 4,700/month

TPCH Average Monthly Website Visitors

New Model is released
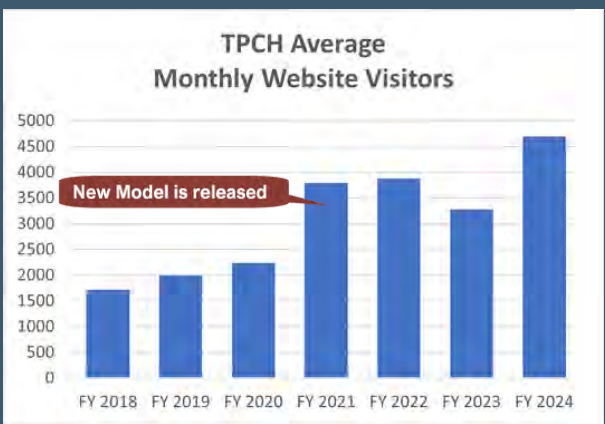
Certificates of Compliance updated, and now include option for PFAS Certification
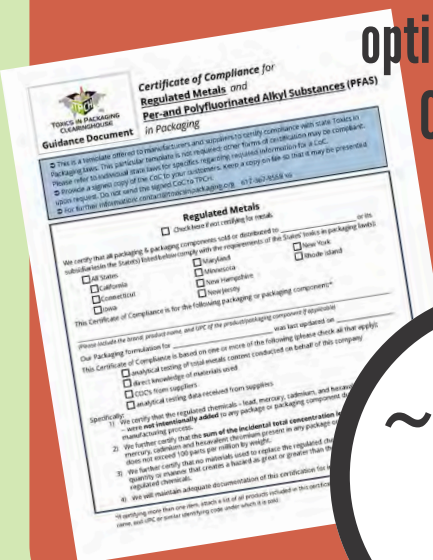
~2,000 Downloads per Year

Administration & Resources

Membership	
California DTSC:	Ryan Miya
Connecticut DEEP:	Tom Metzner*
Iowa DNR:	Kathleen Hennings*
Maryland MDE:	Ed Dexter
Minnesota MPCA:	John Gilkeson*
New Hampshire DES:	Ann Astarita
New Jersey DEP:	Emily DeMaio*
New York State DEC:	Conor Shea
Rhode Island DEM:	Michele McCaughey*
Washington ECY:	Kathleen Gilligan
Glass Packaging Institute:	Scott DeFife

* Executive Committee 23-25

TPCH Administration

The Toxics in Packaging Clearinghouse is managed by the Northeast Waste Management Officials' Association (NEWMOA). NEWMOA is the fiscal agent and manages all aspects of organization, including coordination and facilitation of monthly two-hour virtual meetings with members, the Executive Committee planning meetings, and the annual meeting held each fall.

Quick Links to the most popular resources

- The Model Toxics in Packaging Legislation
- Sample Certificates of Compliance
- Toxcis in Packaging Fact Sheet
- Guidance Document for the 2021 Model Update
- New Determinations Guidance Document

10 State Members

1 Advisory Member

$42,000 annual budget

Looking Ahead

PFAS in Packaging Working Group

TPCH, in coordination with the Interstate Chemicals Clearinghouse (IC2), will be holding working group meetings for states administering PFAS in packaging regulations. These new regulations are being passed as amendments to existing toxics in packaging laws, or under other state laws such as EPR laws with toxicity provisions. The PFAS regulations face challenges in defining covered packaging, identifying proper testing protocols, and other issues that complicate implementation. States will be able to share information and resources through this working group.

Laws outside the Model Legislation

Because toxicity in packaging is being addressed in legislation that is outside of the TPCH Model Legislation yet consistent with it, the TPCH is adapting to continue to provide resources to encourage harmonization between the states. TPCH will work to coordinate connections and information-sharing between states, industry groups, and PROs (producer responsibility organizations).

Outreach to Non-member States

Also as a means to develop consistency and efficiency in implementation of toxics in packaging laws around the country, TPCH is reaching out to states who are not currently members to see if membership in TPCH could be of value.

TPCH

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