

NAPCOR Position on the Use of the Term “Recyclable”

As consumers continue to express their preference for products and packages that have better environmental footprints, it’s become fashionable – if not legally necessary or strategically imperative – for producers to inform the public with respect to the recyclability of a product and/or its packaging. This is particularly essential when discussing sustainability with respect to packaging since there is no sustainability without recycling, regardless of what a package is made of and how it’s positioned in the marketplace.

However, the term “recyclable” when applied to packaging – or even to package labels, closures, additives, and related components – has been frequently misused. To legally use the term, it is not enough for a product or package to be theoretically recyclable. It must be collected, separated, or otherwise recovered – either for reuse, or in the manufacture or assembly of another package or product – through established recycling programs. These recycling programs must be available to a substantial percentage of consumers and communities. The Federal Trade Commission (FTC) addresses this issue in some depth through its published “Guides for the Use of Environmental Marketing Claims” and reminds brand owners that the claim of recyclability is a legal issue. Evidence of a deceptive or false claim can lead to a monetary penalty and to an injunctive relief which bars further use of the claim(s) in question.

Since 1988, NAPCOR and the PET packaging industry have invested hundreds of millions of dollars to ensure that PET bottles are not only collected for recycling, but are in fact recycled and remanufactured into dozens of different products. Currently, PET bottles are included in all major U.S. and Canadian curbside collection programs; PET is also collected through deposit programs, public drop-off centers, and commercial initiatives.

Nonetheless, as the FTC points out, this does not mean that every PET bottle can claim to be “recyclable.” The FTC Guides state, “If an incidental component significantly limits the ability to recycle a product or package, a claim of recyclability would be deceptive.” Examples of this include PET bottles using full wrap labels, particularly those made from PVC or PLA, or bottles that incorporate degradable additives, all of which significantly hamper or prevent the recycling of these bottles.

NAPCOR calls on all Brand Owners to fully understand the implications and impacts on the recycling industry before claiming recyclability of a particular package. Asking consumers to recycle a package where limited or no collection opportunities exist for that package is “deceptive.” Modifying a package in such a way that inhibits the reclamation of what would otherwise be recyclable not only negates a claim of recyclability, but adds significant cost to the processing of those packages that are recyclable.

Likewise, NAPCOR also calls on Brand Owners to fully understand and evaluate the impacts on recycling before modifying or introducing new packaging. Comprehensive Design for Recycling Guidelines for plastic bottles can be found on the Association of Postconsumer Plastic Recyclers (APR) website, <http://www.plasticsrecycling.org>.