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As certified by  
Ben Grumbles  
Executive Director

## **PRINCIPLES OF EXTENDED PRODUCER RESPONSIBILITY AND THE DEFINITION OF PRODUCT STEWARDSHIP**

### **Reducing Economic, Environmental, Health, and Safety Impacts of Consumer Products**

WHEREAS, product stewardship in the United States seeks to ensure that those who design, manufacture, sell, and use consumer products take responsibility for reducing negative impacts to the economy, environment, public health, and worker safety. These impacts can occur throughout the lifecycle of a product and its packaging, and are associated with energy and materials consumption, waste generation, toxic substances, greenhouse gases, and other air and water emissions. In a product stewardship approach, manufacturers that design products and specify packaging have the greatest ability, and therefore greatest responsibility, to reduce these impacts by attempting to incorporate the full lifecycle costs in the cost of doing business; and

WHEREAS, the sharing of chemical ingredient information with the public and across supply chains is critical to promoting the use of safer chemicals and products. Disclosure is critical to promoting the use of safer chemicals and products. Disclosure comprises identifying the chemical ingredient, including name(s), CAS registry number, function, presence on specified lists of chemicals of concern and other chemical hazard characteristics of the ingredient; and

WHEREAS, the terms *product stewardship* and *extended producer responsibility (EPR)* are often used differently by stakeholders involved in product stewardship. Harmonized terminology in the United States for these concepts is needed to guide development of policies, legislation, and other initiatives by governments, companies, and organizations. By speaking the same language, we can have a constructive public dialogue.

NOW, THEREFORE, BE IT RESOLVED THAT THE ENVIRONMENTAL COUNCIL OF THE STATES (ECOS):

Defines product stewardship as the act of minimizing health, safety, environmental, and social impacts, and maximizing economic benefits of a product and its packaging throughout all lifecycle stages. The producer of the product has the greatest ability to minimize adverse impacts, but other stakeholders, such

as suppliers, retailers, and consumers, also play a role. Stewardship can be either voluntary or required by law;

Defines EPR as a mandatory type of product stewardship that includes, at a minimum, the requirement that the producer's responsibility for its product extend to post-consumer management of that product and its packaging. There are two related features of EPR policy: (1) shifting financial and management responsibility, with government oversight, upstream to the producer and away from the public sector; and (2) providing incentives and benchmarks to producers to incorporate environmental considerations in the design and materials of their products and packaging; and

Endorses the following definition of the principles of EPR, including these key elements that should be considered in developing EPR legislation. Although these principles will be applied differently by different jurisdictions, they are aspirational and considered best practice to achieve maximum results.

### **Producer Responsibility**

- Producers are required to design, manage, and finance programs for end-of-life management of their products and packaging as a condition of sale. These programs may or may not use existing collection and processing infrastructure. Programs should cover all products in a given category, including those from companies no longer in business and from companies that cannot be identified.

### **Level Playing Field**

- All producers within a particular product category have the same requirements, whether they choose to meet them individually or jointly with other producers.

### **Results-based**

- Producers have flexibility to design the product management system to meet the performance goals established by government, with adequate government oversight and enforcement.
- Producer-managed systems must follow the resource conservation hierarchy of reduce, reuse, recycle, and beneficially use, as appropriate.
- Products must be managed in a manner that is protective of human health and the environment.
- Producers design and implement public education programs to ensure achievement of performance goals and standards established by government.
- All consumers have convenient access to collection opportunities without charge.

### **Transparency and Accountability**

- Government is responsible for ensuring that producer programs are transparent and accountable to the public.
- Producer programs, including their development and the fate of products managed, provide opportunity for input by all stakeholders.
- Producers have a responsibility to disclose material constituents, including chemical constituents, and lifecycle performance measures of their products so that consumers can make fully informed choices.
- Consumers have a right to know what is in the products they purchase and use, and have the right to repair products they purchase and use.

### **Roles for Government, Retailers and Consumers**

- Government is responsible for ensuring a level playing field for all parties in the product value chain to maintain a competitive marketplace with open access to all, for setting and enforcing performance goals and standards including chemical ingredient disclosure and lifecycle environmental performance standards for the product category, for supporting industry programs

through procurement, and for helping educate the public. The Environmental Protection Agency should consider these actions in future product reviews.

- Retailers only sell brands within a covered product category that are made by producers participating in an industry program and are responsible for providing information to consumers on how to access the programs.
- Consumers have a responsibility to reduce waste, safely reuse and repair products, use take-back and other collection programs, and make appropriate and informed purchasing decisions based on information about product impacts and benefits, including material constituents and lifecycle performance measures disclosed by manufacturers.