



December 4, 2024

Commissioner Katie Dykes
Connecticut Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106
Submitted electronically via DEEP.MMCAPlanning@ct.gov

RE: DEEP requesting feedback on revocation of use of "CTRV" on covered containers

The Consumer Brands Association ("Consumer Brands") is appreciative of the opportunity to submit comments regarding the Connecticut Department of Energy and Environmental Protection ("DEEP") Commissioner's plans to revoke the order approving the use of "CTRV" on products covered by the Connecticut Beverage Container Deposit and Redemption Law.

Consumer Brands champions the industry whose products Americans depend on every day, representing more than 2,000 iconic consumer-packaged goods ("CPG") brands. CPG products are essential to daily life, found in nearly every household in Connecticut - from the beverages and food served at family dinners to personal care and household items used every day. The CPG industry is a major employment driver, accounting for more than 162,000 jobs in Connecticut and contributing \$21.3 billion dollars to the state GDP. This ubiquity underscores the industry's responsibility to reliably meet consumer needs. The CPG industry is dedicated to evolving alongside consumer expectations, while maintaining high standards of quality and safety - to include meeting increasing consumer demand for the circularity of packaging materials.

The CPG industry plays a crucial role in creating a more sustainable future through its products and has prioritized packaging and recycling innovation. All of the 25 largest CPG companies in the United States have made commitments to increasing recyclable content, source reduction, or reuse of material. Eighty percent of those companies are working toward introducing fully recyclable packaging for all of their products by 2030 at the latest. The Connecticut beverage container redemption program ("bottle bill," "deposit return system") is directly aligned with the CPG industry's overarching goal of pursuing circularity for all its materials.

CPG Industry and CT DEEP's Goals are Aligned

Consumer Brands is appreciative of DEEP and the Commissioner's underlying intent to promote clarity for consumers in recycling and is actively pursuing the same objective. The industry's SmartLabel program, an on-package QR code providing product information such as allergens and ingredient sourcing to consumers, has partnered with CIRT Check and RecycleCheck.¹² Through the SmartLabel program's collaboration with CIRT Check and RecycleCheck, consumers can scan an on-package QR code and receive localized recycling instructions for that

¹ [Consumer Brands and The Recycling Partnership now offer consumers localized recycling data on product packaging through QR codes - Consumer Brands Association](#)

² [CIRT™ and Consumer Brands Announce Partnership to Bring Local Recycling Instructions Directly to Consumers' Hands | Nov 14, 2024](#)



specific product, in Connecticut and across the United States. This industry-led initiative is a fundamental step toward increasing clarity for consumers, and ultimately, improving participation in recycling. Consumer Brands recognizes that DEEP and the Commissioner's decision to revoke the order approving "CTRV" is intended to promote consumer clarity, however, we believe this goal can be more effectively, and less disadvantageously, achieved through consumer education.

Revocation of "CTRV" Causes Undue Cost, Compliance, and Operational Burdens

We respectfully ask that the Commissioner and DEEP maintain the order approving the use of "CTRV" labeling. Mandating a change to the labeling requirements for containers subject to the state deposit return system will impose significant cost, compliance, and operational challenges without creating a definitive improvement in redemption rates. Requiring a transition from "CTRV" to "CT 10¢" will require extensive manufacturing adjustments. Beverage distributors must redesign and reprint labels or redesign existing packaging entirely, both of which are cost and resource inhibitive.

The notice also references an "effective date" which "would be the date by which all products being sold in CT are correctly labelled and there would no longer be products with 'CTRV' on the shelves of CT retailer establishments."³ This introduces compliance burdens for any pre-existing inventory labeled with "CTRV" which may no longer comply with the new requirement. Distributors have limited visibility and control over products once they enter retail supply chains. Distributors may be vulnerable to compliance challenges and penalties for pre-existing inventory still on retail shelves past the determined deadline.

Finally, revoking the approval of "CTRV" is counterproductive to the core objectives of the state bottle bill. Existing packaging materials and "CTRV" printing equipment will be rendered obsolete. Industry has made significant investments into the adoption of the "CTRV" label under the assumption that labeling requirements would remain consistent for these exact compliance, cost and waste implications. Requiring a shift from "CTRV" to "CT 10¢" may prompt premature discarding of packaging and labeling equipment which is no longer compliant. The resulting substantial waste burden is contradictory to the deposit return program's fundamental goal- to increase materials circularity within the state.

Revocation of "CTRV" Order May Create Consumer Confusion

Revoking the approval of "CTRV" will impose significant logistical, financial, and operational challenges for distributors. It may also inadvertently harm consumer clarity. Transitioning labels will take several years at a minimum due to necessitating distributor changes to all covered products and then the turnover of inventory across the entire supply chain. During the transition, it is likely that consumers will be faced with containers that have both "CTRV" and "CT 10¢." This may result in confusion for consumers that already participate in the bottle deposit program, leading to contamination in recycling streams and a lack of engagement with the program. The transition away from "CTRV" will create confusion prior to the potential achievement of any

³ Bottle Bill Advisory Group notice, Connecticut Department of Energy and Environmental Protection, November 18, 2024.



positive outcome, and is being considered without data which confirms the likelihood of improved redemption rates or an existing lack of consumer clarity.

CT Redemption Program Data does not Demonstrate Confusion Resulting from “CTRV”

Existing Connecticut deposit return system data does not support the conclusion that a lack of consumer clarity regarding the “CTRV” label is inhibiting program performance.⁴ The data fluctuates inconsistently over the last two decades, with the initially high redemption return rate likely resulting from the rapid influx of bottles deposited which were retained prior to the program’s implementation. Fluctuating rates can be attributed to a variance in actual consumer participation and sales. This is clear in the plummet in redemption rates during the pandemic- the decrease in redemption rates implies a connection to reduced consumer engagement with the program. This data is also subject to fluctuation based on sales. If beverage container sales fall, over time that statistic will be reflected in fewer beverage containers being returned through the program. If redemption rates were consistently low with few sustained upward trends, it may be reasonable to assume that consumers lack an understanding of program labels, such as “CTRV”. However, the achievement of high return rates, including the 2024 positive data trend and markedly high third quarter redemption rate of 74.2%, does not demonstrate a lack of consumer understanding of program labels. The existing data does not provide any concrete evidence that a lack of consumer understanding of the on-package deposit return system labels is responsible for fluctuating redemption rates, and is likely to be instead reflective of shifts in purchasing behavior and participation.

Increase Public Education to Increase Participation Without Heavy Burdens

Rather than imposing significant compliance, operational, and financial challenges on distributors by requiring “CTRV” to be replaced by “CT 10¢,” and risking the creation of consumer confusion, we recommend the program prioritize public education aimed to encourage consistent participation in the deposit return program. Enhancing public awareness about the deposit program, to include covered products, bottle return procedures, and the program’s purpose, can improve the system's overall effectiveness. Consumer Brands recommends that DEEP and the Commission focus efforts on partnering with stakeholders to promote consumer participation within the system to increase the collection of redemption eligible containers and improve overall recycling within the state.

⁴ CT Bottle Bill Redemption Data, Connecticut Department of Energy and Environmental Protection: [bottle-bill-data---nov-2024---thru-q3-2024---table.pdf](#)



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We commend DEEP and the Commissioner for working to improve the sustainability of products sold within Connecticut. Thank you again for the opportunity to provide comments on the planned changes to the order approving the use of “CTRV” for beverages subject to bottle bill requirements within the state. Please do not hesitate to contact us if you have any questions regarding this request. We appreciate your consideration.

Sincerely,

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