



# BREAK FREE FROM PLASTIC POLLUTION ACT

*Introduced by Senator Merkley and Representative Lowenthal*

## Updates for the 117<sup>th</sup> Congress:

- Strengthening environmental justice
  - Includes language justice requirements – lays out a definition for translation services that requires professional language interpretation and translation services in any language spoken by more than 5 percent of the population residing within the community for all written documents and notices and oral communication and hearings.
  - Includes incinerators in the temporary pause and in the required National Academy of Science study to assess the direct and cumulative health, environmental, and economic impacts.
- Eliminating loop holes
  - Closes waste export loopholes by banning exports to countries who themselves re-export waste to countries outside the OECD.
  - Includes additional language to ensure minimum standards for what carryout bags can be considered “reusable” – incorporates a “stitched handle” requirement for reusable bags.
- Expanding on previous provisions
  - Updates recycled content standards to a more aggressive timeline, requiring that plastic beverage containers include 50% post-consumer recycled content by 2030 (previously 30%).
  - Expands the definition of toxic chemicals to prohibit ortho-phthalates, halogenated and nanoscale flame retardants, and chemicals of emerging concern, in addition to PFAS compounds. Prohibits such toxics to be included in covered products. Clarifies the definition of compostable to ban the inclusion of toxic chemicals.
  - Expands language tackling plastic pellet pollution to regulate effluent discharge limits.

- Expands wet wipe labelling standards to ensure that industry is required to clearly indicate how to properly dispose of wet wipes and other similar products and ensure that they are not flushed.
- Expands support for reuse and refill programs through establishing minimum performance requirements for shifting to reusable packaging, to be determined by the Administrator, and establishing pilot programs for reuse and refill technology.
- New provisions to address additional sources of plastic waste:
  - Includes action to address microfiber pollution, including mandating filters on washing machines and a competitive grant program to fund research on best practices for upstream microfiber pollution prevention.
  - Includes action on microplastic pollution, including funding for pilot programs for the removal and prevention of microplastic pollution in the environment.
- Explicitly specifying that personal protective equipment (e.g., masks, gloves, and face shields) and other medically necessary equipment (as deemed by the Secretary of Health and Human Services) are excluded from bans under this bill.