

Documents for the Record
Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade Hearing
July 22, 2026

Submitted by the Majority

1. A coalition letter submitted by 12 organizations supporting the Recycled Materials Attribution Act.
2. A coalition letter submitted to the Subcommittee on Commerce, Manufacturing, and Trade by tax organizations opposing the App Store Freedom Act.
3. A statement from the Association for Competitive Technology on the hearing.
4. A Statement from the Consumer Bankers Association to Energy and Commerce on Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace.
5. A coalition letter submitted by 15 companies in support of the Packaging and Claims Knowledge Act.
6. A statement from Tetra Pak to Energy and Commerce members on the PACK Act, the Recycled Materials Attribution Act, STEWARD Act, and the CIRCLE Act.
7. A letter from the American Forest and Paper Association supporting the Packaging and Claims Knowledge Act and Opposing the Recycled Materials Attribution Act.
8. A letter from Apprisen to Energy and Commerce on Support for Legislative Efforts to Strengthen Consumer Protections in the Debt Settlement Marketplace.
9. A letter from the American Institute for Packaging and the Environment in favor of the Packaging and Claims Knowledge Act.
10. Advanced Recycling overview and case legislation submitted by Exxon Mobile to Energy and Commerce.
11. A letter from the Consumer Brands Association in Support of the Packaging and Claims Knowledge Act and the Recycled Materials Attribution Act.
12. Testimony submitted by the CBA to Energy and Commerce.
13. A statement from the Independent Consumer Finance Association of South Carolina on debt settlement.
14. A letter from CTA to Energy and Commerce supporting the PACK Act.
15. A letter from the Florida Financial Services Association in support of the Debt Settlement Disclosure Act.
16. A letter from the New Jersey Chamber of Commerce to Congressman Kean in support of the Recycled Materials Attribution Act.

17. A statement from CTIA on the Introduction of the Strategic Task Force on Scam Prevention Act.
18. A letter on the record from HCPA to Energy and Commerce supporting RMAA and PACK.
19. A letter from the Foodservice Packaging Institute in support of the Packaging and Claims Knowledge Act
20. A letter from the International Bottled Water Association in support of the Packaging and Claims Knowledge Act and the Recycled Materials Attribution Act.
21. A letter from International Dairy Foods Association in support of H.R. 6832.
22. A letter from American Beverage to Chairman Bilirakis and Ranking Member Schakowsky in support of H.R. 6832.
23. A letter from Financial Counseling Association of America to Energy and Commerce in support of legislative efforts to strengthen consumer protections in the debt settlement marketplace.
24. A letter from American Financial Solutions to Energy and Commerce in support of legislative efforts to strengthen consumer protections in the debt settlement marketplace.
25. A letter from American Circular Textiles to Chairman Bilirakis and Ranking Member Schakowsky in support of RMAA.
26. A letter from Debrand to Chairman Bilirakis and Ranking Member Schakowsky in support of RMAA.
27. One pager on Misinformation About Advanced Recycling and H.R. 7502, the Recycled Materials Attribution Act, Distributed by the American Forest & Paper Association (AF&PA).
28. A letter from Nestle to Chairman Bilirakis and Ranking Member Schakowsky in support of RMAA and PACK Act.
29. A letter from National Installment Lenders Association to Chairman Bilirakis and Ranking Member Schakowsky in support of Debt Settlement Consumer Disclosure Act of 2026.
30. A letter from the PACK Act coalition to Chairman Bilirakis and Ranking Member Schakowsky in support of PACK Act.
31. A letter from Plastics Industry Association to Chairman Bilirakis and Ranking Member Schakowsky in support of PACK Act.
32. A letter from Recycling Leadership Council to Chairman Bilirakis and Ranking Member Schakowsky in support of RMAA.

33. A letter from Printing United Alliance to Chairman Bilirakis and Ranking Member Schakowsky in support of PACK Act and RMAA.
34. A letter from National Confectioners Association to Chairman Bilirakis and Ranking Member Schakowsky in support of PACK Act and RMAA.
35. A letter from Money Management International to Energy and Commerce in support of for legislative efforts to strengthen consumer protections in the debt settlement marketplace.
36. An article from Small Business & Entrepreneurship Council in support of PACK Act.
37. A letter from SNAC to Chairman Bilirakis and Ranking Member Schakowsky in support of PACK Act and RMAA.
38. One pager on Advanced Recycling Reduces Plastic Waste, Creates Jobs, and Lowers Costs.
39. A post from American Chemistry Council on The Economic Impact of Plastics Recycling.
40. A post from Progressive Policy Institute on The Waste Diversion.
41. A letter from National Independent Venue Association to Chairman Guthrie and Ranking Member Pallone in opposition of BOSS and SWIFT Act.
42. A letter from Meat Institute to Chairman Bilirakis and Ranking Member Schakowsky in support of PACK Act and RMAA.
43. A letter from Texas Consumer Credit Coalition to Chairman Bilirakis and Ranking Member Schakowsky in support of debt settlement conversations.
44. A letter from Oregon Financial Services Association to Chairman Bilirakis and Ranking Member Schakowsky in support of debt settlement conversations.
45. A letter from Recycled Materials Association to Chairman Guthrie, Chairman Bilirakis, Ranking Member Pallone, and Ranking Member Schakowsky.
46. A letter from Flexible Packaging Association to Chairman Bilirakis and Ranking Member Schakowsky in support of RMAA and PACK Act.
47. A letter from Circ. Inc to Chairman Bilirakis and Ranking Member Schakowsky in support of RMAA.
48. A letter from U.S. Chamber of Commerce to Chairman Guthrie and Ranking Member Pallone in support of RMAA.
49. A letter from TECHNET to Chairman Bilirakis and Ranking Member Pallone.
50. A letter from Coalition for App Fairness, Little Tech Association, and Internet Works to Chairman Guthrie, Chairman Bilirakis, Ranking Member Pallone, and Ranking Member Schakowsky, submitted by Rep. Cammack.

51. A report from ITIF submitted by Rep. Joyce.

Submitted by the Minority

1. A letter from organizations to Chairman Guthrie, Chairman Bilirakis, Ranking Member Pallone, and Ranking Member Schakowsky in opposition to PACK Act.
2. A letter from organizations to Chairman Guthrie, Chairman Bilirakis, Ranking Member Pallone, and Ranking Member Schakowsky in oppositions to RMAA.
3. A letter from Rural County Representatives of California to Representative. Weber in opposition to the PACK Act.
4. A letter from Moms Clean Air Force and Natural Resources Defense Council to Chairman Guthrie, Chairman Bilirakis, Ranking Member Pallone, and Ranking Member Schakowsky in opposition to PACK Act and RMAA.
5. A letter from organizations to Energy and Commerce in opposition to RMAA and PACK Act.
6. A letter from Techfreedom to Chairman Guthrie and Chairman Bilirakis in opposition to App Store Freedom Act.
7. A letter from organizations to Senator Grassley, Senator Durbin, Chairman Guthrie, and Ranking Member Pallone in support of App Store Freedom Act.
8. An article by Hiroko Tabuchi titled, “Advanced Recycling Hits a Rough Patch.”
9. A letter from Gaia to Chairman Guthrie, Chairman Bilirakis, Ranking Member Pallone, and Ranking Member Schakowsky
10. A letter from an anonymous parent to Chairman Bilirakis and Ranking Member Schakowsky in support of Nitrous Oxide Safety Act.
11. A letter from an anonymous parent in support of Nitrous Oxide Safety Act.
12. A letter from an anonymous parent in support of Nitrous Oxide Safety Act.
13. A letter from an anonymous parent in support of Nitrous Oxide Safety Act.
14. A letter from Bridget Healy Schoenig in support of Nitrous Oxide Safety Act.
15. A letter from Candi Morris in support of Nitrous Oxide Safety Act.
16. A letter from Carissa Ann Garabedian of Nitrous Oxide Safety Act.

17. A letter from Christopher Michael Charleston in support of Nitrous Oxide Safety Act.
18. A letter from Emily Farmer in support of Nitrous Oxide Safety Act.
19. A letter from Gerrie Gray-Benedi in support of Nitrous Oxide Safety Act.
20. A letter from Haleh Brown in support of Nitrous Oxide Safety Act.
21. A letter from Heather Agee in support of Nitrous Oxide Safety Act.
22. A letter from Jason Politte in support of Nitrous Oxide Safety Act.
23. A letter from Jessica Amendt in support of Nitrous Oxide Safety Act.
24. A letter from Julia Charleston in support of Nitrous Oxide Safety Act.
25. A letter from Karen Chaplin and Tony Chaplin in support of Nitrous Oxide Safety Act.
26. A letter from Kathleen Boyle in support of Nitrous Oxide Safety Act.
27. A letter from Kim Kuehl in support of Nitrous Oxide Safety Act.
28. A letter from Leigh Caldwell in support of Nitrous Oxide Safety Act.
29. A letter from Maryette Ladley in support of Nitrous Oxide Safety Act.
30. A letter from Michael Charleston in support of Nitrous Oxide Safety Act.
31. A letter from Pam Pontius in support of Nitrous Oxide Safety Act.
32. A letter from Rebecca Stogner in support of Nitrous Oxide Safety Act.
33. A letter from Ruby Farmer in support of Nitrous Oxide Safety Act.

July 13, 2026

The Honorable Brett Guthrie
Chairman
Committee on Energy and Commerce
US House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
US House of Representatives
2323 Rayburn House Office Building
Washington, DC 20515

Re: The Recycled Materials Attribution Act of 2026

Dear Chairman Guthrie, Ranking Member Pallone, and Members of the Committee:

We, the undersigned organizations, representing millions of taxpayers and consumers across the nation, write to reiterate our support for the Recycled Materials Attribution Act (RMAA), as introduced by Rep. Nick Langworthy (R-N.Y.) and a bipartisan coalition of representatives. We also urge members to co-sponsor this legislation and to support its introduction in the Senate. The RMAA would provide much-needed clarity for consumers surrounding recycling claims made by businesses. It would also provide regulatory certainty for American innovators.

Currently, recycled content marketing claims are subject to a patchwork of different state regulations. These regulatory frameworks are often contradictory, causing confusion and adding to compliance costs for businesses desiring to be more environmentally conscious. RMAA would create a uniform national framework, easing this burden on business leaders and assuring American consumers are receiving clear, accurate, and consistent information.

The legislation would also provide the first update to the Federal Trade Commission's (FTC) Green Guides since 2012. The FTC Green Guides are meant to prevent deceptive environmental claims by businesses. However, without an update in nearly 15 years, this has merely added to the confusion for American companies.

The RMAA would further clarify that newer, innovative advanced recycling technologies count as recycling. Developments that increase the amount and types of plastic that can be recycled should not be held back by legislative inaction. Passage of this bill will free up companies to become more efficient and environmentally sustainable. These are laudable goals currently within reach.

Recycled content marketing is one of the few industries not authorized to use mass balance as an accounting method to track its claims. Allowing third-party verification would only add to the clarity sought by Americans who want to use as much recycled plastic as possible. Bringing recycling in line with other industries that already are using mass balance is a commonsense solution.

American consumers want clarity on what recycling claims mean on their packaging. Companies want a single, straightforward framework with which they can comply, and which allows the development and implementation of revolutionary technologies. The RMAA provides relief for both groups.

It is for these reasons, among many others, that we, the undersigned groups, urge you to support and co-sponsor the Recycled Materials Attribution Act, as introduced by Rep. Nick Langworthy (R-N.Y.). Thank you for your time and attention to this matter.

Sincerely,

Taxpayers Protection Alliance

American Commitment

American Consumer Institute

Americans for Prosperity

Bull Moose Project

Center for Individual Freedom

Consumer Action for a Strong Economy

Consumer Choice Center

Frontiers of Freedom

Hispanic Leadership Fund

National Taxpayers Union

Small Business & Entrepreneurship Council

July 21, 2026

The Honorable Gus Bilirakis
Chair
Subcommittee on Commerce, Manufacturing,
and Trade
U.S. House of Representatives
2125 Rayburn House Office Building
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The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce, Manufacturing,
and Trade
U.S. House of Representatives
2323 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Subcommittee,

We, the undersigned coalition of public policy groups, think tanks, and nonprofits, write to urge you to reject H. R. 3209, the App Store Freedom Act (ASFA), a bill that would require covered operating systems to permit apps to be downloaded from third-party sources, a process known as sideloading.¹ The Subcommittee will consider this bill on Wednesday, July 22.² Although it is a well-intentioned measure to promote competition, the bill would in practice have the opposite effect—and endanger the cybersecurity of millions of Americans.

The ASFA's fundamental flaw is its requirement that certain mobile operating systems permit sideloading and third-party app stores. These provisions would weaken one of the most important security features of modern smartphones. Today, trusted app marketplaces such as Apple's App Store and Google Play invest enormous resources in reviewing applications, detecting malware, preventing fraud, and removing malicious software before it reaches consumers. Their security teams continually monitor for emerging threats, respond to newly discovered vulnerabilities, and protect users from increasingly sophisticated cybercriminals. Data shows that devices that prevent sideloading altogether fall victim to cybersecurity issues at far lower rates than those with more lax standards.³

In a recent news release, Apple said it “evaluated more than 9.1 million app submissions [in 2025], helping to welcome over 306,000 new developers to the platform. In addition, the team rejected over 2 million app submissions—including over 1.2 million new apps and nearly 800,000 app updates—for failing to adhere to the App Review Guidelines.”⁴ Moreover, “Apple terminated 193,000 developer accounts over fraud concerns and rejected more than 138,000 developer enrollments.” Also in 2025, Google “prevented over 1.75 million policy-violating apps from being published on Google Play and banned more than 80,000 bad developer accounts that attempted to publish harmful apps” (emphasis removed).⁵ These examples are just a part of the work done by these app stores to keep their users safe (more information can be found in the companies' publications cited above). The work of combating malicious or otherwise problematic software is far beyond the technological expertise of the median

¹ <https://www.congress.gov/bill/119th-congress/house-bill/3209/text>

² <https://energycommerce.house.gov/posts/chairmen-guthrie-and-bilirakis-announce-hearing-on-legislation-to-strengthen-consumer-product-and-service-protections>

³ <https://appsecurityproject.org/issues/mandated-sideloading-will-weaken-the-app-ecosystem-and-compromise-existing-privacy-protections/>

⁴ <https://www.apple.com/newsroom/2026/05/the-app-store-stopped-over-2-point-2-billion-usd-in-fraudulent-transactions-in-2025/>

⁵ <https://blog.google/security/keeping-google-play-android-app-ecosystem-safe-2025/>

American user. Yet, by propping up third-party marketplaces, the legislation would expose users to less rigorous or outright negligent app stores and the potentially dangerous apps they purvey.

The dangers of sideloading are known and significant. In Europe, where the Digital Markets Act (DMA) mandated sideloading, government officials in the wake of the mandate quickly “reached out to [Apple] about these new changes, seeking assurances that they will have the ability to prevent government employees from sideloading apps onto government-purchased iPhones.”⁶ In the digital age, cybersecurity is a critical element of security generally—for governments, businesses, and individual users. Governments should not prevent users from accessing the cybersecurity features now commonly available on the market when they themselves find such features essential.

The ASFA will be considered alongside bills to prevent fraudulent schemes and scams, putting the bill at odds with the rest of the Subcommittee’s agenda. Weakening protections against malicious software will only worsen the problem that anti-fraud and anti-scam legislation seeks to solve. It is one thing to say that the bill will “hold Big Tech accountable and promote competition,”⁷ but it is quite another when the cost will likely be paid—literally—by Americans who, as a result of the ASFA’s policies, would lose their hard-earned money to fraudsters and scammers.

This legislation rests on a fundamental contradiction. Its proponents argue that it is intended to increase competition by preventing certain app store policies, yet the bill excludes an entire category of competitors—i.e., those that wish to ban sideloading altogether—from the marketplace. Such companies compete by offering a more secure operating system that restricts sideloading, which, for consumers who want maximal security, can be a selling point. In short, security itself is a competitive feature.

Moreover, the bill would reduce consumer choice, not expand it. Consumers who prefer devices that permit sideloading already have options in the marketplace. Users who want these devices can obtain and use them. The ASFA would simply prevent users who seek a higher degree of security from taking advantage of such features.

In a word, the ASFA’s policies can only be described as European, not American. In recent years, European legislation such as the DMA has drawn increasing scrutiny from American policymakers because of its deeply harmful effects on American innovators and, at times, American users. European-style regulation has rightly been criticized when implemented abroad; it should be opposed when proposed in Washington, D.C.

For these reasons, we respectfully urge you to oppose the App Store Freedom Act.

Sincerely,

David Williams

President

Taxpayers Protection Alliance

Brandon Arnold

Executive Vice President

National Taxpayers Union

⁶ https://appsecurityproject.org/news_post/how-the-dma-will-hurt-consumer-choice/

⁷ <https://cammack.house.gov/media/press-releases/rep-cammack-introduces-app-store-freedom-act-promote-competition-protect>

Daniel Castro

President

Information Technology and Innovation Foundation

James Czerniawski

Head of Emerging Technology Policy

Consumer Choice Center

Jon Decker

Executive Director

American Commitment

Ryan Ellis

President

Center for a Free Economy

James Erwin

Executive Director

Digital Liberty

Daniel J. Erspamer

Chief Executive Officer

Pelican Institute for Public Policy

Kristian Fors

Technology and Innovation Policy Analyst

Libertas Institute

Tom Giovanetti

President

Institute for Policy Innovation

Vance Ginn, Ph.D.

President

Ginn Economic Consulting

Jessica Melugin

Director, Center for Technology and Innovation

Competitive Enterprise Institute

Chuck Muth

President

Citizen Outreach

Grover Norquist

President

Americans for Tax Reform

Kevin Riffe

Chairman

West Virginia Center-Right Coalition

John Tamny

Founder and President

Parkview Institute

Josh Withrow

Fellow, Tech & Innovation Policy

R Street Institute

July 20, 2026

The Honorable Brett Guthrie
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Commerce
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The Honorable Frank Pallone
Ranking Member
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The Honorable Gus Bilirakis
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The Honorable Jan Schakowsky
Ranking Member
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Subcommittee on Commerce,
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2125 Rayburn House Office Building
Washington, District of Columbia 20515

RE: *Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace*

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Committee:

Thank you for the opportunity to submit testimony for the record on your hearing titled, *Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace*.¹

The Association for Competitive Technology (ACT) represents small business innovators and startups in the software development and high-tech space in the United States and around the world. As the world embraces mobile technologies, our members create the innovative products and services that drive the global digital economy by improving workplace productivity, accelerating academic achievement, and helping consumers lead healthier lives. Today, the

¹ Chairmen Guthrie and Bilirakis Announce Hearing on Legislation to Strengthen Consumer Product and Service Protections, energycommerce.house.gov/posts/chairmen-guthrie-and-bilirakis-announce-hearing-on-legislation-to-strengthen-consumer-product-and-service-protections. Accessed 17 July 2026.

global app economy is worth more than \$1.8 trillion and supports over 6.1 million American jobs.²

Among the bills before the Committee today, the App Store Freedom Act (ASFA) warrants particular concern because of its potential to significantly reshape the digital marketplace.³ Under the bill, covered companies would be required to take several steps to open their ecosystems to third parties. For example, among other provisions, companies would have to let users install third-party apps or app stores through channels other than the company's default app store. In practice, this effectively permits a process known as sideloading, by which users can bypass major app stores and download apps from alternative, unvetted sources. Covered companies would also have to give developers access to the interface and hardware and software features of the operating system. Finally, the bill would also prohibit covered companies from requiring app developers to use the company's in-app payment system or pricing structure.

Although these provisions are framed as necessary measures to boost competition and online safety, they would instead undermine the tools and safeguards that help protect children online, support consumer privacy and cybersecurity, and sustain confidence in the applications consumers use and download every day. Congress should reject the ASFA and instead promote a secure, trusted, and innovative digital ecosystem that benefits consumers and small businesses.

The ASFA undermines parents' ability to protect children online

Major app stores currently provide parents with a range of tools that offer greater control and visibility into their children's online activity. For example, Apple allows parents to impose screen time limits, restrict access to websites, approve app downloads and purchases, and manage other content and privacy settings.⁴ Its App Store also offers a curated children's category featuring apps designed for younger users.⁵ The Google Play Store offers similar protections, including purchase approvals, screen time limits, parental controls, and additional content and functionality requirements for apps directed to children.⁶

Requiring covered companies to support third-party app stores risks fragmenting these protections and making it more difficult for parents to manage their children's activity. Alternative app stores may not provide safeguards equivalent to those provided by major platforms or may apply different standards or settings. As a result, parents could be required to identify, understand, and separately manage online safety tools across multiple stores. By requiring the decentralization of these protections, the ASFA would reduce parental visibility and place a greater burden on families trying to protect children online.

Third-party app stores may also apply less rigorous or consistent processes for reviewing apps directed to children. As a result, children could inadvertently access deceptive applications, malware, inappropriate content, or software that collects sensitive personal information without

² "State of the App Economy." *ACT | The App Association*, ACT | The App Association, actonline.org/wp-content/uploads/APP-Economy-Report-FINAL-1.pdf. Accessed 13 Jan. 2026.

³ Rep. Cammack *H.R.3209: App Store Freedom Act*, 6 May 2025, [www.congress.gov/bill/119th-congress/house-bill/3209/text](https://www.congress.gov/bills/119th/congress/house-bill/3209/text).

⁴ *Child Safety - Apple*, www.apple.com/child-safety/. Accessed 18 July 2026.

⁵ *Design Safe and Age-Appropriate Experiences - Apple Developer*, developer.apple.com/kids/. Accessed 18 July 2026.

⁶ *Google Play Families Policies*, support.google.com/googleplay/android-developer/answer/9893335?hl=en. Accessed 18 July 2026.

adequate safeguards. If harm occurs, weaker monitoring and enforcement systems could slow efforts to remove problematic applications promptly and prevent similar incidents from occurring again. These risks are particularly concerning for children, who may be less able to recognize deceptive practices, understand privacy and cybersecurity disclosures, or evaluate the consequences of granting an app's permission requests.

The ASFA places consumers' privacy and security at risk

App stores help protect consumers from unsafe or fraudulent software by screening applications before they can be downloaded. Major app stores review submitted apps for safety, functionality, and compliance with established terms of service before making them available to consumers.⁷ As part of this process, app stores evaluate apps for content, advertising practices, privacy disclosures, developer authenticity, and whether an app's requested permissions are necessary for its stated purpose. Applications that fail to meet the necessary requirements may be rejected or removed. Although no review process can catch every threat posed to consumers, this vetting substantially reduces the likelihood that consumers will encounter malicious or fraudulent software.

Major app stores also continue to provide cybersecurity protections after an app has been installed, such as monitoring for emerging threats, distributing security updates, investigating misconduct, and disabling or removing malicious or noncompliant apps. These ongoing processes ensure that vulnerabilities or security threats can be promptly addressed before consumers face real harms. Enabling third-party distribution and update platforms could fragment these protections and make it more difficult to protect consumers from malicious or compromised software on their devices.

In practice, the requirement to enable the use of third-party app stores creates alternative pathways that bypass these protective measures and places consumers' privacy and security at risk. Third-party app stores may employ weaker or inconsistent security, authentication, or monitoring standards, and may fail to respond to security threats in the same timely manner that protects consumers today. Bad actors could exploit this insecure environment to distribute malware, commit financial fraud, or access consumers' sensitive personal information. By facilitating the use of third-party apps and the installation of apps from unvetted sources, the bill would place consumers at risk and make it more difficult to effectively identify, remove, or mitigate cyber threats.

The ASFA replicates the EU's costly digital regulatory model

The ASFA closely resembles the European Union's Digital Markets Act (DMA). Both frameworks require major platforms to accommodate third-party app stores, sideloaded apps, and alternative in-app payment systems. These measures risk importing the same regulatory complexity, market fragmentation, and uncertainty that have plagued the EU's ability to foster technological innovation and growth.⁸

⁷ *App Review Guidelines - Apple Developer*, developer.apple.com/app-store/review/guidelines/. Accessed 18 July 2026; *Developer Policy Center*, play.google.com/developer-content-policy/. Accessed 18 July 2026.

⁸ *The future of European Competitiveness: Report by Mario Draghi*, commission.europa.eu/topics/competitiveness/draghi-report_en. Accessed 18 July 2026.

The EU's broader regulatory environment already places disproportionate burdens on small businesses.⁹ Smaller firms often do not have dedicated legal or compliance teams and must divert limited resources towards interpreting complex, overlapping regulations. These efforts then take away from the resources necessary to hire employees, develop products, reach new customers, or expand operations. Paradoxically, while the DMA and other EU digital regulations were intended to boost competition, they often instead reinforce incumbents or larger firms that possess the resources necessary to navigate complex regulations instead. The result is higher costs and lower quality for developers as they source distribution.

Congress should not import this regulatory model into the United States. Adopting EU-style regulations would impede the U.S. digital economy, risk discouraging innovation, and ultimately undermine U.S. technological competitiveness. Rather than leveling the playing field, this regulatory model would subject small businesses to the same compliance burdens that have imposed significant costs on their European counterparts. Instead, Congress should preserve the conditions that have enabled small technology businesses and independent app developers to grow and innovate.

The ASFA undermines investment in consumer trust that benefit small businesses

Major app stores invest in functions that earn consumers' trust in the software they host. This trust capital helps small businesses compete in the digital marketplace. Through application reviews, developer verification, security standards, and ongoing enforcement, these stores can provide consumers with greater confidence that the applications they download have met baseline standards for safety, functionality, and content. This trust is especially valuable to small businesses, which often lack the name recognition, advertising budgets, or longstanding customer relationships that larger brands rely on. Approval by a trusted app store serves as an important signal of credibility that enables small businesses to attract customers and compete with larger firms.

The ASFA risks weakening this advantage by fostering the development of a fragmented app ecosystem with inconsistent review processes, security standards, and consumer protections. In such an environment, consumers may hesitate to trust unfamiliar applications or app stores, and that uncertainty would likely make them less willing to download applications from smaller, unfamiliar developers. As a result, small businesses would have to spend more on marketing and customer acquisition to establish the same level of consumer confidence that major app stores currently help provide.

Conclusion

The ASFA would replace today's trusted and secure app ecosystems with a more fragmented model that exposes consumers and small businesses to greater privacy, cybersecurity, and online safety risks. By weakening market-driven, centralized safety protections, increasing privacy and cybersecurity concerns, and undermining the trust that helps small businesses reach customers, the bill would impose substantial costs without offering a commensurate benefit to the digital marketplace. It would also import a European regulatory approach that has replaced technological growth and innovation with complexity and uncertainty. Congress should reject the

⁹ *EU Digital Markets Act: One Year Later*, actonline.org/wp-content/uploads/DMA-One-Year-Later.pdf. Accessed 18 July 2026.

ASFA and preserve the digital infrastructure that enables consumers and small businesses to compete in the digital economy.

Thank you for your time and consideration. We appreciate the Subcommittee's focus on strengthening consumer protection and welcome the opportunity to further engage as the legislative process moves forward.

Sincerely,

A handwritten signature in black ink that reads "Morgan Reed". The signature is written in a cursive style with a large, stylized 'M' and 'R'.

Morgan Reed
President
Association for Competitive Technology



July 22, 2026

The Honorable Gus M. Bilirakis
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce,
Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Re: Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace

Dear Chairman Bilirakis and Ranking Member Schakowsky:

The Consumer Bankers Association (“CBA”) appreciates the Committee’s attention to protecting consumers from scams and harmful debt-settlement practices as part of its July 22 Subcommittee hearing titled, *Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace*.¹ These are distinct challenges, but each can impose significant and lasting financial harm on consumers and merits sustained attention from policymakers.

As we continue to review some of the legislation noticed for this hearing, we write to offer the perspective of retail banks that work every day to prevent financial crimes, assist consumers experiencing financial hardship, and help customers understand the options available to them.

Scams Require a Coordinated Response Across the Entire Ecosystem

Consumers lose tens of billions of dollars every single year to scams. Scams have grown in scale, sophistication, and reach. Criminals increasingly use social engineering, impersonation, fraudulent advertisements, artificial intelligence, telecommunications networks, and digital platforms to manipulate consumers into sending money or surrendering sensitive information. Moreover, these criminal organizations operate across multiple platforms, communication channels, and jurisdictions, allowing them to adapt quickly when defenses improve in any one sector.

It is important to distinguish scams from traditional unauthorized fraud. A scam is perpetrated when a consumer is tricked to sending money or other valuables, or to send their credentials for criminals to obtain something of value from the consumer. In many scams, a criminal deceives a consumer through a text message, telephone call, social-media platform, online marketplace, or other channel and persuades the consumer to initiate a transaction. The consumer’s bank may encounter the payment only at the end of that process—after the criminal has established trust, created a false sense of urgency, and convinced the consumer that the transaction is legitimate.

¹ The Consumer Bankers Association (“CBA”) is a member-driven trade association, and the only national financial trade group focused exclusively on retail banking—banking services geared toward consumers and small businesses. As the recognized voice on retail banking issues, CBA provides leadership, education, research, and federal representation for its members. CBA members operate in all 50 states. They include the nation’s largest bank holding companies as well as regional and super-community banks. The vast majority of CBA’s members are financial institutions holding more than \$10 billion in assets.

Banks spend billions of dollars and millions of man hours every year working to protect consumers from being scammed out of their own money. Banks invest extensively in authentication, real-time transaction screening, behavioral analytics, customer alerts, investigative teams, and other safeguards. They regularly detect and stop suspicious transactions and work directly with customers who may be in the process of being victimized. But no single participant can solve a problem that frequently begins outside the banking system.

An effective response therefore requires participation across the entire scam ecosystem. Telecommunications providers, social-media and technology platforms, digital-asset companies, financial institutions, law enforcement, and government agencies all possess different information and opportunities to disrupt a scam. Policies that promote timely information sharing, accountability at the point where a scam originates, coordinated law-enforcement efforts, and effective warnings to consumers can help stop criminal activity before money leaves a victim's account.

For these reasons, CBA supports H.R. 7548, the *SCAM Act*, introduced by Rep. Dan Meuser (R-PA) and Rep. Lou Correa (D-CA), and welcomes the opportunity to work with the Committee to advance the bipartisan bicameral legislation. Stopping scams at the source requires holding online platforms accountable for taking reasonable steps to prevent fraudulent and deceptive advertisements from reaching consumers in the first place. The bipartisan *SCAM Act* would help disrupt schemes where they originate and, before criminals gain a consumer's trust or money reaches the financial system.

CBA has also sought to contribute to this work through its 2024 white paper, *Stopping Scams Against Consumers: Roadmap for a National Strategy*,² and its *subsequent Fraud and Scams Roundtable*, which brought together representatives from financial institutions, government, law enforcement, and other stakeholders.³ Those efforts identified several priorities that may be useful to the Subcommittee, including greater cross-sector coordination, improved information sharing, sustained public awareness, and clearer recognition of the different roles played by entities throughout the scam lifecycle.

Consumers Need Clear Protections from the Risks of Debt-Settlement Companies

CBA also appreciates the Subcommittee's attention to debt-settlement companies. Consumers considering these services are frequently experiencing acute financial stress and may be especially susceptible to promises that their debts can be quickly or substantially reduced.

Debt-settlement companies generally encourage consumers to accumulate funds for a potential settlement, often while discontinuing payments to their creditors. During that period, balances may continue to grow through interest and fees, consumers' credit scores may deteriorate, and creditors may pursue collection activity or litigation. The Consumer Financial Protection Bureau (CFPB) has cautioned that working with a debt-settlement company may negatively affect a consumer's credit and ability to obtain credit in the future, may result in a creditor filing a debt-collection lawsuit, and provides no assurance that every creditor will agree to participate. FinRegLab has similarly documented how the

² CBA, *Stopping Scams Against Consumers: Roadmap for a National Strategy* (July 17, 2024), <https://papers.ssrn.com/sol3/Delivery.cfm/4897644.pdf?abstractid=4897644&mirid=1>.

³ CBA, *Fraud and Scams Roundtable—Summary and Proposed Next Steps* (July 24, 2024), <https://consumerbankers.com/wp-content/uploads/2024/07/2024-07-21-Fraud-and-Scams-Writeup.pdf>.

debt-settlement process can expose distressed borrowers to increasing balances and other financial risks while they wait for settlements to occur.⁴

Consumers may also pay substantial fees for assistance they could obtain directly from their creditors. The CFPB's 2023 credit card market report found that most issuers willing to work with debt-settlement companies offered those companies the same settlement terms available to consumers who contacted the creditor directly. A consumer settling directly generally pays no third-party fee; by contrast, the CFPB reported that consumers using a debt-settlement company typically incur additional costs equal to 20 to 25 percent of the balance owed.⁵

Nor is a successful resolution assured. The debt-settlement industry's own analysis indicates that approximately one-quarter of clients do not settle any accounts. Even where a settlement is reached, consumers may face tax consequences from forgiven debt and, in some cases, the financial benefit of a settlement may be significantly reduced by the fees charged by the debt-settlement company.⁶ These risks underscore the importance of ensuring that marketing representations accurately convey both the potential benefits and the potential consequences of enrollment.

These concerns are particularly significant because consumers may have safer or less costly options available. Many banks offer hardship or assistance programs that can reduce payments, waive certain interest or fees, or establish a structured repayment or settlement arrangement. Consumers may also benefit from reputable nonprofit credit counseling and debt-management plans, which generally seek coordinated repayment across multiple creditors rather than requiring consumers to stop paying their debts while awaiting a possible settlement. FinRegLab's research provides a useful comparison of these different debt-resolution pathways and the consumers each may be able to serve.⁷

[CBA's About Debt Relief initiative](#) was created to help consumers recognize the risks associated with debt-settlement companies, understand the distinctions among debt settlement, credit counseling, and

⁴ Consumer Financial Protection Bureau, *What Is a Debt Relief Program and How Do I Know if I Should Use One?* (Aug. 28, 2023) <https://www.consumerfinance.gov/ask-cfpb/what-is-a-debt-relief-program-and-how-do-i-know-if-i-should-use-one-en-1457/>; FinRegLab, *Debt Resolution Options for Distressed Borrowers: Market and Policy Context* 5 (Oct. 2022), https://finreglab.org/wp-content/uploads/2023/12/FinRegLab_2022-10-20_Research-Report_Debt-Resolution-Options-for-Distressed-Borrowers_Market-and-Policy-Context.pdf. The CFPB identifies potential credit damage, litigation risk, and the possibility that creditors will refuse to participate; FinRegLab discusses the potential for balances and financial harm to increase during the settlement process.

⁵ Consumer Financial Protection Bureau, *The Consumer Credit Card Market* 148 (Oct. 2023), https://files.consumerfinance.gov/f/documents/cfpb_consumer-credit-card-market-report_2023.pdf ("Most issuers that work with DSCs reported that they offer DSCs the same settlement rates available to consumers who call the creditor directly," while consumers using a debt-settlement company typically incur additional costs of 20 to 25 percent of the balance owed).

⁶ American Fair Credit Council, *Options for Consumers in Crisis: An Updated Economic Analysis of the Debt Settlement Industry* 3–4 (Feb. 2021), <https://ghllc.com/wp-content/uploads/2021/02/Options-for-Consumers-Mar-2020.pdf>; Consumer Financial Protection Bureau, *What Is a Debt Relief Program and How Do I Know if I Should Use One?* The industry analysis indicates that 75 percent of all clients settled at least one account—meaning roughly 25 percent settled none—and acknowledges that in a small share of cases debt reduction does not exceed the associated fees. The CFPB also warns of possible tax consequences from forgiven debt.

⁷ FinRegLab, *Debt Resolution Options for Distressed Borrowers: Market and Policy Context* 18 (Oct. 2022). See also Consumer Financial Protection Bureau, *What Is the Difference Between Credit Counseling and Debt Settlement, Debt Consolidation, or Credit Repair?* The CBA source paper distinguishes bilateral creditor workouts from nonprofit debt-management plans and notes that eligibility and consumer outcomes differ across these options.

direct creditor assistance, and explore available options before paying a third party.⁸ We would be pleased to provide these materials to the Subcommittee or discuss what CBA's members are seeing in the marketplace.

Continuing the Conversation

CBA welcomes the Subcommittee's bipartisan focus on protecting consumers in a marketplace that is changing rapidly. As Congress evaluates the proposals before it, we respectfully encourage policymakers to consider where consumer harm originates, the incentives and responsibilities of each participant in the relevant ecosystem, and the practical consequences that proposed requirements could have for consumers and legitimate efforts to protect them.

CBA and its members would welcome the opportunity to meet with the Subcommittee or individual Member offices at any time. We would be pleased to discuss banks' fraud- and scam-prevention efforts, the challenges of cross-sector coordination, the experiences of consumers who turn to debt-settlement companies, and the assistance options banks currently make available to customers experiencing financial hardship.

Thank you for your leadership and attention to these important consumer-protection issues.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Johnson", with a stylized, cursive script.

Lindsey D. Johnson
President and CEO
Consumer Bankers Association

cc:

The Honorable Brett Guthrie, Chairman, House Committee on Energy and Commerce;
The Honorable Frank Pallone, Jr., Ranking Member, House Committee on Energy and Commerce.

⁸ CBA, *About Debt Relief*, <https://www.aboutdebtrelief.com/>.



June 10, 2026

The Honorable Brett Guthrie
Chairman
Committee on Energy and Commerce
United States House of Representatives

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
United States House of Representatives

The Honorable Gus Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing,
and Trade
United States House of Representatives

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce, Manufacturing
and Trade
United States House of Representatives

Request for Passage of H.R. 6832, the Packaging and Claims Knowledge (PACK) Act

Dear Chairman Guthrie, Chairman Bilirakis, Ranking Member Pallone, Ranking Member Schakowsky, and Members of the House Energy & Commerce Committee:

The undersigned companies write in support of H.R. 6832, the Packaging and Claims Knowledge (PACK) Act, bipartisan legislation introduced by Congressman Randy Weber of Texas and cosponsored by Congressman Adam Gray of California. We respectfully urge the Committee to advance the PACK Act, which would establish a uniform federal framework grounded in longstanding Federal Trade Commission (FTC) consumer protection principles for key environmental marketing claims. This would help ensure consumers receive accurate, consistent information about what is recyclable, compostable, and reusable, regardless of where they live or shop.

As leaders in the Consumer Packaged Goods (CPG) industry, we support the goal of making packaging recyclable, reusable, or compostable, and we have spent decades improving packaging in partnership with suppliers, technical experts, and leading organizations. One of our top priorities is to design, validate, and implement packaging solutions that protect and preserve products throughout the product lifecycle, from filling and distribution to shelf life, so products reach consumers safely and meet performance expectations. As we continue to design and invest in more sustainable packaging solutions, it is essential that clear and consistent standards for environmental marketing claims and on-pack consumer guidance are leveraged to help direct

consumers to dispose of packaging properly, divert packaging from landfills, and enable materials to be recycled, composted, or reused where systems and programs exist, keeping valuable materials in circulation so they can be used in new products or packaging.

Today, however, companies face a growing patchwork of state labeling requirements, definitions, and standards for environmental marketing claims and on pack consumer guidance that create unnecessary complexity for consumers and significant compliance challenges for businesses attempting to communicate transparently about packaging sustainability. This patchwork increases production, logistics, and compliance costs that can reduce product affordability for consumers. Additionally, varying laws and proposed requirements can create legal uncertainty for consumer education by restricting the use of recycling information and imposing liability based on standards that are disconnected from real-world recycling and composting systems. Without consistent federal standards, consumers may default to discarding packaging, reducing participation and potentially decreasing recycling rates. Because the Federal Trade Commission's "Green Guides" lack the force of law and do not preempt state requirements, these state-by-state requirements risk becoming a de facto national standard without federal action.

The PACK Act promotes national consistency that will support innovation, provide greater regulatory certainty, and allow companies to continue investing in packaging improvements with the goal of increasing recyclability, compostability, and reuse of consumer product packaging. This will help reduce consumer confusion and support consistent on-pack guidance nationwide, while reducing the complexities and unintended consequences of patchwork regulation and protecting affordability.

If you are interested in cosponsoring the PACK Act, please contact Congressman Weber's Legislative Director, Hayden Crawford, at hayden.crawford@mail.house.gov or Congressman Gray's Senior Policy Advisor, Sophia Garcia, at sophia.garcia@mail.house.gov. For more information on the value and role of consumer goods packaging, please contact Danielle Waterfield, AMERIPEN Policy Director & General Counsel at DanielleW@ameripen.org.

Sincerely,

Conagra Brands, Inc.
Ferrara Candy Company
Ferrero
General Mills
Keurig Dr Pepper
McCormick & Company, Inc.
Mondelēz International
Nestlé USA

PepsiCo
Sazerac Company
The Coca-Cola Company
The J.M. Smucker Co.
The Kraft Heinz Company
The Marzetti Company
WK Kellogg Co



Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade

United States House of Representatives

2125 Rayburn House Office Building

July 21, 2026

Washington, DC 20515

CC: Chairman Brett Guthrie and Ranking Member Frank Pallone

Members of the House Energy & Commerce Committee

Re: The Packaging Claims and Knowledge (PACK) Act (H.R. 6832), The Recycled Materials Attribution Act (RMAA) of 2026 (H.R. 7502), STEWARD Act (S. 351; H.R. 2145; H.R. 4109) and CIRCLE Act (H.R. 4466)

Dear Chairman Bilirakis, Vice Chairman Fuller, Ranking Member Schakowsky, and Members of the Committee:

Tetra Pak provides modern systems for food production and packaging that enhance food security, increase access to safe and nutritious food, and improve livelihoods and economies. We employ 1,700 people in the United States and Canada and are also responsible for another 6,500 people who work with our equipment directly for our customers. In addition, Tetra Pak has a long history, going back to our founder, Dr. Ruben Rausing, focusing on sustainability and protecting food, people, and the planet.

Tetra Pak has made system-wide investments that have led to 63% of U.S. households having access to food and beverage carton recycling and 11,700 schools across the country having their own carton recycling programs. Collection and recycling are vital to the fabric of our company. Tetra Pak supports bills like the STEWARD Act (S. 351; H.R. 2145; H.R. 4109) to target investments and expand the system and the CIRCLE Act (H.R. 4466) to incentivize system-wide investment.

Tetra Pak strongly supports recycling legislation in front of your Subcommittee, the Recycled Materials Attribution Act (RMAA), as introduced by Rep. Nick Langworthy (R-NY-23), and the Packaging Claims and Knowledge Act (PACK Act), as introduced by Rep. Randy Weber (R-TX-14). The PACK Act and RMAA would provide consumers with clear, consistent, and trustworthy labeling to make more informed purchasing decisions, improve consumer confidence and engagement in our recycling system, and provide the regulatory consistency and certainty needed to spur investment in domestic manufacturing. Tetra Pak supports these pieces of recycling legislation as they will provide a unified national framework governing what constitutes recycling and related terms,

As a manufacturer of a component in a final product, packaging companies cannot make packaging for one state, they make it for the whole country. In effect, a law passed in any of the largest states from Texas to California to New York, can set the policy for what will be on packaging in all states. A federal framework for recyclable claims (PACK Act) would promote consistency, reduce consumer confusion, and provide greater regulatory certainty for businesses operating across state lines. Environmental and recycling marketing claims are governed by overlapping and conflicting federal and state laws. Further contributing to the confusion are recycling standards developed decades ago that no longer reflect how products are made or used today. These outdated and inconsistent policies create significant consumer confusion with recycled content and recyclability claims; unnecessarily increase consumer costs; generate regulatory uncertainty; and stifle economic investment in domestic manufacturing. The end result of passing the PACK Act is less consumer confusion, better end-of-life management of packaging, and a stronger circular economy.

The RMAA creates a uniform national framework for recycled content marketing claims, reducing complexity for consumers and businesses and ensuring recycling terms reflect innovations in this space. Further, the RMAA would clarify that innovative non-mechanical recycling technologies count as recycling, contributing to American manufacturing and sustainability. These innovative recycling

technologies complement our existing mechanical recycling infrastructure, greatly expanding the types, formats, and volume of packaging that can be effectively recycled. For cartons, we have a domestic end market that we briefed the Congressional Recycling Caucus this week, which can be considered a non-mechanical way to recycle 100% of the carton. It's a circular process that brings more sustainable, reliable building materials to the market. Unfortunately, this is the type of innovation and domestic investment that is stifled when non-mechanical recycling options aren't encouraged. The RMAA will ensure consistent consumer protection obligations and enforcement, while also supporting economic growth and U.S. competitiveness by encouraging American innovation and investment in domestic manufacturing, decreasing reliance on foreign inputs, ensuring domestic supply-chain resiliency, and creating good-paying jobs.

Taken together, both bills work in tandem to reduce consumer confusion and the landfilling of valuable recyclables while providing much-needed clarity to support new domestic innovations and investments. Members of the committee on both sides of the aisle should be commended for championing common sense, bipartisan legislation that will facilitate a more functional and credible recycling system. The RMAA and PACK Act demonstrate that consumer protection and recycling-focused efforts go hand-in-hand with promoting affordability and manufacturing investments, and we strongly encourage your support for both bills. Thank you for your time and attention to this important matter.

Sincerely,

Samantha Kappalman

Vice President, Corporate Affairs & Public Policy, US & Canada

Tetra Pak



July 20, 2026

The Honorable Brett Guthrie
Chairman, House Committee on Energy &
Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Frank Pallone, Jr.
Ranking Member, House Committee on
Energy & Commerce
2106 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Gus Bilirakis
Chairman, House Subcommittee on
Commerce, Manufacturing, and Trade
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jan Schakowsky
Ranking Member, House Subcommittee
on Commerce, Manufacturing, and Trade
2323 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairmen Guthrie and Bilirakis and Ranking Members Pallone and Schakowsky:

The American Forest & Paper Association appreciates the efforts of the House Subcommittee on Commerce, Manufacturing, and Trade to support recycling standards and the circular economy. Paper recycling is one of the most successful recycling systems in the U.S., turning used paper into new, essential products. It is driven by market demand and voluntary investments—80% of U.S. paper mills use recycled paper. In 2024, we recycled around 46 million tons, translating to an overall paper recycling rate of 60%-64%. These investments have produced the highest recycling rate of any major material category, exceeding those of plastics, glass, and metals.

AF&PA supports policies that protect recycling integrity and provide consumers with reliable information about the environmental attributes of the products they purchase, such as the Packaging and Claims Knowledge Act (PACK Act). We have also supported other recycling bills that the Energy & Commerce Committee recently passed, including the Recycling Infrastructure Accessibility Act (RIAA) and the Recycling and Composting Accountability Act (RCAA).

Re-defining recycling terms or intervening in recycling markets can create serious, unintended consequences. Accordingly, we must oppose the Recycled Materials Attribution Act of 2026 (RMAA). As written, we believe the RMAA fundamentally alters the framework of the Federal Trade Commission's (FTC's) Green Guides regarding environmental product marketing claims that could cause public confusion, undermine

the integrity of recycled content claims, create the potential for consumer deception, and weaken confidence in the nation's recycling system.

The American Forest & Paper Association (AF&PA) serves to advance public policies that foster economic growth, job creation and global competitiveness for a vital sector that makes the essential paper and packaging products Americans use every day. The U.S. forest products industry employs more than 925,000 people, largely in rural America, and is among the top 10 manufacturing sector employers in 44 states. Our industry accounts for approximately 4.7% of the total U.S. manufacturing GDP, manufacturing more than \$435 billion in products annually. AF&PA member companies are significant producers and users of renewable biomass energy and are committed to making sustainable products for a sustainable future through the industry's decades-long initiative — [*Better Practices, Better Planet 2030*](#).

The PACK Act Provides Business Certainty and Consumer Clarity

AF&PA supports the PACK Act due to its commonsense, voluntary approach to creating consistent national standards for recyclable, compostable, and reusable claims on packaging. The PACK Act would establish a federal framework through the FTC for consumer packaging claims regarding recyclability, compostability, and reusability. A consistent national structure helps businesses communicate accurately across state lines, reduce consumer confusion, and support the proper management of packaging at end of life. Importantly, a national framework would support interstate commerce and preempt states that create barriers to practical, science-based packaging policy.

The RMAA Could Mislead Everyday Americans and Damage Recycling Credibility

AF&PA believes that the principles, definitions, and requirements for qualifying and substantiating marketing claims in commerce should be led by the FTC through an update to the Green Guides using well-established scientific principles, which will allow for all stakeholders to share input and comments. We oppose the RMAA as written for several reasons:

- It weakens the definition of “recycled content claims” and contains other problematic definitions relating to recycling that are different than existing EPA and FTC standards;
- It allows certain fuel outputs to claim that they're recycled rather than used for energy recovery; and
- We believe it does not have sufficient guardrails relating to appropriate uses of mass balance accounting methodologies.

Overall, we are concerned that RMAA, as written, weakens the FTC Green Guides standards and enables misleading environmental product claims. RMAA would allow recycled content claims with little or no physical link to recycled material, introducing

mass balance accounting methodology and credit-based variations without any guardrails whatsoever. Under these approaches, recovered materials may be introduced at one point in a supply chain while recycled content credits are assigned to products that contain no physically recycled material. In AF&PA's view, this creates a significant risk that consumers will be misled into believing a product contains recycled content when it does not. It could allow certain products (including fuel outputs) to exaggerate recycled content or higher "recycling rates", creating competitive distortions across materials.

Maintaining FTC's role as the primary federal authority responsible for setting the criteria, substantiation, and guardrails for recycled content environmental claims is critical. The FTC possesses the expertise, scientific resources, stakeholder engagement mechanisms, and consumer protection mandate necessary to evaluate emerging technologies and keep environmental claims current. Through the Green Guides process, regulators can consider scientific evidence, consumer understanding, technical feasibility, and stakeholder perspectives before establishing standards that affect markets and consumers. We agree that existing guidance should be periodically reviewed and updated. However, Congress should not codify technical definitions, substantiation requirements, and accounting methodologies for environmental marketing claims through legislation. If a manufacturer is allowed to make "any claim or representation regarding the recycled nature of a product or material", that will lead to serious unintended consequences.

To illustrate this concern, consider a hypothetical example. A company operates a manufacturing facility in Country A that processes a quantity of recovered material feedstock. Through a non-proportional, attribution-based mass balance system, the company generates recycled content credits associated with that recovered material. The company also operates a separate manufacturing facility in Country B that uses only virgin feedstocks and receives no recycled materials.

Under certain attribution-based accounting systems allowed by RMAA, the recycled content credits generated in Country A could be transferred through an accounting ledger and assigned to products manufactured in Country B. The products produced entirely from virgin materials could then be marketed and labeled as containing "100% recycled content," despite having no physical connection to the recovered material that generated the credit and containing no recycled material themselves.

We believe recycled content claims that lack physical material linkage risk undermining consumer trust and erode the legitimacy of true recycling systems. Product marketing claims supported solely by an accounting allocation rather than by recycled material contained within the product will seriously mislead consumers.

The Green Guides explicitly state that it is deceptive to represent, directly or by implication that an item contains recycled content unless it is composed of materials that have been recovered or otherwise diverted from the waste stream, either during the manufacturing process (pre-consumer), or after consumer use (post-consumer). RMAA runs counter to

that position. Environmental marketing claims should describe the attributes of the product in the consumer's hands—not merely accounting transactions occurring elsewhere in a global supply chain.

Allowing recycled content claims to be detached from physical material flows risks eroding confidence not only in product labels but in recycling itself. Consumers have supported recycling for decades because they understand it as a system in which recovered materials are collected, processed, and used to make new products. If consumers begin to question whether recycled content claims reflect the products they purchase, public confidence in recycling programs and environmental marketing more broadly could be undermined.

AF&PA is similarly concerned that RMAA could facilitate inflated recycled content and recycling rate claims that do not accurately represent material recovery outcomes. In particular, we oppose any framework that treats the conversion of plastic waste into fuels, fuel components, or materials destined for energy recovery as recycling.

Recycling should involve the recovery and reprocessing of materials into feedstocks that are used to manufacture new products. Materials converted into fuels are ultimately combusted and removed from the material economy rather than returned to productive use. As a result, fuel production should not qualify as recycling and should not contribute toward recycled content claims or recycling rate calculations. Counting fuel production as recycling would blur the distinction between material recovery and energy recovery, undermining the integrity of recycling metrics relied upon by policymakers, consumers, and investors.

Decisions regarding recycled content definitions, substantiation standards, qualifying criteria, and consumer disclosures should continue to be developed through the FTC's transparent, science-based process rather than embedded in congressional statute. Legislative codification risks locking in methodologies before they have been fully vetted for scientific rigor, consumer understanding, and marketplace impacts.

Private Investments and Free Markets Drive Recycling Success

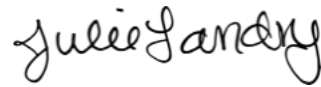
Paper recycling is a model that works. The paper and paper-based packaging industry has a demonstrated, measurable record of success in making paper products more circular and sustainable through market-based approaches. In 2024, our paper recycling rate was 60-64% and our cardboard recycling rate was 69-74%. The paper industry recycles nearly 60% more paper today than it did in 1990.

Paper recycling is well integrated within our industry – AF&PA members own and operate more than 100 materials recovery facilities (MRFs) nationwide. During 2019-2025, our industry invested in projects at paper mills that will use over 4.5 million additional tons of recycled paper. In addition, our members have also set a goal to increase the use of secondary materials like recycled paper in new paper products to 50% by 2030.

The RMAA's proposed changes to the Green Guides aren't just damaging to the American public and paper recyclers—they're unnecessary. Chemical recycling technology is already in use, and new facilities can be built today without any changes to existing law that would establish preferential treatment. We believe that commodities should use private investments to increase the recyclability of their products, rather than relying on government intervention to change long-held standards that underpin the recycling system.

We appreciate the Subcommittee and full Committee's interest in recycling policy, and are very supportive of recent efforts to improve recycling access and strengthen recyclability standards, such as PACK Act, RIAA, and RCAA. We look forward to continuing to work with the Energy & Commerce Committee to help advance these critical pieces of legislation and other policies to strengthen the recycling system. Thank you for your consideration and your continued commitment to sound recycling policy and consumer protection.

Kind Regards,

A handwritten signature in black ink that reads "Julie Landry". The script is cursive and fluid, with the first letters of "Julie" and "Landry" being capitalized and prominent.

Julie Landry
Vice President, Government Affairs
American Forest & Paper Association



700 Taylor Road, Suite 190
Gahanna, OH 43230
614.552.2222
800.355.2227 toll free
www.apprisen.com

July 15, 2026

The Honorable Members
House Energy and Commerce Committee
Subcommittee on Consumer Protection and Commerce
U.S. House of Representatives
Washington, DC

Re: Support for Legislative Efforts to Strengthen Consumer Protections in the Debt Settlement Marketplace

Dear Chairman, Ranking Member, and Members of the Subcommittee:

On behalf of Apprisen, one of the nation's oldest nonprofit credit counseling organizations, I am writing to express our strong support for legislation that would require enhanced consumer disclosures and establish reasonable limitations on advertising practices by for-profit debt settlement providers.

For more than 71 years, our organization has helped individuals and families overcome financial challenges through financial education, credit counseling, debt management programs, housing counseling, and other consumer-focused services. During that time, we have worked with hundreds of thousands of consumers seeking guidance on managing debt and achieving long-term financial stability. We have also witnessed firsthand the confusion and financial harm that can occur when consumers are exposed to misleading or incomplete marketing regarding debt relief options.

Consumers facing significant debt are often experiencing financial stress, anxiety, and uncertainty. In these circumstances, they may be particularly vulnerable to advertising claims that promise quick debt reduction, immediate savings, or easy financial solutions. While some debt settlement services may be appropriate for certain consumers, individuals deserve clear, accurate, and transparent information about the potential costs, risks, consequences, and alternatives before making decisions that can have lasting effects on their financial well-being. We believe this legislation advances several important consumer protection objectives:

- **Improved Transparency.** Consumers should receive clear disclosures regarding fees, expected timelines, potential tax consequences, credit score impacts, litigation risks, and the likelihood of achieving advertised outcomes.
- **Informed Decision-Making.** Individuals should be made aware of all available debt relief options, including nonprofit credit counseling, debt management plans, creditor hardship programs, and other alternatives that may better align with their circumstances.

- **Truthful Advertising Standards.** Marketing materials should accurately represent the nature of services provided and avoid statements that could mislead consumers regarding success rates, costs, or expected results.
- **Protection for Financially Vulnerable Families.** Enhanced disclosure requirements help ensure that consumers understand the commitments and risks involved before enrolling in a debt settlement program.

As a nonprofit organization, our mission is to empower consumers through education and objective guidance rather than steer them toward any particular product or service. We believe consumers benefit most when they have access to complete and accurate information that enables them to compare available options and make informed choices based on their financial goals.

Importantly, this legislation does not eliminate consumer choice. Rather, it strengthens the integrity of the marketplace by promoting transparency and accountability. Organizations that provide quality services should welcome standards that foster consumer trust and confidence. Every day, we hear from individuals who wish they had understood the potential consequences of certain debt relief programs before enrolling. Better disclosures and responsible advertising standards can help consumers avoid confusion, evaluate alternatives, and pursue solutions that provide sustainable long-term financial outcomes.

We respectfully urge your support for this important legislation and appreciate your commitment to protecting consumers and ensuring fairness within the debt relief marketplace. Thank you for your consideration and for your continued service to the American people.

Sincerely,

Johnny Cantrell
President & Chief Executive Officer



July 16, 2026

The Honorable Gus M. Bilirakis, Chairman
The Honorable Jan Schakowsky, Ranking Member
House Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
2125 Rayburn House Office Building
Washington, DC 20515

Re: Support for H.R. 6832 - the Packaging and Claims Knowledge (PACK) Act

Dear Chairman Bilirakis and Ranking Member Schakowsky:

AMERIPEN, the American Institute for Packaging and the Environment, respectfully submits this statement in strong support of H.R. 6832, the Packaging and Claims Knowledge (PACK) Act, in advance of the Commerce, Manufacturing and Trade Subcommittee's hearing on July 22, 2026. Thank you for providing a platform to discuss the challenges facing the packaging and consumer packaged goods industries, as well as the solutions the PACK Act offers.

AMERIPEN is the only national trade association representing the entire consumer packaging value chain, focused solely on packaging. Our members include material suppliers, packaging manufacturers, consumer packaged goods manufacturers, retailers, and other organizations involved in the design, production, distribution, and disposal of consumer packaging.

Packaging is indispensable to the Nation's economy, supporting everyday necessities like food, medicine, and other essential products. It ensures product safety, prevents contamination, and provides consumers with critical information. The packaging industry contributes approximately \$537.91 billion in annual output, accounting for approximately 2.3 percent of the Nation's gross domestic product. It supports over 1.7 million American jobs; generates more than \$117.73 billion in taxes and fees; and contributes approximately \$43.46 billion in federal, state, and local tax revenue.

The PACK Act establishes a nationally consistent network of substantiated voluntary recyclable, compostable, and reusable claims. Consumer-friendly packaging claims are, therefore, the bill is both a consumer protection measure and an environmentally sound measure. Americans can trust the claims on their packaging while sparing them the hidden costs of a fragmented regulatory system. AMERIPEN strongly supports the PACK Act because it restores consumer confidence, enables interstate commerce, and preserves the Federal Trade Commission's longstanding role in protecting consumers from deceptive marketing practices.



I. The Problem

For decades, the FTC's "Green Guides" have provided guidance for environmental marketing claims, including "recyclable," "compostable" packaging claims. The Guides have shaped industry practice by promoting truthful, non-deceptive marketing. They are, however, guidance documents—not a harmonized national statutory framework—and therefore do not create legally enforceable, nationally uniform labeling requirements.

In the absence of a federal statutory standard, states have increasingly adopted differing requirements governing these claims. The resulting fragmentation creates inconsistent consumer information, growing compliance burdens, and unnecessary complexity for companies distributing products nationwide. Manufacturers, retailers, and packaging suppliers must continually redesign packaging, maintain multiple compliance processes, and navigate differing legal requirements. Every dollar devoted to duplicative compliance is a dollar that cannot be invested in product innovation, manufacturing efficiency, recycling infrastructure, or other improvements that benefit consumers. While companies work diligently to manage these costs, they are not absorbed in a vacuum and may ultimately be passed down the supply chain, making everyday products more expensive for the consumers Congress is trying to protect. A single, credible national standard protects consumers twice over: once by ensuring claims are truthful, and again by preventing the price increases that inevitably accompany duplicative, state-by-state compliance regimes – and all while supporting recycling, composting, and reuse of packaging.

The central policy question is straightforward: who should establish the national standard for claims of recyclable, compostable, and reusable on packaging, Congress or a patchwork of differing jurisdictional requirements?

II. The Solution

The PACK Act answers that question through a carefully tailored consumer-protection framework. It neither regulates packaging design nor establishes recycled-content mandates or material-composition requirements. Instead, it addresses one narrow issue: voluntary recyclable, compostable, and reusable claims appearing on consumer-facing packaging.

Nationally Consistent Third-Party Certification. The PACK Act does not require companies to make recyclable, compostable, or reusable claims on consumer-facing packaging. However, when a company voluntarily makes one of these claims, it must substantiate it through an accredited third-party certification. This independent verification strengthens consumer confidence, ensures credible, consistent substantiation, and provides a national safeguard



against deceptive or unsupported claims without navigating a patchwork of state labeling requirements.

FTC Administration with U.S. Environmental Protection Agency Technical Consultation.

The legislation builds upon the FTC's longstanding expertise in preventing deceptive marketing claims while directing the Commission to consult with the EPA on technical matters related to recycling, composting, and reuse systems.

Narrow Preemption that Preserves State Authority. The PACK Act preempts only non-identical state requirements governing the specific environmental claims addressed by the legislation. States retain full authority to administer broader environmental laws and programs outside the Act's limited scope.

AMERIPEN respectfully urges the Subcommittee to schedule a markup and advance H.R. 6832 for consideration by the full Committee in short order. As state labeling requirements continue to diverge, Congress has an opportunity to establish a coherent national framework that provides consumers with clear and reliable information, promotes affordability through greater regulatory efficiency, and supports the free flow of interstate commerce. AMERIPEN believes that consumer protection, affordability, and supporting recycling are not competing goals but complementary ones, and H.R. 6832 advances each of them.

AMERIPEN stands ready to work with Congress, the FTC, EPA, state officials, consumer organizations, and all interested stakeholders to ensure that the consumer-facing environmental marketing claims of recyclable, compostable, and reusable remain truthful, reliable, and nationally consistent. Thank you for the opportunity to submit this statement for the record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lynn Dyer', written in a cursive style.

Lynn Dyer
President
AMERIPEN

Cc: Members, Subcommittee on Commerce, Manufacturing and Trade



ADVANCED RECYCLING:

Turning Waste Into Opportunity

Plastics make modern life possible, helping to defend against disease, preserve food, and save lives. However, many plastic products are difficult to recycle, often ending up in landfill, incineration, or the environment. **Fortunately, advanced recycling technologies allow us to transform most types of hard-to-recycle plastics into high-quality raw materials that can be used to manufacture brand-new products.**

Recycled Content includes materials that have been recovered or otherwise diverted from the waste stream, either during the manufacturing process (pre-consumer) or after consumer use (post-consumer) and are reprocessed or converted for use in the production of new, salable products.

HOW ADVANCED RECYCLING WORKS

Advanced recycling is a complement to traditional (mechanical) recycling, and society needs both. Many hard-to-recycle plastic products like juice pouches, chip bags, and clothing are rejected at recycling plants due to the difficulty of sorting and processing these materials. **With advanced recycling, hard-to-recycle plastics can be broken down into their basic molecular building blocks**, which can then be purified and used as feedstock for valuable new products.

ExxonMobil has invested in advanced recycling to expand the types of plastic products that can be accepted and transformed into usable raw materials, which can then be used to make new products.

TYPES OF RECYCLING:

- **Mechanical Recycling:** Plastics are collected, sorted, cleaned, and physically processed into new materials without significantly altering their chemical structure.
- **Advanced Recycling:** Uses chemical or molecular processes to break down plastics to their original components, allowing for the production of new products.

POLICY LANDSCAPE

Advanced recycling is real, operating today, and delivering results—but the policy environment has not kept pace. Inconsistent recycling definitions, outdated frameworks, and fragmented state laws are creating headwinds for private sector investment and limiting the full impact of advanced recycling technologies in the United States.

To unlock the full potential of advanced recycling, policymakers should:

- **Establish a clear and enforceable federal standard** for recycled content claims and recycling claims, ensuring legal certainty and consumer trust.
- **Officially recognize advanced recycling as a legitimate form of recycling** in federal laws and regulations, including provisions for verifiable chain-of-custody methods (e.g., mass balance) to substantiate recycled content claims.
- **Preempt conflicting state laws** and create a consistent national framework for American businesses marketing recycled content.
- **Ensure alignment across federal agencies**, including the FTC's Green Guides and EPA definitions, to provide businesses with a workable, science-based framework for making recycled content and recycling claims.
- **Recognize America's leadership** by advancing flexible, pragmatic and technology-neutral policies that enable industry to scale solutions to the plastic waste challenge.

ADVANTAGES OF ADVANCED RECYCLING

Advanced recycling gives plastic waste a new life by transforming it into a range of valuable new products. **This process offers critical advantages:**

Avoiding Waste—For every ton of certified-circular plastics¹ sold, more than a ton of plastic waste avoids ending up in other end-of-life dispositions (e.g., landfill, incineration).

High-Quality Material—The advanced recycling process breaks down plastics at the molecular level, creating high-quality feedstock indistinguishable from new raw material.

Circular Economy—Advanced recycling supports a more circular economy by helping to recover value from plastic waste that would otherwise be discarded, transforming it into versatile raw materials, and offering an alternative to fossil-based feedstocks—supporting more efficient resource utilization.

As of today, the U.S. manufacturing industry has announced 40+ advanced recycling projects representing over \$7B in capital investments, with the potential to divert nearly 21 billion pounds of plastic waste annually from landfills.

1. Certified-circular plastics are virgin quality plastics that are accompanied by a certificate that matches the mass of virgin quality plastics that we sell to a corresponding amount of plastic waste that we transformed back into usable raw materials through advanced recycling. Certified-circular plastics do not represent specific amounts of GHG emissions or recycled content.



July 16, 2026

Chairman Gus Bilirakis
Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Rayburn 2306
Washington, DC 20515

Ranking Member Jan Schakowsky
Energy and Commerce
Subcommittee on Commerce,
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United States House of Representatives
Rayburn 2408
Washington, DC 20515

CC: Chairman Brett Guthrie and Ranking Member Frank Pallone
Members of the House Energy & Commerce Committee

Re: The Recycled Materials Attribution Act of 2026 and The Packaging Claims and Knowledge Act

Dear Representative Bilirakis, Representative Schakowsky, and Members of the Committee:

The Consumer Brands Association (“Consumer Brands”) writes to indicate our strong support for two critical pieces of recycling legislation, the Recycled Materials Attribution Act (RMAA), as introduced by Rep. Nick Langworthy (R-NY-23), and the Packaging Claims and Knowledge Act (PACK Act), as introduced by Rep. Randy Weber (R-TX-14). The RMAA and PACK Act would provide consumers with clear, consistent, and trustworthy labeling to make more informed purchasing decisions, improve consumer confidence in our recycling system, and provide the regulatory consistency and certainty needed to spur investment in domestic manufacturing.

Consumer Brands champions the industry that makes the products consumers choose and the brands they trust. From household and personal care to food and beverage products, the consumer packaged goods (CPG) industry plays a vital role in powering the U.S. economy, contributing \$2.5 trillion to U.S. GDP and supporting 22.3 million American jobs. The CPG industry’s number one priority is delivering safe, affordable, and convenient products to consumers every day. But the industry also plays a crucial role in reducing packaging waste and increasing recycling in the U.S. According to recent data, industry-led source reduction efforts have decreased U.S. packaging volume by about five million metric tons between 2019 and 2024. Consumer Brands is also leading a broad-based coalition, the Recycling Leadership Council, committed to modernizing recycling standards and reducing plastic waste, and supportive of both the RMAA and PACK Act.

Environmental and recycling marketing claims are governed by overlapping and conflicting federal and state laws. Further contributing to the confusion are recycling standards developed decades ago that no longer reflect how products are made or used today – especially when it comes to plastics. These outdated and inconsistent policies create significant consumer confusion with recycled content and recyclability claims; unnecessarily increase consumer costs; generate regulatory uncertainty; and stifle economic investment in domestic manufacturing.

The RMAA creates a uniform national framework for recycled content marketing claims, reducing complexity for consumers and businesses and ensuring recycling terms reflect innovations in this space. Further, the RMAA would clarify that innovative non-mechanical recycling technologies count as recycling, contributing to American manufacturing and sustainability. These innovative recycling technologies complement our existing mechanical recycling infrastructure, greatly expanding the types, formats, and volume of plastics that can be effectively recycled, ultimately supporting the circularity of plastics. The RMAA is a rifle-shot effort to ensure consistent consumer protection obligations and enforcement, while also supporting economic growth and U.S. competitiveness by encouraging American innovation and investment in domestic manufacturing, decreasing reliance on foreign inputs, ensuring domestic supply-chain resiliency, and creating good-paying jobs.

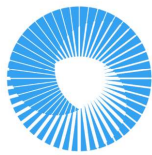
Similarly, the PACK Act is also intended to reduce confusion when it comes to recycling and recyclability, but at a different point in the value chain. The PACK Act establishes a single federal framework under the U.S. Federal Trade Commission (FTC) for “recyclable,” “compostable,” and “reusable” claims on consumer packaging, replacing today’s confusing patchwork of conflicting state laws. It provides consumers with accurate, consistent information and gives businesses one clear standard for labeling across state lines. The result is less consumer confusion, better end-of-life management of packaging, and a stronger circular economy.

Taken together, both bills work in tandem to reduce consumer confusion and plastic waste while providing much-needed clarity to support new domestic innovations and investments. Members of the committee on both sides of the aisle should be commended for championing commonsense, bipartisan legislation that will facilitate a more functional and credible recycling system. The RMAA and PACK Act demonstrate that consumer protection and recycling-focused efforts go hand-in-hand with promoting affordability and manufacturing investments, and we strongly encourage your support for both bills. Thank you for your time and attention to this important matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "John Hewitt", written over a light blue horizontal line.

John Hewitt
Senior Vice President, Packaging & Sustainability
Consumer Brands Association



RLC

Taking Action to Reduce Plastic Waste

H.R.7502 – Recycled Materials Attribution Act

Cosponsors:

Rep. Nicholas A. Langworthy (R-NY-23)

Rep. Marc A. Veasey (D-TX-33)

Rep. Troy Balderson (R-OH-12)

Rep. Dan Crenshaw (R-TX-2)

Rep. Henry Cuellar (D-TX-28)

Rep. Donald G. Davis (D-NC-1)

Rep. Gabe Evans (R-CO-8)

Rep. Vicente Gonzalez, (D-TX-34)

Rep. Jeff Hurd (R-CO-3)

Rep. Jonathan L. Jackson (D-IL-1)

Rep. Addison P. McDowell (R-NC-6)

Rep. August Pfluger (R-TX-11)

Rep. Randy Weber (R-TX-14)

The Issue:

Environmental and recycling marketing claims are governed by overlapping and conflicting federal and state laws. Further contributing to the confusion are recycling standards developed decades ago that no longer reflect how products are made or used today – especially when it comes to plastics. These outdated and inconsistent policies create significant consumer confusion with recycled content claims; unnecessarily increase consumer costs from conflicting state standards; generate regulatory uncertainty; and stifle economic investment in innovative recycling technologies capable of handling a wider range of plastics. With greater federal clarity, the U.S. can unlock the next generation of recycling solutions, encourage domestic investment in sustainable packaging, materials, and recycling infrastructure, and realize the economic and environmental benefits they can deliver.

The Solution – Recycled Materials Attribution Act:

The Recycled Materials Attribution Act (RMAA) is a bipartisan, commonsense solution that establishes uniform definitions to achieve a consistent national framework for recycled content marketing claims. It helps address plastic waste by:

1. Reducing complexity for consumers and marketers, ensuring recycling terms reflect innovations in this space.
2. Requiring the FTC to update and clarify its Guides for the Use of Environmental Marketing Claims, also known as the FTC Green Guides.

Uniform definitions are the catalyst that will strengthen U.S. recycling markets, increase demand for recycled materials, support domestic manufacturing, and encourage continued investments in recycling infrastructure and innovation.

Transparency and third-party verification are required by the RMAA when a claim about recycled content is included on a package. The RMAA allows manufacturers to use a well-established and common chain-of-custody methodology called mass balance accounting to attribute recycled content, including pre- and post-consumer inputs, to the final product. This kind of recycled-content accounting has been used for decades in other industries such as forestry products, cocoa, and coffee.

In addition to the aforementioned provisions, the RMAA would clarify that innovative non-mechanical recycling technologies count as recycling, contributing to American manufacturing and sustainability. These non-mechanical recycling technologies can significantly increase the types, formats and amount of plastics that can be effectively recycled. The allowance of these non-mechanical recycling technologies will complement our existing mechanical recycling infrastructure. This will drastically improve the capacity and capabilities of the U.S. recycling system by not only increasing the quantity of plastics recycled but also helping close the loop on plastics that are currently ending up in landfills.

The Coalition of Support:

The RMAA is supported by the Recycling Leadership Council (RLC), a cross-industry coalition committed to reducing plastic waste and advancing practical, bipartisan solutions to increase U.S. recycling capabilities. Led by the Consumer Brands Association, the RLC brings together leaders from manufacturing, packaging, and recycling to serve as the unified national voice pushing for policies and clarity needed to improve recycling outcomes across the country.

Conclusion:

The RMAA is a rifle-shot, commonsense effort to ensure consistent consumer protection obligations and enforcement, while also supporting economic growth and U.S. competitiveness. This legislation encourages American innovation and investment in domestic manufacturing, decreasing reliance on foreign inputs – lowering compliance costs and consumer prices; ensuring domestic supply chain resiliency; and creating good-paying jobs. Consumers will gain clear, consistent, and trustworthy labeling to make more informed purchasing decisions. Federal leadership is needed; Congress should enact the RMAA.

Scan here for additional resources:



For more information, visit recyclingleadershipcouncil.org.



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Taking Action to Reduce Plastic Waste

Background and Frequently Asked Questions

What is non-mechanical (advanced/chemical/molecular) recycling?

Non-mechanical plastics recycling, also called advanced, chemical, or molecular recycling, includes technologies that convert post-use plastics into their basic molecular building blocks. These outputs are then used to produce new plastics, chemicals, and other valuable products.

Mechanical recycling retains a plastic's original molecular structure by collecting, cleaning, shredding, and melting plastics into new products. It works best for clean, single-resin plastics such as beverage bottles and milk jugs.

Non-mechanical recycling alters the chemical structure of plastics, either through solvents or heat, to break them down into molecular feedstocks. These technologies are well-suited for hard-to-recycle materials such as flexible films, multilayer packaging, mixed plastics, and contaminated streams.

Mechanical and non-mechanical recycling are complementary. Mechanical recycling works where feasible, while non-mechanical recycling expands the volume and types of plastics that can be recycled rather than landfilled or incinerated.

Why is non-mechanical recycling important?

Non-mechanical recycling enables plastics that cannot be mechanically recycled, and would end up in landfills, to be converted into high-quality recycled feedstocks. These materials can be used in applications with rigorous standards, including food-contact and medical products.

This type of recycling expands the domestic supply of recycled plastics at a time when companies face increasing state-level requirements to use recycled content in packaging. It also creates value from currently unrecyclable products such as plastic films, bags, carpets, artificial turf, textiles, and other durable goods that would otherwise end up in landfills.

States Differ on Recycled Content Claims

How do different states treat recycled content claims?

Roughly a dozen states, including California, Washington, New Jersey, Oregon, Colorado, and Maine, have enacted or proposed laws governing recyclability and post-consumer recycled (PCR) content claims.

Several states define recycled content in ways that do not fully recognize non-mechanical recycling, particularly where feedstocks include a mix of post-consumer plastics, manufacturing scrap, or off-spec materials, including:



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Taking Action to Reduce Plastic Waste

- **California (S.B. 343):** Requires substantiation for recyclability and recycled-content claims; certain non-mechanical recycling outputs may not qualify under current definitions.
- **New Jersey (S. 2515):** Imposes PCR-content requirements that may exclude some non-mechanical recycling pathways.

Why is this a problem?

Companies must navigate conflicting definitions, redesign packaging on a state-by-state basis and comply with multiple reporting and marketing rules. The same package may carry different recycled-content claims depending on where it is sold. This complexity inhibits innovation and investment in new recycling technologies and increases waste into landfills, along with compliance costs, legal risk, and consumer prices.

Consumer Demand

Consumers consistently prefer products made with recycled materials:

- **75%** of U.S. consumers are more likely to buy from companies that use recycled materials in packaging or products.
- **70%** are more likely to purchase products made from recycled materials.
- **77%** want products clearly labeled with the amount of recycled content.

(Sources: WM Recycling Report 2024; NOVA Chemicals Survey 2024)

Federal Trade Commission Green Guides

What authority does the FTC have?

Under Section 5 of the FTC Act, the FTC may act against deceptive or misleading advertising. The Green Guides explain how the FTC evaluates environmental marketing claims such as “recyclable” and “made with recycled content.”

Because the FTC uses the Green Guides to instruct enforcement, companies follow them to reduce risk.

Last updated in 2012, the Green Guides do not provide clear guidance on non-mechanical recycling technologies or on how companies can substantiate recycled-content claims using mass-balance accounting, a method increasingly required to comply with state laws across various sectors and industries.



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Taking Action to Reduce Plastic Waste

The Recycled Materials Attribution Act (RMAA)

What does the RMAA do?

The RMAA sets clear definitions for recycling, recycled content, and mass balance accounting that will result in the diversion of waste from landfills, promote innovation, and unlock investment in new recycling technologies. It also directs the FTC to update the Green Guides based on these definitions.

The bill is narrowly focused on marketing and advertising claims. It does not regulate recycling operations, waste management, or environmental permitting, which remain under EPA and state authority, nor does it obligate any federal spending.

How does the RMAA help?

- Creates consistency and consumer transparency based on a national standard.
- Provides clarity for companies seeking to comply with recycled-content requirements.
- Supports increased supply and demand for recycled materials.
- Encourages investment in non-mechanical recycling technologies.

RMAA vs. PACK Act

The Two Bills are Complimentary

Both are designed to reduce confusion when it comes to recycling and recyclability, but at different points in the value chain.

PACK Act (Packaging and Claims Knowledge Act of 2025): Sets statutory rules for when packaging can be labeled recyclable, compostable, or reusable. It ensures truthful, clear consumer-facing claims related to waste disposal.

RMAA: Modernizes how recycled content and recycling are defined and attributed. It focuses on the packaging's content, that is, what is in the packaging in terms of recycled content.

Bottom line: PACK helps consumers recycle; RMAA ensures recycled content claims can be made consistently nationwide and opens the door to innovation in the recycling system.



July 16, 2026

Chairman Gus Bilirakis
Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Rayburn 2306
Washington, DC 20515

Ranking Member Jan Schakowsky
Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Rayburn 2408
Washington, DC 20515

CC: Chairman Brett Guthrie and Ranking Member Frank Pallone
Members of the House Energy & Commerce Committee

Re: The Recycled Materials Attribution Act of 2026 and The Packaging Claims and Knowledge Act

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Consumer Brands champions the industry that makes the products consumers choose and the brands they trust. From household and personal care to food and beverage products, the consumer packaged goods (CPG) industry plays a vital role in powering the U.S. economy, contributing \$2.5 trillion to U.S. GDP and supporting 22.3 million American jobs. The CPG industry’s number one priority is delivering safe, affordable, and convenient products to consumers every day. But the industry also plays a crucial role in reducing packaging waste and increasing recycling in the U.S. According to recent data, industry-led source reduction efforts have decreased U.S. packaging volume by about five million metric tons between 2019 and 2024. Consumer Brands is also leading a broad-based coalition, the Recycling Leadership Council, committed to modernizing recycling standards and reducing plastic waste, and supportive of both the RMAA and PACK Act.

Environmental and recycling marketing claims are governed by overlapping and conflicting federal and state laws. Further contributing to the confusion are recycling standards developed decades ago that no longer reflect how products are made or used today – especially when it comes to plastics. These outdated and inconsistent policies create significant consumer confusion with recycled content and recyclability claims; unnecessarily increase consumer costs; generate regulatory uncertainty; and stifle economic investment in domestic manufacturing.

The RMAA creates a uniform national framework for recycled content marketing claims, reducing complexity for consumers and businesses and ensuring recycling terms reflect innovations in this space. Further, the RMAA would clarify that innovative non-mechanical recycling technologies count as recycling, contributing to American manufacturing and sustainability. These innovative recycling technologies complement our existing mechanical recycling infrastructure, greatly expanding the types, formats, and volume of plastics that can be effectively recycled, ultimately supporting the circularity of plastics. The RMAA is a rifle-shot effort to ensure consistent consumer protection obligations and enforcement, while also supporting economic growth and U.S. competitiveness by encouraging American innovation and investment in domestic manufacturing, decreasing reliance on foreign inputs, ensuring domestic supply-chain resiliency, and creating good-paying jobs.

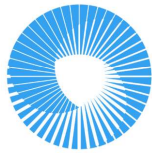
Similarly, the PACK Act is also intended to reduce confusion when it comes to recycling and recyclability, but at a different point in the value chain. The PACK Act establishes a single federal framework under the U.S. Federal Trade Commission (FTC) for “recyclable,” “compostable,” and “reusable” claims on consumer packaging, replacing today’s confusing patchwork of conflicting state laws. It provides consumers with accurate, consistent information and gives businesses one clear standard for labeling across state lines. The result is less consumer confusion, better end-of-life management of packaging, and a stronger circular economy.

Taken together, both bills work in tandem to reduce consumer confusion and plastic waste while providing much-needed clarity to support new domestic innovations and investments. Members of the committee on both sides of the aisle should be commended for championing commonsense, bipartisan legislation that will facilitate a more functional and credible recycling system. The RMAA and PACK Act demonstrate that consumer protection and recycling-focused efforts go hand-in-hand with promoting affordability and manufacturing investments, and we strongly encourage your support for both bills. Thank you for your time and attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hewitt", written in a cursive style.

John Hewitt
Senior Vice President, Packaging & Sustainability
Consumer Brands Association



RLC

Taking Action to Reduce Plastic Waste

July 16, 2026

Chairman Gus Bilirakis
Energy and Commerce
Subcommittee on Commerce,
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Re: The Recycled Materials Attribution Act of 2026

Dear Representative Bilirakis, Representative Schakowsky, and Members of the Committee:

The Recycling Leadership Council (RLC) is a cross-industry coalition committed to reducing plastic waste and advancing practical, bipartisan solutions to increase U.S. recycling capabilities. Led by the Consumer Brands Association (“Consumer Brands”), the RLC brings together leaders from manufacturing, packaging, and recycling to serve as the unified national voice pushing for the policies and clarity needed to improve recycling outcomes across the country.

As the committee considers ways to address consumer confusion around recycling issues and provide much-needed clarity in the marketplace, the below signed organizations strongly encourage you to consider and support the Recycled Materials Attribution Act (RMAA), introduced by Reps. Nick Langworthy (R-NY-23) and Marc Veasey (D-TX-33) and backed by a bipartisan list of cosponsors.

Currently, environmental and recycling marketing claims are governed by overlapping and conflicting federal and state laws, contributing to consumer confusion, loss of confidence in the accuracy of recycled-content claims, increased compliance costs, and regulatory uncertainty that discourages investment in innovative technology. As industry aspires to a more circular economy and reusing more of the packaging and materials that would otherwise go to landfills, the RMAA’s provisions will replace these conflicting rules with clear, national marketing standards that will benefit consumers and manufacturers alike.

Specifically, the RMAA would:

- Establish a uniform, predictable, evidence-based national framework regarding key terms to reduce complexity for consumers, manufacturers, retailers, and suppliers.
- Require the U.S. Federal Trade Commission (FTC) to update and clarify its Guides for the Use of Environmental Marketing Claims, also known as the FTC Green Guides, to ensure accuracy and consistency.
- Strengthen consumer protection through clear, enforceable national marketing standards.

By providing regulatory clarity and uniformity, the RMAA will help expand the supply and use of recycled materials, support innovation in recycling technologies, and ensure consumers receive accurate and transparent information about the products they purchase. The legislation will also encourage domestic investment in recycling infrastructure, strengthen U.S. supply chains, and support the creation of good-paying American manufacturing jobs.

Thank you for your efforts to protect U.S. manufacturers and consumers, and your continued interest in addressing recycling-related issues. Going forward, please count the RLC as a resource on this topic and supportive of legislation that will reduce consumer confusion and plastic waste.

Sincerely,

Ag Container Recycling Council
Alliance for Automotive Innovation
American Chemistry Council
American Circular Textiles
American Fuel and Petroleum Manufacturers
Consumer Brands Association
Council for Responsible Nutrition
Flexible Packaging Association
Household Commercial Products Association
International Sleep Products Association
Meat Institute
National Lubricant Container Recycling Coalition
North American Association of Food Equipment Manufacturers
Plastics Industry Association
Printing United Alliance
Retail Industry Leaders Association
Vinyl Institute



Overview

Plastics play a significant role in modern society, with applications in healthcare, food safety, transportation, energy, and consumer goods. Many plastic products, however, are not readily recyclable using conventional mechanical processes due to factors such as material complexity, contamination, or degradation. As a result, most waste is managed through disposal pathways such as landfilling or incineration.

Advanced recycling technologies have emerged as an important complement to traditional recycling systems, enabling the recovery of materials that would otherwise be rejected by **mechanical recycling** facilities. Coupled with mechanical recycling, the method of shredding, melting, and forming used plastic into new plastic pellets that can be made into new products, advanced recycling would better address the plastic waste problem. This Basic will provide a broad overview of advanced recycling technology, its current and future market opportunities, and legislative interest and potential to modernize recycling frameworks and definitions.

Advanced Recycling Technology

Advanced recycling uses chemical or molecular processes to break plastics down into their molecular building blocks. These outputs can be purified and used as feedstock for manufacturing new products, such as plastics and fuels. By operating at the molecular level, advanced recycling expands the range of plastics that can be recycled and produces materials that match the quality of those made from newly extracted resources, known as **virgin raw materials**.

Advanced recycling is often misunderstood, despite being commercially deployed and extensively regulated. Some critics question whether advanced recycling constitutes “real” recycling or whether it is adequately regulated. Advanced recycling advocates argue that these claims overlook both the robust oversight governing these facilities and the reality that plastic waste is converted into new raw materials for productive use.

Facilities operating in the United States are subject to federal and state environmental requirements, including oversight under the Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act. Importantly, advanced recycling is distinct from incineration: plastics are not burned for disposal but are chemically or thermally converted into usable raw materials through

Center Forward Basics

Center Forward brings together members of Congress, not-for-profits, academic experts, trade associations, corporations and unions to find common ground. Our mission: to give centrist allies the information they need to craft common sense solutions, and provide those allies the support they need to turn those ideas into results.

In order to meet our challenges we need to put aside the partisan bickering that has gridlocked Washington and come together to find common sense solutions.

For more information, please visit www.center-forward.org

Key Definitions:

- **Mechanical recycling:** The process of recovering and reprocessing plastic waste into new materials without altering the chemical structure of the polymers. As opposed to chemical recycling, which breaks down plastics into their basic chemical constituents, mechanical recycling aims to retain the original polymer chains.
- **Virgin raw materials:** Any material extracted directly from nature without processing. Examples include timber, coal, natural gas, and metal ores.

controlled, engineered processes designed to minimize environmental releases.

To enable this technology at scale, a **mass balance accounting** method to account for mixed inputs as they move along the value chain could be used to credibly attribute recycled content through third-party certification. By allowing recycled and conventional feedstocks to be processed together, mass balance systems reflect real-world manufacturing practices and facilitate broader adoption of certified circular materials.

Advanced Recycling Market

Decades of innovation in refining and chemical processing underpin advanced recycling technologies. The scale of current and planned investment underscores the technology's viability. The U.S. manufacturing sector has announced more than 40 advanced recycling projects, representing over \$7 billion in capital investment and the potential to divert nearly 21 billion pounds of plastic waste annually from landfills and other **end-of-life pathways**.

These facilities are intended to process large volumes of plastic waste that would otherwise be managed through alternative end-of-life pathways, such as incineration or landfills. These systems can handle a wider range of plastic inputs than mechanical recycling, including materials that are difficult to sort or are contaminated, thereby capturing value from waste streams that would otherwise be lost.

By keeping valuable carbon resources in productive use, advanced recycling also contributes to a more circular economy. For every ton of certified circular plastics produced, more than a ton of plastic waste is diverted from landfill or incineration.

Challenges and Opportunities

The evolution of policy in the United States has developed at different paces and different levels. State and local governments have adopted a patchwork of definitions, labeling rules, and regulatory classifications governing recycling and recycled content. This fragmented approach creates uncertainty for manufacturers, recyclers, and brand owners operating across multiple jurisdictions while confusing consumers about what qualifies as recyclable material and recycled content.

There is a growing appetite across industries for adopting clearer, technology-neutral recycling definitions. Groups like The Recycling Leadership Council (RLC), which includes participants from the manufacturing, packaging, and recycling sectors, have a goal to “expand circularity, strengthen transparency and consumer confidence, and enable existing and new recycling technologies to work together to recover more materials, support U.S. manufacturing, and reduce waste.” These groups advocate for modernizing federal recycling policy by adopting clear, inclusive definitions that reflect today's technologies and supply chains. They believe clear definitions would recognize the full spectrum of recycling technologies while maintaining rigor and transparency through certification and accounting standards. The bipartisan introduction of the Recycled Materials Attribution Act (RMAA) occurred in February 2026, which would establish federal standards for recycling and recycled content marketing claims.

As recycling technologies and manufacturing practices continue to evolve, these topics remain part of broader conversations

- **Mass balance accounting:** An accounting approach that allows the manufacturing supply chain to mix sustainable materials with conventional materials using existing infrastructure. The mass balance approach is also cost-effective as it allows the mixing and co-processing of conventional and sustainable resources in the same facility rather than building new plants.
- **End-of-life pathways:** The planned, systematic sequence of actions designated for a product or material once it is no longer usable for its original purpose. These pathways prioritize resource recovery methods such as repair, reuse, refurbishment, recycling, or safe disposal, moving away from linear landfilling.

among policymakers, regulators, industry participants, and other stakeholders.

Discussions related to recycling definitions and technologies address several areas, including:

- Consistency of definitions across federal, state, and local programs
- Classification of recycling technologies and processes
- Methods for measuring and verifying recycled content
- Clarity of recycling claims for consumers

Advanced recycling can be an effective and complementary solution to mechanical recycling, enabling the recovery of plastic materials that would otherwise be lost to landfilling or incineration. Backed by decades of chemical processing expertise, growing private investment, and strong environmental oversight, these technologies are contributing to more circular supply chains and domestic manufacturing. As demand for recycled materials continues to grow, aligning federal and state policies around clear, technology-neutral recycling definitions could help increase recycling rates. Updating federal definitions could provide greater consistency, reduce regulatory friction, and ensure that innovation is supported rather than constrained by outdated or inconsistent rules.

Links to Other Resources

- America's Plastic Makers – [What is Advanced Recycling?](#)
- American Chemistry Council – [Advanced Recycling](#)
- Closed Loop Partners – [Advancing Recycling's Role in a Circular Economy](#)
- Congress.gov – [H.R.7502, the Recycled Materials Attribution Act \(RMAA\)](#)
- Consumer Brands Association – [What is Advanced/Molecular Recycling?](#)
- Government Accountability Office – [Science & Tech Spotlight: Advanced Plastic Recycling](#)

CONGRESSIONAL ACTION NEEDED ON PACKAGING CLAIMS, SUPPORTING A CIRCULAR ECONOMY



Packaging plays a vital role in the United States, ensuring the quality of consumer goods as they are manufactured, shipped, stored, and consumed, and by protecting the health and safety of U.S. citizens who consume, use, and handle those products. Businesses and consumers recognize that packaging has value and is an integral part of a sustainable supply chain.

THE CHALLENGE

Retailers, consumer packaged goods companies, and their suppliers are facing a patchwork of state laws related to making recyclable, compostable, and reusable claims on packaging. This is leading to interstate commerce issues for businesses and causing consumer confusion on how to dispose of packaging. This dynamic exists because the FTC, which regulates advertising claims under federal law, currently does not have clear statutory authority to establish a uniform national standard that preempts conflicting state laws regulating these claims. While the FTC has issued the 'Green Guides,' they are guidance documents that do not, on their own, carry the force and effect of law.

THE SOLUTION

We support the passage of **H.R. 6832, the Packaging and Claims Knowledge Act (PACK Act)** which was introduced by Congressman Randy Weber (R-TX-14) to create a federal framework under the Federal Trade Commission (FTC) for making recyclable, compostable, and reusable claims on consumer packaging. This uniform structure would establish a consistent national baseline, reducing the current patchwork of state regulations. By reducing consumer confusion and enabling informed choices, the PACK Act will support informed consumer choices and reinforce proper end-of-life management of packaging materials, helping advance a circular economy.

PACK ACT SUMMARY

The bill continues to vest the FTC with primary authority to regulate these claims but adds a new section to the FTC Act to create a truly harmonized national framework to prohibit unfair and deceptive claims. The PACK Act also calls on the FTC to work with and consider input from the Environmental Protection Agency (EPA) administering the new scheme. The key elements of this framework include:

1. **Mandatory Third-party Certification for Consumer Packaging**

These certification programs would operate within parameters established by the FTC and consistent with the FTC's Green Guides. This allows businesses to utilize a variety of qualified independent parties to certify that packaging meets industry standards and follows the FTC's "Green Guides" to avoid deceptive claims.

2. **Focus on Consumer Packaging**

The certification programs will address how recyclable, compostable, and reusable claims can be made for different types, shapes, sizes, and colors of consumer packaging. Non-consumer packaging will not be subject to the mandatory third-party certification requirement.

3. **State Preemption**

States will be preempted from enacting or enforcing any legal requirement that is not identical to the requirements under the PACK Act. This approach will: (1) ensure that a truly national and consistent framework for recyclable, compostable, and reusable claims for consumer packaging is achieved to eliminate interstate commerce challenges; (2) to the extent possible, eliminate consumer confusion and mistrust regarding consumer packaging claims; and (3) help assure that consumer packaging is handled correctly.

READY TO SUPPORT THE PACK ACT?

If you would like to support the passage of this much-needed bill, or have questions, please reach out to Danielle Waterfield, AMERIPEN Policy Director & General Counsel, via email to daniellew@ameripen.org.





July 16, 2026

The Honorable Gus M. Bilirakis, Chairman
The Honorable Jan Schakowsky, Ranking Member
House Committee on Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
2125 Rayburn House Office Building
Washington, DC 20515

Re: Support for H.R. 6832 - the Packaging and Claims Knowledge (PACK) Act

Dear Chairman Bilirakis and Ranking Member Schakowsky:

AMERIPEN, the American Institute for Packaging and the Environment, respectfully submits this statement in strong support of H.R. 6832, the Packaging and Claims Knowledge (PACK) Act, in advance of the Commerce, Manufacturing and Trade Subcommittee's hearing on July 22, 2026. Thank you for providing a platform to discuss the challenges facing the packaging and consumer packaged goods industries, as well as the solutions the PACK Act offers.

AMERIPEN is the only national trade association representing the entire consumer packaging value chain, focused solely on packaging policy, and bringing together material suppliers, packaging manufacturers, consumer packaged goods companies, retailers, and other organizations involved in the design, manufacture, use, and recovery of consumer packaging.

Packaging is indispensable to the Nation's economy and to everyday life. It protects food, medicine, and other essential products, supports product safety and efficient commerce, and provides consumers with critical information. The U.S. packaging industry contributes approximately \$537.91 billion in annual economic output, representing approximately 2.5 percent of the Nation's gross domestic product; supports nearly 1.7 million American jobs; generates more than \$117.73 billion in wages and benefits; and contributes approximately \$43.46 billion in federal, state, and local tax revenues.

The PACK Act establishes a nationally consistent framework for substantiating voluntary recyclable, compostable, and reusable claims on consumer-facing packaging. At its core, the bill is both a consumer protection measure and an affordability measure — ensuring Americans can trust the claims on their packaging while sparing them the hidden costs of a fragmented regulatory system. AMERIPEN strongly supports the PACK Act because it strengthens consumer confidence, enables interstate commerce, and preserves the Federal Trade Commission's longstanding role in protecting consumers from deceptive marketing practices.



I. The Problem

For decades, the FTC's "Green Guides" have provided guidance for environmental marketing claims, including "recyclable," "compostable" packaging claims. The Guides have shaped industry practice by promoting truthful, non-deceptive marketing. They are, however, guidance documents—not a harmonized national statutory framework—and therefore do not create legally enforceable, nationally uniform labeling requirements.

In the absence of a federal statutory standard, states have increasingly adopted differing requirements governing these claims. The resulting fragmentation creates inconsistent consumer information, growing compliance burdens, and unnecessary complexity for companies distributing products nationwide. Manufacturers, retailers, and packaging suppliers must continually redesign packaging, maintain multiple compliance processes, and navigate differing legal requirements. Every dollar devoted to duplicative compliance is a dollar that cannot be invested in product innovation, manufacturing efficiency, recycling infrastructure, or other improvements that benefit consumers. While companies work diligently to manage these costs, they are not absorbed in a vacuum and may ultimately be passed down the supply chain, making everyday products more expensive for the consumers Congress is trying to protect. A single, credible national standard protects consumers twice over: once by ensuring claims are truthful, and again by preventing the price increases that inevitably accompany duplicative, state-by-state compliance regimes – and all while supporting recycling, composting, and reuse of packaging.

The central policy question is straightforward: who should establish the national standard for claims of recyclable, compostable, and reusable on packaging, Congress or a patchwork of differing jurisdictional requirements?

II. The Solution

The PACK Act answers that question through a carefully tailored consumer-protection framework. It neither regulates packaging design nor establishes recycled-content mandates or material-composition requirements. Instead, it addresses one narrow issue: voluntary recyclable, compostable, and reusable claims appearing on consumer-facing packaging.

Nationally Consistent Third-Party Certification. The PACK Act does not require companies to make recyclable, compostable, or reusable claims on consumer-facing packaging. However, when a company voluntarily makes one of these claims, it must substantiate it through an accredited third-party certification. This independent verification strengthens consumer confidence, ensures credible, consistent substantiation, and provides a national safeguard



against deceptive or unsupported claims without navigating a patchwork of state labeling requirements.

FTC Administration with U.S. Environmental Protection Agency Technical Consultation.

The legislation builds upon the FTC's longstanding expertise in preventing deceptive marketing claims while directing the Commission to consult with the EPA on technical matters related to recycling, composting, and reuse systems.

Narrow Preemption that Preserves State Authority. The PACK Act preempts only non-identical state requirements governing the specific environmental claims addressed by the legislation. States retain full authority to administer broader environmental laws and programs outside the Act's limited scope.

AMERIPEN respectfully urges the Subcommittee to schedule a markup and advance H.R. 6832 for consideration by the full Committee in short order. As state labeling requirements continue to diverge, Congress has an opportunity to establish a coherent national framework that provides consumers with clear and reliable information, promotes affordability through greater regulatory efficiency, and supports the free flow of interstate commerce. AMERIPEN believes that consumer protection, affordability, and supporting recycling are not competing goals but complementary ones, and H.R. 6832 advances each of them.

AMERIPEN stands ready to work with Congress, the FTC, EPA, state officials, consumer organizations, and all interested stakeholders to ensure that the consumer-facing environmental marketing claims of recyclable, compostable, and reusable remain truthful, reliable, and nationally consistent. Thank you for the opportunity to submit this statement for the record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lynn Dyer', written over a light blue horizontal line.

Lynn Dyer
President
AMERIPEN

Cc: Members, Subcommittee on Commerce, Manufacturing and Trade



PO Box 675
Mayo, SC

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of the Independent Consumer Finance Association of South Carolina, I appreciate the Subcommittee's review of the debt settlement industry and its commitment to strengthening consumer protections.

Our members work with consumers throughout South Carolina, including some experiencing financial hardship. We regularly see consumers who have enrolled in debt settlement programs without fully understanding how those programs operate, the alternatives available to them, or the potential consequences of enrollment.

Consumers deserve complete, accurate, and understandable information before making a decision that may significantly affect their financial future. We support meaningful disclosures that enable consumers to evaluate all available options before paying a third party to negotiate with their creditors.

Specifically, consumers should receive clear disclosures explaining:

- How a debt settlement program works, the costs associated with the program, the alternatives available, and the potential consequences of enrollment.
- That creditors are not obligated to accept settlement offers and that results vary depending on the circumstances of the consumer and the creditor.
- That consumers are not required to hire a debt settlement company and may contact their creditors directly to discuss hardship programs, payment arrangements, loan modifications, settlement opportunities, or other available options before enrolling in a debt settlement program.

- 
- The consequences of authorizing a debt settlement company to send a cease-and-desist notice on the consumer's behalf. Consumers should understand that, if such a notice is sent, the creditor's ability to communicate directly with the consumer will become restricted, potentially limiting opportunities to work directly with creditors to explore available alternatives.
 - Any financial relationships between a debt settlement company and affiliated attorneys, bankruptcy providers, credit repair organizations, credit counseling agencies, or other debt relief service providers. Any compensation or financial benefit resulting from a recommendation should be disclosed so consumers can better evaluate the recommendations they receive.
 - We also support reasonable standards prohibiting deceptive or misleading advertising and requiring clear disclosures regarding program fees, success rates, government affiliation, and other material information necessary for consumers to make informed decisions.

Because the draft legislation has not yet been released, our support is directed toward the principles of transparency, truthful advertising, meaningful disclosures, and informed consumer decision-making. We appreciate Congressman Russell Fry's leadership on this important issue and commend the Subcommittee for its efforts to improve consumer understanding within the debt settlement marketplace.

Sincerely,

Joe Schuebert
President
Independent Consumer Finance Association of South Carolina



1919 S. Eads St.
Arlington, VA 22202
703-907-7600
CTA.tech

July 22, 2026

The Honorable Gus Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce, U.S. House of Representatives

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce, U.S. House of Representatives

Re: Support for H.R. 6832, the Packaging and Claims Knowledge (PACK) Act of 2025, ahead of the July 22, 2026 hearing on "Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace"

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of the Consumer Technology Association (CTA)®, we write in support of H.R. 6832, the Packaging and Claims Knowledge (PACK) Act of 2025, which the Subcommittee on Commerce, Manufacturing, and Trade will consider at its July 22 hearing. We ask that this letter be included in the hearing record.

CTA is North America's largest technology trade association, representing more than 1,200 member companies. Our members include innovators of all sizes—from startups to global brands—and help support more than 17 million American jobs. CTA owns and produces CES®, the world's most powerful tech and business event. CTA member companies lead in designing innovative products and more sustainable packaging, and they invest continuously in product stewardship and environmental improvements.

CTA members design, manufacture, and ship consumer technology products nationwide, and they rely on clear, consistent rules to communicate recyclable packaging claims to consumers. These products are sold in all 50 states, and manufacturers cannot realistically design different packaging for different jurisdictions. A growing patchwork of state labeling and disclosure requirements creates uneven standards for the same products sold across state lines, increases compliance costs, imposes conflicting engineering and labeling obligations, and creates legal uncertainty that can slow the adoption of more recyclable packaging. It also risks undermining the Subcommittee's consumer-protection goals by leaving consumers with recyclability claims that vary depending on where a product is sold.

Consumer Technology Association®
Producer of CES®

This challenge is especially acute for the electronics industry. Consumer technology products are built for a global marketplace, and their packaging is designed through complex, multi-tiered supply chains—not for a single U.S. state. Packaging is engineered alongside the product, often on lead times of two years or more, to meet durability, fit, and protection requirements. Even small labeling or packaging changes can require updates across manufacturing lines, certifications, and global suppliers, adding costs that fall especially hard on startups and smaller manufacturers. CTA members have made significant progress transitioning to more sustainable and recyclable packaging materials where appropriate, and a single federal standard would allow manufacturers to focus resources on improving recyclability rather than reconciling fifty different and sometimes conflicting state regimes.

The PACK Act addresses this problem by building on the Federal Trade Commission's (FTC) Guides for the Use of Environmental Marketing Claims (Green Guides) and its existing authority over environmental marketing claims, rather than creating a new federal regulatory regime. The FTC already has decades of experience overseeing these claims. By directing the FTC to establish one national framework for recyclable packaging claims—backed by competent and reliable evidence and third-party certification—the bill would replace today's fragmented approach with a clear, enforceable standard. For the technology sector, that certainty is essential to continued investment in recyclable packaging design and to ensuring consumers receive consistent, reliable information about what packaging can be recycled.

This consistency also advances the Subcommittee's consumer-protection goals. Clear, nationally consistent labeling gives consumers greater confidence that recyclability claims mean the same thing regardless of where a product is purchased. It also helps reduce confusion that can contribute to contamination in recycling streams. A single national standard would give consumers clearer information to recycle correctly and more often.

Every dollar spent redesigning packaging to satisfy conflicting state requirements is a dollar that cannot be invested in product innovation, sustainability improvements, or bringing new technologies to market. A single national standard would provide regulatory certainty for manufacturers, deliver clearer and more reliable information for consumers, and encourage continued investment in more sustainable packaging. These goals benefit consumers, innovators, and the environment alike. We commend Representative Weber and the bill's cosponsors for their leadership and respectfully urge the Subcommittee to advance H.R. 6832.

Thank you for the opportunity to share our views. CTA looks forward to continuing to work with the Subcommittee and would be pleased to serve as a resource as H.R. 6832 moves forward.

Sincerely,

A handwritten signature in cursive script, reading "Kinsey Fabrizio".

Kinsey Fabrizio
President & CEO
Consumer Technology Association



July 21, 2026

The Honorable Gus Bilirakis, Chairman
Subcommittee on Commerce, Manufacturing, and Trade
House Committee on Energy and Commerce
U.S. House of Representatives

The Honorable Jan Schakowsky, Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
House Committee on Energy and Commerce
U.S. House of Representatives

Dear Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Subcommittee:

On behalf of the Florida Financial Services Association (FFSA), we appreciate the Subcommittee's attention to the growing consumer harms associated with for-profit debt settlement companies. We support the discussion draft of the **Debt Settlement Consumer Disclosure Act of 2026** and commend the Committee for addressing practices that too often leave financially vulnerable consumers in worse financial condition.

FFSA members provide Florida families with safe and affordable installment loans that are fully underwritten and repaid through scheduled payments. Because loan performance is reported to the major credit bureaus, responsible borrowers have the opportunity to build, improve, and reestablish the credit histories that are essential to long-term financial success. Our members support transparent markets, informed consumer decision-making, and fair competition.

Consumers considering debt settlement deserve clear and accurate information before enrolling in these programs. Too often, they are not fully informed that they may be instructed to stop paying their creditors, incur additional interest and fees, suffer significant credit damage, or face collection actions or litigation. Many also do not understand the substantial fees charged by debt settlement providers or the uncertainty of achieving successful settlements.

The legislation's disclosure requirements are an important step toward ensuring consumers make informed decisions. Requiring companies to clearly identify themselves as for-profit businesses, accurately disclose the risks of debt settlement, avoid deceptive advertising, obtain affirmative consumer consent, and provide regular account statements will improve transparency and accountability throughout the debt settlement process.

FFSA appreciates the Committee's leadership in strengthening consumer protections and promoting honesty in the debt settlement marketplace. We respectfully encourage the Subcommittee to advance the Debt Settlement Consumer Disclosure Act of 2026 and continue its efforts to protect consumers from deceptive practices.

Thank you for your consideration.

Sincerely,

C. Scott Jenkins
Executive Director
Florida Financial Services Association

July 20, 2026

Dear Congressman Kean:

As the statewide voice of New Jersey employers, the **New Jersey State Chamber of Commerce** respectfully asks for your support of **H.R. 7502, the Recycled Materials Attribution Act**. We understand the Subcommittee on Commerce, Manufacturing and Trade has placed the bill on its hearing calendar for this month, so your colleagues will be examining it closely in the days ahead.

New Jersey's economy was built on chemistry. Firms headquartered here formulate medicines, blend specialty compounds, and package much of what ends up on grocery shelves along the East Coast. Nearly all of these modern advancements that have improved quality life in our state involve plastic at some stage, yet unfortunately much of it is discarded after a single use due to limitations with existing infrastructure. That's where New Jersey has an opportunity lead. Advanced recycling offers a practical remedy. These processes return today's complex plastics to its original molecular form, ready to be re-made into all kinds of goods that people use every day.

The technology is proven and available, but regulation has not kept pace, and that gap has held back wider adoption. The United States has no federal standard for advanced recycling, leaving each state to set its own rules. As you can imagine, the result is confusion that discourages investment. Many businesses run intricate supply chains that move products across the country, yet even a company selling goods across New Jersey, Pennsylvania, New York and Maryland, much less more distant states, contend with separate definition of recycling and a different test for calling a product recycled in each one.

H.R. 7502 solves this dilemma by defining advanced recycling in statute, spelling out how reclaimed material is counted and credited, and holding bad actors accountable for exaggerated marketing. Honest producers gain protection, shoppers gain assurance, and employers gain the stable footing that long-range decisions require.

New Jersey has the industrial heritage and the talent to prosper in this field. What our companies need from Washington is a durable set of rules, and that's why we ask that you strongly support voting for H.R. 7502.

We greatly appreciate your engagement on this legislation. If we can be a resource on this issue, please feel free to contact our office at any point in the process.

Sincerely,



MICHAEL A. EGENTON
Executive Vice President
Government Relations



CTIA Statement on the Introduction of the Strategic Task Force on Scam Prevention Act.



Kelly Cole

Senior Vice President,
Government Affairs

WASHINGTON – Please attribute the following to CTIA Senior Vice President, Government Affairs, Kelly Cole.

“We applaud the bipartisan work of Representatives Menendez and Houchin to bring together key stakeholders across government agencies, industry and law enforcement to combat spam and protect consumers. This interagency task force will be a vital tool in educating Americans and strengthening our collective ability to detect bad actors and prevent fraudulent activity across the digital ecosystem.”

Related Content

 Statement

**CTIA Statement on
Promoting Caller ID
Authentication to
Combat Spoofed
Robocalls**

[Robocalls](#)

 Blog

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Consumers Fight Back
Against Robocalls**

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**New Best Practices
Protect Consumers
From Unwanted Text
Messages**



Innovative Products For **Home. Work. Life.**

July 22, 2026

The Honorable Gus Bilirakis
Chair
Subcommittee on Commerce,
Manufacturing, and Trade
House Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce,
Manufacturing, and Trade
House Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chair Bilirakis and Ranking Member Schakowsky:

On behalf of the Household & Commercial Products Association (HCPA), I write to commend your leadership and the Subcommittee's work to strengthen and modernize consumer protections for recycling and related claims. We appreciate the Subcommittee's attention to the Recycled Materials Attribution Act (RMAA) and the Packaging Claims and Knowledge Act (PACK Act), which would enable informed consumer purchasing decisions while also supporting American recycling system innovation.

HCPA's member companies have long supported policy initiatives that enhance transparency for the consumers and workers who depend on our industry's products to clean, protect, maintain, and disinfect their homes and workplaces. Given the growing interest in recyclability claims, we believe that a coordinated federal approach is essential to prevent consumer deception, provide consumers with accurate information, establish uniform standards for environmental marketing claims, reduce contamination of recyclable materials, and decrease waste.

We support the RMAA since it provides a uniform framework for addressing recycled content claims and what is considered recycling – two issues approached inconsistently at the state level and for which it is particularly difficult for a consumer to identify state-by-state differences. Codifying the RMAA would provide durability and certainty for companies investing in product redesigns and supply chain changes aligned with the nation's recycling system. Importantly, the RMAA would strengthen consumer transparency through reinforcing a single national, science-based benchmark grounded in third-party review that avoids a patchwork of inconsistent standards.

We are encouraged by the direction of the PACK Act, particularly the consistent national approach to "recyclable" claims on consumer product packaging. We also appreciate that the PACK Act aligns with the Federal Trade Commission's "Green Guides," which companies have grown to rely on for assessing whether a marketing claim may be deceptive. We see opportunities to further reduce uncertainty about similar claims on business-to-business packaging as the legislation moves forward.

As the current PACK Act draft does not yet include HCPA's proposed language covering institutional, industrial, and governmental packaging, we remain concerned that manufacturers remain exposed to inconsistent state requirements and conflicting labeling or substantiation obligations. We respectfully hope this protection can be included in the final legislative package so that the bill fully achieves its intended national consistency.

HCPA values the Subcommittee's attention to recycling and related claims. Thank you for your leadership and for your commitment to advancing consumer protection and our nation's recycling system through a thoughtful and bipartisan process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Gruber", with a stylized flourish at the end.

Michael Gruber
Interim Chief Executive Officer



 P.O. Box 726
Falls Church, VA 22046

 **tel** (703) 592-9889
fax (703) 592-9864

 **email** fpi@fpi.org
web www.fpi.org

The Honorable Gus M. Bilirakis, Chairman
The Honorable Janice D. Schakowsky, Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

July 20, 2026

Dear Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Subcommittee:

On behalf of the Foodservice Packaging Institute (FPI), I am writing to express our support for H.R. 6832, the Packaging and Claims Knowledge (PACK) Act of 2025, and to thank the Subcommittee for examining this important legislation.

Founded in 1933, FPI is the leading authority on foodservice packaging in North America. FPI supports the responsible use of all foodservice packaging while advocating for an open and fair marketplace for all materials. Our core members include raw material and machinery suppliers, packaging manufacturers, distributors, and purchasers of foodservice packaging, representing approximately 90 percent of the industry.

FPI members operate in a marketplace increasingly affected by differing state requirements for recyclable, compostable, and reusable packaging claims. As standards vary from state to state, manufacturers face growing complexity in substantiating claims and communicating environmental attributes to consumers.

The PACK Act would establish a national framework under Federal Trade Commission oversight, providing a uniform approach to claim substantiation, clearer and more reliable information for consumers, greater regulatory certainty and facilitating interstate commerce.

For these reasons, FPI respectfully urges you to support H.R. 6832.

Sincerely,

A handwritten signature in blue ink that reads "Carol Patterson".

Carol Patterson
Vice President, Government Relations
cpatterson@fpi.org



1800 Diagonal Road, Suite 600
Alexandria, VA 22314
703-683-5213
www.bottledwater.org

July 21, 2026

The Honorable Gus Bilirakis
Chairman, Subcommittee on Commerce,
Manufacturing, and Trade
House Energy & Commerce Committee
2125 Rayburn House Office Building
Washington DC 20515

The Honorable Jan Schakowsky
Ranking Member, Subcommittee on
Commerce, Manufacturing, and Trade
House Energy & Commerce Committee
2323 Rayburn House Office Building
Washington DC 20515

Dear Chairman Bilirakis and Ranking Member Schakowsky,

The International Bottled Water Association (IBWA) commends the Subcommittee for convening this hearing on “Legislative Proposals to Strengthen Consumer Protection In A Changing Marketplace” and offers its perspective on the Packaging and Claims Knowledge (PACK) Act of 2025 (H.R. 6832) and the Recycled Materials Attribution Act (H.R. 7502).

Founded in 1958, IBWA’s membership consists of U.S. and international bottlers and distributors that produce and deliver bottled water products and the equipment and material suppliers that serve them. IBWA unifies the bottled water industry and represents an uncompromising commitment to the safety, sustainability and availability of bottled water. Crucially, while our association represents major national brands, more than 50 percent of IBWA’s member companies are small, locally owned, family enterprises deeply rooted in their communities.

Labeling Uniformity and Interstate Commerce

IBWA supports a uniform, comprehensive system of environmental and product labeling standards for bottled water at the national level that fully protects public health, prevents consumer deception, and allows consumers easy access to clear and accurate information. The current, rapidly expanding patchwork of conflicting state and local packaging requirements impedes interstate commerce, creates manufacturing inefficiencies, and ultimately results in consumer confusion and higher consumer prices.

U.S. citizens benefit from the unimpeded interstate commerce of consumer products. A national, uniform standard for environmental marketing claims facilitates broader consumer understanding by providing a single, consistent baseline for product comparisons effectively preventing the deceptive or contradictory mandates that inevitably arise from conflicting state requirements .

When states independently legislate differing labeling laws, marketing bottled water across state boundaries becomes cost-prohibitive and logistically impractical. A uniform national standard allows bottlers to efficiently apply the same label without regard to which state the product may ultimately serve.

The promulgation of federal labeling laws and regulations has sought a necessary balance between the government's responsibility to protect public health and provide consumer transparency, and the economic reality of bottled water companies to efficiently and cost effectively bring their products to market. Both the PACK Act and RMAA represent meaningful legislative frameworks aimed at addressing this unsustainable patchwork of state laws.

PACK Act

IBWA believes the PACK Act represents a vital step to provide the regulatory certainty required for national manufacturing and distribution operations by pre-empting state laws on the use of the terms “recyclable,” “compostable,” and “reusable” on labels. The fragmentation of state and local rules causes significant compliance disruptions for bottlers and distributors, while severely diluting consumer confidence in recycling programs and outcomes.

IBWA appreciates the thoughtful refinements made to the legislation—including appropriate compliance runaways for emerging areas like reuse certification—which ensure that verification mechanisms remain practical and implementable for manufacturers of all sizes.

RMAA

Producing new products from recycled Polyethylene Terephthalate (rPET) uses two-thirds less energy than required to make products from virgin plastic, and a substantial portion of our membership actively utilizes high percentages of rPET—with many brands reaching 50%, 75%, or even 100% rPET.

IBWA supports the concept of uniform federal definitions for recycling and recycled content marketing claims to reduce consumer confusion and create essential marketplace certainty for businesses. Clear national standards for attributing and marketing recycled content are critical to improving recycling outcomes, recovering valuable feedstocks, and meeting consumer demand for recycled materials and sustainable packaging.

As advanced recycling technologies continue to mature alongside traditional mechanical systems, IBWA emphasizes that any attribution or verification programs established under the RMAA must remain practical and commercially viable, ensuring transparent

and uniform accounting methodologies that protect supply chain integrity while supporting broad access to high-quality recycled materials. .

Conclusion

The bottled water industry has long demonstrated an unwavering, data-backed commitment to environmental stewardship. Bottled water containers are one of the most recycled beverage containers in the country. As the #1 beverage in volume, bottled water containers only account for 3.3 percent of all drink packaging found in US landfills.

As a leader in the use of recycled materials, bottled water businesses already are advancing a circular economy. Any federal framework targeting packaging infrastructure should encourage a "shared responsibility" model across the entire supply chain rather than singling out specific categories or industries.

Additionally, IBWA strongly advocates for complementary bipartisan infrastructure policies, such as the Recycling Infrastructure and Accessibility Act (RIAA), to expand EPA funding for rural and underserved recycling access. Investing in next-generation sorting and collection technologies will rapidly improve material recovery rates for high-value recyclables like PET.

We thank the Subcommittee for its dedicated attention to these critical issues and stand ready to serve as a technical and regulatory resource to help forge practical, national solutions.

Sincerely,

A handwritten signature in black ink, appearing to read 'MH', with a long horizontal line extending from the end of the signature.

Matt Herrick
President & CEO
International Bottled Water Association
1800 Diagonal Road | Suite 600 – PMB#1125 | Alexandria, VA 22314
Mobile: 202.704.6881
mherrick@bottledwater.org | www.bottledwater.org



July 21, 2026

The Honorable Gus Bilirakis
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade
Washington D.C., 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce, Manufacturing
Manufacturing, and Trade
Washington, D.C., 20515

Dear Chairman Bilirakis and Ranking Member Schakowsky,

On behalf of the International Dairy Foods Association, I write in strong support of the Packaging and Claims Knowledge (PACK) Act (H.R. 6832).

The International Dairy Foods Association (IDFA) represents the nation's dairy manufacturing and marketing industry, which supports more than 3 million jobs that generate \$198 billion in wages and \$779 billion in overall economic impact. IDFA's diverse membership ranges from multinational organizations to single-plant companies, from dairy companies and cooperatives to food retailers and suppliers. Together, IDFA members represent most of the milk, cheese, ice cream, yogurt and cultured products, and dairy ingredients produced and marketed in the United States and sold throughout the world.

IDFA's member companies depend on packaging to deliver delicious, safe, and nutritious dairy products to consumers. They currently navigate a complex and inconsistent patchwork of state requirements governing reusable, recyclable, and compostable packaging claims. Developing new packaging and labels and segregating product lines for certain state markets adds significant costs for businesses and, ultimately, consumers. A consistent national framework for recyclability claims would provide much-needed clarity while reducing unnecessary complexity.

Beyond adding cost and complexity for businesses and consumers, a patchwork of state recycling claim laws could have the unfortunate unintended consequence of reducing recycling rates. In California, many packaging materials do not meet the state's definition for recyclability and will soon be prohibited from displaying any type of recycling claim. Without a recycling label, consumers will not seek to recycle packaging materials even when those packaging materials can be recycled.



IDFA
International
Dairy Foods Association

As a result, the packaging material will not be recycled even if there is additional investment in technology and recycling capacity. Minimum recyclable rates are a key part of any extended producer responsibility liability law and those packaging materials lacking a recycling claim will eventually be phased out, banned or bear very high costs to those businesses using the material.

The PACK Act addresses these concerns by establishing a consistent federal framework for recyclable, compostable, and reusable claims under the oversight of the Federal Trade Commission. It would require third-party certification by accredited entities and provide clear and consistent information for consumers.

Thank you for putting the PACK Act on the committee agenda this week. IDFA looks forward to working with you and your staff to advance this important piece of legislation.

Sincerely,

Michael Dykes, D.V.M.
President and CEO
International Dairy Foods Association

CC: Chairman Guthrie, Ranking Member Pallone, Subcommittee Members



July 22, 2026

The Honorable Gus Bilirakis
Chairman Subcommittee on Commerce, Manufacturing, and Trade
U.S. House of Representatives
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member Subcommittee on Commerce, Manufacturing, and Trade
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Bilirakis, Ranking Member Schakowsky and Members of the Committee:

On behalf of the American Beverage Association, we write to express strong support for H.R. 6832, the Packaging and Claims Knowledge (PACK) Act, bipartisan legislation introduced by Representative Randy Weber (R-TX).

The American Beverage Association represents hundreds of beverage producers, distributors, franchise companies, and supporting industries. We make, bottle, distribute, and sell a wide range of beverages across the country, fueling local economies, providing good-paying jobs, and supporting the communities where we operate. Many of our member companies are generational, family-owned businesses that have been part of the American story for more than a century.

The beverage industry plays a central role in advancing the circular economy. Our packaging is specifically designed and optimized for recycling. PET bottles and aluminum cans are engineered to be 100 percent recyclable and carry high commodity value in the post-consumer market, allowing them to be remade into new bottles and cans multiple times. Our members have made significant commitments to collect and recycle packaging waste, use more recycled content into PET bottles, and reduce the amount of new, virgin plastic used in production. The industry's Every Bottle Back program alone is investing \$100 million to improve collection systems nationwide, in Illinois over \$17 million and in Florida nearly \$1 million.

Despite these investments, a growing patchwork of conflicting state packaging-labeling laws is creating significant challenges for our industry. Differing state requirements for recyclable, compostable, and reusable claims increase compliance costs, fragment supply chains, and confuse consumers, without improving environmental outcomes.

The PACK Act addresses this problem by establishing a clear, consistent federal framework for environmental marketing claims under Federal Trade Commission oversight. A national standard would reduce regulatory complexity, lower compliance costs, and ensure consumers receive accurate information to support proper disposal of packaging.

Federal harmonization would allow our members to continue investing in sustainable packaging innovation while efficiently serving national markets. We respectfully urge you to support and cosponsor H.R. 6832.

Thank you for considering this important legislation.

Sincerely,

A handwritten signature in dark ink, reading "Alexandra Keane". The signature is written in a cursive, flowing style.

Alexandra Keane
Vice President, Federal Affairs
American Beverage Association



July 21, 2026

The Honorable Members
House Energy and Commerce Committee
Subcommittee on Consumer Protection and Commerce
U.S. House of Representatives
Washington, DC

Re: Support for Legislative Efforts to Strengthen Consumer Protections in the Debt Settlement Marketplace

Dear Chairman, Ranking Member, and Members of the Subcommittee:

My name is Martin Lynch, and I serve as President of the Financial Counseling Association of America, a trade association representing non-profit credit counseling organizations helping financially challenged individuals and families nationwide. FCAA member agencies offer free counseling, one-on-one credit report reviews, and personalized action plans to every consumer who reaches out to us for assistance.

Our primary relief tool, a debt management plan, or DMP, is often confused with a settlement, but they are dramatically different options. In a DMP, the non-profit works *with* the consumer's creditors to secure significantly lower interest rates on their accounts, allowing the consumer to make affordable payments until the account balances reach zero. In addition to receiving counseling, the consumer agrees to close the enrolled accounts, which is a fair trade-off considering that the average interest rate is reduced from roughly 25% to just 8%. The lower rates reduce the monthly payments due, giving the client's budget some breathing room while they regain control of their finances. A DMP can take up to 72 months to complete, though the current average is around 44 months. It's a great option because it's affordable, the creditors agree to participate up front, and our counseling and educational resources are available throughout the term of the DMP. But if the debt management plan option is so great, why do so many millions of consumers turn to debt settlement? The answer is simple – advertising, and it's a problem that the proposed legislation is intended to correct.

If you've watched TV ads for for-profit settlement, you've probably heard that you'll learn the "*secret the banks don't want you to know*," implying that you have a right to settle your debt for less than you owe. If you're quick and can read the fine print before it disappears, you might see that you only have the right to hire the settlement company to *attempt* to settle your debt, a critical distinction that should be more prominently displayed, of course, because there is no right to settle a debt in this country. But that's just one of many examples of misleading advertising that has, for years, been leading consumers to choose such a dangerous option to resolve their financial difficulties. In addition to ensuring that consumers understand their actual rights when it comes to their debts, settlement companies should, at a minimum, be forced to prominently display information prior to enrollment that indicates:

170 NE 2nd St. #1908
Boca Raton, FL 33432
www.fcaa.org
1.866.278.1567

- That the consumer may be sued by their creditors for non-payment at any time they are working with the settlement company. (Creditors won't settle accounts that are current, so consumers must stop making payments, exposing them to collection efforts and lawsuits.)
- That certain creditors, whose names should be required to be listed, will either not work with the settlement company or may sue their clients upon learning that they're working with the settlement company
- That late fees and penalties are likely to cause the consumer's balances to grow until a settlement offer can be made. This will also mean that the amount needed to be offered in settlement will also increase over time, further reducing the amount "saved."
- That very few consumers actually settle all of the accounts they enroll.
- That the settlement company will charge its fees to the consumer even for the settlements the consumer has to negotiate on their own with creditors who refuse to work with settlement companies.
- That the total cost of the program will significantly reduce the amount the consumer hoped they would save, and that serious damage can result to the consumer's credit scores, despite the reduction in debt.
- That a Metro 2 Code will appear on their credit reports prior to the resolution of their accounts, allowing lenders/creditors who view the report to see that the consumer is actively engaged with a settlement company in an attempt to settle their debts. This mark will appear whether or not a debt is eventually settled.
- That there are other options available, including nonprofit credit counseling and bankruptcy, that might be more appropriate for their situation. Contact information for the Financial Counseling of America and National Foundation for Credit Counseling should be required to be provided.
- That, unless it is true, the settlement company or law firm attempting to settle the consumer's debt will not represent them in court if they are sued by their creditor(s).

This bullet brings us to two issues that should also be considered by this legislation:

1. Lawyers or law firms effectively functioning as debt settlement companies. These entities should not be excused from this legislation. Such firms operate only to circumvent consumer protection law.
2. Efforts to bypass the Fair Credit Reporting Act. In recent years it has become evident that settlement companies are aligning with lenders in an effort to bypass the FCRA, specifically in regard to the permissible purpose requirements for anyone seeking access to a consumer's credit report. (Some settlement companies have also become lenders for this same purpose.) The "lenders" access the consumer's report by



purporting to look for consumers to offer a loan. A loan “offer” may even be made, but it’s really just a ruse. They’re actually just looking for heavily indebted consumers. These unfortunate people wouldn’t be considered loan candidates by any reputable lender, and they were never going to be approved for a loan even if one were offered. Instead, they’re contacted by the settlement company that was behind the ruse from the start. This practice needs to be stopped.

Please note that the FCAA is not opposed to the concept of debt settlement. In fact, in every state where we have offered testimony about proposed legislation, we have always voiced our support of the option, but with the caveat that the product/process must be more tightly controlled to protect financially vulnerable consumers. The suggestions we’ve made here, along with those we’ve seen in a preview of this bill regarding monthly statements, would be positive steps in that direction.

Respectfully submitted,

/Martin Lynch/

Martin Lynch

President, the Financial Counseling Association of America

Email: mlynch@cambridgecredit.org

Mobile: (413) 883-3390

July 17, 2026

The Honorable Members
House Energy and Commerce Committee
Subcommittee on Consumer Protection and Commerce
U.S. House of Representatives
Washington, DC

Re: Support for Efforts to Enhance Transparency and Consumer Education in the Debt Relief Marketplace

Dear Chairman, Ranking Member, and Members of the Subcommittee:

On behalf of the North Seattle Community College Foundation, I am writing to express our support for efforts to strengthen consumer protections by improving transparency, disclosures, and consumer education in the debt settlement industry.

As an organization committed to supporting educational access, workforce development, and financial well-being in our community, we recognize the significant impact of financial distress on students, working families, and individuals striving to improve their economic circumstances. Many consumers facing debt-related challenges are seeking trustworthy information at a time when they are under considerable emotional and financial pressure.

Individuals often begin exploring debt relief options after experiencing unexpected financial setbacks, income disruptions, medical expenses, or other hardships. During these periods of vulnerability, marketing messages that emphasize potential savings or quick resolutions can be especially influential. Frequently, consumers encounter debt relief providers through online advertising, social media, television, or third-party lead generation services long before they receive detailed program information.

We believe consumers should have access to clear, balanced, and understandable information before making decisions about debt relief programs. At a minimum, consumers should be informed about:

- The potential impact on their credit standing;
- Whether participation may require suspending payments to creditors;
- The possibility of ongoing collection activity or legal action during the process;
- The full costs and fees associated with the program;
- The possibility that some debts may not ultimately be settled; and
- The availability of alternative options, including nonprofit credit counseling, debt management plans, bankruptcy counseling, and other repayment strategies.

Providing these disclosures only during enrollment may not give consumers sufficient opportunity to make a fully informed decision. Important information should accompany significant marketing claims, particularly when advertisements discuss anticipated savings, costs, timelines, or likely outcomes. Consumers benefit most when they receive balanced and transparent information at the point they are evaluating their options.

North Seattle Community College Foundation supports reasonable standards that encourage truthful marketing, meaningful disclosures, and informed consumer choice. Our experience working with individuals from diverse economic backgrounds reinforces the reality that financial challenges rarely have a single solution. The most effective path forward depends on each person's unique financial circumstances, goals, and available resources.

At the same time, support for stronger consumer protections should not be viewed as opposition to debt settlement as a legitimate option for some consumers. Debt settlement, debt management plans, direct repayment, bankruptcy, and other alternatives may each serve an appropriate role depending on an individual's situation. Regardless of the option selected, consumers are best served when providers clearly communicate both the benefits and the risks associated with their services.

Financial education and objective guidance are critical components of informed decision-making. Consumers who understand the advantages, limitations, costs, and potential consequences of available options are better positioned to identify solutions that align with their long-term financial well-being. Promoting financial literacy and informed choices has long been consistent with the Foundation's commitment to supporting student and community success.

We appreciate the Subcommittee's efforts to improve transparency, strengthen consumer protections, and preserve access to legitimate debt relief options. We believe that clear disclosures, responsible marketing practices, and informed consumer decision-making will contribute to stronger financial outcomes for consumers and increased confidence in the debt relief marketplace.

Thank you for considering our views. We appreciate the Committee's attention to this important issue and would welcome the opportunity to provide additional perspective as your work continues.

Respectfully,



Cindy Seremek
President
North Seattle Community College Foundation

July 16, 2026

Chairman Gus Bilirakis
Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
United States House of Representatives
Rayburn 2306
Washington, DC 20515

Ranking Member Jan Schakowsky
Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
United States House of Representatives
Rayburn 2408
Washington, DC 20515

CC: Chairman Brett Guthrie and Ranking Member Frank Pallone
Members of the House Energy & Commerce Subcommittee on Commerce, Manufacturing, and Trade

Dear Representative Bilirakis and Representative Schakowsky,

American Circular Textiles (AMCIRC) is a first-of-its-kind coalition of leading companies working to advance circular textile opportunities, representing retailers, thrift and resale, recycling, rental, repair, domestic manufacturing, technology, and innovation. As your subcommittee prepares to examine consumer protection and FTC-related recycling issues on July 22, we write to express AMCIRC's strong support for the Recycled Materials Attribution Act (RMAA), introduced by Reps. Nick Langworthy (R-NY-23) and Marc Veasey (D-TX-33) and backed by a bipartisan list of cosponsors.

The RMAA's technology-neutral federal standard for recycling and recycled-content claims matters as much for textiles as it does for plastics. Mechanical recycling — shredding, carding, respinning — works best for industrial offcut single-fiber materials, but the apparel market is dominated by blended fabrics, cotton/polyester chief among them, that mechanical processes alone cannot separate at scale. Advanced recycling, including chemical, thermal, enzymatic, and other next-generation technologies, is what makes post-consumer blended and lower-quality textiles recoverable, and complements rather than replaces mechanical recycling. By recognizing advanced recycling as a legitimate, federally standardized path to recovery, the RMAA covers the reality of textile blends, not only single-polymer plastics, and gives U.S. companies the federal footing to lead in textile circularity.

Specifically, the RMAA would:

- Establish a uniform, predictable, evidence-based national framework for recycling and recycled-content terms, replacing a patchwork of conflicting state-by-state rules with a single national standard.
- Require the Federal Trade Commission (FTC) to update and clarify its Guides for the Use of Environmental Marketing Claims (the FTC Green Guides) to ensure accuracy and consistency across material streams, including textiles.
- Strengthen consumer protection through clear, enforceable national marketing standards that apply equally to mechanical and advanced recycling.

The stakes for textiles are significant. The U.S. generates approximately 17 million tons of textile waste each year, yet actual fiber-to-fiber textile recycling remains under 1%; over 11 million tons are landfilled and another 3.2 million tons are combusted annually (EPA, 2018 data, most recent available). That gap represents a wasted opportunity on three fronts at once: domestic jobs that recycling and manufacturing infrastructure could support, economic value left in landfills instead of circulating through U.S. supply chains, and avoidable environmental harm.

The U.S. needs recycling definitional certainty to become the global circularity leader. RMAA provides the regulatory certainty to attract capital and drive reuse and recycling innovation. A clear federal standard would help convert that waste liability into a domestic manufacturing input, supporting new infrastructure, jobs, and supply chain resilience rather than exporting the opportunity overseas.

To be clear, AMCIRC does not support burning textiles for fuel, and this bill doesn't either — the RMAA explicitly excludes fuels sold as end products from being marketed as recycled content. Our support is for real material recovery, not energy recovery.

Thank you for your efforts to protect U.S. manufacturers and consumers, and for your continued attention to recycling-related issues as part of the subcommittee's work. AMCIRC and its membership stand ready to serve as a resource on textile circularity as your consideration of the RMAA moves forward.

Sincerely,

American Circular Textiles (AMCIRC)



Debrand Services Inc.
July 26, 2026

Chairman Gus Bilirakis
Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
United States House of Representatives
Rayburn 2306
Washington, DC 20515

Ranking Member Jan Schakowsky
Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
United States House of Representatives
Rayburn 2408
Washington, DC 20515

CC: Chairman Brett Guthrie and Ranking Member Frank Pallone
Members of the House Energy & Commerce Subcommittee on Commerce, Manufacturing, and Trade

Dear Representative Bilirakis and Representative Schakowsky,

Debrand writes to express its support for the Recycled Materials Attribution Act (RMAA), introduced by Reps. Nick Langworthy (R-NY-23) and Marc Veasey (D-TX-33), ahead of the subcommittee's July 22 hearing on consumer protection and FTC recycling issues. We join American Circular Textiles (AMCIRC) and other industry stakeholders in urging the subcommittee's support for this important legislation.

Debrand works with leading apparel, footwear, and consumer brands to divert textiles from landfill and keep valuable materials in circulation through reuse and recycling solutions. Through our recovery and circularity programs, Debrand helps brands and organizations extend product life, reduce landfill disposal, and unlock value from materials that would otherwise be lost from the economy. As the textile industry works to scale circular systems, clear and consistent federal guidance on recycling claims is critical.

The Recycled Materials Attribution Act's technology-neutral approach recognizes the reality of today's textile waste stream—where blended fibers dominate—and supports the development of both mechanical and advanced recycling solutions needed to recover more materials, strengthen domestic recycling infrastructure, and create new economic opportunities from a largely untapped resource.

Consumers and manufacturers alike are best served by clear, national standards for recycling and recycled-content claims, rather than the current patchwork of conflicting federal and state rules. The RMAA would establish a uniform, evidence-based framework; require the FTC to update its Green Guides for accuracy and consistency; and strengthen consumer protection through enforceable national marketing standards — all while recognizing advanced recycling alongside mechanical recycling as a legitimate path to recovery for materials, like blended textiles, that mechanical recycling alone cannot handle at scale.

Thank you for your consideration and for your work to reduce consumer confusion and expand U.S. recycling capacity. Please do not hesitate to contact us with any questions.

Sincerely,

Lina G. Londono
Chief Operating Officer
Debrand

Misinformation About Advanced Recycling and H.R. 7502, the Recycled Materials Attribution Act, Distributed by the American Forest & Paper Association (AF&PA)

FALSE CLAIM

H.R. 7502, federal bipartisan legislation asks for federal dollars to support advanced recycling.

THE TRUTH

H.R. 7502 does **not** request a dime of federal funding for advanced recycling.

And, this is a claim made by the industry which did get billions in federal assistance through the black liquor tax credit — a subsidy that supported burning the paper industry's sludge for energy.

FALSE CLAIM

H.R. 7502 simply creates fuel.

THE TRUTH

H.R. 7502 specifically excludes fuel sold as an end product from being marketed as recycled content. Simply look at Section 4 paragraph (a)(2) (the top of page 7) of the bill.

FALSE CLAIM

H.R. 7502 creates unfair advantages, would lead to misleading data, and misleads consumers.

THE TRUTH

Advanced recycling works and paper recycling works.

- Recycling technologies for other materials (paper, glass, aluminum) that reduce landfill and create new products are considered to produce recycled content. H.R. 7502 would extend the same classification to the advanced recycling of plastics into new products.
- H.R. 7502 does not promote advanced recycling. It creates federal marketing standards and helps provide legal certainty for marketers when using the term "recycled content."
- American Chemistry Council [analysis shows](#) that **recycling just half of the plastics currently landfilled would create 173,000 U.S. jobs and add \$50 billion to the economy.**

Why is the American Forest & Paper Association against actions to reduce plastic in landfills?

THE GOOD NEWS

Bipartisan members of Congress and the Administration have already affirmed their support for advanced recycling and the need for regulatory certainty that allows innovation to scale.

Advanced recycling is part of the solution to reducing plastic waste in the United States.

The misinformation campaign is not.



Government-Backed Chemical Recycling: What It Means for the Paper Industry

Paper Recycling Works

Paper recycling works—and it works every day. It's one of the most successful recycling systems in the U.S., turning used paper into new essential products Americans rely on.

Paper recycling doesn't need mandates to be successful. It's driven by market demand, especially from U.S. paper mills—80% of which use recycled paper to make essential products.

Changes to the definition of recycling and interventions in recycling markets has unintended consequences for paper recycling and our future progress.

Federal Aid to Build Plastic Recycling Infrastructure Undermines Markets

Federal aid to the plastics sector to help build their recycling infrastructure via regulatory carveouts, definitional changes, grant provisions, and other interventions is unnecessary.

The plastics industry can build new recycling facilities today without any changes to existing law — instead they are seeking preferential treatment through permitting and legislative changes.

This will give the plastics sector a competitive advantage over other recyclable commodities such as glass, aluminum, and paper and paper packaging. It can also undermine state and local control of recycling programs and waste management.

Energy Recovery Is Not Recycling

Some policies, like Advanced Recycling, are aiming to treat energy recovery and recycling as the same thing.

This is a problem because they are fundamentally different processes and that difference matters when it comes to building infrastructure, consumer choice and recycling markets.

Recycling, according to the EPA, is when discarded materials are collected, sorted, processed and converted into raw materials and used in the production of new products. It excludes the use of these materials as a fuel substitute or for energy production.

Energy recovery means turning used materials into fuel or energy.

We support energy recovery as a better option than landfilling. But it's not recycling—and calling it recycling causes real harm.

1

Nestlé USA
1812 N. Moore Street
Arlington, VA 22209



July 21, 2026

Chairman Gus Bilirakis
Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Rayburn 2306
Washington, DC 20515

Ranking Member Jan Schakowsky
Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Rayburn 2408
Washington, DC 20515

CC: Chairman Brett Guthrie and Ranking Member Frank Pallone
Members of the House Energy & Commerce Subcommittee on Commerce, Manufacturing, and Trade

RE: *Recycled Materials Attribution Act (RMAA) (H.R. 7502) and the Packaging and Claims Knowledge Act (PACK) (H.R. 6832)*

Dear Representative Bilirakis and Representative Schakowsky,

On behalf of Nestlé USA, I write to thank you for your attention to packaging and recycling legislation that would provide much-needed clarity for consumers and producers in a rapidly evolving marketplace. We urge your support for **H.R. 7502**, the *Recycled Materials Attribution Act (RMAA)*, and **H.R. 6832**, the *Packaging and Claims Knowledge Act (PACK Act)*

Consumers and businesses face growing complexity and inconsistency as they seek to participate in and strengthen the circular economy. Unclear definitions of terms such as recyclable, compostable, and reusable - and insecurity about the credibility of related claims, undermine confidence and discourage participation. A clearer, more consistent federal framework would reduce consumer confusion, make recycling and reuse knowledge more transferable across jurisdictions, and provide the certainty needed to support continued investment in packaging innovation and recycling infrastructure.

The RMAA forwards a bipartisan solution to address inconsistent recycled-content and recycling-related marketing claims by establishing a more uniform, predictable, and evidence-based national framework. By clarifying key terms and directing updated federal guidance, the legislation would help reduce conflicting state-level interpretations that drive consumer confusion, increase compliance costs, and discourage investment in new and innovative recycling technologies. The RMAA would also provide a critical foundation for scaling

contaminant-free recycled packaging for food-contact applications, allowing greater circularity and strong food-safety protections to advance together.

Meanwhile, the PACK Act would reinforce this effort by establishing consistent standards for when packaging may be labeled recyclable, compostable, or reusable. Clear, uniform rules for consumer-facing claims would help ensure that those claims are accurate, transparent, and trustworthy, while giving manufacturers greater certainty as they design packaging and communicate with consumers. Common definitions are essential to reducing fragmentation across the nation's circular systems. They are also a critical first step toward creating a more consistent system in which consumers can apply the same knowledge wherever they live or travel, making participation easier and increasing overall system use.

Together, RMAA and the PACK Act would provide greater clarity across different stages of the packaging value chain. RMAA addresses how recycled materials and recycled-content claims are defined and attributed, while the PACK Act establishes standards for end-of-life claims communicated to consumers. Taken together, these federal frameworks would reduce consumer confusion, increase participation in circular systems, and advance greater packaging circularity while maintaining strong food-safety protections.

We again thank you for your commitment to discussing these solutions and urge you to support their movement through the Committee and full House.

Sincerely,

Colby J. Sholler
Manager, Corporate & Government Affairs
Nestlé USA



July 21, 2026

The Honorable Gus Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
2306 Rayburn House Office Building
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
2408 Rayburn House Office Building
Washington, DC 20515

Re: Support for the Debt Settlement Consumer Disclosure Act of 2026 (Discussion Draft)

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of the National Installment Lenders Association (NILA), I write to express support for the Debt Settlement Consumer Disclosure Act of 2026 discussion draft, from Representatives Fry and Peters. NILA represents firms that provide traditional installment loans to consumers across the country, and our members have a direct and longstanding interest in ensuring that consumers who are struggling with debt receive accurate, timely, and comprehensible information before they make decisions that can affect their financial futures for years to come.

Our members regularly hear from consumers who enter into debt settlement programs without a clear understanding of the fees involved, the likelihood that any given creditor would agree to a reduced payoff, or the impact that ceasing payments on existing obligations could have on their credit standing and their exposure to collection activity or litigation. Too often, these consumers learn the full picture only after they have already paid substantial fees and their credit profiles have deteriorated. This discussion draft addresses that problem directly by requiring debt settlement companies to make specific, plain-language disclosures in their advertising, before consumers sign an agreement, on a periodic basis throughout the engagement, and in a final statement when the relationship ends.

NILA closely tracks debt settlement industry practices that we believe harm consumers, and it is important to us that consumers understand, before they ever sign an agreement, how working with a debt settlement company can affect their relationship with their existing creditors. When a consumer stops making payments at a debt settlement company's direction, their lender reports the resulting delinquency to the credit bureaus, the consumer's credit profile suffers, and the consumer loses the ability to work directly with that lender on options such as a loan modification, which our members are often able to

offer to help a customer through a difficult period. We are pleased the discussion draft requires debt settlement companies to disclose up front, in their advertising and again before any agreement is signed, that their services may adversely affect a consumer's credit history and ability to obtain future credit, and that periodic disclosures are required throughout the engagement. Giving consumers full information at the outset, rather than after the fact, will help ensure they understand what is at stake for their credit standing and their existing lender relationships before they decide to proceed, and periodic disclosures will help them understand how their credit has changed so they can make the best decisions for their financial lives.

This bears directly on affordability. A consumer's credit profile is one of the principal factors that determines the interest rates and terms available on future credit. When consumers are not told plainly, up front, that engaging a debt settlement company may cost them the ability to work out a modification with their existing lender, or that any settlement is not guaranteed, the resulting drop in their credit standing can raise the cost of borrowing for years afterward, on everything from an auto loan to a credit card to a mortgage. By requiring clear, upfront, and ongoing disclosures, this legislation will help ensure consumers only enroll in debt settlement with full knowledge of the credit consequences and will help preserve consumers' access to affordable credit rather than needlessly foreclosing on it.

Consumers considering debt relief options deserve clear, comparable information regardless of which path they choose. We believe this legislation will reduce consumer confusion, curb misleading marketing practices in the debt settlement industry, protect consumers' access to affordable credit going forward, and give consumers the information they need to select the option that is right for their circumstances.

NILA appreciates the Subcommittee's attention to this issue and urges the Subcommittee to advance the Debt Settlement Consumer Disclosure Act of 2026. We would welcome the opportunity to serve as a resource to the Subcommittee as this discussion draft is refined and moves forward, and we look forward to working with you and your staff.

Sincerely,

A handwritten signature in black ink that reads "Doug Clark". The signature is written in a cursive, flowing style.

Doug Clark
President
National Installment Lenders Association



July 21, 2026

The Honorable Gus Bilirakis
Chairman, Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives

The Honorable Jan Schakowsky
Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives

Dear Chairman Bilirakis and Ranking Member Schakowsky:

The PACK Act Coalition thanks you for holding the Subcommittee on Commerce, Manufacturing, and Trade's upcoming consumer protection hearing, which will include consideration of the Packaging and Claims Knowledge (PACK) Act, H.R. 6832. This important legislation seeks to address inconsistencies in state laws governing recyclable, compostable, and reusable claims on consumer packaging.

We strongly support the PACK Act because it creates a federal framework under the Federal Trade Commission for making recyclable, compostable, and reusable claims on consumer packaging. We appreciate that this uniform structure will replace the confusing patchwork of state regulations, helping

businesses provide accurate and transparent information across state lines. By reducing consumer confusion and enabling informed choices, we believe the PACK Act will promote proper management of packaging materials at end-of-life, diverting them from landfills and advancing a circular economy.

We greatly appreciate the Subcommittee's attention to this issue and urge you to advance this critical legislation. We stand ready to support your efforts to enact the PACK Act. Please do not hesitate to contact Danielle Waterfield, AMERIPEN Policy Director & General Counsel, at DanielleW@ameripen.org with any questions.

Sincerely,

Amcor	International Sleep Products Association
American Bakers Association	IPG
American Beverage Association	Keurig Dr Pepper
American Chemistry Council	The Kraft Heinz Company
American Cleaning Institute	Lubrication Specialties
American Forest & Paper Association	McCormick & Company
American Frozen Food Institute	Meat Institute
AMERIPEN	Mondelez
Biodegradable Products Institute	National Confectioners Association
Can Manufacturers Institute	National Association of Manufacturers
Carton Council	NatureWorks
Charter Next Generation	Nestlé USA
CJ Biomaterials	Novolex
Conagra	Paperboard Packaging Council
Consumer Brands Association	PepsiCo
Consumer Healthcare Products Association	Personal Care Products Council
Consumer Technology Association	Pet Food Institute
DART	PLASTICS Industry Association
Dow	Plumbing Manufacturers International
EPS Industry Alliance	Printing United Alliance
Ferrara Candy Company	Sazerac
Ferrero	SNAC International
Foodservice Packaging Institute	The Alternative Fuels & Chemicals Coalition
Flexible Packaging Association	The J.M. Smucker Company
General Mills	The Marzetti Company
INDA, Association of the Nonwoven Fabrics Industry	The Plant Based Products Council
International Dairy Food Association	Toppan Packaging Americas
International Molded Fiber Association	U.S. Chamber of Commerce
	Western Plastics Association
	WK Kellogg Co

July 22, 2026

The Honorable Gus M. Bilirakis
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
2306 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce,
Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
2408 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of the Plastics Industry Association (PLASTICS), thank you for convening today's legislative hearing on the Packaging and Claims Knowledge (PACK) Act of 2025 (H.R.6832). We appreciate the Subcommittee's commitment to advancing practical, bipartisan legislation that helps consumers make informed decisions, supports innovation, and promotes clear, accurate environmental and recycling marketing claims.

PLASTICS strongly supports H.R.6832 and thanks Representative Randy Weber (R-TX-14) and the bill's 16 bipartisan cosponsors for their leadership in advancing a nationally consistent framework for consumer-facing environmental and recycling marketing communications.

Consumers increasingly rely on product labels and sustainability claims to make informed purchasing and recycling decisions. Yet manufacturers, retailers, and brand owners must navigate a growing patchwork of differing requirements governing how those claims are communicated. Predictably, the results are unnecessary complexity, increased compliance costs, inconsistent consumer messaging, and regulatory uncertainty for companies operating across the country.

The PACK Act addresses these challenges by establishing nationally consistent standards for consumer-facing marketing communications while reinforcing the Federal Trade Commission's longstanding role in providing science-based guidance through the Green Guides. This approach will improve consumer understanding, strengthen trust in product claims, reduce unnecessary regulatory complexity, and provide the certainty needed to communicate accurately and consistently in a national marketplace.

1425 K Street NW, Suite 500, Washington, DC 20005

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H.R.6832 will help ensure consumers can rely on clear, accurate information while providing businesses with a consistent national framework for communicating product attributes. In doing so, the legislation will encourage innovation, strengthen interstate commerce, reduce unnecessary compliance burdens, and support continued investment in American manufacturing, recycling, and sustainability.

Thank you for your leadership and consideration of H.R.6832. PLASTICS looks forward to working with the Committee to advance this important legislation.

Sincerely,

Christopher L. Rager

Chris Rager
Vice President, Government Affairs
Plastics Industry Association

cc: Chairman Brett Guthrie, Ranking Member Frank Pallone, and Members of the Subcommittee on Commerce, Manufacturing, and Trade



RLC

Taking Action to Reduce Plastic Waste

July 16, 2026

Chairman Gus Bilirakis
Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Rayburn 2306
Washington, DC 20515

Ranking Member Jan Schakowsky
Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Rayburn 2408
Washington, DC 20515

CC: Chairman Brett Guthrie and Ranking Member Frank Pallone
Members of the House Energy & Commerce Committee

Re: The Recycled Materials Attribution Act of 2026

Dear Representative Bilirakis, Representative Schakowsky, and Members of the Committee:

The Recycling Leadership Council (RLC) is a cross-industry coalition committed to reducing plastic waste and advancing practical, bipartisan solutions to increase U.S. recycling capabilities. Led by the Consumer Brands Association (“Consumer Brands”), the RLC brings together leaders from manufacturing, packaging, and recycling to serve as the unified national voice pushing for the policies and clarity needed to improve recycling outcomes across the country.

As the committee considers ways to address consumer confusion around recycling issues and provide much-needed clarity in the marketplace, the below signed organizations strongly encourage you to consider and support the Recycled Materials Attribution Act (RMAA), introduced by Reps. Nick Langworthy (R-NY-23) and Marc Veasey (D-TX-33) and backed by a bipartisan list of cosponsors.

Currently, environmental and recycling marketing claims are governed by overlapping and conflicting federal and state laws, contributing to consumer confusion, loss of confidence in the accuracy of recycled-content claims, increased compliance costs, and regulatory uncertainty that discourages investment in innovative technology. As industry aspires to a more circular economy and reusing more of the packaging and materials that would otherwise go to landfills, the RMAA’s provisions will replace these conflicting rules with clear, national marketing standards that will benefit consumers and manufacturers alike.

Specifically, the RMAA would:

- Establish a uniform, predictable, evidence-based national framework regarding key terms to reduce complexity for consumers, manufacturers, retailers, and suppliers.
- Require the U.S. Federal Trade Commission (FTC) to update and clarify its Guides for the Use of Environmental Marketing Claims, also known as the FTC Green Guides, to ensure accuracy and consistency.
- Strengthen consumer protection through clear, enforceable national marketing standards.

By providing regulatory clarity and uniformity, the RMAA will help expand the supply and use of recycled materials, support innovation in recycling technologies, and ensure consumers receive accurate and transparent information about the products they purchase. The legislation will also encourage domestic investment in recycling infrastructure, strengthen U.S. supply chains, and support the creation of good-paying American manufacturing jobs.

Thank you for your efforts to protect U.S. manufacturers and consumers, and your continued interest in addressing recycling-related issues. Going forward, please count the RLC as a resource on this topic and supportive of legislation that will reduce consumer confusion and plastic waste.

Sincerely,

Ag Container Recycling Council
Alliance for Automotive Innovation
American Chemistry Council
American Circular Textiles
American Fuel and Petroleum Manufacturers
Consumer Brands Association
Council for Responsible Nutrition
Flexible Packaging Association
Household Commercial Products Association
International Sleep Products Association
Meat Institute
National Lubricant Container Recycling Coalition
North American Association of Food Equipment Manufacturers
Plastics Industry Association
Printing United Alliance
Retail Industry Leaders Association
Vinyl Institute



One Penn Center | 1617 JFK Boulevard
Suite 1750 | Philadelphia, PA 19103
888-385-3588 | printing.org

July 21, 2026

Chairman Gus Bilirakis
Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Rayburn 2306
Washington, DC 20515

Ranking Member Jan Schakowsky
Energy and Commerce
Subcommittee on Commerce,
Manufacturing, and Trade
United States House of Representatives
Rayburn 2408
Washington, DC 2051

CC: Chairman Brett Guthrie and Ranking Member Frank Pallone
Members of the House Energy & Commerce Committee

Re: PRINTING United Alliance Support for the PACK Act and the Recycled Materials Attribution Act (RMAA)

Dear Representative Bilirakis, Representative Schakowsky, and Members of the Committee:

On behalf of PRINTING United Alliance, we are pleased to express our support for the Packaging and Claims Knowledge (PACK) Act and the Recycled Materials Attribution Act (RMAA). Together, these bipartisan bills represent an important step toward establishing a more consistent, transparent, and science-based framework for environmental marketing claims in the United States.

PRINTING United Alliance is the most comprehensive member-based printing and graphic arts association in North America. Our members produce packaging, labels, decorated garments, and a multitude of other printed products many of which can be distributed across state lines. Given the proliferation of state laws addressing sustainability related issues, end of life, and marketing claims, our members are increasingly responsible for evaluating, substantiating, and communicating claims related to recycled content, recyclability, compostability, and reuse. As sustainability expectations continue to grow via legislation and public demand, clear and consistent standards are essential to provide businesses with regulatory certainty and consumers with reliable information.

The PACK Act addresses claims related to a product's end-of-life, including whether packaging is recyclable, compostable, or reusable. By establishing a national framework for these claims, the legislation would help reduce consumer confusion, promote more consistent labeling, and provide businesses with greater certainty when communicating

the environmental attributes of packaging. A uniform approach also helps minimize the challenges created by a growing patchwork of state-specific labeling requirements.

The RMAA complements these efforts by addressing claims regarding recycled content. The legislation would establish clear federal definitions and provide a consistent framework for substantiating recycled material claims, while directing updates to the Federal Trade Commission's Green Guides. For manufacturers, printers, and packaging converters, this clarity is increasingly important as customers seek products containing recycled materials and expect those claims to be accurate, verifiable, and comparable across the marketplace.

While each bill addresses a different aspect of environmental marketing, they work together to create a more comprehensive and consistent approach. The PACK Act focuses on how products should be disposed of at the end of their useful life, while the RMAA focuses on how recycled content is measured and communicated. Together, they provide greater confidence for consumers, reduce ambiguity for businesses, and support truthful, substantiated environmental claims throughout the supply chain.

Our industry relies on clear, predictable, and nationally consistent standards to serve customers across multiple states and markets. Harmonized federal guidance will help businesses make informed investments, reduce unnecessary compliance burdens, and strengthen consumer confidence in legitimate environmental claims.

We appreciate the Committee's consideration of these important measures and respectfully urge Congress to advance both the PACK Act and the RMAA. PRINTING United Alliance looks forward to continuing to work with legislators and stakeholders to support policies that promote transparency, responsible environmental communication, and a stronger circular economy.

Thank you for your consideration.

Sincerely,

Sara Osorio
Manager, EHS & Sustainability
PRINTING United Alliance



July 21, 2026

The Honorable Gus M. Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of the National Confectioners Association (NCA), I write in support of the Recycled Materials Attribution Act, H.R. 7502, and the Packaging and Claims Knowledge Act, H.R. 6832. We thank the Subcommittee for considering these bipartisan bills at its July 22 hearing.

The National Confectioners Association is the leading trade organization for the U.S. confectionery industry, representing over 470 companies that manufacture or supply inputs for chocolate, candy, gum and mints. Nearly 700,000 jobs in the U.S. rely on the manufacturing and sales of chocolate and confectionery products, including our robust supplier community, which produces machinery, flavors, and packaging to support our manufacturers.

Packaging plays an essential role in protecting food safety, preserving product quality, and providing consumers with important information. Confectionery manufacturers are committed to improving the sustainability of their packaging and supporting effective recycling systems.

The RMAA would direct the Federal Trade Commission to update its guidance and provide clear, consistent standards for recycled-content claims, helping support recycling innovation and investment. The PACK Act would establish an FTC-administered national framework for recyclable, compostable, and reusable packaging claims, giving consumers clearer information and businesses greater certainty across state lines.

Together, these bills would advance more consistent packaging standards, strengthen consumer confidence, and support our members' ongoing packaging and recycling commitments. NCA urges the Subcommittee to advance both measures.

Sincerely,

A handwritten signature in black ink, reading "Brian M. McKeon". The signature is written in a cursive, flowing style. The first name "Brian" is written in a larger, more prominent script, followed by "M." and "McKeon". The signature is positioned to the left of a vertical line.

Brian McKeon
Executive Vice President, Public Policy and Regulatory Affairs
National Confectioners Association



2401 W Peoria Ave
Suite 350
Phoenix, AZ 85029

July 16, 2026

The Honorable Members
House Energy and Commerce Committee
Subcommittee on Consumer Protection and Commerce
U.S. House of Representatives
Washington, DC

Re: Support for Legislative Efforts to Strengthen Consumer Protections in the Debt Settlement Marketplace

Dear Chairman, Ranking Member, and Members of the Subcommittee:

On behalf of Money Management International (MMI), one of the nation's largest nonprofit financial counseling organizations, I am writing to express our support for legislative efforts to strengthen consumer protections through enhanced disclosures and greater transparency in the marketing of debt settlement services.

For more than six decades, MMI has helped millions of consumers navigate financial hardship by providing independent, nonprofit financial counseling, housing counseling, financial education, and debt repayment solutions. Every day, our counselors assist individuals by evaluating a wide range of debt relief options – including structured debt management plans, negotiated debt resolution, bankruptcy counseling, and self-directed repayment strategies –. This firsthand experience gives us a unique perspective on the challenges consumers face when trying to identify the solution that best fits their financial circumstances.

Consumers often begin searching for debt relief during periods of significant financial stress, making them particularly vulnerable to marketing that emphasizes potential savings without equally prominent discussion of the associated risks, costs, and tradeoffs. Many consumers first encounter debt relief providers through online advertising, social media, television, or lead-generation platforms. By the time comprehensive disclosures are presented during enrollment, important decisions may already have been made.

MMI believes consumers should receive clear, accurate, and timely information before choosing any debt relief strategy. At a minimum, consumers should understand:

- The potential impact on their credit profile;
- Whether they may be expected to stop making payments to creditors before settlements are reached;
- The possibility of continued collection activity or legal action during the settlement process;
- The total costs and fees associated with the program;
- The possibility that not all debts may ultimately be settled or resolved; and
- The availability of alternative solutions, including nonprofit credit counseling, structured debt management plans, bankruptcy counseling, and other repayment options.

Providing this information only during enrollment is often insufficient. Material disclosures should accompany material marketing claims wherever consumers are making decisions, particularly when advertising discusses expected savings, timelines, fees, costs, or likely outcomes. Consumers deserve balanced information before – and not after – they commit to a course of action that may have significant financial consequences.

MMI supports reasonable standards that promote transparent advertising, meaningful disclosures, and informed consumer choice. Our experience has shown that financial hardship is rarely one-size-fits-all. The most appropriate solution depends on each consumer's unique financial circumstances, goals, and ability to repay. Public policy should therefore encourage consumers to understand the full range of available options before selecting a debt relief strategy.

Importantly, our support for stronger consumer protections should not be interpreted as opposition to debt settlement as a legitimate debt relief option. Negotiated debt resolution may be appropriate for some consumers, just as structured debt management plans, direct repayment, bankruptcy, or other alternatives may be more appropriate for others. Regardless of the approach ultimately selected, consumers benefit when providers communicate honestly, disclose material risks and costs clearly, and enable informed decision-making.

Independent nonprofit financial counseling can play an important role in this process by helping consumers objectively evaluate the advantages, limitations, costs, and potential consequences of each available option before making a decision. Helping consumers understand their choices, and the tradeoffs associated with those choices, has long been central to MMI's mission.

MMI appreciates the Subcommittee's efforts to improve transparency, strengthen consumer protections, and preserve access to legitimate debt relief options. We believe that balanced disclosures, responsible marketing practices, and informed consumer choice will lead to better outcomes for financially distressed households while strengthening confidence in the debt relief marketplace.

Thank you for your consideration of our views. We appreciate the Committee's attention to this important issue and would welcome the opportunity to serve as a resource as your work continues.

Sincerely,



Jim Triggs
President & CEO
Money Management International



PROTECTING SMALL BUSINESS, PROMOTING ENTREPRENEURS

MEMBERSHIP

ABOUT

ADVOCACY & POLICY

RESEARCH

NEWS

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BECOME A MEMBER

STAY CONNECTED

SBE Council Statement in Support of the “Packaging and Claims Knowledge” (PACK Act), H.R. 6832

By [SBE Council](#) at 14 July, 2026, 12:17 pm

The following statement of support for the “PACK Act” ([H.R. 6832](#)) may be attributed to Small Business & Entrepreneurship Council (SBE Council) President & CEO Karen Kerrigan:

“Small business owners and entrepreneurs need clear, consistent rules in order to sell and compete across state lines. The current patchwork of state laws governing recyclable labeling creates compliance complexity and higher costs for businesses and confusion for consumers. The *PACK Act* is a practical solution that will reduce this uncertainty by establishing a science-backed uniform federal standard for recyclable labeling governed by the Federal Trade Commission (FTC).”

“Retailers and the suppliers are facing different state requirements for making recyclable, compostable, and reusable claims. This fragmented approach creates challenges for small businesses operating across state lines by making it harder for them to communicate accurate information to consumers. The *PACK Act* would vest primary authority in the FTC to oversee these standards while creating a national baseline for consumer packaging claims.”

“By replacing conflicting and varying rules with a clear national framework, the *PACK Act* will help small businesses avoid unnecessary compliance burdens and reduce friction in interstate commerce. SBE Council appreciates Congressman Randy Weber’s (R-Texas) leadership in introducing this bill to promote recycling, common sense, efficiency and better environmental outcomes.”

SBE Council is a nonpartisan advocacy, research and education organization dedicated to protecting small business and promoting entrepreneurship. For more than 30 years, SBE Council has advanced a range of private sector and public policy initiatives to strengthen the ecosystem for strong startup activity and small business growth.

Visit www.sbecouncil.org for additional information. X: @SBECouncil

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July 16, 2026

[Statement of Support: Senate Introduction of the “New Opportunities for Business Ownership and Self-Sufficiency Act” \(NO BOSS Act\)](#)

July 14, 2026

[SBE Council Statement in Support of the “Packaging and Claims Knowledge” \(PACK Act\), H.R. 6832](#)

July 13, 2026

[Letter to Senate Judiciary in Support of the “Patent Eligibility Restoration Act” \(PERA\)](#)

July 10, 2026

[Business Applications Increase in June](#)

July 07, 2026

[U.S. Services Expansion on a Two-Year Run](#)



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July 20, 2026

The Honorable Gus M. Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing,
and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce, Manufacturing,
and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Bilirakis and Ranking Member Schakowsky:

SNAC International appreciates the Subcommittee's July 22 hearing and strongly supports the Recycled Materials Attribution Act, H.R. 7502, and the Packaging and Claims Knowledge Act, H.R. 6832.

SNAC International (SNAC) is the international trade association for the snack food industry representing snack manufacturers and suppliers. SNAC International represents over 400 companies worldwide including manufacturers of potato and vegetable chips, tortilla chips, pretzels, popcorn, kettle corn, cheese snacks, crackers, meat snacks, pork rinds, nuts, snack mixes, corn snacks, fruit snacks, snack bars, granola, rice and other grain-based snack cakes, cookies, and various other snacks.

Snack food packaging helps maintain freshness, protect products during transportation, extend shelf life, and reduce food loss. Our members are working to improve packaging sustainability while continuing to meet these essential performance and food safety needs. Achieving that goal requires practical policies that recognize packaging innovation and provide clear, consistent rules nationwide.

The RMAA would direct the Federal Trade Commission to update its guidance and establish clear, consistent standards for recycled-content claims, supporting investment in recycled materials and recycling innovation. The PACK Act would create an FTC-administered national framework for recyclable, compostable, and reusable packaging claims, helping consumers better understand packaging information and enabling manufacturers to serve a national marketplace without conflicting state requirements.

Both bills would encourage innovation, improve confidence in environmental claims, and support progress toward a more circular packaging system. SNAC International urges the Subcommittee to advance this legislation.

Sincerely,

Matthew Grill
Vice President of Government Affairs
SNAC International

1300 17th St. N, Suite 540 ♦ **Arlington, VA 22209**
Phone (703) 836-4500 ♦ **www.snacintl.org**

WHAT THEY ARE SAYING:

Advanced Recycling Reduces Plastic Waste, Creates Jobs, and Lowers Costs

Center-Left Policy Leaders, Environmental Advocates, and Blue State Small Business Leaders Agree Congressional Action Needed to Scale Savings and Economic Growth



America recycles just 9% of its plastic.¹ But modern technologies like advanced recycling can more than double that rate.² Advanced recycling can also **save Americans millions of dollars each year** in landfill disposal fees while creating jobs and strengthening our domestic supply chains. **A growing number of center-left, environmental, and business leaders are now urging Congress to support policies that can bring this technology's benefits to every American.** By supporting this technology, more plastic waste can be diverted from landfills and put back into the economy to deliver gains for American families, workers, and communities.

Advanced recycling fills an important gap in today's recycling systems.

- **Center Forward:** "Advanced recycling technologies have emerged as an important complement to traditional recycling systems, enabling the recovery of materials that would otherwise be rejected by mechanical recycling facilities." (March 2026)
- **Progressive Policy Institute:** "Advanced recycling ... offers new solutions to improving recyclable material recovery and reducing landfilled waste. By complementing existing recycling systems, advanced recycling can play a key role in strengthening the circular economy and improving the sustainability of plastic waste management." (May 2026)

Advanced recycling can turn plastic waste into jobs and investment.

- **Solution Citizen's Bill Shireman:** "When these systems are part of the solution: Recycling rates increase, including for the most difficult materials ... [and] domestic processing capacity grows, supporting jobs and investment." (April 2026)
- **The Recycling Partnership's Keefe Harrison:** "New domestic uses for recycled content keep dollars and jobs at home." (July 2025)

Advanced recycling can lower costs for American communities and taxpayers.

- **Food Industry Alliance of New York State's Mike Durant:** "Incorporating advanced recycling into recycling systems could help avoid unnecessary cost pass-throughs to consumers and reduce pressure to eliminate commonly used packaging formats that help keep products affordable and available." (June 2026)
- **Progressive Policy Institute's Stuart Malec:** "Landfills charge a 'tipping fee' per ton of waste collected. Because recycling diverts plastic waste away from landfills, advanced recycling could save between \$230 million and \$328 million in tipping fees per year for municipalities across the U.S." (May 2026)

Congress should act to scale advanced recycling's benefits; failing to act will lead to lack of investment.

- **California Black Chamber of Commerce's Jay King:** "When practical tools are taken off the table, the ripple effects are felt quickly. Companies are highly likely to delay or scale back investments in recycling and sustainability initiatives." (May 2026)
- **Buffalo Niagara Manufacturing Alliance's Peter Ahrens:** "A consistent national framework would give consumers greater confidence that recycled-content claims are accurate and transparent." (June 2026)
- **New Democracy:** "Federal policy should be brought into the modern era to expand recycling options. Lawmakers should recognize advanced recycling as a complement to mechanical recycling, create durable economic incentives to collect and sort plastic waste, and let America build the recycling system the 21st century actually needs."

1. OECD: Global Plastics Outlook 2022

2. Progressive Policy Institute: The Waste Diversion Benefits of Expanding Advanced Recycling, May 2026.



THE ECONOMIC IMPACT OF PLASTICS RECYCLING

Jobs, Output, and Opportunity from Expanding
U.S. Recycling Infrastructure

AMERICA'S PLASTIC MAKERS®
MAKING SUSTAINABLE CHANGE

American
Chemistry
Council

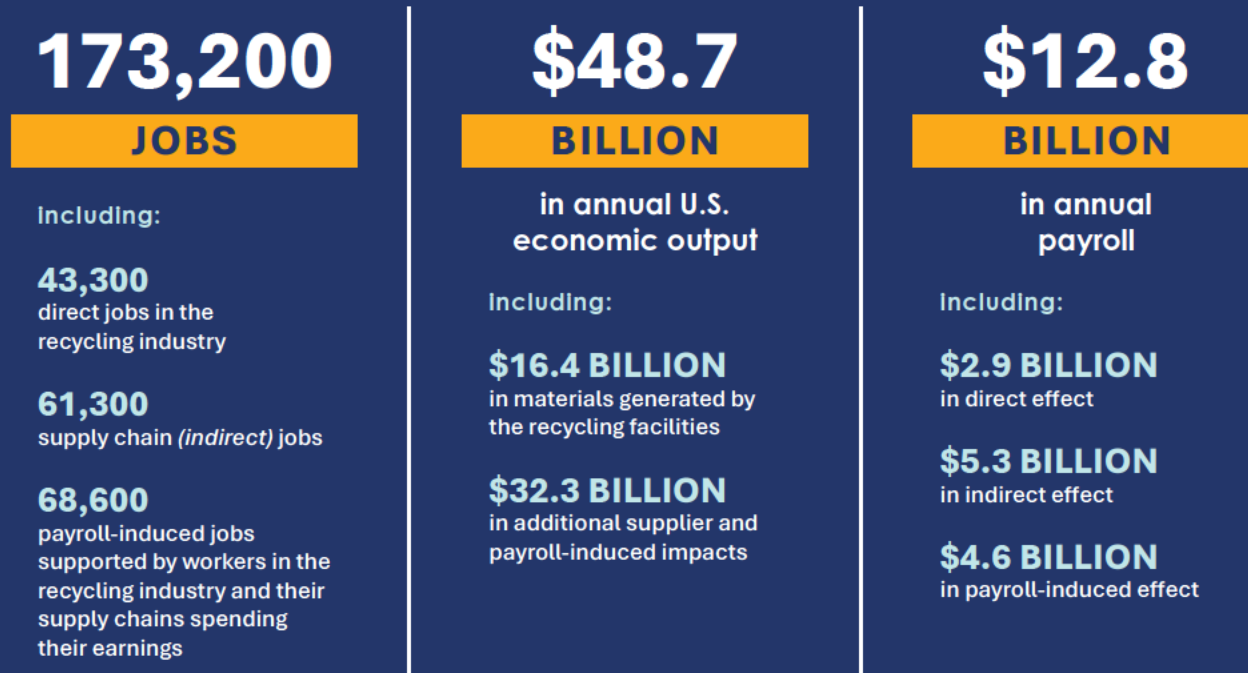
Executive Summary

Plastics are foundational to the U.S. economy, supporting industries from healthcare and construction to packaging and transportation. Their versatility, durability, and cost-effectiveness have made them indispensable in modern life, from medical devices and electric vehicles to energy-efficient building materials.

Valuable plastic materials have tended to follow a linear model of “make, use, dispose,” resulting in large amounts being sent to landfills. To address this challenge, the U.S. needs to transition from a linear economy to a circular economy, where plastics are reused, recycled, and reintegrated into the value chain.

This transition would represent a major economic opportunity.

A new analysis by the American Chemistry Council (ACC) finds that if just 50% of plastics in municipal solid waste stream were diverted from landfills to recycling facilities, the economic benefits could be substantial:



Recycling, both traditional and advanced, is central to this transformation. Mechanical recycling has long been the primary method of recycling plastics, but advanced recycling technologies present an opportunity to process a broader range of plastics.

ACC’s findings highlight the opportunity to reduce the amount of plastic that is landfilled while promoting economic growth. With continued investment and supportive policy, expanding both traditional and advanced recycling can help the U.S. achieve a more sustainable and circular economy.

Introduction

Plastic recycling is a critical component of the transition from a linear economy to a circular economy that prioritizes recycling and reuse of valuable plastic materials that might otherwise be discarded.

While mechanical recycling, a process where plastic waste is converted (*generally by shredding or grinding*) into primary raw materials or other plastic products without changing the chemical structure of the material, has been the primary recycling method for decades, less than 10% of plastics are recycled.

To significantly increase recycling rates and reduce plastic sent to landfills, the U.S. must expand both mechanical and advanced recycling. Advanced recycling (*also known as chemical or molecular recycling*) technologies extract value from used plastics by converting them into their original building blocks which can then be used to create new products.¹ Complementing existing mechanical recycling processes, advanced recycling technologies allow more types of used plastics to be manufactured into new plastics and products.

Many manufacturers are already taking advantage of advanced recycling technologies and recycled plastic materials, and several global brands have incorporated recycled plastic into their products. Over the past decade, billions of dollars have been committed to building new recycling infrastructure across the U.S.. The growth potential for the recycling industry—and the subsequent diversion of used plastics from landfills—is substantial.

This report presents the results of an analysis conducted by the American Chemistry Council (ACC) to quantify the potential economic impact of expanding capacity. **The findings demonstrate that scaling up all forms of recycling could generate tens of thousands of jobs, contribute billions to the U.S. economy, and divert millions of tons of plastic from landfills each year.**

¹ Examples of advanced recycling technologies include pyrolysis, gasification, and depolymerization.

Economic Impact

OBJECTIVE

The objective of the analysis was to quantify the potential economic impact of expanding plastic recycling capacity through both mechanical and advanced technologies. **These impacts generally manifest through the following channels:**

Direct Impacts

Jobs, payroll, and output value generated by the recycling industry itself.

Indirect/Supplier Impacts

Economic activity, including employment and output, in supply chain industries that support the recycling industry.

Payroll-Induced Impacts

Jobs and output supported by the household spending of those employed directly or indirectly by the sector (e.g., employees, both direct and indirect, purchase groceries, use medical facilities, etc.).

The analysis on indirect and payroll-induced employment and other economic effects was conducted using IMPLAN (www.implan.com).

POTENTIAL ECONOMIC IMPACT

Post-use plastics are a valuable and highly underutilized resource. Assuming 50% of plastics (*estimated at 20.0 million metric tons, or 44.1 billion pounds, annually*) in the municipal solid waste stream (*not already being recycled*) could be diverted to, and processed by, recycling facilities, the economic impacts could be significant.

According to ACC estimates, the output and employment generated by the recycling industry and supply chain industries could be significant: In addition to \$16.4 billion in output and 43,300 skilled jobs generated directly by the recycling industry, the industry's activity and employees would generate purchases of raw materials, services, and other products throughout the supply chain. Thus, another 61,300 indirect jobs could be supported by the ongoing operations of recycling facilities; the output of this indirect activity would contribute an additional \$17.8 billion to the economy. Finally, the wages earned by workers throughout the supply chain (*direct and indirect*) would be spent on household purchases, services and taxes. In turn, the response of the economy (*payroll-induced effects*) is estimated to result in an additional 68,600 jobs and \$14.5 billion in economic activity.

All told, the \$16.4 billion in direct output from the recycling industry could generate more than three times that amount in total annual output to the economy. These benefits would be distributed across local communities, supporting economic development while reducing environmental impact. The following table summarizes the projected economic impacts:

Total Economic Impact of Expanded Advanced and Mechanical Recycling Capacity

	EMPLOYMENT	PAYROLL (\$B)	OUTPUT (\$B)
Direct Effect	43,300	2.9	16.4
Indirect Effect	61,300	5.3	17.8
Payroll-Induced Effect	68,600	4.6	14.5
Total Effect	173,200	\$12.8	\$48.7

Conclusion

Recycling, both mechanical and advanced, is fundamental to reducing plastic waste and promoting a circular economy. As innovation continues to expand the capabilities of recycling technologies, the U.S. is presented with a significant opportunity to transform plastic waste into economic value.

Advanced recycling, in particular, represents a scientific and technological leap forward. By converting used plastics into their original building blocks, these technologies complement mechanical recycling and enable the reuse of materials that might otherwise be landfilled. This not only reduces environmental impact but also strengthens domestic supply chains and supports manufacturing resilience.

The potential economic effects of more comprehensive plastics recycling are substantial.

If 50% of plastics in the municipal solid waste stream were diverted to recycling, the U.S. could see:

173,200

NEW JOBS

INCLUDING DIRECT,
INDIRECT, AND
PAYROLL-INDUCED
EMPLOYMENT

\$48.7

BILLION

IN TOTAL ECONOMIC
OUTPUT

\$12.8

BILLION

IN ANNUAL PAYROLL

These figures underscore the powerful role that recycling can play in driving sustainable economic growth. With continued investment, supportive policy frameworks, and industry collaboration, the U.S. can scale up recycling infrastructure, reduce plastic waste, and unlock long-term economic and environmental benefits.



Methodology

This analysis is based on an industry-wide model developed by the ACC. To construct the model, ACC collected and analyzed publicly available data for existing and planned mechanical and advanced recycling facilities. The model is intended to be representative of the recycling industry but is not reflective of any one individual company, facility, or technology.

To estimate the potential economic impacts of increased recycling, the analysis assumes 50% of plastics generated in the municipal waste stream could be diverted to either mechanical or advanced recycling facilities. While 50% is a significant increase compared to current plastics recycling rates, it aligns with the EPA's National Recycling Goal to increase the national recycling rate to 50% by 2030 and supports the plastic industry's goal that 100% of U.S. plastic packaging is reused, recycled or recovered by 2040.

To model a more comprehensive plastics recycling system, a scenario was developed based on current plastic-to-landfill data that projects how plastics diversion could be split between mechanical and advanced recycling technologies. Under this scenario, of the 50% of plastics diverted to recycling facilities, 40% would be diverted to mechanical recycling and 60% would be directed to advanced recycling.

It is important to emphasize that this analysis considers all plastics — not just packaging materials like water bottles, detergent containers, and milk jugs, which the existing recycling system primarily targets today. In this model, mechanical recycling would expand significantly and advanced recycling technologies would complement this growth by processing the remaining materials that mechanical systems cannot efficiently handle, including durable goods such as clothing, automotive parts, healthcare products, and some films and flexible plastics that are currently difficult to mechanically recycle. This scenario reflects a more holistic and realistic approach to managing the full range of plastics used across the economy.

To determine the volume of plastic that could be diverted to recycling facilities, ACC estimated the current volume of material solid waste generated and the plastics share of the total, using data from EPA's *Advancing Sustainable Materials Management: 2018 Tables and Figures* (2020) and growth projections from *The Global Waste Management Outlook*, published jointly by the UN Environment Programme (UNEP) and the International Solid Waste Association (ISWA).^{2,3}

NOTE

ACC has previously published analyses on the potential economic impact of recycling in the United States: *Economic Impact of Plastics-to-Oil Facilities in the U.S.* (October 2014), *Economic Impact of Advanced Plastics Recycling and Recovery Facilities in the U.S.* (February 2019), and *The Potential Economic Impact of Advanced Recycling and Recovery Facilities in the United States* (April 2022). These analyses were focused on advanced recycling technologies. As recycling technologies have evolved, so has ACC's methodology and assumptions, which are based on factors such as current market conditions, changing industry dynamics, and availability of data. As such, results presented in this analysis are not directly comparable to the results from previous analyses.

² <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/advancing-sustainable-materials-management>

³ <https://www.greenpolicyplatform.org/initiatives/global-waste-management-outlook/About>

ACC's Economics & Data Analytics Department

The Economics & Data Analytics department provides a full range of statistical and economic analysis and services for ACC and its members and other partners. The group works to improve overall ACC advocacy impact by providing statistics on American Chemistry as well as preparing information about the economic value and contributions of American Chemistry to our economy and society. They function as an in-house consultant, providing survey, economic analysis, and other statistical expertise, as well as monitoring business conditions and changing industry dynamics. The group also offers extensive industry knowledge, a network of leading academic organizations and think tanks, and dedication to making analysis relevant and comprehensible to a wide audience.

The lead author of this report was Heather Rose-Glowacki.

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- Constant returns to scale
- Fixed input structure
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- Backward linked
- No supply constraints
- Industry technology assumption
- The model is static
- Time Delineated

A close-up photograph of two hands holding a large quantity of small, multi-colored plastic fragments. The fragments are in various colors including blue, red, yellow, green, and white. One hand is holding a clear plastic container that is tilted, pouring the fragments into the other hand. The background is a solid blue color.

The Waste Diversion

Benefits of Expanding Advanced Recycling

STUART MALEC

PROGRESSIVE POLICY INSTITUTE
MAY 2026

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The Waste Diversion Benefits of Expanding Advanced Recycling

STUART MALEC

MAY 2026

EXECUTIVE SUMMARY

Advanced recycling offers a unique potential solution to the problem of plastic waste. Conventional mechanical recycling is limited by technological and logistical issues, particularly the inability to process plastic waste contaminated by food or oil residue. Mechanical recycling is also not designed to recycle the millions of tons of flexible plastics (e.g., shopping bags and plastic films) generated each year, which means those plastic products must be sent to landfills. Existing recycling initiatives have shown promise, but not at the scale required to meaningfully reduce the amount of plastic waste that ends up in landfills.

A distinct advantage of advanced recycling over mechanical recycling is that, through chemical processes like pyrolysis, advanced recycling facilities can reduce plastics down to the molecular level. This means that a broader range of plastics, including flexible plastics, can be recycled at advanced recycling facilities compared to mechanical ones. Advanced recycling facilities are complementary to existing mechanical recycling facilities: together, both types of facilities form an “all-of-the-above” solution to recycling plastic waste.

In addition to broadening the types of plastic materials that can be recycled, advanced recycling expands the geographical extent of recycling efforts. Advanced recycling technology can be added to oil refineries, integrating plastic waste into their processes as a feedstock. Many existing oil refineries are located in states that historically have had low recycling rates, such as Louisiana, which currently has an estimated total plastic recycling rate of just 6%.

Advanced recycling could deliver economic benefits to municipalities beyond the benefits of plastic waste diversion. Landfills charge a “tipping fee” per ton of waste collected. Because recycling diverts plastic waste away from landfills, advanced recycling could save between \$230 million and \$328 million in tipping fees

per year for municipalities across the U.S. For example, Los Angeles County, CA, could save between \$3 to \$6 million in tipping fees while

Harris County, TX, could save up to \$22 million. The estimated potential benefits of advanced recycling are summarized below in Table 1.

TABLE 1: TOTAL POTENTIAL BENEFITS OF ADVANCED RECYCLING IN THE U.S.

SCENARIO	ADVANCED RECYCLING FACILITIES	ADDITIONAL PLASTIC RECYCLED (MILLION TONS)	ESTIMATED SAVINGS (2024 \$ MILLIONS)	U.S. PLASTIC RECYCLING RATE
CURRENT	N/A	N/A	N/A	9%
SHORT-TERM	44	3.7	\$229.7	19%
MEDIUM-TERM	74	4.7	\$301.2	22%
LONG-TERM	98	5.1	\$327.5	23%

Despite the potential environmental and economic benefits of advanced recycling technology, the advanced recycling industry lacks the regulatory framework necessary for a robust market for plastic waste to form. Absent strong economic incentives to collect, sort, and transport waste to advanced recycling facilities, the scale of the industry and its realized benefits will be constrained.

INTRODUCTION

Advanced recycling, or technologies that break down used plastics into their chemical building blocks to be used as feedstocks for new products, offers new solutions to improving recyclable material recovery and reducing landfilled waste.¹ By complementing existing recycling systems, advanced recycling can play a key role in strengthening the circular economy and improving the sustainability of plastic waste management.

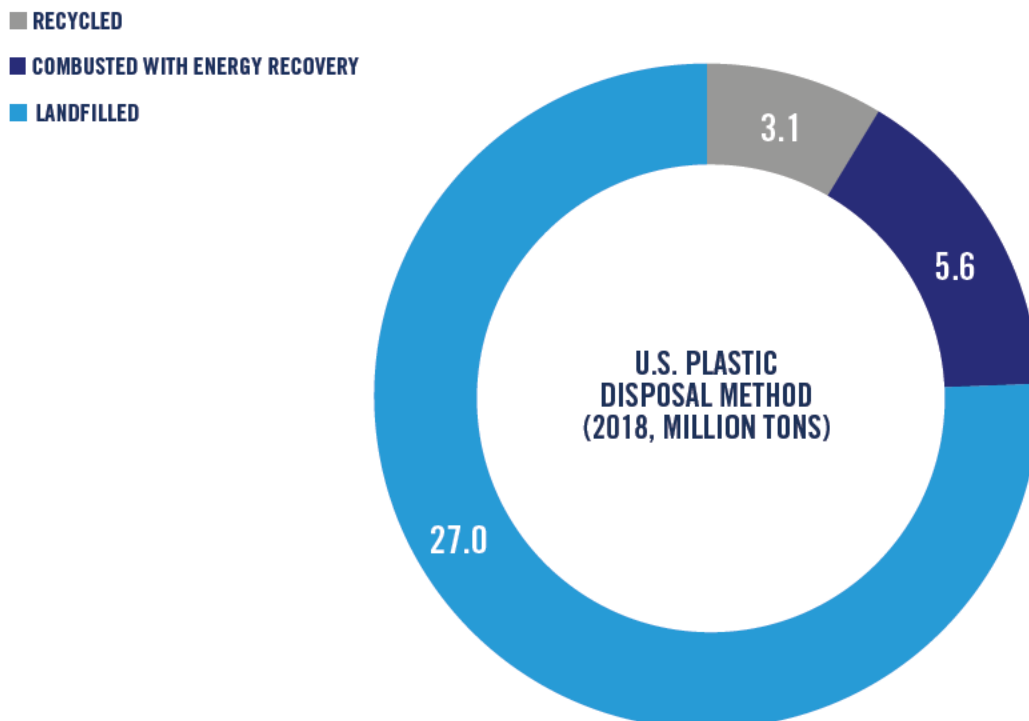
Through advanced recycling technologies, common and hard-to-recycle plastics are often converted into polymers under high heat or pressure in the absence of oxygen. The plastic polymers can then be further broken down into monomers, and contaminants can be removed. The resulting material can be remade into plastics or used as fuel.² Advanced recycling technologies may also use solvents or other processes to break down plastic waste. This technology has the potential to address structural gaps in the U.S. recycling system by recovering plastics that traditional methods cannot process. By strengthening domestic plastic processing capacity and reintroducing durable economic incentives to collect and process plastic waste, advanced recycling can help improve long-term recycling performance.

This assessment explores the potential benefits of expanding advanced recycling in the U.S. The study begins with a review of existing recycling standards, programs, and performance. Next, we detail announced advanced recycling projects and estimate the advanced recycling capacity that could potentially be added to existing refinery infrastructure. We then develop advanced recycling deployment scenarios using this data and analyze the amount of plastic waste that could be diverted from landfills. Finally, we conclude with a discussion of potential benefits and cost savings for municipalities across the country.

LANDSCAPE ASSESSMENT

Recycling programs across the U.S., especially those designed to manage plastic waste, are underperforming. The majority of the nation's plastic waste is either landfilled or incinerated, as shown in Figure 1, highlighting structural limitations in traditional waste management. Traditional mechanical recycling struggles with contamination issues, separating mixed plastics, inconsistent program rules, insufficient community education, and lost export markets.

FIGURE 1: U.S. PLASTIC DISPOSAL METHOD (2018, MILLION TONS)³



Source: EPA⁴

The U.S. generates nearly 35.7 million tons of plastic waste each year, according to the latest comprehensive national-level data released by the U.S. Environmental Protection Agency (“EPA”) in 2018. As shown above in Figure 1, just 8.7% of this plastic waste generated is currently recycled using traditional mechanical recycling, with the vast majority ending up in landfills (75.6%). Plastic recycling performance varies across the world, but in total, global plastic production exceeded 400 million tons in 2022, with most waste ending up in landfills or the ocean.⁵

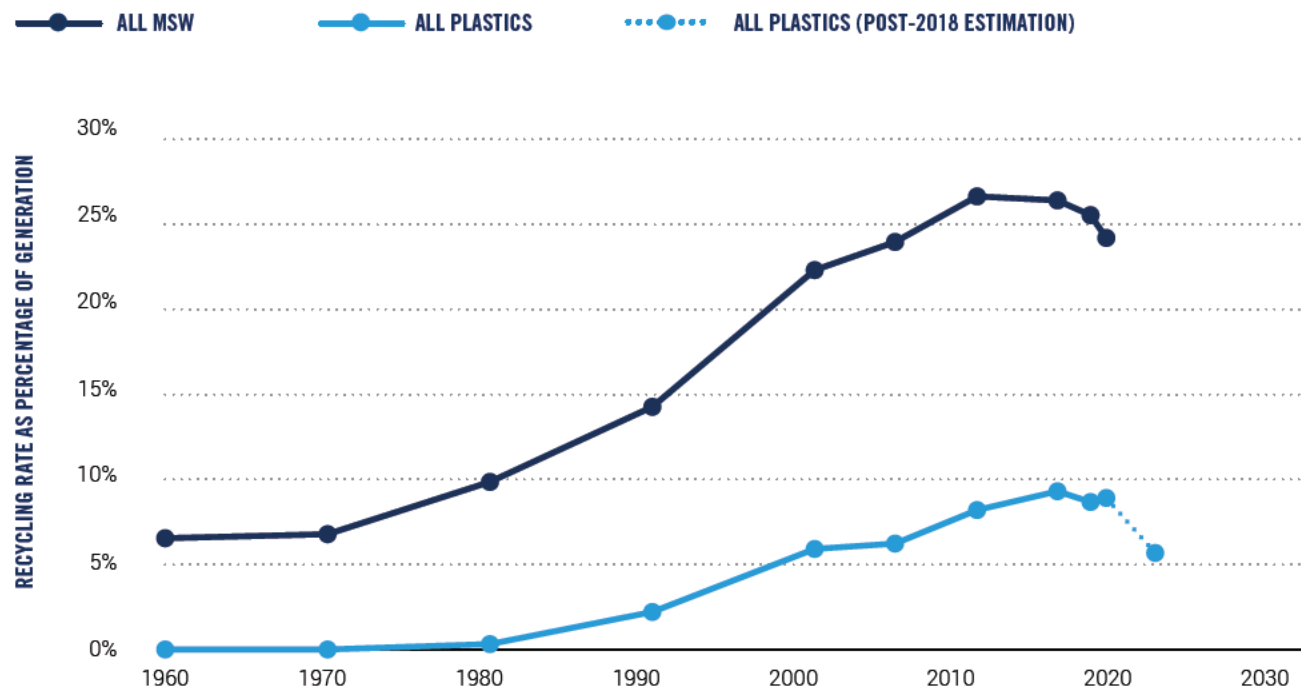
Recycling Rates in the U.S.

The potential value of advanced recycling has only grown since 2018, the last year with comprehensive recycling data, as the U.S. recycling rate has declined and more plastic waste is sent to landfills each year. As such, estimates of potential plastic waste available for diversion via advanced recycling in this analysis should be considered conservative. The national recycling rate for plastics was negligible from 1960 through 1980 and then steadily increased to about 2% in 1990, 6% in 2000 and 2005, 8% in 2010, reaching a peak of 9% in 2015, and then falling slightly to around 8.7% in 2018. Recycling rates then began to decline further after 2018, likely due to China’s “National Sword Policy” and its cascading effects on the U.S. recycling system depicted in Figure 2.⁶ Under this policy, China banned imports of many common plastic recyclables and established a strict 0.5% contamination limit for the materials that it

would continue to accept. As China had been a primary importer of U.S. recyclables, U.S. exports fell dramatically following the implementation of this policy. With fewer end markets available, U.S. recyclers faced substantially higher costs and stricter quality demands, leading to more material being landfilled instead of exported for processing.

With the enactment of the 2021 amendments to the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal, also called the Basel Convention, markets for the export of U.S. plastics waste were further constrained. Under the Basel Convention, the trade of plastic waste can only occur between countries that have ratified the Convention. The U.S. has not ratified the convention and thus cannot trade with Convention parties without a predetermined agreement between other countries. The U.S. currently has agreements with OECD members, but some countries still have restrictions on transboundary movements of plastic waste.⁷ Limited U.S. exports of plastic waste have increased the importance of U.S.-based technological solutions to the problem of plastic waste, such as advanced recycling. Because even 2018 data does not capture the negative effect of the 2021 Basel Convention amendment on U.S. recycling rates, advanced recycling’s potential contribution to U.S. recycling capacity could be even more dramatic if more recent baseline recycling data were available.

FIGURE 2: U.S. MATERIALS RECYCLED (1980-2021)

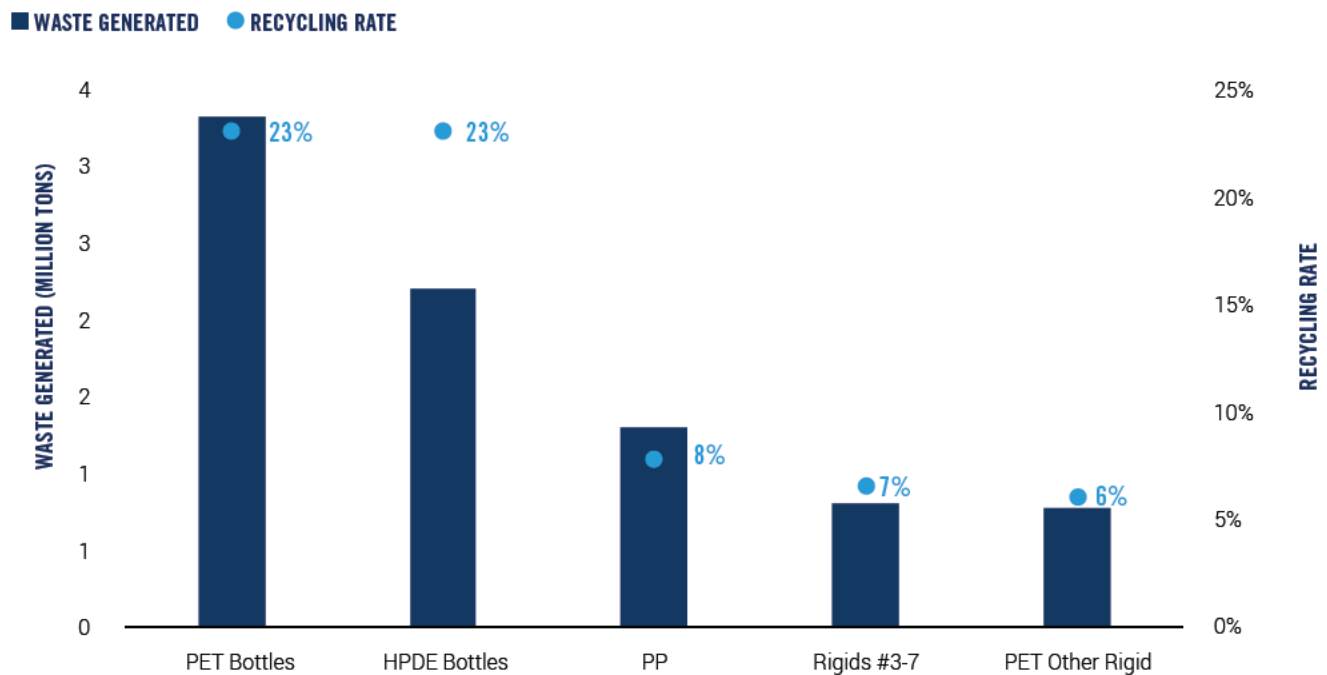


Source: EPA⁸

U.S. plastic recycling rates remain low, with recovery largely focused on a few types of commonly used rigid plastics. Recent estimates show that polyethylene terephthalate ("PET"), typically used for beverage containers, is the most commonly recycled plastic, followed by high-density polyethylene ("HDPE"), typically used for sturdier liquid containers for products like shampoo and detergents.⁹ Other materials,

such as polypropylene ("PP") that is often used for bottle caps, yogurt containers, and other thin, but rigid plastics, and polystyrene ("PS"), generally used as Styrofoam cups or plastic cutlery, have much lower recycling rates due to weak commodity values, sorting and contamination challenges, and quality degradation during processing and re-manufacturing.¹⁰

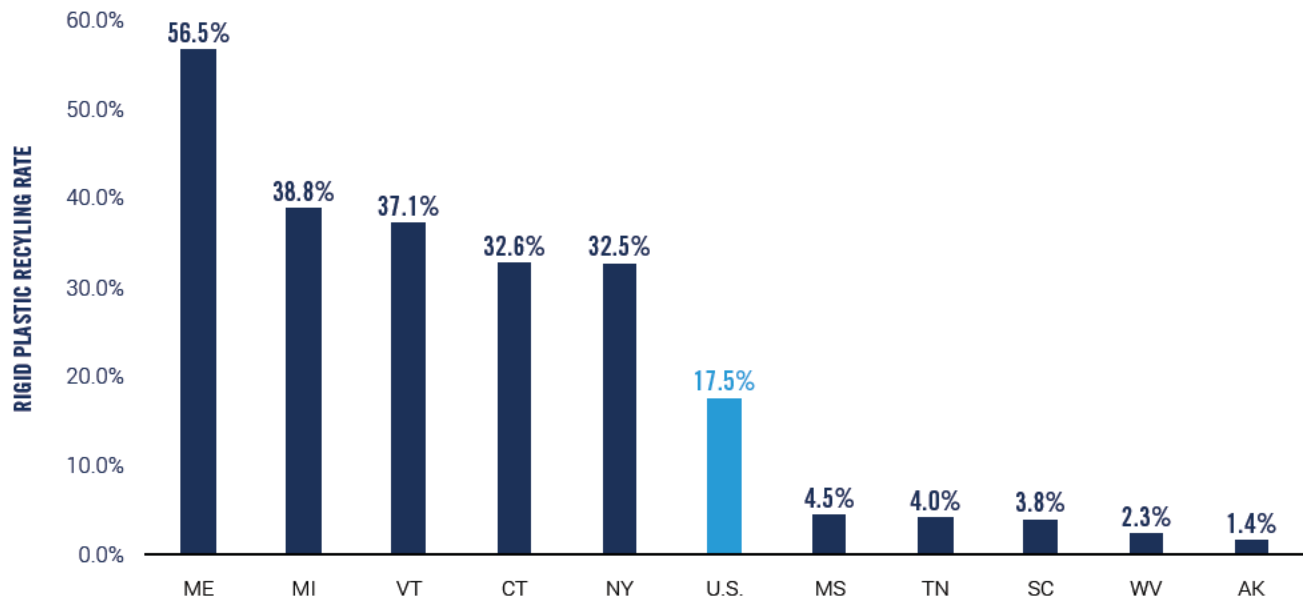
FIGURE 3: RIGID PLASTIC WASTE GENERATION AND RECYCLING RATES, BY TYPE¹¹



Recent data presented in Figure 4 shows significant variation in combined rigid plastic recycling rates across states. The national

average recycling rate for these plastics is just 17.5%. While one state, Maine, has a recycling rate greater than 50%, 17 states have rigid plastic recycling rates lower than 10%.

FIGURE 4: RIGID PLASTICS RECYCLING RATE (2018), TOP AND BOTTOM FIVE STATES¹²



High recycling rates for some states are driven by PET bottle recycling that is incentivized by deposit return systems.¹³ On the other hand, low recycling rates in certain states may be caused by several reasons, including poor recycling infrastructure and a lack of regulations to encourage recycling, such as those that create access to recycling programs, manage single-use plastics, and require extended producer responsibility.¹⁴ Recycling rates in some of these states could be improved by enhanced recycling infrastructure, such as access to advanced recycling facilities, that would create an incentive to collect plastic waste for processing.

Key Barriers to Effective Recycling

Current recycling infrastructure in the U.S. presents struggles to effectively manage plastic waste generation. Most plastics in the U.S. are recycled via mechanical recycling, whereby plastic waste is sorted, ground into small pieces, and melted into pellets that can then be made into new plastic items.¹⁵ Mechanical recycling facilities typically accept PET and HDPE plastics.¹⁶ Other types of plastic products, such as those that are contaminated with grease, oil, or other products, or those that have multiple layers, cannot easily be recycled via mechanical recycling and therefore often end up in landfills.¹⁷ In fact, non-acceptable materials constitute a leading driver of contamination in single-stream recycling systems. Food and liquid residue, including soiled containers, food-contaminated paper, and leftover liquids, can cause entire recycling loads to be rejected and sent to landfills. The single-stream collection method itself, while convenient for consumers, may lead to contact between recyclable and non-recyclable materials, thereby elevating contamination levels throughout the system.

Inconsistent program rules throughout the U.S. mean that whether or not specific types of plastics are accepted varies significantly by locality, leading to potential misunderstandings among consumers about what materials are actually recyclable in their communities. Limited public education combined with the phenomenon of “wish-cycling,” where consumers, lacking clear guidance, place non-recyclables or food-contaminated materials into recycling bins hoping they will be recycled, increases rejection rates and undermines system efficiency.¹⁸

The recycling of flexible plastics, such as food packaging and shopping bags, presents an additional major barrier to comprehensive plastics recycling in the U.S. It is estimated that only about 5-6% of flexible plastic waste generated in the U.S. is recycled.¹⁹ These types of plastics are generally not accepted in curbside recycling as they can easily cause jams in mechanical recycling equipment at municipal facilities.²⁰ Additionally, many flexible plastic products are made of multiple and cannot be easily separated by mechanical recycling equipment.²¹

Efforts to Improve U.S. Recycling Rates

Throughout the U.S., several national, state, and regional efforts are underway to improve recycling rates, with varying degrees of maturity and success.

National Recycling Strategy

In 2020, the administrator of the EPA announced the National Recycling Goal to increase the U.S. recycling rate to 50% by 2030, including plastics, aluminum, paper, and other materials. The National Recycling Strategy, established as

a parallel effort to identify objectives and actions needed to create a stronger recycling system, aims to build a more coherent, efficient, and circular recycling system in the U.S.

The National Recycling Strategy emphasizes the development of standard recycling definitions and measurement standards to improve data transparency so that progress towards improved recycling rates can be better tracked. Simultaneously, these initiatives aim to strengthen markets for recyclable materials by establishing procurement standards and minimum content requirements. Public education is also viewed as integral in order to reduce improper disposal and maintain material quality throughout the collection and processing chain. Infrastructure improvements and expanding access to recycling are also incorporated in the Strategy through the modernization of material recovery facilities (“MRFs”) and regional materials management infrastructure to handle contemporary waste streams more effectively. Finally, the Strategy will work to advance extended producer responsibility (“EPR”) and other policies to support circularity in materials management, as well as aligning federal, state, and local policies to improve program consistency and effectiveness across jurisdictions.²²

EPA is still in the process of working collaboratively with stakeholders to develop an implementation for the National Recycling Strategy.²³ However, the initial actions that EPA is taking to work towards this vision of a more circular economy include establishing grant programs and initiatives to provide funding to states and municipalities to improve their waste management practices, collaborating with other federal agencies to implement shared priorities around waste management, and leveraging existing EPA programs related to achieving a circular economy.²⁴

State and Regional Recycling Programs

Many states and regions have implemented independent recycling programs designed to strengthen and modernize recycling systems within their communities. These programs take various forms and have demonstrated varying degrees of success in improving recycling rates and reducing waste.

Beverage container deposit programs, also known as Deposit Return Systems (“DRS”), have proven particularly effective as they offer an economic incentive for consumers to responsibly manage plastic waste. States with DRS consistently achieve higher overall recycling rates than those without such programs. Notably, nine of the top ten highest states for PET bottle recycling displayed in Table 2 have DRS programs in place.

TABLE 2: RECYCLING RATES OF STATES WITH DEPOSIT RETURN SYSTEMS²⁵

BOTTLE BILL STATES	PET BOTTLES RECYCLING RATE	TOP 10 RECYCLING STATE?
MAINE	78%	Yes
OREGON	69%	Yes
MICHIGAN	57%	Yes
CALIFORNIA	57%	Yes
NEW YORK	54%	Yes
VERMONT	51%	Yes
CONNECTICUT	47%	Yes
HAWAII	44%	Yes
MASSACHUSETTS	38%	Yes
IOWA	30%	No

Landfill bans and mandatory recycling represent another category of state and local policies aimed at increasing recycling rates, reducing landfilled waste, and supporting more robust recycling markets. These bans, however, often target specific materials including food scraps, electronics, yard waste, and other commercial recyclables, requiring their diversion from landfills to more sustainable management pathways.

Education programs have emerged as critical tools for improving recycling system performance. One such program, Recycle Smart MA, seeks to improve recycling quality and consistency by focusing on reducing contamination in single-stream recycling through teaching residents what can and cannot

be recycled.²⁶ The program provides tools and resources including the Smart Recycling Guide and Recyclopedia database for accepted materials and common contaminants. Similarly, Michigan's Recycling Raccoon Squad provides educational resources to help residents recycle correctly and reduce contamination in their local systems.²⁸

Recycling market development and infrastructure initiatives represent another important category of state programs. For example, New Jersey's Recycling Market Development Council aims to advance recycling in the state and support environmental and economic goals.²⁹ This program works to provide recommendations to reduce contamination of collected recyclables and

investigate ways to stimulate end-market demand for recycled content products. The council has provided numerous recommended potential changes to laws, rules, or regulations to support these efforts.³⁰

Extended producer responsibility (“EPR”) represents a targeted policy approach that places the responsibility for end-of-life management of packaging waste on the manufacturers. Under EPR frameworks, producers are accountable for the collection, recycling, and safe disposal of their products and packaging. This approach seeks to encourage manufacturers to design and sell more environmentally friendly product packaging and ensure their ultimate disposal is handled properly, creating incentives for sustainable design at the source.³¹ As of early 2026, California, Colorado, Maine, Maryland, Minnesota, Oregon, and Washington have enacted or are planning to enact EPR laws.³² Companies doing business in these states are currently or will be responsible for reporting the amount of packaging waste generated by their product sales in the state and paying a fee that goes to support waste management initiatives.³³

Federal and state grants provide crucial financial support for recycling infrastructure development. The Solid Waste Infrastructure for Recycling (“SWIFR”) grant program is a leading grant program in the U.S. focused on strengthening recycling systems nationwide.³⁴ The program provides approximately \$275 million in funding from 2022 to 2026, with grants provided annually to recipients to support recycling infrastructure and materials management improvements. The EPA has awarded two rounds of funding to date. In October 2023, 25 grants were awarded totaling

\$72.9 million, representing approximately just 9% of the funding requested by applicants.³⁵

One SWIFR grant recipient, EcoMaine, was awarded \$2,000,000 to promote single-sort recycling in multi-family dwelling units through targeted outreach to residents and property owners across Maine. EcoMaine provides access to recycling to more than 70 communities in the state, including operating a waste-to-energy plant, a waste sorting facility, a landfill, and publishing educational materials on recycling. EcoMaine aims to divert more recyclable materials from landfills and increase local recycling participation.³⁶ Similarly, Chaffee County, Colorado, was awarded nearly \$4,000,000 to create a recyclables transfer station and MRF on its landfill site in order to increase diversion rates and create drop-off access to recycling for county residents who are not serviced by or could not afford curbside recycling services. Chaffee County estimates that this transfer station and MRF will be capable of processing 90,000 U.S. tons of material per year and divert 50% of all material received from being landfilled.³⁷

Voluntary Standards and Credit Programs

Prior to the implementation of China’s National Sword policy in 2018 and the Basel Convention amendments in 2021, economic incentives to collect recyclable plastics were driven largely by the ability to export these waste products to China and other countries that have historically processed plastic waste. While there are voluntary programs that provide an economic value for collecting plastic waste via tradeable credits, these programs are not enforceable. As such, the credits are only worth as much as potential buyers are willing to pay. Several market standards have been established to

provide verification and credibility for these efforts.

Verra's Plastic Waste Reduction Standard ("PWRS") represents one such framework. In an effort to reduce overall plastic waste, Verra established a system for accounting for and crediting plastic waste collection and recycling. The program established an auditing system to ensure meaningful reductions in plastic waste are properly accounted for and provides verified standards to track and quantify plastic collection, recycling, and diversion. Projects meeting the standard can generate tradable credits for companies seeking to offset plastic waste impacts.³⁸ Zero Plastic Oceans' Ocean-Bound Plastic ("OBP") standard focuses on preventing plastic from entering oceans by targeting high-risk areas near waterways. The standard establishes verification and reporting requirements for collected ocean-bound plastic and provides certifications verifying that collected ocean-bound plastic is managed responsibly, with commercially recyclable waste traceable to the final product and non-recyclable waste properly handled through verified, traceable credits.³⁹

Plastic neutrality and offset platforms have emerged as mechanisms to create economic incentives for plastic waste reduction. For example, rePurpose Global operates as a global plastic crediting system aiming to help companies manage and reduce their plastic waste footprint. The platform provides a marketplace to direct funding to verified plastic collection and recycling projects worldwide, creating financial incentives for waste reduction activities that might not otherwise be economically viable.⁴⁰ Similarly, TONTOTON establishes credits specifically

for non-recyclable plastics, addressing a gap in existing programs. The platform aims to empower local communities to serve as "Community Barriers," preventing plastic pollution at its source, particularly in areas with limited waste management infrastructure where traditional recycling systems may not be viable or accessible.⁴¹ Finally, Plastic Bank functions as a global plastic bottle deposit program that monetizes the collection of plastic waste, providing digital plastic credit tokens to track and verify collected plastic. Since its inception in 2013, the program has gathered the equivalent of over 9 billion plastic bottles; however, this only represents 205,000 tons of diverted plastic, or less than 1% of the total plastic generated in the U.S. in 2018.^{42, 43}

Market-based platforms are also used to facilitate the trading of plastic credits. For example, Plastic Credit Exchange and BVRio's Circular Credits Mechanism have introduced marketplaces that facilitate the buying and selling of verified plastic credits. This market-based approach allows private capital to be channeled into options for plastic collection and recovery projects.⁴⁴ Material-specific programs offer another approach to addressing plastic waste challenges. For example, NexTrex operates a targeted program focused on collecting and recycling plastic bags and film, using community-based collection models and reward incentives.⁴⁵ These types of programs highlight how collected targeted material types can be aggregated and scaled, potentially expanding the supply options for advanced recycling systems given proper incentives. To date, however, their impact has been minimal relative to the overall amount of plastic that could potentially be recycled in the U.S. using advanced recycling technologies.

ADVANCED RECYCLING CAPACITY POTENTIAL

Advanced recycling could significantly expand U.S. plastic recycling capacity. Our scenario-based analysis projects a national advanced recycling capacity between 2.4 and 3.8 million tons of plastic per year at existing refineries and an additional 1.3 to 2.8 million tons of plastic per year at standalone facilities.

Announced Projects

Developers have announced advanced recycling projects as either additions to existing refineries

or as standalone facilities. Based on public reporting, we identified 14 announcements for standalone facilities and 4 announcements for facilities that will be integrated with existing refineries. Most standalone facilities are planned near existing refineries along the Gulf Coast and throughout the Midwest, as shown in Table 3. All types of advanced recycling, whether at standalone facilities or at refineries, can help improve waste diversion rates and keep plastics out of landfills.

TABLE 3: LIST OF ANNOUNCED STANDALONE PROJECTS BY PLASTIC INPUT CAPACITY

COMPANY	PLASTIC INPUT CAPACITY (U.S. TONS)	CITY	STATE
BRIGHTMARK	400,000	Thomaston	GA
FREEPOINT	193,125	Eloy	AZ
PURECYCLE	140,000	Augusta	GA
EASTMAN CHEMICAL COMPANY	121,254	Longview	TX
EASTMAN CHEMICAL COMPANY	121,254	Kingsport	TN
BRIGHTMARK	100,000	Ashley	IN
FREEPOINT	90,000	Hebron	OH
PURECYCLE	54,750	Ironton	OH
NEXUS CIRCULAR AND BRASKEM	33,069	Chicago	IL
NEXUS CIRCULAR AND DOW	28,660	Dallas	TX
ALTERRA/NESTE	21,900	Akron	OH
NEXUS CIRCULAR	15,000	Atlanta	GA
BRAVEN ENVIRONMENTAL	12,000	Zebulon	NC
BRAVEN ENVIRONMENTAL	N/A	Texarkana	TX

Standalone facilities can use pyrolysis to break down plastic into pyrolysis oil.⁴⁶ In some cases, this pyrolysis oil is then sent to separate facilities to be processed into recycled plastic products. These facilities tend to be smaller and more purpose-built. On the other hand, large refinery complexes can integrate advanced recycling technologies with existing operations. For example, an integrated facility can refine crude oil into derivatives that can be sent via pipeline to adjacent refining and chemical processing facilities and turned into plastic pellets for plastic manufacturers.

Advanced recycling technology can be used at integrated refinery complexes to break down plastics into raw materials such as pyrolysis oil that can be fed directly into the existing chemical processing facilities and used to produce new plastic on site or for a number of other applications. Smaller refineries without existing polymer production facilities on site may also be able to add advanced recycling technology to their facilities, but they may use the resulting pyrolysis oil in a different application or transport it to a different facility for further processing.

Deployment Scenarios

We structured our potential advanced recycling deployment scenarios into a multi-stage analysis across three broad time horizons: Short-Term, Medium-Term, and Long-Term. These time horizons do not correspond to specific years and are intended to represent general deployment scenarios. Because each time horizon introduces gradually relaxed assumptions about which facilities decide to invest in advanced recycling technology, each should be viewed independently instead of stages comprising a single analysis.

Refineries were sorted into two groups based on the likelihood that they would install advanced recycling equipment. We assumed that larger refineries, based on crude oil processing capacity, will be more likely to install advanced recycling equipment, as owners of larger facilities may have sufficient capital. We also assumed that facilities with high-pressure and/or high-temperature processes are more likely to install advanced recycling equipment. For a conservative sample of refineries, we included only refineries with either catalytic cracking or catalytic hydrocracking equipment. Table 4 below summarizes the criteria for each group and notes how many existing refineries meet the criteria. In total, 84 existing refineries were considered in our deployment scenario analysis out of the 132 total refineries included in the database.⁴⁷

TABLE 4: REFINERY DEPLOYMENT CRITERIA

METRIC	GROUP 1	GROUP 2
CRUDE OIL CAPACITY (BPD)	$\geq 100,000$	50,000-99,999
INCLUDES EQUIPMENT?	Yes	Yes
QUALIFIED REFINERIES	60	24

A staggered deployment timeline for advanced recycling facilities co-located with refineries reflects a gradual technological adoption pathway whereby early adopters establish a sizeable market for plastic waste to be sent to advanced recycling facilities, which creates opportunities for smaller refineries to adapt a proven technology to their facilities.

We based our estimate of refinery plastic feedstock capacity on announced advanced recycling capacity of ExxonMobil's facility at Baytown, TX (250 million pounds of plastic per year) relative to total crude oil processing capacity published by the EIA.^{48, 49} We then applied this ratio to each existing refinery's

crude oil capacity to estimate the amount of plastic that could potentially be processed at each remaining facility. In total, the 84 facilities included in all scenarios could process up to roughly 3.8 million tons of plastic per year.

In the Short-Term, we assume half of the refineries in Group 1 develop advanced recycling capabilities. In the Medium-Term, we assume the remaining half of Group 1 is deployed. In the Long-Term, the remaining Group 2 facilities begin advanced recycling operations. The number of refineries with an advanced recycling facility in each scenario, along with the cumulative plastic recycling capacity in each scenario, is detailed in Table 5 below.

TABLE 5: ADVANCED RECYCLING REFINERY FACILITY GROWTH FORECAST

METRIC	SHORT-TERM	MEDIUM-TERM	LONG-TERM
REFINERIES ADDING ADVANCED RECYCLING	30	60	84
POTENTIAL PLASTIC RECYCLING CAPACITY (US TONS)	2,397,668	3,416,282	3,803,968

For standalone facilities, we assume that all 14 announced projects would be operational in the Near Term, and that in more optimistic scenarios, additional standalone facilities would gradually come online as the market for plastic waste strengthens.

DIVERSION ANALYSIS

Methodology

Expanding the number of advanced recycling facilities operating in the U.S. has the potential to divert significant amounts of plastic waste away from landfills. To estimate the unrecycled plastic waste that could be sent to advanced recycling facilities, we combined data on the amount of unrecycled plastic by zip code with the locations and estimated plastic recycling capacities of advanced recycling projects.

This advanced recycling diversion analysis is distinct from the advanced recycling capacity forecast analysis because additional standalone recycling capacity aside from the 14 announced projects is excluded; however, all other data inputs, including the estimated plastic recycling capacity at existing refineries, remain the same. Our diversion analysis uses the geographic location of all facilities in the model, and reasonable assumptions about the geographic location of unannounced future standalone advanced recycling facilities cannot be determined.

Currently, most recycled plastics are made up of a few particular resins. PET, used in plastic beverage containers, and HDPE, used for sturdier liquid containers such as shampoo bottles, are the most common types of plastic recycled in our data and are both examples of “rigid” plastics. Flexible plastics, on the other

hand, are generally not recycled because of technological limitations.⁵⁰ Plastic bags, for example, slow or halt recycling plant operations by getting caught in process machinery. Issues with contamination, where food or other residues remain on recycled containers, also hinder conventional recycling efforts.

The EPA published a data set that contains estimates of the amount of unrecycled plastic by zip code, broken out by specific types of rigid plastics in 2018.⁵¹ Separately, the EPA estimated the amount of unrecycled plastic, including flexible plastics, nationally in 2018.⁵² Because advanced recycling facilities, unlike traditional mechanical recycling facilities, can readily recycle flexible plastics, we estimated the amount of unrecycled flexible plastic by zip code by allocating the national estimate among zip codes by population. Our final dataset included an estimate of rigid and flexible plastic by zip code. As noted above, the problem of unrecycled plastic waste has only grown since 2018 as U.S. exports of plastic waste and the U.S. plastic recycling rate have both declined. Even though this analysis uses 2018 data, if more recent data were available, our finding that advanced recycling facilities address the problem of plastic waste through increased recycling capacity would still hold.

We estimated the amount of unrecycled flexible plastic in each zip code in three stages. First, we reconciled the 1.5 million tons of recycled plastics in our zip code-level dataset with the 3 million tons of recycled plastics reported by the EPA overall by assuming that the 1.5 million other tons were all rigid plastics and were all recycled at the same rate as the rigid plastics in our zip code-level data.⁵³ This resulted in

an estimated total of 17.7 million tons of rigid plastics generated and an estimated 14 million tons of unrecycled rigid plastics, assuming that all 3 million tons of recycled plastic are rigids. Second, we subtracted the estimated 17.7 million tons of rigid plastics generated from the total 35.6 million tons generated to get an estimate of 17.9 million tons of unrecycled flexible plastics. Third, we allocated the “extra” rigids and flexible plastics not captured in our zip code-level data by zip code according to population.

To model which zip codes are most likely to send plastic to advanced recycling facilities, we collected data on all the zip codes that fall within a 200-mile radius of each existing refinery or announced standalone project, based on the assumption that transportation costs within that size radius are low enough for plastic shipments to occur.⁵⁴ In our allocation algorithm, the largest facilities by plastic recycling capacity “move” first to “take” enough plastic within a 200-mile radius to meet their plastic refining capacity. Once that refinery meets its capacity, the next-largest refinery “takes” from the pool of available plastic within a 200-mile radius. The algorithm runs identically for each refinery until all refineries have met their capacity.

Refineries “decide” between zip codes based on each zip code’s cost to landfill plastic. The underlying assumption for this method is that zip codes with a higher landfill cost would be

more willing to send plastic to an advanced recycling facility. The cost of landfilling is commonly referred to as a “tipping fee”. To simplify our analysis, we assigned each zip code their respective state-wide average tipping fees published by the EPA.⁵⁵

This analysis was conducted separately for each of the Short-, Medium-, and Long-Term time horizon scenarios, with the corresponding facilities from Table 5 included in each analysis.

While advanced recycling facilities are notable for the ability to recycle previously unrecycled plastics, such as flexible plastics, 100% of the flexible plastics in each zip code may not be adequately collected, processed, and sent to an advanced recycling facility, owing to the added complexity of collecting flexibles relative to rigids. As such, we assume that only 50% of flexible plastics in each zip code would be “available” for recycling, meaning that half of flexible plastics would not be properly separated from other waste and instead disposed of by consumers.

National Results

At the national level, introducing advanced recycling increases the total diversion rate (i.e., including rigid and flexible plastic) in all scenarios. National results are summarized in Table 6 below.

TABLE 6: NATIONAL DIVERSION RESULTS

CATEGORY	CURRENT	SHORT-TERM	MEDIUM-TERM	LONG-TERM
RIGIDS	17%	31%	34%	35%
FLEXIBLES	0%	8%	10%	11%
TOTAL	9%	19%	22%	23%

The results from our diversion analysis indicate that advanced recycling could significantly improve national plastic diversion rates. Assuming that only 50% of flexible plastic is available to be recycled, the national recycling rate is estimated to increase from 9% to 19-23%.⁵⁶

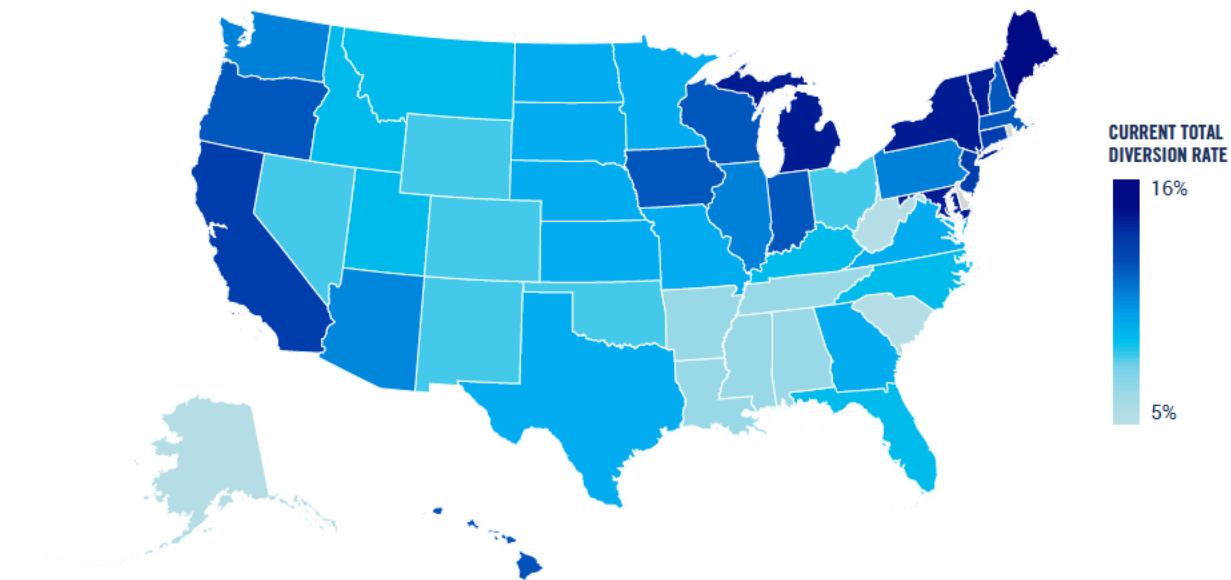
Achieving a diversion rate of between 19-23% would help the U.S. make considerable progress towards general recycling milestones. The EPA has outlined a national recycling goal for all materials of 50%, including non-plastics, by 2030.⁵⁷ While our results are not tied to specific years, this analysis demonstrates that advanced recycling has the potential to effect meaningful changes to the recycling landscape.

State-Level Results

Diverted Plastic

Current diversion rates differ significantly between states. As shown in Figure 5, current estimated total diversion rates across all plastics, including both rigid and flexible types, range from a maximum of 16% in Maine to a minimum of 5% in Alaska. On average, the total diversion rate in the U.S. is 9%. As noted above, current recycling rates in each state depend on regulatory environments and economic incentives to recycle. Supporting the development of a market for advanced recycling will require a regulatory framework that strengthens the economic incentives to collect plastic waste.

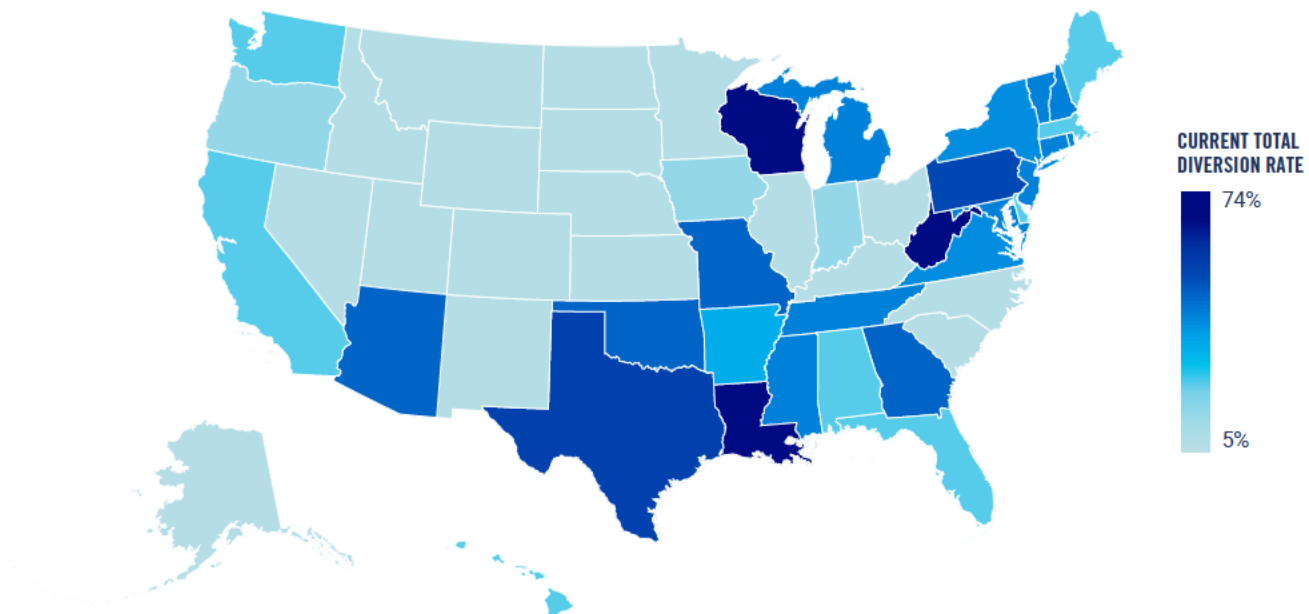
FIGURE 5: CURRENT TOTAL DIVERSION RATE BY STATE (2018)



The total diversion rates for each state in the least optimistic (Short-Term) and most optimistic (Long-Term) are presented in Figure 6 and Figure 7. These results should be interpreted as a finding about the general increase in

recycling capacity provided by advanced recycling and the geography of announced advanced recycling facilities, rather than as projected changes to specific states' diversion rates.

FIGURE 6: TOTAL DIVERSION RATE, SHORT-TERM

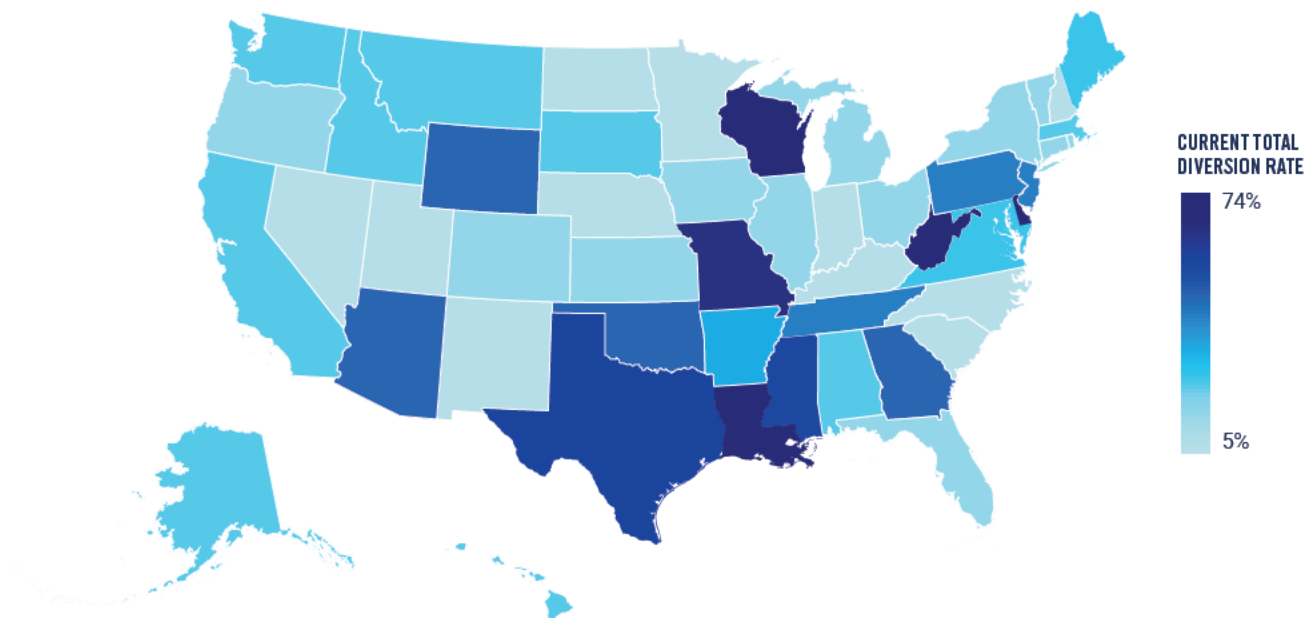


In the least optimistic scenario, advanced recycling significantly improves diversion rates in several states. Overall, the average diversion rate also doubles, increasing from 9% to 19%. In Louisiana, the diversion rate almost reaches 75%. Many of the announced standalone advanced recycled projects and refineries that may integrate advanced recycling are located along the Gulf Coast. In our model, these refineries are more likely to take plastic from nearby communities in Louisiana and Texas based on tipping fees. Louisiana also generates a relatively small amount of plastic waste each year — approximately 16% of Texas’s total

unrecycled plastic waste — which means the marginal impact of advanced recycling capacity on Louisiana’s diversion rate is significant.

This result is based on the specific assumptions embedded in our diversion model and is not necessarily a projection of actual changes to Louisiana’s plastic recycling rate. What this finding does show is that many announced advanced recycling facilities will be located in Louisiana, and that the amount of announced plastic recycling capacity could theoretically process a significant share of Louisiana’s plastic waste.

FIGURE 7: TOTAL DIVERSION RATE, LONG-TERM



In the most optimistic scenario, the range of diversion rates throughout the U.S. does not change, although diversion rates increase substantially for specific states. For example, Delaware’s diversion rate increases from 7% to 74%. Similar to Louisiana’s high diversion

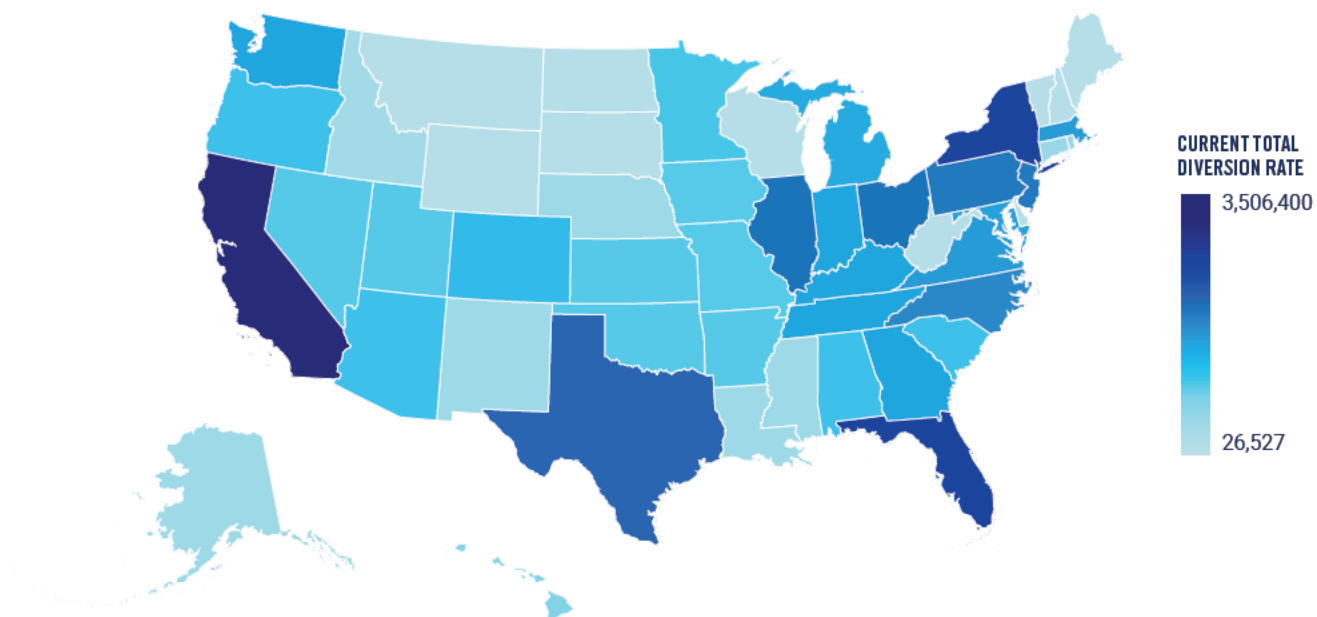
rate, this result can be explained by the technical features of our diversion model, which determines the zip codes that send plastic to advanced recycling facilities first based on the highest tipping fees between states and geographic proximity.

The widespread deployment of advanced recycling technologies may not result in the specific state-level diversion rates observed in our results. Our results should instead be interpreted as a finding that advanced recycling has significant potential to increase overall recycling capacity writ large. Because advanced recycling facilities will either be attached to existing refineries or located near refineries, and our model makes the simplifying assumption that facilities will receive plastic from nearby areas, our results show benefits concentrated mostly in states with existing refineries. However, even if improvements to diversion rates are not concentrated in Louisiana and Delaware, our results do find that overall

diversion rates could increase substantially. No matter where advanced recycling facilities source their plastic waste feedstock from, there is sufficient plastic waste throughout the U.S. that is currently being landfilled to meet potential advanced recycling capacity.

“Stranded plastic,” or plastic that remains unrecycled after accounting for potential advanced recycling facilities, remains concentrated in the populous states of California, Texas, New York, and Florida in the most optimistic scenario, as shown in Figure 8. Companies looking to identify new sites for advanced recycling facilities could consider these regions as a source of plastic feedstock.

FIGURE 8: STRANDED PLASTIC, LONG-TERM



Municipal Landfill Cost Savings

By sending plastic waste to an advanced recycling facility, municipalities avoid paying considerable tipping fees. We collected data on the average tipping fee in every state from the EPA and measured the cost savings by

multiplying the amount of plastic each zip code sent to an advanced recycling facility by the average tipping fee in that zip code's state.⁵⁸ The total cost savings realized in each scenario are displayed below in Table 7.

TABLE 7: TOTAL COST SAVINGS BY SCENARIO (2024 \$ MILLIONS)

SCENARIO	COST SAVINGS
SHORT-TERM	\$229.7
MEDIUM-TERM	\$301.2
LONG-TERM	\$327.5

Case Study:

Los Angeles, CA and Harris County, TX

To illustrate the potential magnitude of the cost savings for specific counties, we identified all the zip codes within Los Angeles, CA, and Harris County, TX, and aggregated the plastic sent from those zip codes to an advanced recycling facility, as well as that zip code's avoided landfill costs, up to the county level. The results for each county are presented in Table 8 below. In total, the benefits of avoiding sending plastic to landfills range from \$2.9 million to \$5.6 million per

year in Los Angeles County and about \$21.6 million per year in Harris County.

Advanced recycling promises real economic benefits for municipalities like Harris County and Los Angeles County. Securing these potential environmental and financial gains is contingent on policies that recognize the value of advanced recycling and create appropriate mechanisms for municipalities, entrepreneurs, and households to participate in the market for recycled plastic waste.

TABLE 8: ADVANCED RECYCLING BENEFITS FOR HARRIS AND LOS ANGELES COUNTIES

TIME HORIZON	METRIC	LOS ANGELES	HARRIS
SHORT-TERM	Additional Tons Recycled	40,783	421,343
	Value (2024 \$ millions)	\$2.9	\$21.6
MEDIUM-TERM	Additional Tons Recycled	78,656	421,343
	Value (2024 \$ millions)	\$5.6	\$21.6
LONG-TERM	Additional Tons Recycled	78,656	421,343
	Value (2024 \$ millions)	\$5.6	\$21.6

CONCLUSION

This report finds that advanced recycling facilities offer distinct waste diversion and economic benefits for municipalities across the U.S. According to our waste diversion model, the U.S. could increase its total plastic diversion rate from 9% to between 19 and 23%, depending on the amount of advanced recycling capacity in operation. Advanced recycling could also save communities between \$230 million and \$328 million in landfill tipping fees per year.

Based on the locations of announced projects, the states that stand to benefit the most from advanced recycling are those with existing oil refineries nearby. Some of these states, particularly Louisiana and Delaware, could recycle a large percentage of plastic generated in the state each year. For Louisiana, new advanced recycling could cause the state's plastic diversion rate to increase from about 6% to between 74, given the prevalence of refineries

along the Gulf Coast. This result highlights the large increase in recycling capacity that advanced recycling could provide, even if the actual implementation of advanced recycling does not lead to concentrated benefits in a single state.

Conventional mechanical recycling is only one technological solution to the problem of plastic waste, which suffers from significant limitations. In contrast, advanced recycling facilities can handle a wider array of plastics and overcome some of the contamination issues that pose serious challenges for mechanical recycling facilities. Combining the capacity of conventional and advanced recycling facilities could lead to an effective large-scale solution for the large-scale problem of plastic waste. However, regulatory uncertainty limits the potential of advanced recycling facilities to develop at scale throughout the U.S. Without clear public policy that fosters strong economic

incentives to collect, sort, and transport plastic waste, the advanced recycling industry will not be able to access enough plastic waste to achieve scale, making it difficult for the technology to proliferate. As a result, actual waste diversion and economic impacts would not reach the potential benefits promised by advanced recycling technology.

ABOUT THE AUTHOR

Stuart Malec is Vice President of Public Affairs at the Progressive Policy Institute (PPI), where he leads engagement with policymakers at the federal, state, and local levels. His work spans a wide range of policy issues, focusing on advancing pragmatic, pro-growth solutions and strengthening connections between policymakers and policy experts.

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Appendix

TABLE 9: TOTAL DIVERSION RATE BY STATE AND SCENARIO

STATE	CURRENT	SHORT-TERM	MEDIUM-TERM	LONG-TERM
ALABAMA	6%	16%	17%	19%
ALASKA	5%	5%	5%	25%
ARIZONA	8%	33%	33%	33%
ARKANSAS	6%	6%	6%	9%
CALIFORNIA	12%	16%	20%	20%
COLORADO	7%	7%	8%	13%
CONNECTICUT	12%	12%	12%	12%
DELAWARE	7%	7%	74%	74%
DISTRICT OF COLUMBIA	10%	10%	10%	10%
FLORIDA	6%	12%	12%	12%
GEORGIA	7%	37%	37%	37%
HAWAII	11%	11%	11%	24%
IDAHO	7%	7%	7%	25%
ILLINOIS	7%	7%	12%	12%
INDIANA	9%	9%	9%	9%
IOWA	9%	9%	9%	9%
KANSAS	8%	8%	12%	12%
KENTUCKY	6%	6%	6%	6%
LOUISIANA	6%	74%	74%	74%
MAINE	16%	16%	16%	16%

MARYLAND	13%	15%	15%	15%
MASSACHUSETTS	10%	18%	19%	19%
MICHIGAN	13%	13%	13%	13%
MINNESOTA	7%	7%	8%	10%
MISSISSIPPI	6%	22%	44%	50%
MISSOURI	7%	34%	51%	54%
MONTANA	7%	7%	7%	23%
NEBRASKA	8%	8%	8%	8%
NEVADA	7%	7%	7%	7%
NEW HAMPSHIRE	10%	10%	10%	10%
NEW JERSEY	11%	11%	13%	13%
NEW MEXICO	7%	7%	7%	7%
NEW YORK	13%	13%	13%	13%
NORTH CAROLINA	6%	6%	6%	6%
NORTH DAKOTA	7%	7%	7%	8%
OHIO	7%	7%	12%	12%
OKLAHOMA	6%	27%	36%	46%
OREGON	10%	10%	10%	10%
PENNSYLVANIA	9%	22%	26%	27%
RHODE ISLAND	10%	10%	10%	10%
SOUTH CAROLINA	5%	5%	5%	5%
SOUTH DAKOTA	8%	8%	8%	20%
TENNESSEE	6%	23%	24%	26%
TEXAS	7%	44%	51%	53%
UTAH	7%	7%	7%	7%

VERMONT	13%	13%	13%	13%
VIRGINIA	7%	13%	13%	13%
WASHINGTON	8%	16%	26%	26%
WEST VIRGINIA	5%	65%	65%	65%
WISCONSIN	9%	67%	73%	73%
WYOMING	7%	7%	7%	38%

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July 21, 2026

The Honorable Brett Guthrie
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The Honorable Frank Pallone, Jr.
Ranking Member
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****Re: Small Businesses and Nonprofits Oppose The BOSS and SWIFT Act Discussion Draft****

Dear Chairman Guthrie and Ranking Member Pallone:

On behalf of the National Independent Venue Association (NIVA) and the independent live entertainment venues, promoters, and festivals that anchor main streets in every state and nearly every congressional district, I urge the Committee to reject the BOSS and SWIFT Act Discussion Draft.

Our members support legislation that truly safeguards consumers from price gouging, fake tickets, and the deceptive practices of secondary sellers. This draft does the opposite. It hands scalpers and the resale platforms they feed a federal permission slip to continue harming fans, and it strips venues and artists of the many tools we use to keep face value tickets in the hands of real fans.

The timing could hardly be worse. America just finished hosting the FIFA World Cup, and fans lived through what speculative listings and unchecked resale do to a once-in-a-lifetime event. This draft would cement that chaos into federal law and extend it to every concert, comedy show, theater, and community stage in the country.

Rather than banning speculative ticketing, like nearly a dozen state jurisdictions, the BOSS and SWIFT Act legalizes them. Speculative tickets, also known as "ghost tickets," are listed and sold by resellers who never actually possess them, meaning fans will continue to pay real money for seats that may never exist.

BOSS and SWIFT then disarms the small businesses who actually fight ticket bots. It prohibits venues and artists from deploying anti-bot and anti-scalping measures on our own tickets,

subjects them to FTC penalties exceeding \$50,000 for doing so, and gives scalpers a chance to sue them for protecting real fans.

BOSS and SWIFT bars artists from preserving last-minute tickets for fans at face value, outlaws artist-run face-value exchanges while letting resellers list anywhere they choose, and prohibits venues and artists from selling any new tickets at face value in the final week before a show. That last restriction would hand the most valuable window in ticketing to StubHub and Vivid Seats outright.

What the BOSS and SWIFT Act omits says just as much. Its definitions section never defines an artist or a small business; the rights it enumerates belong to scalpers. There is no price gouging protection, no resale price cap, no requirement that resale platforms disclose in their advertising that they are resale marketplaces, and no accountability when those platforms fail to deliver tickets.

Versions of this legislation have been introduced in every Congress for more than a decade, and in every Congress [they have been opposed](#) by the artists, crews, and independent stages who pour their blood, sweat, and tears into shows that create lifelong memories for fans.

We share your goal of a ticketing marketplace that protects consumers. Real reform looks like all-in transparent pricing, a nationwide ban on speculative tickets, protection from price gouging, genuine BOTS Act enforcement, and the right of fans to resell at face value. NIVA stands ready to work with both of you, in bipartisan fashion, to deliver it. We respectfully urge you to set this draft aside and begin again, while talking to the artists, fans, venues, and festivals that actually put on shows for your constituents.

Respectfully,

A handwritten signature in cursive script, reading "Stephen Parker".

Stephen Parker
Executive Director
National Independent Venue Association



Nourishing Today
Sustaining Tomorrow

July 21, 2026

The Honorable Gus M. Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of the Meat Institute, thank you for holding the July 22 hearing on the Recycled Materials Attribution Act (RMAA) and the Packaging and Claims Knowledge Act (PACK Act). We appreciate the Subcommittee's focus on establishing clear, consistent national standards for recycled content and environmental marketing claims.

The Meat Institute is the United States' oldest and largest trade association representing packers and processors of beef, pork, lamb, veal, turkey, and processed meat products, and Meat Institute member companies account for more than 95% of U.S. output of these products. The Meat Institute provides legislative, regulatory, international affairs, public relations, technical, scientific, and educational services to the meat and poultry packing and processing industry.

The Meat Institute's members increasingly face a patchwork of state packaging and labeling laws that use differing definitions for terms such as "recyclable," "compostable," "reusable," and "recycled content." These varying requirements create compliance challenges for companies operating across state lines and can make packaging claims more difficult for consumers to understand.

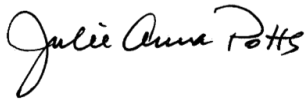
Packaging is critical to the meat and poultry industry. It helps prevent contamination, maintain shelf life, and protect products throughout refrigerated and frozen distribution. Even minor packaging changes often require testing and operational adjustments to ensure food safety and performance.

Meat Institute members have made significant investments to reduce packaging materials and prevent food waste. A uniform federal framework would provide greater certainty for continued innovation while maintaining food safety and product quality. Together, the RMAA and PACK Act

would give consumers clearer information and establish a single, reliable national standard in place of conflicting state requirements.

Thank you again for your leadership and consideration of these important bills. The Meat Institute supports the goals of the RMAA and PACK Act and looks forward to working with the Committee as these efforts move forward.

Sincerely,

A handwritten signature in black ink that reads "Julie Anna Potts". The signature is written in a cursive, flowing style.

Julie Anna Potts
President and CEO
Meat Institute

cc:

Chairman Brett Guthrie
Ranking Member Frank Pallone, Jr.
Members of the Subcommittee on Commerce, Manufacturing, and Trade



July 21, 2026

The Honorable Gus M. Bilirakis
Chairman, Subcommittee on Commerce, Manufacturing, and Trade
House Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Jan Schakowsky
Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade
House Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of the Texas Consumer Credit Coalition ("TCCC" or "Coalition"), we appreciate the Subcommittee on Commerce, Manufacturing, and Trade's thorough evaluation of debt settlement companies and the implications these companies have on consumers across the United States.

The TCCC is an organization comprised of national installment lenders licensed and regulated by the Office of Consumer Credit Commissioner in accordance with Chapter 342, Subchapter E of the *Texas Finance Code*. The Coalition's members include companies that have proudly served Texas borrowers since the 1980s. The TCCC's mission is to provide and promote safe, affordable credit to consumers across Texas and the United States.

In recent years, our Coalition members have witnessed firsthand the harm caused by for-profit debt settlement companies through the stories and experiences of our customers. Debt settlement companies promise consumers a way to get out debt for less than they owe, claiming to provide meaningful savings. In reality, debt settlement companies entice consumers to abandon their financial obligations, stop making payments, and cease communications with their creditors. Consumers are instructed to divert all available funds to the debt settlement company to facilitate a settlement of debts at a later date.

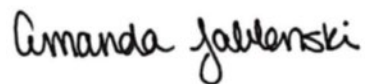
During the pendency of those settlements, consumers experience extreme harm to their credit profiles including drops in their credit score and increased delinquency reporting. The debt settlement companies then use the diverted payments to create a settlement pool where they attempt to negotiate a lesser payment amount. As espoused in their own data, the debt settlement industry is unable to settle all debts, leaving consumers with limited options for the unsettled debts, ultimately resulting in bankruptcy.

For consumers that successfully settle their debt, the debt settlement company will offer a loan to finance the continued payment of the debt settlement plan. This loan is designed to finance the debt settlement company fee, the finance charge for the new loan, but it also converts the non-interest accruing settlement into an interest accruing loan. When consumers enter into debt settlement plans and then enter into a “debt swap” loan, they actually pay more than they originally owed.

The debt settlement industry is largely unregulated at the state level and the minimal regulatory structures provided by the Federal Trade Commission’s Telemarketing Sales Rule provide little to no consumer protection. Since the 2008 financial crisis, the explosive growth of the debt settlement industry has created an industry with the sole purpose of disrupting the credit markets and incentivizing consumers to default on their credit obligations.

The creation of a federal regulatory structure to monitor the debt settlement industry and to create meaningful disclosures and consumer protections is of vital importance. The TCCC applauds the efforts of the committee to bring the harms of this industry to light and look forward to meaningful dialogue on how to better protect consumers.

Sincerely,

A handwritten signature in black ink that reads "Amanda Jablonski". The script is cursive and fluid, with the first name "Amanda" and last name "Jablonski" clearly legible.

Amanda Jablonski

Executive Director, Texas Consumer Credit Coalition



July 22, 2026

To: House Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing and Trade

From: Oregon Financial Services Association ("OFSA")

Re: Hearing on "Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace," July 22, 2026

Chairman Bilirakis, Ranking Member Schakowsky, and distinguished Members of the Subcommittee,

Thank you for the opportunity to briefly share the perspectives of the Oregon Financial Services Association on today's hearing: "Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace." We write to express gratitude to the committee for looking at the harm that for-profit debt settlement companies are causing to consumers and businesses, to support the testimony of Ms. Celia Winslow from the American Financial Services Association (AFSA), and to share our general support for Congressional efforts to require increased transparency within the debt settlement industry.

Established in 1937, the Oregon Financial Services Association (OFSA) is the trade association for the consumer credit industry operating in Oregon. Our mission is to promote safe, ethical lending to responsible, informed borrowers and to improve and protect consumer access to credit. OFSA is comprised of lenders who hold Consumer Finance Licenses in Oregon, are subject to the state's 36% rate caps, and provide consumers with several kinds of credit—primarily traditional installment loans and vehicle finance. Our membership does not include online-only institutions and we do not offer payday loans. OFSA members have over 40 locations in Oregon, operating out of physical branch offices and making in-person connections with consumers in communities across the state. Those consumers are often working hard to build, or rebuild their credit, and we take pride in supporting that process.

In Oregon, existing law regulates for-profit debt settlement companies consistently with non-profit consumer credit counselors in a manner such that we have not seen significant expansion of debt settlement companies into this market. However, in recent years the debt settlement industry has actively engaged in advocacy in Oregon as part of a broader, national approach to remove regulation of for-profit debt settlement companies from the non-profit consumer credit



counselling provisions of state laws. Instead, the industry has advocated for legislation to regulate for-profit debt settlement companies under state law consistent with, and without sideboards in addition to, those set forth in the Federal Trade Commission's Telemarketing Sales Rule—a regulation written for the call centers of 2010 and that is ill-suited to provide adequate oversight of today's debt settlement industry. In coordination with local consumer advocates, OFSA has raised concerns that these efforts would significantly loosen restrictions on for-profit debt settlement companies and lead to greater consumer harm. OFSA has advocated at the state level to either maintain existing Oregon law, or to require significantly more regulatory rigor within a new regime, including many of safeguards outlined in the Debt Settlement Consumer Disclosure Act being discussed by your committee today.

It is for this reason that we are pleased to see Congressional action to consider and address the debt settlement industry, and to close existing gaps in applicable Federal regulation. By working to develop stronger Federal legislation in this space, Congress can not only help to require greater transparency and consumer protections among the debt settlement industry nationally, but to also set a higher bar for conversations regarding state regulation.

While the debt settlement industry is not particularly active in Oregon, our members with a national presence are familiar with the harms faced by consumers that interact with debt settlement companies in more permissive states. We agree with the detailed testimony provided today by Ms. Celia Winslow of AFSA, and are grateful to this committee for considering opportunities to enact new consumer protections in this space. Thank you for your leadership.

Sincerely,

Amanda Jablonski
Executive Secretary
Oregon Financial Services Association



Via Electronic Delivery

July 22, 2026

The Honorable Brett Guthrie
Chair, House Energy & Commerce
Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Frank Pallone
Ranking Member, House Energy & Commerce
Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Gus Bilirakis
Chairman, Subcommittee on
Commerce, Manufacturing, and Trade
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jan Schakowsky
Ranking Member, Subcommittee on Commerce,
Manufacturing, and Trade
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Bilirakis, and Ranking Member Shakowsky,

The Recycled Materials Association (ReMA) – the leading organization dedicated to promoting safe, economically sustainable, and environmentally responsible recycling through education, networking, and advocacy – is writing to the House Energy & Commerce’s Subcommittee on Commerce, Manufacturing, and Trade ahead of its upcoming hearing, *Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace*.

Overview of the Recycled Materials Industry

ReMA represents more than 1,700 companies that play a critical role in supplying recycled materials to America’s manufacturing supply chain. ReMA members collect, process, broker, and consume end-of-life materials – including metals, such as steel, copper, nickel, and aluminum, as well as paper, plastics, glass, textiles, rubber, electronics, and batteries – derived from diverse commercial, industrial, institutional, and residential sources across the country. ReMA is also the largest trade association representing predominantly small- and medium-sized recycling companies that operate over 4,000 locations across the U.S. and the world.

The recycled materials industry is integral to the U.S. economy, transforming surplus and end-of-life materials into essential components of daily life and providing high-quality renewable resources for everything from national infrastructure to consumer products. In 2025 alone, the recycled materials industry produced nearly \$183 billion in economic impact and supported over 600,000 direct and indirect jobs across the nation.¹ That economic footprint is also a supply chain asset, particularly as Congress evaluates how to increase domestic access to critical minerals and other strategic materials. Through continuous innovation and efficiency improvements, in 2024 the U.S. recycled materials industry processed 135 million metric tons of recycled materials, including 65 million tons of recycled iron and steel, nearly 42 million tons of recovered paper and fiber, 9 million tons of nonferrous metals, and just under 6 million tons of recycled and reused electronics.

More than 75 percent of all recycled material processed in the United States remains in the U.S., producing everything from steel beams to cardboard boxes, vehicles and batteries, household appliances, cell phones, computers, and electronics. In other words, recycled materials are not theoretical supply chain inputs; they are

¹ Recycled Materials Association, 2025 ReMA Yearbook (2025), https://www.recycledmaterials.org/wp-content/uploads/9820-ReMA-Yearbook_2025_V7_FINAL_Digital.pdf



already embedded in American manufacturing and represent a ready-made solution to supply chain vulnerabilities.

ReMA has also supported other recycling bills that the Energy & Commerce Committee recently passed, including the Recycling Infrastructure Accessibility Act (RIAA) and the Recycling and Composting Accountability Act (RCAA). As additional proposals are considered, we encourage the Committee to focus on providing consumers with accurate information reflecting the operational realities of recycling systems and avoiding unintended disruptions to such systems.

Recyclability Claims Must Reflect Real-World Recycling Systems and Guided by Industry

Recyclability claims must be accurate, understandable, and supported by the realities of how materials are collected and processed, or they risk eroding consumer confidence.

Whether a product or package is recyclable depends on more than just its material composition. It also depends on where the material is generated, how it is collected and processed, the volume available, transportation costs, and access to viable end-markets. For example, an item that is readily recyclable in a commercial setting may not be recyclable when collected from households through a curbside, single-stream program. These conditions also change as technologies, infrastructure, markets, and consumer behavior evolve. Recyclability is not always a fixed or binary determination – it is a continuum.

As Congress evaluates proposals to establish federal standards and third-party certification requirements governing such claims, ReMA supports the concepts proposed of a standing technical advisory council with expertise to inform recyclability standards and ensure that such claims reflect how materials are actually handled across their lifecycle and how recycling practices and markets evolve over time. We are encouraged that council would include those who collect, sort, process, market, and consume recycled materials in both residential and commercial/industrial/institutional systems to understand how the system operates in practice.

Definitions Extend Beyond Consumer Claims, Shaping Markets, Operations and Investment

Definitions codified in federal law can have consequences far beyond consumer claims. How terms such as “recycling,” “recyclable material,” and “recycled content” are defined can impact trade and movement of materials, access to markets, environmental permitting and regulatory requirements, as well as investment in recycling infrastructure and technology. It is therefore essential that these definitions accurately reflect how “recyclable materials” are collected and processed and how “recycled materials” come out of that process to be marketed and consumed in manufacturing in order to prevent serious unintended consequences.

ReMA supports defining recycling as:

“a series of activities in which material is processed into specification-grade commodities and consumed as raw-material feedstock, in lieu of virgin materials, in the manufacture of new products. The series of activities that make up recycling include the collection, processing, brokering and subsequent consumption of industrial, end of life and obsolete scrap, as well as the process of transforming used products, whole or in part, into reusable commodities.”

This definition recognizes the full recycling value chain while ensuring that recycled content claims are tied to materials that return to productive use in manufacturing. As the industry continues to innovate to manage difficult-to-recycle products, federal definitions must be flexible enough to accommodate new recycling processes and technologies without blurring the distinction between recycling and energy recovery. ReMA



believes the definition above encompasses outputs from both mechanical and non-mechanical processes, provided that such outputs are used as raw-material feedstock in the manufacture of new products.

Mechanical recycling continues to advance through the use of robotics, artificial intelligence, optical sorting, laser separation, and other technologies, and we've seen the same advancement in certain non-mechanical recycling processes – including dissolution and methanolysis which have reduced process losses and made it possible to recover materials that may not be feasibly recycled through only mechanical processes.

ReMA considers non-mechanical processes that convert end-of-life plastics into recycled resins or resin precursors, such as monomers, for use as plastics in manufacturing to be recycling, as defined above, as these outputs replace virgin plastics in the production of new material products. However, processes that convert end-of-life plastics into fuels, energy, or gas are not recycling and should not count as such. ReMA believes additional stakeholder engagement is warranted regarding the treatment of other non-polymer outputs derived from end-of-life plastics.

Mass Balance Accounting Requires Guardrails

Mass balance accounting may provide a means of attributing recycled content when recycled and virgin feedstocks are combined within complex manufacturing processes and cannot be physically tracked within those processes. Any federal approach to mass balance accounting should be developed through robust stakeholder engagement and include clear requirements for traceability, allocation, substantiation, and transparent consumer claims. At a minimum, mass balance accounting should not allow materials converted into fuels or gas, or used for energy production to be attributed as recycled content.

Continued Stakeholder Engagement and Updates to the FTC Green Guide Updates Are Essential

ReMA has supported updates to the FTC Green Guides for the last several years, believing that the FTC should lead the development of principles, definitions, and the requirements for qualifying and substantiating marketing claims in commerce using well-established scientific principles, broad public engagement, and a robust stakeholder feedback process. While we believe that the FTC provides the best avenue for this process, we also recognize that it has been over a decade since the Green Guides were last updated. Given trends in materials development and recycling technologies, ReMA supports regular review and timely updates to ensure the guidance reflects scientific advancements, operational and technical feasibility, evolving markets, and consumer demand.

We appreciate the interest in recycling policy and are very supportive of recent efforts to improve recycling access, strengthen data, and increase the use of recycled materials in American manufacturing. As Congress evaluates additional recycling policies, we look forward to working with members of the Committee and stakeholders to advance practical, effective solutions that work for the entire ecosystem. To continue that dialogue, do not hesitate to reach out to me at khildreth@recycledmaterials.org.

Sincerely,

Kristen Hildreth
VP, Government Relations and Public Policy
Recycled Materials Association

July 20, 2026

The Honorable Gus Bilirakis, Chairman
Committee on Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade
U.S. House of Representatives
2306 Rayburn House Office Building
Washington, DC 20515

The Honorable Jan Schakowsky, Ranking Member
Committee on Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade
U.S. House of Representatives
2408 Rayburn House Office Building
Washington, DC 20515

RE: *Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace*

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of the **Flexible Packaging Association (FPA)**, I am pleased to submit this Statement for the Record in support of H.R. 6832, the Packaging and Claims Knowledge (PACK) Act of 2025 (Rep. Weber) and H.R. 7502, the Recycled Materials Attribution Act (Reps. Langworthy and Gonzalez), which will be heard before the U.S. House of Representatives Committee on Energy and Subcommittee on Commerce, Manufacturing, and Trade on July 22, 2026, at the hearing titled, "*Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace.*"

FPA is the voice of the U.S. manufacturers of flexible packaging and their suppliers. The association's mission is connecting, advancing, and leading the flexible packaging industry. Flexible packaging is produced from paper, plastic, film, aluminum foil, or any combination of those materials, and includes bags, pouches, labels, liners, wraps, rollstock, and other flexible products. Flexible packaging is the second largest and the fastest growing segment of the U.S. packaging industry, employing over 98,000 people in flexible packaging manufacturing facilities throughout the U.S. and representing over \$51.5 billion in direct economic impact in the U.S.

Flexible packaging is used for a myriad of consumer goods, including fresh and frozen fish, meat, poultry, meals and vegetables; personal care items such as disinfecting wipes and feminine hygiene products; pet foods; and lawn and garden products. Flexible packaging is also used extensively in the medical industry to ensure that products like dental instruments, diagnostic tests, IV solutions, catheters, intubation tubes, and personal protective clothing and equipment remain sterile and effective before use.

Flexible packaging is one of the most environmentally sustainable packaging types, as it reduces water and energy consumption, improves product-to-package ratio, enhances transportation efficiency, minimizes food waste, and reduces greenhouse gas emissions. It is important to note that recycling is an iterative process, developed over time, and full circularity options for flexible packaging, at this point, are generally more limited than those for some other packaging formats and materials (i.e., glass bottles, metal cans, paper, rigid plastic containers). These products have been in the solid waste stream for much longer and have had more time to develop mature infrastructure options and solutions for collection, recovery, sortation, and end market delivery and usage.

Developing end-of-life solutions for flexible packaging is a work in progress, and there are now more than a dozen peer organizations and many more private efforts working collaboratively to advance flexible packaging recycling. **FPA** is partnering with manufacturers, recyclers, retailers, waste management companies, brand owners, and other organizations to continue making strides toward total packaging recovery. Some examples of entities with which we are collaborating include The Recycling Partnership (TRP), the Hefty® ReNew™ Program, the Flexible Film Recycling Alliance (FFRA), and the Circular Action Alliance (CAA) Plastic Film and Flexibles Taskforce. Also, increasing the recycled content in packaging and other new products will create markets for those products and can serve as a policy driver for the creation of new collection, sortation, and processing infrastructure for valuable materials to be recycled.

FPA supports H.R. 6832, the Packaging and Claims Knowledge (PACK) Act of 2025 (Rep. Weber), and H.R. 7502, the Recycled Materials Attribution Act (Reps. Langworthy and Gonzalez), because both are aligned with our deep commitment to solve packaging waste issues and increase the recyclability and recycling of flexible packaging.

H.R. 6832, Packaging and Claims Knowledge (PACK) Act of 2025

All the increased data, funding, infrastructure, processes, technology, and end markets for the recycling of flexible packaging and other materials and products are essentially for naught if consumers cannot or do not recycle in the first place. Consumers would benefit from more consistent and harmonized national requirements defining what is considered recyclable and how and where it can be recycled.

California's "truth in labeling" law enacted in 2021 (Senate Bill 343), which establishes state-specific requirements for when packaging can be labeled as recyclable will likely lead to consumer confusion and more—not less—packaging going to landfill. If this law is allowed to take full effect in October 2026, it will immediately be in conflict with up to 30 other states with different requirements for recyclability labeling. Several other states are considering their own "truth in labeling" laws, and **FPA** is opposed to these state-level efforts.

FPA supports the consideration of a federal law, such as proposed in H.R. 6832, the Packaging and Claims Knowledge (PACK) Act of 2025, that establishes federal requirements for the labeling of packaging for compostability, recyclability, and reusability, with strong oversight by the U.S. Federal Trade Commission (FTC), which already maintains jurisdiction over guidance for product marketing claims through its Guides for the Use of Environmental Marketing Claims ("Green Guides"). We believe this approach, which will also support existing voluntary national labeling programs such as How2Recycle and the Biodegradable Products Institute (BPI) certification program for compostable labeling, makes far greater sense than a state-by-state approach. It will reduce misleading packaging claims and lead to more consumers properly handling flexible packaging at its end of life.

Businesses also need clear and consistent requirements when products are sold across state lines. Today, differing state standards are creating confusion and forcing FPA member companies and their customers to consider implementing and managing separate labeling, packaging, inventory, and compliance requirements for the same products. That is an extremely costly and unreasonable endeavor.

By reducing consumer confusion and enabling informed choices, we believe the PACK Act will promote proper management of packaging materials at their end-of-life, diverting them from landfills and advancing a circular economy. We applaud the efforts of Representative Randy Weber who has led the charge on this important legislation and we believe it is critical to ensure consumers have accurate information and provide companies such as **FPA** members with the framework they need to innovate and invest in circular and sustainable packaging.

H.R. 7502, Recycled Materials Attribution Act

There is a strong desire and need for flexible packaging converters (manufacturers) and brand owners to use more recycled content in their packaging products, whether to meet stated company or organizational (e.g., Ellen MacArthur Foundation Global Commitment) sustainability goals or to meet emerging state extended producer responsibility (EPR) or recycled content requirements for packaging. **FPA** supports its members in increasing recycled content in their packaging products, but not through unachievable or unreasonable government requirements that treat all packaging the same and therefore do not recognize certain unique attributes or needs of some flexible packaging (i.e., for food and medical) that may require limiting the use of recycled content.

We therefore support a uniform national standard for validating recycled content claims as proposed in H.R. 7502, the Recycled Materials Attribution Act (RMAA). Today, flexible packaging manufacturers and brand owners must navigate a patchwork of state regulations, each with its own definitions and restrictions governing recycled content claims. Since flexible packaging products travel through national supply chains, these inconsistencies raise compliance costs and

create confusion in the marketplace. The RMAA will establish a clear federal framework, direct the FTC to update its Green Guides, and provide the regulatory certainty needed to foster stronger end-markets for recycled materials.

FPA also supports advanced recycling—sometimes referred to as chemical or molecular recycling – as necessary to increase the use of recycled content in some films and flexible packaging. Stringent quality standards enforced by the U.S. Food and Drug Administration (FDA) require additional washing and processing for mechanically recycled films to ensure no chemical migration, odor, or color is transferred. This restricts the use of recycled content in some product packaging (i.e., cosmetics, food, and medically sterilized devices), and obtaining FDA approvals for the use of mechanically recycled content for packaging for these types of products is often arduous and slow. Advanced recycling eliminates some of this lag because the technology returns plastics to a monomer, eliminating concerns of chemical migration, odor, or color.

The RMAA's recognition of advanced recycling technologies and mass-balance accounting is particularly important for flexible packaging. Technical films for food, produce, and medical applications require high material purity and performance, which mechanical recycling often cannot deliver at scale. Advanced chemical recycling breaks down complex plastics to their basic building blocks, allowing them to be remade into high-quality resins. By permitting third-party verified mass-balance accounting, the RMAA enables manufacturers to trace recycled feedstocks through supply chains without expensive physical separation, supporting these critical applications.

#

In conclusion, the PACK Act and the RMAA both support progress toward a more circular economy for flexible packaging. The PACK Act will make end-of-life labeling more consistent for consumers, while the RMAA will standardize the verification of recycled-content claims nationwide. We applaud the Subcommittee for holding this important hearing and encourage the Committee to swiftly advance both bills to provide certainty, expand recycling capacity, and strengthen sustainable packaging solutions nationwide. Please don't hesitate to contact me at (410) 694-0825 or dfelton@flexpack.org if I may be of further assistance.

Sincerely,



Dan Felton

President & CEO

Flexible Packaging Association (FPA)

Circ, Inc.
660 Kentuck Road
Danville, VA 24540

www.circ.earth

21 July 2026

TO: Chairman Gus Bilirakis
Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
United States House of Representatives
Rayburn 2306
Washington, DC 20515

Ranking Member Jan Schakowsky
Energy and Commerce
Subcommittee on Commerce, Manufacturing, and Trade
United States House of Representatives
Rayburn 2408
Washington, DC 20515

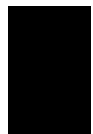
CC: Chairman Brett Guthrie and Ranking Member Frank Pallone
Members of the House Energy & Commerce Subcommittee on Commerce,
Manufacturing, and Trade

Dear Representative Bilirakis and Representative Schakowsky,

Circ, Inc. writes to express its support for the Recycled Materials Attribution Act (RMAA), introduced by Reps. Nick Langworthy (R-NY-23) and Marc Veasey (D-TX-33), ahead of the subcommittee's July 22 hearing on consumer protection and FTC recycling issues. We join American Circular Textiles (AMCIRC) and other industry stakeholders in urging the subcommittee's support for this important legislation.

Circ is an American textile-to-textile advanced recycling company, headquartered in Danville, Virginia, where we developed our technology and intellectual property and where we operate our research and development and demonstration facility. Our chemical recycling process separates blended polycotton textiles and turns both the polyester and cotton streams into drop-in virgin-equivalent recycled polyester and recycled pulp for lyocell and viscose production. Blended polycotton dominates what Americans buy and wear, yet mechanical recycling alone cannot process this material at scale. As a result, polycotton

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textiles are largely landfilled, incinerated, or shipped abroad as low-cost feedstock for foreign manufacturers. Less than one percent of U.S. textile waste is recovered into new fiber, which means the United States currently exports or landfills the feedstock – taking with it the economic value, and the manufacturing jobs, that could accompany recycling it here.

American companies like Circ need a technology- and material-neutral standard to commercialize and scale domestically. The RMAA provides a clear path to federal recognition of mass balance chain-of-custody accounting – which is crucial to speed adoption of recycling. It is an auditable verification model built for continuous, integrated production. Clear federal rules would give U.S. producers the certainty to build and sell within the United States, and help to overcome the severe cost disadvantage that the U.S. currently has over lower cost jurisdictions.

Consumers and manufacturers alike are best served by clear, national standards for recycling and recycled-content claims -- rather than the current patchwork of conflicting federal and state requirements. The RMAA would establish a uniform, evidence-based framework; require the FTC to update its Green Guides for accuracy and consistency; and strengthen consumer protection through enforceable national marketing standards, all while recognizing advanced recycling, alongside mechanical recycling, as a legitimate pathway for recovering materials, such as blended textiles, that mechanical recycling alone cannot fully process.

Circ is currently developing a 70,000-tonne-per-year facility in France that, at scale, will support more than 200 jobs. Clear regulatory frameworks in Europe have helped recycling infrastructure take shape in tangible ways. The United States generates the largest share of post-consumer textile waste in the world, and we believe the capacity to recover it belongs here. We would like to build additional facilities in the United States. With the right federal standard, our next facility investment could be domestic, keeping that feedstock, that value, and those jobs in the United States. Adoption of the RMAA would be an important step allowing us to do so.

Thank you for your consideration and for your work to reduce consumer confusion and expand U.S. recycling capacity. Please do not hesitate to contact us with any questions.

Sincerely,

A handwritten signature in black ink that reads "Christopher J. Austin".

Christopher J. Austin

General Counsel

chris.austin@circ.earth





July 22, 2026

The Honorable Brett Guthrie
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Guthrie and Ranking Member Pallone:

The U.S. Chamber of Commerce supports H.R. 7502, the Recycled Materials Attribution Act of 2026, and urges the Committee to advance this bipartisan legislation. We commend the Committee for highlighting this important issue during today's legislative hearing.

Businesses across the economy are investing in innovative materials, stronger supply chains, and practical solutions that reduce waste, which align with our shared economic growth priorities. H.R. 7502 would provide needed clarity for companies making accurate recycled content claims by recognizing mass balance accounting when it is supported by a third-party certification system and competent, reliable evidence. This framework would help ensure that consumers receive truthful information, while giving manufacturers a workable pathway to scale resource-efficient solutions.

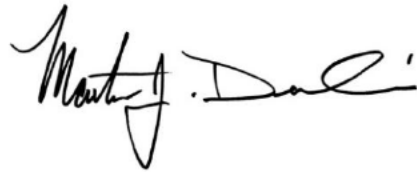
Non-mechanical recycling is an important tool in the toolbox for building a more circular economy. Traditional mechanical recycling will remain essential, but it cannot address every material, product stream, or end-market need. Non-mechanical recycling is indispensable to maximizing material recovery, converting hard-to-recycle materials into valuable feedstocks for new products, and significantly increasing the amount of material that remains in the economy, rather than entering the waste stream. Recognizing these technologies in federal policy will encourage investment, innovation, and the development of domestic recycling capacity.

The legislation also appropriately directs the Federal Trade Commission to update the Green Guides to reflect the definitions and standards established in the Act. Clear, uniform Federal standards are critical to avoid a fragmented patchwork of rules that can discourage investment, complicate compliance, and undermine

consumer confidence. H.R. 7502 would help align environmental progress with manufacturing competitiveness, supply-chain resilience, and long-term economic growth.

We commend the sponsors for their leadership and encourage the Committee to act promptly on H.R. 7502. We look forward to working with you to advance policies that support innovation, circularity, and a strong American economy.

Sincerely,

A handwritten signature in black ink, appearing to read "Marty Durbin". The signature is fluid and cursive, with the first name "Marty" and last name "Durbin" clearly distinguishable.

Marty Durbin
President, Global Energy Institute
Senior Vice President, Policy
U.S. Chamber of Commerce



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July 22, 2026

The Honorable Gus Bilirakis
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce,
Manufacturing, and Trade
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Re: Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace — Opposition to H.R. 3209, the App Store Freedom Act

Dear Chairman Bilirakis and Ranking Member Schakowsky:

On behalf of TechNet, we write to express our strong opposition to H.R. 3209, the *App Store Freedom Act*, and request that this letter be included in the record of the Subcommittee's July 22, 2026 hearing, *Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace*.¹ While we share the goal of a competitive and consumer-friendly digital marketplace, this legislation would do the opposite and implement a European style regulatory regime like the *Digital Markets Act*.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes over 100 dynamic American businesses ranging from startups to the most iconic companies in the world and represents over five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance.

TechNet has consistently opposed federal proposals that would force dominant app stores to permit sideloading and third-party app stores, including previous iterations of this legislation like the *Open App Markets Act* and the *American Innovation and Choice Online Act*. Although the *App Store Freedom Act* is framed as a competition measure, it would replicate the same core harms we have warned against for years:

¹*App Store Freedom Act*, H.R. 3209, 119th Cong. (2025); see Press Release, Rep. Kat Cammack, Rep. Cammack Introduces App Store Freedom Act To Promote Competition & Protect Consumers (May 6, 2025), <https://cammack.house.gov/media/press-releases/rep-cammack-introduces-app-store-freedom-act-promote-competition-protect>; Press Release, H. Comm. on Energy & Commerce, Chairmen Guthrie and Bilirakis Announce Hearing on Legislation to Strengthen Consumer Product and Service Protections (July 15, 2026), <https://energycommerce.house.gov/posts/chairmen-guthrie-and-bilirakis-announce-hearing-on-legislation-to-strengthen-consumer-product-and-service-protections>.

weaker security, greater exposure of Americans' data, and a competitive advantage handed to foreign firms.

These mandates carry serious national security consequences. As TechNet previously stated when the *Open App Markets Act* advanced through the Senate Judiciary Committee in 2022, "The *Open App Markets Act* would give China a competitive advantage over American businesses. The bill would hold U.S. companies that employ thousands of American workers to a higher standard than we hold Chinese companies. It would also require transferring data of American consumers to these Chinese companies."² Members of both parties have echoed these concerns, with Senator John Cornyn (R-TX) warning of "the harm of foreign and bad faith domestic actors to try and gain access to Americans' phones and computers under the guise of open development," and then Senator Dianne Feinstein (D-CA) stressing the need for "sufficient protections for cybersecurity and user privacy."³ H.R. 3209 raises the identical risks.

The bill would also weaken consumer protection at the moment this Subcommittee is working to strengthen them. By compelling platforms to allow app distribution outside their curated stores, H.R. 3209 would bypass the security review and vetting that shields users from malware, fraud, and scams — the same harms that other bills before the Subcommittee aim to combat. Rather than mandating changes that expose consumers' data, Congress should enact a strong national data privacy and security standard that protects Americans without compromising the trusted app ecosystems they rely on every day.

As mentioned above, H.R. 3209 would disadvantage American innovators by holding U.S. companies to obligations not imposed on their foreign competitors, echoing the discriminatory approach of the European Union's *Digital Markets Act*. At a time when American technology leadership is a strategic national asset, Congress should avoid legislation that erodes the security and competitiveness of the U.S. innovation economy.

For these reasons, we respectfully urge the Subcommittee **not** to advance the *App Store Freedom Act*. TechNet stands ready to serve as a resource as the Subcommittee considers these important issues. Thank you for your consideration.

Sincerely,



Linda Moore
President and CEO

²Press Release, TechNet, *The Open App Markets Act Will Give China a Competitive Advantage, Put Americans' Data at Risk* (Feb. 3, 2022), <https://www.technet.org/media/the-open-app-markets-act-will-give-china-a-competitive-advantage-put-americans-data-at-risk/>.

³*Id.*

July 21, 2026

The Honorable Brett Guthrie
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Frank Pallone, Jr.
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Gus M. Bilirakis
Chairman
Subcommittee on Commerce, Manufacturing,
and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce, Manufacturing,
and Trade
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Bilirakis, and Ranking Member Schakowsky:

We, the undersigned small- and medium-sized businesses, write in strong support of H.R. 3209, the bipartisan App Store Freedom Act, led by Representatives Kat Cammack (R-FL) and Lori Trahan (D-MA). We applaud consideration of the bill at the hearing entitled “Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace,” and respectfully urge the Committee to advance it to the House Floor.

Smartphones are essential gateways to communication, commerce, and information for millions of Americans. Apple and Google’s immense gatekeeping power, however, has resulted in higher prices, reduced quality, less innovation, and fewer choices for consumers and developers. Both companies have repeatedly exploited their dominance to extract monopoly rents from the digital economy and unfairly advantage their own products and services. They dictate critical terms of competition, including restricting what developers may tell their own customers and controlling how products are distributed through competing channels.

This anticompetitive conduct has real consequences. It insulates Apple and Google from healthy competition by entrenching their roles as gatekeepers, which limits the ways developers can reach their own customers and increases the cost of distributing products. It also significantly reduces the incentive for developers and other businesses to innovate by offering better app marketplaces, payment services, security tools, and consumer experiences. Americans ultimately bear those costs through higher prices and fewer choices.

The App Store Freedom Act provides a tailored and proven solution to address these concerns. It would spur competition by requiring Apple and Google to allow users to install third-party apps and app stores, select them as defaults, and remove or hide preinstalled apps. It would also require dominant platforms to provide developers with access to essential interfaces, hardware and software features, and other tools equivalent to those available to the platform and its business partners.

Greater competition, in turn, will drive down prices for hardworking Americans. A recent economic report found that a more competitive app distribution ecosystem would save U.S. consumers nearly \$9 billion per year.¹ To put those savings in context, they could pay for the annual groceries of 1.4 million American families, or the annual gasoline costs of 3.7 million American families, according to the report.² Moreover, these estimates do not include other benefits of a more competitive app ecosystem, such as “new and increased app development, greater consumer choice in privacy and parental controls, and the introduction of innovative features.”³

The Energy and Commerce Committee has a long history of advancing bipartisan legislation that establishes clear rules for rapidly evolving markets. The App Store Freedom Act presents another opportunity for the Committee to protect consumers and strengthen America’s leadership by ensuring that the mobile app economy remains open to competition.

We respectfully urge you to advance this bipartisan legislation without delay. We stand ready to serve as a resource as the Committee considers this important legislation.

Sincerely,

Coalition for App Fairness

Little Tech Association

Internet Works

cc: The Honorable Kat Cammack (R-FL)

The Honorable Lori Trahan (D-MA)

¹ Sumit Sharma, US Consumer Benefits of Unlocking Competition in App Distribution on Smartphones 5 (2026), <https://insights.sumitsharma.consulting/p/app-store-competition>.

² *Id.* at 7.

³ *Id.* at i.

How Chinese Online Marketplaces Fuel Counterfeits

ELI CLEMENS | AUGUST 2025

Chinese e-commerce platforms facilitate sales of counterfeit products, threatening U.S. intellectual property, fair competition, and consumer safety. Policymakers should take action to hold these platforms accountable and protect American consumers and businesses.

KEY TAKEAWAYS

- ITIF purchased 51 products from suspicious listings on Temu, AliExpress, and SHEIN. Of those, ITIF assessed that 24 were likely counterfeits, including cosmetics, toys, luxury goods, pharmaceuticals, and household items.
- U.S. Customs and Border Protection correctly inspected a small fraction of probable counterfeit shipments but ultimately failed to seize them, and neither inspected nor seized any of the other probable counterfeit shipments, revealing gaps in enforcement.
- Temu and AliExpress, in particular, consistently failed to identify and delist probable counterfeits, allowing them to remain available and accumulate significant sales.
- Addressing counterfeiting requires policy interventions that target both platforms and vendors, focusing on structural deterrents and enforcement gaps.
- The U.S. Trade Representative should designate Temu, AliExpress, and SHEIN as notorious markets, and Customs and Border Protection should increase its AI-driven anti-counterfeiting capabilities to weight its enforcement toward these platforms.

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INTRODUCTION

On any given day, an American consumer can open a Chinese e-commerce app such as Temu or AliExpress and buy branded apparel, toys, or pharmaceuticals for a fraction of the price they would find at U.S. retailers. The listings may look convincing. The packaging might even carry the right logos. But peel back the surface, and a different reality emerges: cold medicine boxes with mystery caplets, video game accessories with incorrect packaging text, and unlicensed action figures. The problem is significant: a steady pipeline of counterfeit goods, mostly sold by China-based vendors, is entering U.S. households with products that infringe on intellectual property (IP), undermine U.S. brands, and expose American consumers to real safety risks.

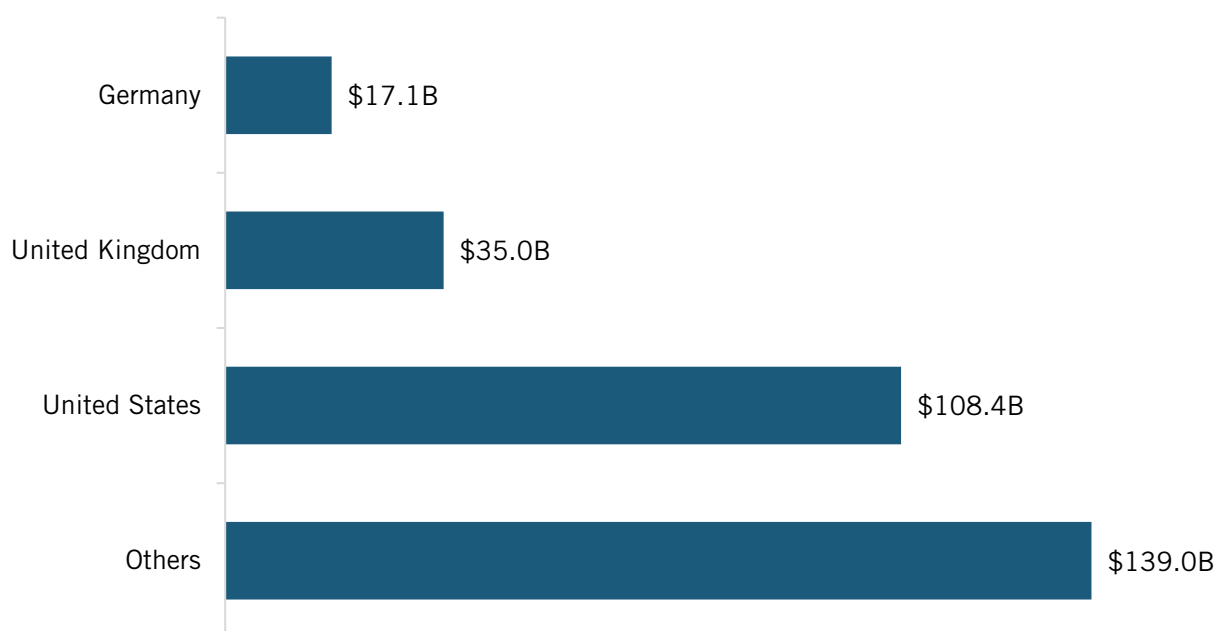
This report investigates that pipeline. On three popular Chinese e-commerce platforms—Temu, AliExpress, and SHEIN—the Information Technology and Innovation Foundation (ITIF) identified, purchased, and analyzed counterfeit products spanning multiple categories, including cosmetics, luxury goods and apparel, toys, over-the-counter (OTC) pharmaceuticals and supplements, automotive parts, and household goods. Using open-source intelligence and business registration records, ITIF traced likely counterfeit vendors' specific locations, shell and legitimate companies, and supply chain networks.

Vendors that knowingly list and sell counterfeit products that present consumer safety risks bear direct responsibility for the harm suffered by Americans. Yet, Chinese platforms that provide counterfeiters with a storefront and an audience of millions while offering inadequate anticounterfeiting services also share in the responsibility.

The issue is structural, going beyond spotty enforcement. In many regards, these platforms are no different from other for-profit global online platforms that attempt to create economies of scale. But they exist in China's industrial policy environment, which creates different incentives than the platforms' U.S. counterparts. To maintain the significant benefits they receive from the Chinese government's e-commerce industrial policy, Temu, AliExpress, SHEIN, and other Chinese e-commerce platforms need to continue growing market share globally, which at the moment means competing on value.¹ Therefore, lax enforcement of counterfeit goods is not simply a business failure but also a byproduct of the system in which these platforms operate. With little regard to regulatory liability or consumer advocacy, their tolerance for counterfeit sales will continue unless it threatens significant reputational or diplomatic blowback.

These platforms are capable of improving their accountability mechanisms. But shifting their incentives will require a combination of pressure and reform. Investigations such as this report can generate more transparency for consumers and create more demand for accountability. Yet, Chinese platforms' behavior will not shift on public sentiment alone. Behavior change requires U.S. government intervention to both incentivize and, where necessary, compel Chinese e-commerce platforms to adopt stricter anticounterfeiting measures. Foreign companies should be held to the same expectations as domestic companies when selling into the U.S. market. If they wish to access the vast U.S. e-commerce market, which as of 2024 made up by far China's largest cross-border e-commerce export market, as seen in figure 1, they should take meaningful responsibility for what they sell.

Figure 1: E-commerce exports from China to select countries (2024)²



It is no secret that these platforms list and frequently sell counterfeits. This report serves as the most current, comprehensive, and extensive public analysis of how counterfeits are sold on Chinese e-commerce platforms. It presents a framework for policymakers to consider how counterfeiting intersects with U.S.-China economic competition, platform governance, the future of e-commerce, and product safety.

Lax enforcement of counterfeit goods is not simply a business failure but also a byproduct of the system in which Chinese e-commerce platforms operate.

Whether through trade negotiations, regulatory modernization, or agency action, the United States should treat counterfeit enforcement as a priority. Allowing foreign platforms to facilitate the import of counterfeits while postponing hard questions about safety, legality, and market fairness is not good for U.S. businesses or consumers. Global e-commerce competition should not be a race to the bottom through cutting corners on product safety, IP rights, and consumer protection. Ideally, future e-commerce competition will be fought on next-generation logistics, consumer choice and transparency, and AI-driven retail innovations.

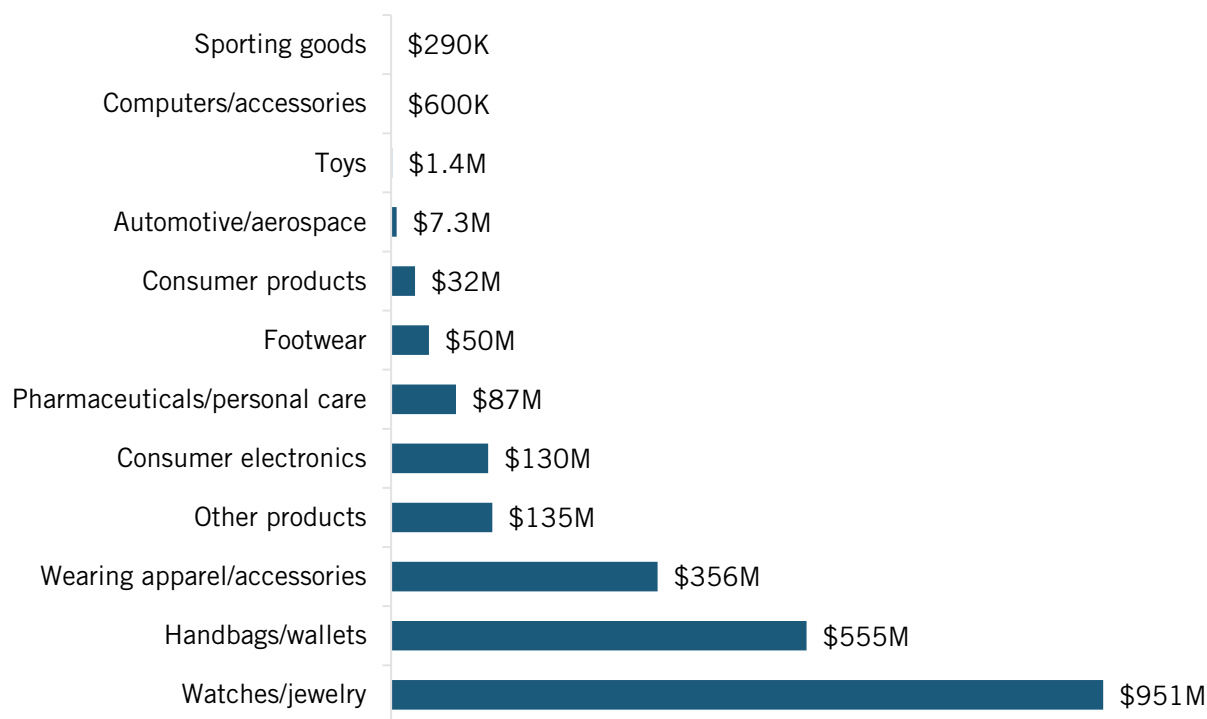
This report presents an alternative path that strives to preserve the benefits of a fast and affordable U.S. e-commerce market—that remains open to global competition—while protecting American innovation and consumer safety.

How Counterfeits Hurt American Businesses and Consumers

Counterfeit goods from China violate the IP rights of U.S. businesses and pose a risk to American consumers. U.S. Customs and Border Protection (CBP) seizes many IP-infringing imports, but many counterfeit goods still enter the U.S. market. According to CBP data, in FY 2024, the agency seized 27,927,068 counterfeit or pirated products from China and Hong Kong, with a

retail value of \$5.02 billion (using manufacturers' suggested retail price, or MSRP), making up approximately 90 percent of the total quantity of seized counterfeit goods entering the United States that year.³ In FY 2023, the top three most imported counterfeit products from China and Hong Kong included watches and jewelry (\$951 million), handbags and wallets (\$555 million), and apparel (\$356 million), with a collective retail value of \$1.86 billion.⁴ (See figure 2.)

Figure 2: MSRP of CBP-seized counterfeit products from China in 2023⁵



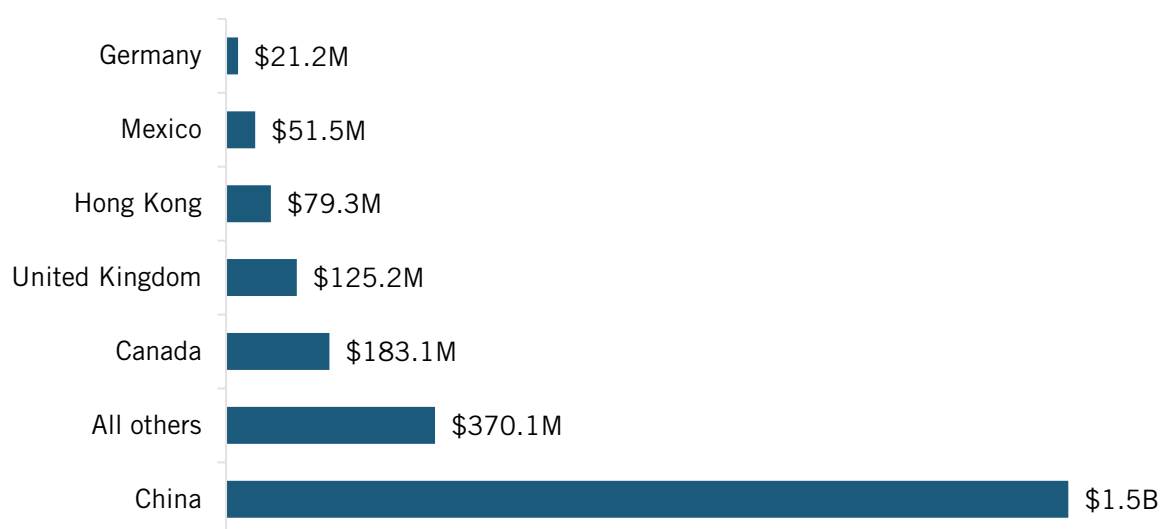
Unfortunately, CBP does not intercept all counterfeit goods entering the United States. A 2021 report by the Buy Safe America Coalition estimates that CBP intercepted only a small fraction of counterfeits, and that the total value of counterfeit goods from China in 2019 was \$45.5 billion.⁶ Given that CBP is unlikely to catch many of the counterfeits smuggled into the United States, the trade deficit with China may be higher than traditional trade statistics suggest. Moreover, the Buy Safe America Coalition estimates that counterfeits led to about \$54.1 billion in lost sales for domestic retailers, and that 283,400 retail jobs and 39,860 wholesale jobs, paying \$13.6 billion in wages, were lost due to those counterfeit imports.⁷ Finally, they estimated that counterfeit goods cost the U.S. government \$13.5 billion in lost tax revenue.⁸

These estimates may be overinflated, as the report's methodology seems to assume that consumers will always buy authentic goods from U.S. retailers as opposed to authentic goods from foreign sellers and that counterfeiters do not use any legitimate U.S. logistics service providers. However, the estimates nonetheless provide an indication of the magnitude of economic harm to the United States from counterfeits.

One reason the U.S. market has become saturated with Chinese counterfeit goods is because of the Section 321 de minimis exemption that previously allowed imports under \$800 in value to enter the United States free of tariffs and with minimal customs inspection. Indeed, the U.S.

International Trade Commission asserted that “Section 321 imports have been the key channel for Chinese business-to-customer (B2C) online retailers that ship direct from factories ... in China to U.S. consumers.” And, “Chinese e-commerce firms have ‘exploited’ the high U.S. de minimis level and minimal inspections to increase U.S. market share.”⁹ CBP estimated Chinese de minimis exports to the United States to be approximately 34 percent of the total U.S. de minimis imports in 2023—\$18.4 billion of the total \$54.5 billion U.S. de minimis imports.¹⁰ Moreover, CBP also showed that China has consistently accounted for the highest volume of de minimis volume among all nations from 2018 to 2021.¹¹ During that period, China, not including Hong Kong, accounted for 64 percent of all de minimis shipments by volume.¹² As such, it is no surprise that SHEIN and Temu accounted for over 30 percent of de minimis imports to the United States in 2022.¹³

Figure 3: De minimis volume by country of shipment from 2018 to 2021¹⁴



Supporting these figures, the Buy Safe America Coalition found that Section 321 shipments that meet the de minimis requirements grew significantly from just \$4 billion in 1992 to \$17.5 billion in 2020, with China having grown the most in dollar terms.¹⁵ Moreover, 36.9 percent of all seized shipments in 2019 were Section 321 shipments, showing how significant the de minimis exemption was to those importing counterfeits.¹⁶ Chinese e-commerce platforms, where counterfeits are often sold, have surged in popularity in the United States in recent years. Indeed, from September 2022 to September 2023, Temu’s U.S. visitors rose from 5.1 million to 80.3 million, almost catching up to eBay’s number of visitors.¹⁷ According to *Axios*, Temu and SHEIN ranked the top 5 most downloaded apps in the United States from February to March 2023.¹⁸ In that one-month period, Temu was downloaded 10 million times while SHEIN was downloaded 6.3 million times.¹⁹ By November 2023, Temu had claimed approximately 17 percent of the U.S. online discount market.²⁰ By the end of 2024, it had 186 million monthly active users in the United States, had become the world’s most downloaded shopping app for iOS and Android, and had overtaken eBay to become the world’s second most-visited e-commerce website.²¹

This rise in the number of visitors is partly due to a shift in the e-commerce platforms Generation Z consumers prefer to shop at: one in four shop on a Chinese e-commerce platform at least once

a week.²² Moreover, nearly half of Generation Z shoppers have bought from Chinese marketplaces, with 44 percent of Generation Z making at least one purchase monthly on SHEIN, and 41 percent on Temu.²³

Finally, it is important to note that purchases of counterfeit goods can funnel financial resources to criminal activity. UL Standards and Engagement, a global safety organization, asserts that “counterfeit sales may fund criminal enterprises that engage in human trafficking, organized crime, drug dealing, and other illegal activities.”²⁴ Given this evidence, frequent usage of Chinese e-commerce platforms that facilitate counterfeits does not just benefit unscrupulous sellers, but may also fund criminal networks and their illicit activities.

METHODOLOGY

To better understand the scope and nature of counterfeit goods originating from Chinese e-commerce platforms, ITIF conducted a structured series of test purchases on these platforms. The goal was to examine the prevalence of counterfeit products across multiple product categories and to assess how easily a U.S.-based consumer could purchase such products.

ITIF selected six product categories based on their known prevalence in counterfeit trade and the potential for consumer harm or IP infringement: pharmaceuticals and OTC health products, automotive parts, cosmetics, luxury goods and apparel, toys and children’s products, and household goods and consumer electronics. These categories allowed the study to capture a broad spectrum of potential safety risks, from ingestible products to items that could present electrical or mechanical hazards.

ITIF purchased from three Chinese e-commerce platforms—Temu, AliExpress, and SHEIN—which were selected because they are among the largest Chinese e-commerce companies operating internationally and have rapidly grown their U.S. consumer bases. ITIF examined hundreds of listings across the selected product categories, applying a set of indicators to identify potential counterfeit goods before purchase. These included significant price deviations from MSRP, unsupported claims of authorized reseller status, customer reviews flagging inauthenticity or poor quality, ambiguous or deceptive branding, and the misuse of major brand names in product metadata.

The objective of these test purchases was not to determine the percentage of counterfeits on these platforms, but rather to assess the accessibility, visibility, and characteristics of listings that raise serious concerns regarding authenticity, regulatory compliance, and platform accountability.

Classification of Imitation Goods

Imitation goods are products designed to resemble or replicate the appearance, style, or features of another product. Legal imitation goods include generic products, dupes, or other lawful lookalikes that avoid using protected trademarks or infringing on design patents. Illegal imitation goods include counterfeits, pirated goods, or knockoffs that infringe on trademarks, copyrights, patents, trade dress, or other protected rights.

For the purposes of this investigation, ITIF defined counterfeit products as fake or unauthorized replicas of genuine products that a consumer could be misled into believing is authentic. This

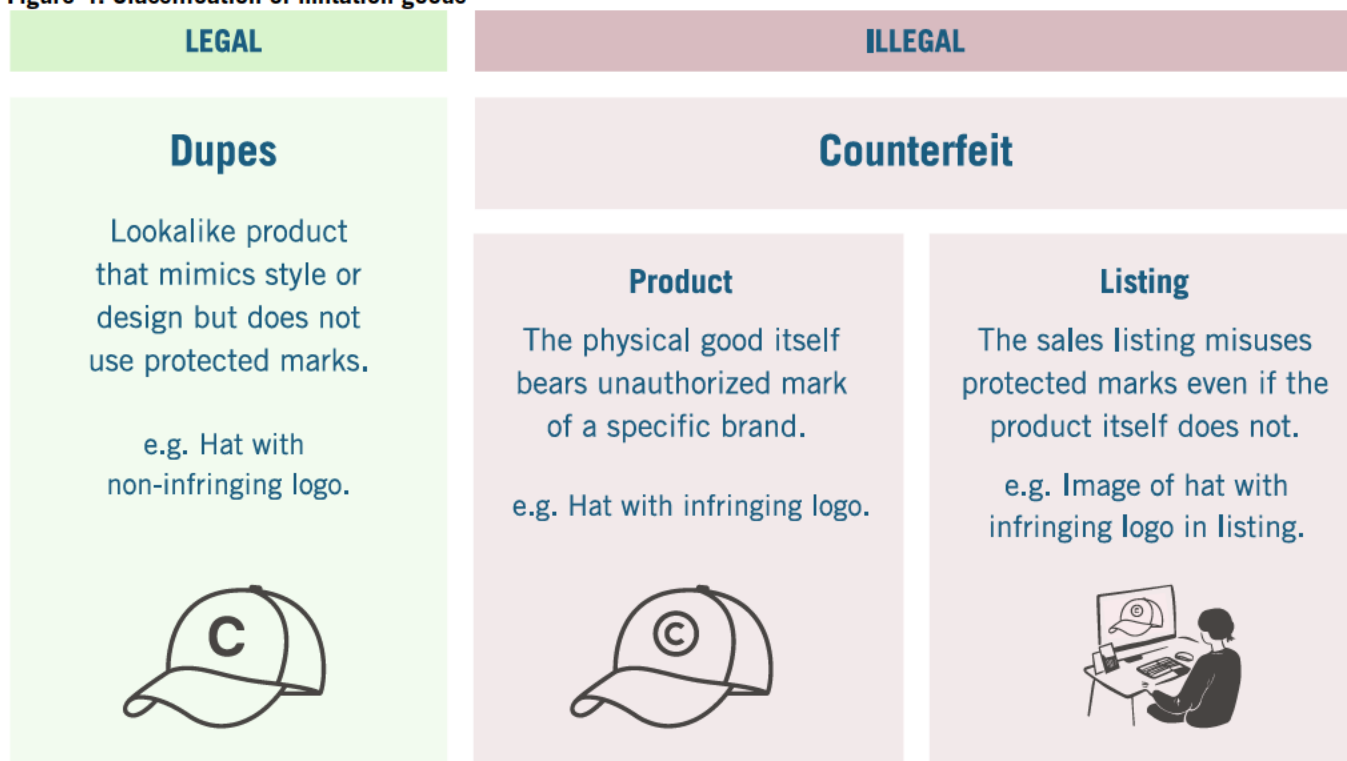
included cases where the listing or the product itself used protected brand identifiers that infringe upon registered trademarks or copyrights.

The investigation identified two main categories of counterfeit presentation:

- **Listing-level infringement.** The online listing contained protected brand names, logos, or copyrighted imagery, but the product itself did not carry those marks.
- **Product-level infringement.** The product itself displayed brand names, logos, or copyrighted imagery without authorization.

Because this investigation only focused on illegal counterfeits, ITIF excluded from its analysis listings that merely resembled branded goods without using protected marks.

Figure 4: Classification of imitation goods



Evaluation Process

ITIF identified potential counterfeit products before purchase using several indicators:

- **Price** (low or slightly undercut prices relative to MSRP)
- **Branding** (no or minimal use of brand names in listing text despite brand imagery in photos; obfuscated brand names slightly misspelled to remain familiar but avoid detection)
- **Images** (poor-quality, altered, or inconsistent product images)
- **Suspicious seller** (prevalence of other suspicious listings; seller histories suggesting high product turnover)
- **Reviews** (consumer reviews reporting counterfeit goods or product discrepancies)

Notably, these indicators do not always mean a product is a counterfeit. For example, a low price relative to MSRP could indicate that the vendor is selling stolen goods or goods not authorized for resale.

After receiving the products, ITIF conducted a structured inspection process:

- Physical and visual inspection for differences in materials, build quality, packaging details, or labeling compared with known authentic products
- Visual analysis of logos, trademarks, and copyrighted imagery
- Barcode and product identifier checks using verification tools to detect invalid or recycled identifiers
- Manufacturer verification by contacting the rights holders and submitting product photographs, batch numbers, or visual discrepancies for confirmation

ITIF only conclusively labeled a product as counterfeit when the original manufacturer confirmed that it was not an authorized or genuine item. Where confirmation could not be obtained, products meeting the working definition above were categorized as “probable counterfeits” for analytical purposes.

This methodology provided a controlled yet realistic view of the experience of a U.S.-based consumer in purchasing counterfeits, while ensuring that findings were grounded in verifiable evidence wherever possible.

COUNTERFEITS PURCHASED ON CHINESE E-COMMERCE PLATFORMS

Summary of Purchases

ITIF ordered 51 products of which 42 were successfully delivered. The remainder failed to arrive due to delivery cancellations by the vendor, shipping delays, or other logistical issues.

As seen in table 1, CBP detained 4 of the 12 products ITIF ordered from AliExpress and held those products in import customs clearance for inspection for 25 days before releasing them. For one of the items detained for inspection, a pair of Brooks shoes, ITIF re-ordered the same product from the same vendor, and CBP failed to inspect it. All four items appear to be likely counterfeits and originated from different vendors. CBP has authority under 19 C.F.R. § 133.23 to restrict the importation of gray market articles and to seize counterfeit goods bearing protected trademarks.²⁵

Table 1: CBP detentions

Product Listing	Vendor	Suspicious Indicators	Customs Status
Brooks Shoes	Brooks Authorized Store	Price and suspicious seller	Inspected and released for delivery
Brooks Shoes	Brooks Authorized Store	Price and suspicious seller	Delivered without inspection
Rhode Lip Gloss	Shop1104388430 Store	Price	Inspected and released for delivery
Tarte Concealer	Shop1104187705 Store	Price and branding	Inspected and released for delivery
Milk Makeup	Shop1102882139 Store	Price	Inspected and released for delivery

CBP appears to have correctly identified some shipments that likely violate IP protections, but failed to seize any likely counterfeits ITIF purchased.

As seen in table 2, of the 42 successfully delivered products, ITIF identified 24 likely counterfeits including 2 counterfeits that were confirmed by the infringed-upon rights holder. Out of the additional 9 products that were not successfully delivered, 3 contained substantive-enough evidence to be deemed likely counterfeits. The products that were successfully delivered but appeared unlikely to be counterfeits were largely unauthorized resales, such as a product only meant to be sold in the mainland China market, otherwise diverted authentic products, or cases where the vendor deceptively showed a larger quantity of an authentic product than what was delivered.

Table 2: ITIF test purchase results

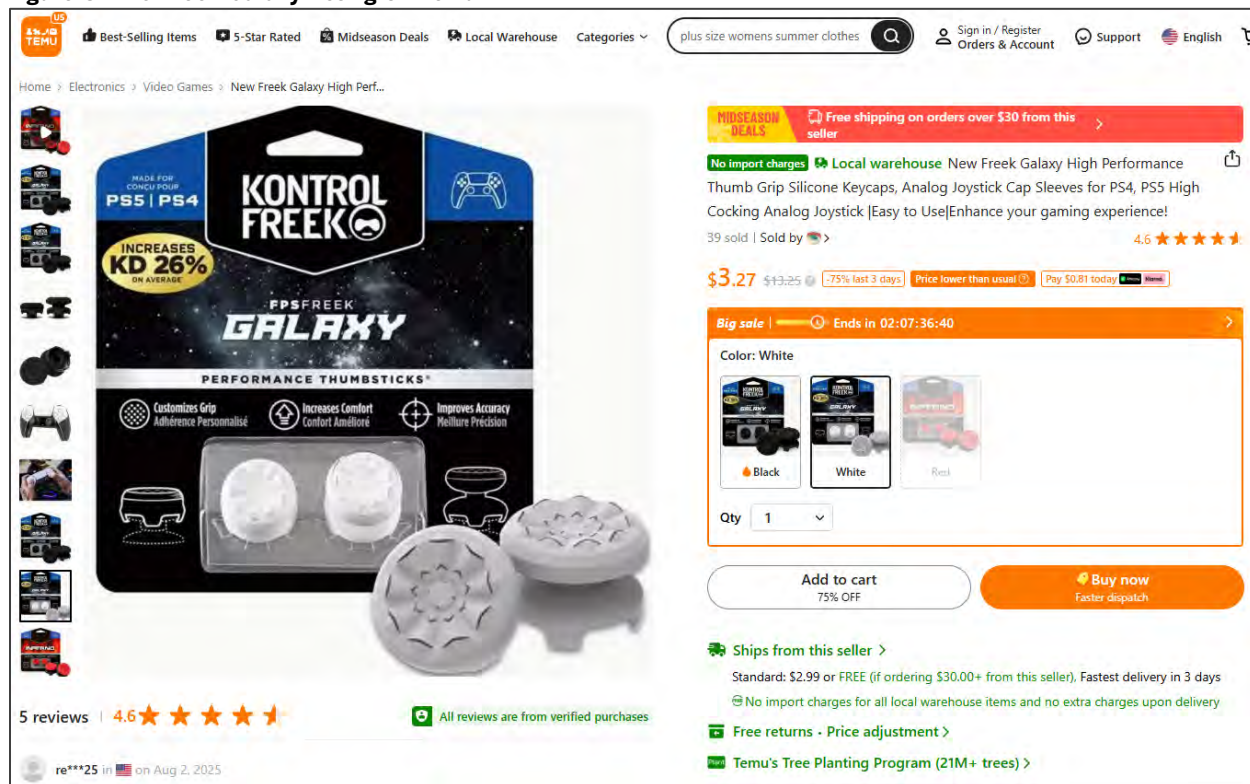
Product Listing	Platform	Product Category	Counterfeit Status
Beyblade 1	AliExpress	Toys/Children	Suspected
Brooks Shoes	AliExpress	Apparel/Luxury	Suspected
CH Bag 1	AliExpress	Apparel/Luxury	Suspected
Disney Elsa Doll	AliExpress	Toys/Children	Suspected
Disney Yoda Figure	AliExpress	Toys/Children	Suspected
Honda Dirt Pad	AliExpress	Auto	Suspected
K18 Treatment 1	AliExpress	Cosmetics	Suspected
Milk Makeup	AliExpress	Cosmetics	Suspected
Nike Shoes	AliExpress	Apparel/Luxury	Suspected
Ralph Lauren Polo Shirt	AliExpress	Apparel/Luxury	Suspected
Rhode Lip Gloss	AliExpress	Cosmetics	Suspected
Marvel Action Figure 1	AliExpress	Toys/Children	Suspected
Marvel Action Figure 2	AliExpress	Toys/Children	Suspected
Tarte Concealer	AliExpress	Cosmetics	Suspected
CH Bag 2	SHEIN	Apparel/Luxury	Suspected
Besque Oil	Temu	Cosmetics	Suspected
Beyblade 2	Temu	Toys/Children	Suspected
Beyblade 3	Temu	Toys/Children	Suspected
Color Wow Treatment	Temu	Cosmetics	Confirmed
Haleon Cold Medicine	Temu	Pharmaceuticals	Suspected
K18 Treatment 2	Temu	Cosmetics	Suspected
KontrolFreek Thumbsticks	Temu	Toys/Children	Confirmed
Philips Toothbrush Heads	Temu	Household	Suspected
YETI Tumbler	Temu	Household	Suspected

Details About Counterfeit Purchases

KontrolFreek Thumbsticks

ITIF purchased an accessory from Temu that goes on the joysticks of video game console controllers to speed up players' range of motion.²⁶ The listing, seen in figure 5, is titled “New Freek Galaxy High Performance Thumb Grip Silicone Keycaps.”

Figure 5: FPS Freek Galaxy listing on Temu²⁷



The listing photo clearly displays the video game accessory company KontrolFreek’s product “FPS Freek Galaxy White,” as advertised on its website in figure 6. The U.S. Patent and Trademark Office has awarded KontrolFreek with two patents for its Thumbstick products.²⁸

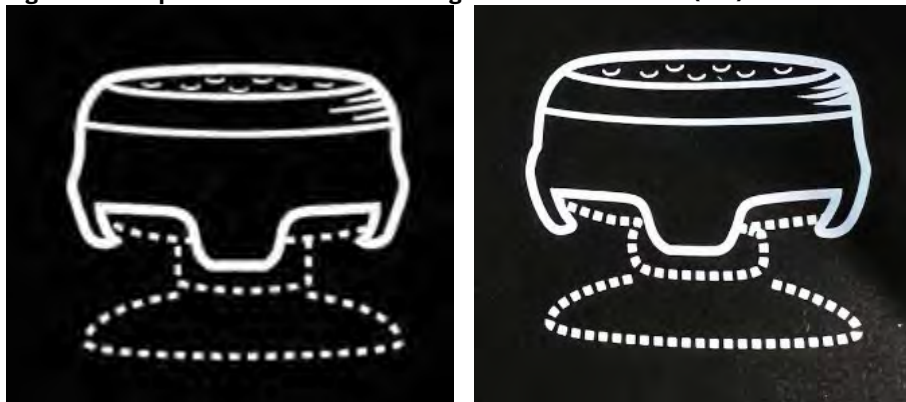
Figure 6: FPS Freek Galaxy listing on KontrolFreek's website²⁹



On the Temu listing, suspicious indicators of counterfeit included the listing price of \$4.96, far lower than KontrolFreek's MSRP of \$16.99, as well as the omission of the brand "KontrolFreek" and using the term "keycaps" instead of "thumbsticks."³⁰ The vendor behind the listing, "dabaobaoy," is the public-facing alias of a company based in China called "Haikoulonghuaxufenyishangmaoxing."³¹ ITIF was unable to determine the vendor's business name or address in Chinese. KontrolFreek states on its website that "products purchased from non-authorized sellers are often used, fake, counterfeit, or defective."³²

Upon inspecting the product following shipment, ITIF identified a number of discrepancies. For example, as seen in figure 7, the design of the Thumbstick on the purchase's packaging has different dashed lines than the online listing. In general, the design appeared unprofessional, being slightly crooked and thus not parallel with the packaging's outer lines.

Figure 7: Comparison of thumbstick design between authentic (left) and counterfeit (right)³³



As seen in figure 8, there are also several discrepancies on the back of the packaging compared with an authentic product package.³⁴ First, the description at the top has “Freek® Galaxy” (two spaces rather than one) and “comfort,control” (missing space after comma). The font size shifts on the third and fourth lines of the description. Additionally, the Italian description has some punctuation typos including “Performance.Thumbstick,é.” There is no “Made in the USA” emblem.

Figure 8: Detail of errors and inconsistencies in text on Kontrol Freek thumbstick packaging purchased by ITIF



Figure 9: KontrolFreek Thumbstick purchased by ITIF



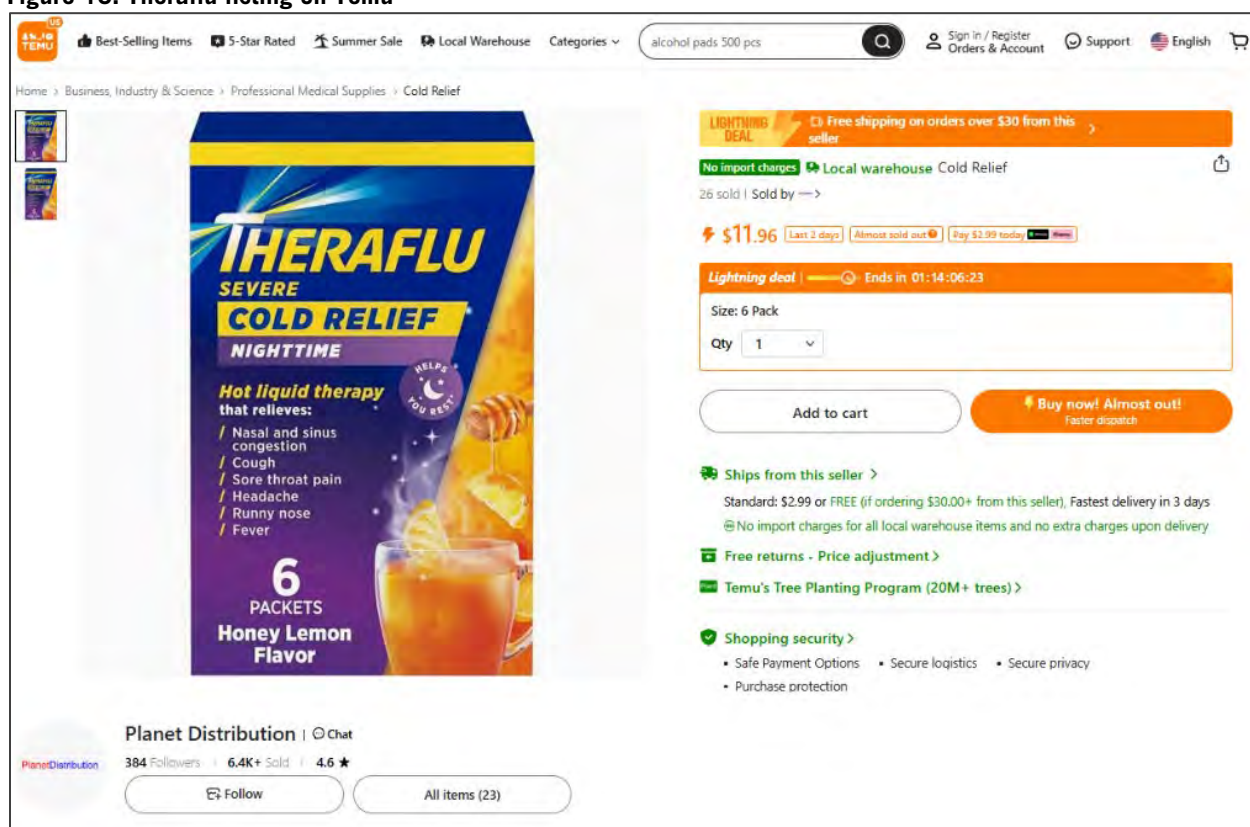
The listed UPC on the packaging of the test purchase, “850007079987,” matches the correct product listing, “FPS Freek Galaxy Performance Thumbsticks KontrolFreek Playstation 5,” on Barcode Lookup.³⁵ ITIF reached out to KontrolFreek’s parent company SteelSeries with photos of the purchase, which responded that “this is not an authentic KontrolFreek product.”³⁶

As of August 2025, according to Temu’s public metrics, the vendor “dabaobaoy” has sold 440 items across nine KontrolFreek-branded listings.³⁷

Haleon Cold Medicine

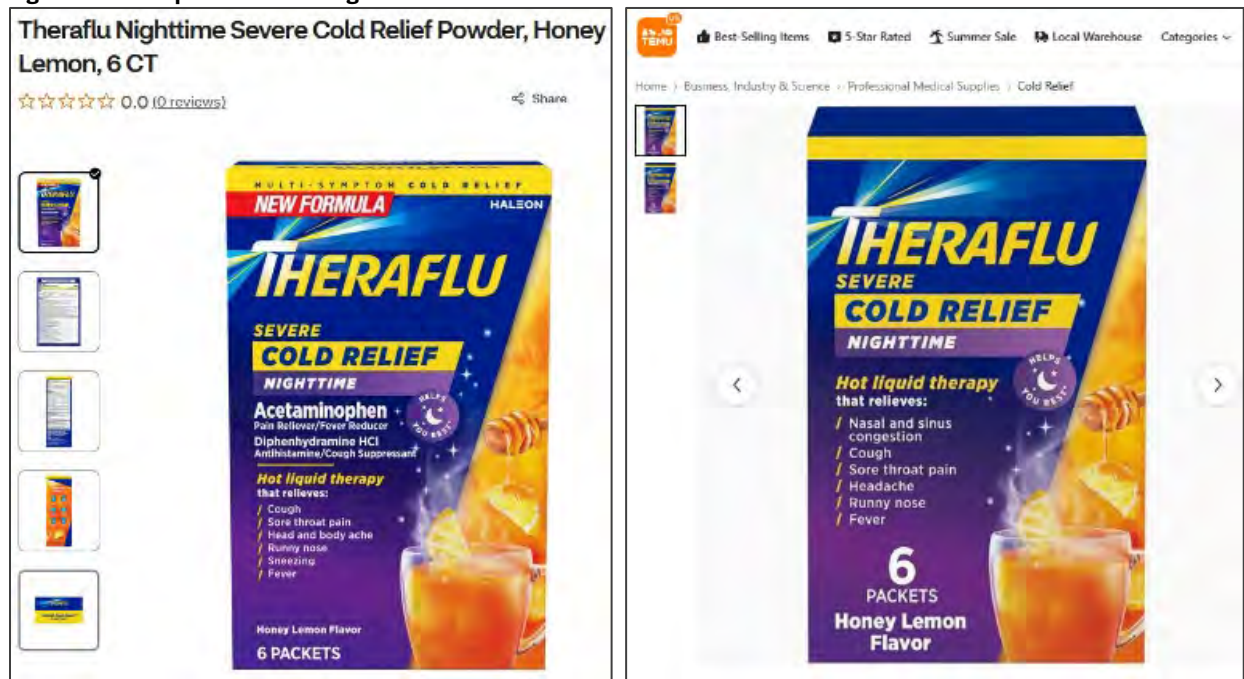
ITIF purchased a product vaguely titled as “Cold Relief,” without a listed brand or product name, on Temu.³⁸ However, the listing photo, as seen in figure 10, clearly showed a branded U.S. OTC medication: Theraflu Nighttime Severe Cold Relief Powder, Honey Lemon, 6 CT.

Figure 10: Theraflu listing on Temu



The product closely resembled what is sold in major U.S. retail pharmacies, such as CVS and Walgreens, in appearance and price. However, the listing’s vague product title was suspicious.³⁹ Additionally, the vendor appeared to have altered the listing’s image to remove the original product’s description of “multi-symptom cold relief” and “new formula,” and most conspicuously, seemingly wiped “Haleon,” the brand owner of Theraflu, from the image’s top right corner.⁴⁰

Figure 11: Comparison of listing on CVS versus Temu for Theraflu⁴¹



Upon receiving the product, as seen in figure 12, ITIF contacted Haleon, the multinational health-care company that makes Theraflu, to inquire about the product's authenticity.⁴² After sharing information about the purchase, a representative from Haleon's product authenticity department noted, "It is most probably a counterfeit."⁴³ The company representative also stated that "the product is targeted at the U.S. market only," suggesting that it originated outside Haleon's authorized supply chain, a strong indicator of counterfeiting. Haleon has previously faced counterfeiting issues from online retailers.⁴⁴

Figure 12: Theraflu purchased by ITIF



The vendor behind the test purchase, “Planet Distribution,” had—as of July 2025—sold 26 of this likely counterfeited Theraflu product.⁴⁵ In all, Planet Distribution had sold a total of over 6,400 items on Temu.⁴⁶ As of July 2025, Planet Distribution had only 23 items listed, of which the Theraflu product was the only OTC medicine. Customers have left negative reviews claiming that Planet Distribution sells fake products. The business behind Planet Distribution, “Thera Management, INC.,” is in Illinois and appears to operate out of a suburban residence.⁴⁷

A subsequent Planet Distribution package included an advertisement, as seen in figure 13, for customers to “check out” Planet Distribution’s website, which they advertise as “cheaper than Temu!”

Figure 13: Planet Distribution advertisement included in package sent to ITIF



Planet Distribution’s website offers products that raise questions about IP rights, legality, and product safety.⁴⁸ These include products such as sexual-health supplements and the same Theraflu product ITIF purchased, as seen in figure 14, which is offered for \$8.99, indeed undercutting the vendor’s Temu listing price of \$11.96.⁴⁹

Figure 14: Theraflu listing on Planet Distribution's website⁵⁰

The screenshot displays the product page for Theraflu Nighttime Severe Cold Relief Honey Lemon Flavor Powder on the Planet Distribution website. The header includes the Planet logo, a search bar, a contact number (+1 (773) 759-3314), and links for Sign In, Comparison, Favorites, and My Cart. A navigation bar shows 'All Departments', 'Home', 'Shop', and 'Contacts', along with a 'Sale! 10% OFF!' banner. The breadcrumb trail indicates the product is in the 'Uncategorized' section. The product image shows a box of Theraflu Nighttime Severe Cold Relief Honey Lemon Flavor Powder, highlighting its 'Hot liquid therapy' and '6 PACKETS'.

TheraFlu Nighttime Severe Cold Relief Honey Lemon Flavor Powder – 6 Ct

Brand:

♡ Add To Wishlist | ⚡ Compare

👁 48 people are viewing this product right now

\$9.99 \$8.99

[Shipping](#) calculated at checkout.

1

Buy More Save More!

Buy 3 items get 5% OFF on each product	+ Add
Buy 6 items get 10% OFF on each product	+ Add
Buy 10 items get 15% OFF on each product	+ Add

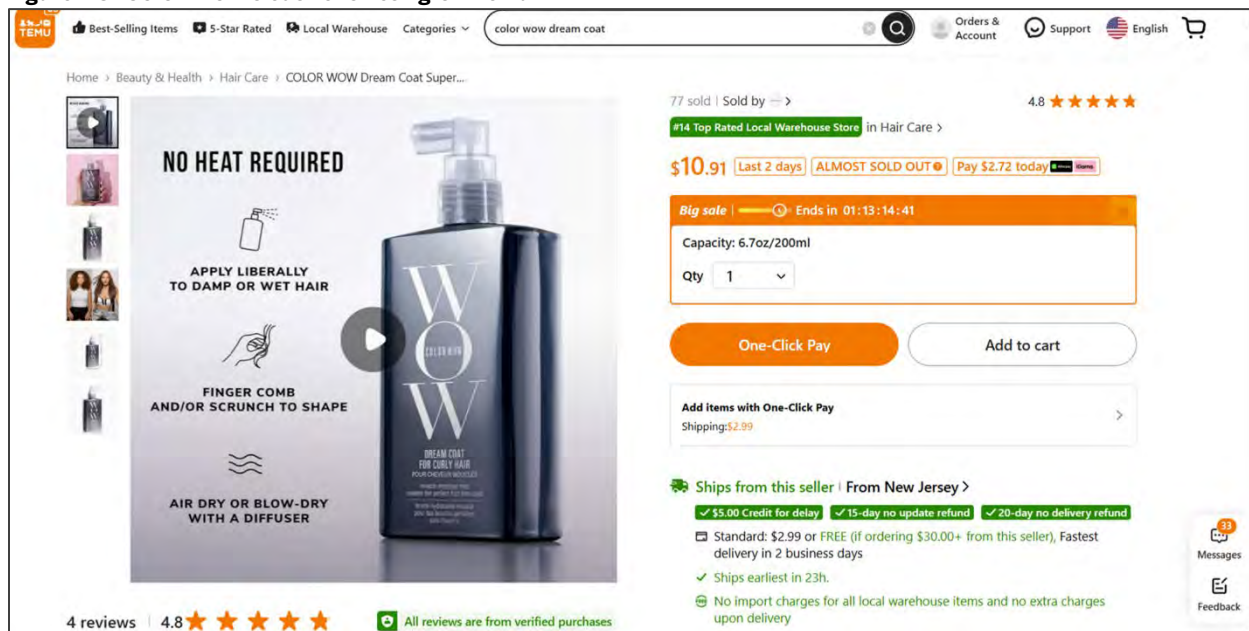
Estimated delivery: 5 days

Categories: Uncategorized

Color Wow Treatment

ITIF purchased a “COLOR WOW Dream Coat Supernatural Serum” from Temu for \$10.91, as seen in figure 15, while the product as sold by Color Wow has a \$24 MSRP.⁵¹ The Temu listing, which has since been delisted, used official Color Wow marketing materials, including product images identical to those used by the legitimate company.

Figure 15: Color Wow treatment listing on Temu⁵²



Following shipment of the product, as seen in figure 16, ITIF observed discrepancies compared with authentic versions of the product on the back label of the bottle.

Figure 16: Color Wow treatment purchased by ITIF



As seen in figure 17, these include typographical errors such as “they re” instead of “they’re” and “Weightless,moisturizing” without a space following the comma.

Figure 17: Detail of errors and inconsistencies in text on Color Wow treatment purchased by ITIF



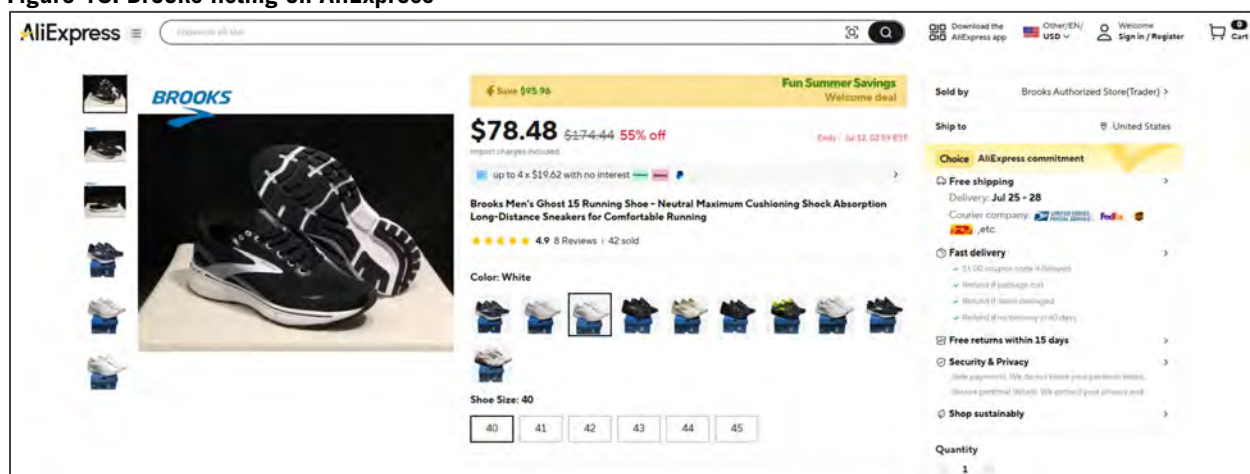
ITIF sent pictures and information of the purchased product to Color Wow. The company responded: “This is definitely a counterfeit.”⁵³ Color Wow also noted that they have heard from “customers who have purchased products through Temu and those have been counterfeit as well.”⁵⁴

The vendor selling the item, N502688, operates out of Colorado under the business name “Beacon Export Edge Inc.”⁵⁵ The owner of this company has seven other registered businesses, most of which appear to be e-commerce operations, all located at the same building.⁵⁶

Brooks Shoes

ITIF purchased a pair of men's shoes marketed as Brooks Ghost 15 running shoes on AliExpress. The seller listed them for \$78.48, as seen in figure 18, presenting a large price discrepancy with Brooks' \$140 MSRP for the same product.⁵⁷

Figure 18: Brooks listing on AliExpress



The seller's AliExpress-listed vendor name is "Brooks Authorized Store" and they sell hundreds of Brooks products below MSRP.⁵⁸ Brooks' website says, "Unfortunately, we can't guarantee the quality of shoes bought from marketplace websites."⁵⁹

Brooks is not behind Brooks Authorized Store, which is just a chosen vendor name. The company actually behind Brooks Authorized Store is Xiamen Bond New Material Technology Co., Ltd, which is a subsidiary of a plastic particles company, Suzhou Tryan Plastic Technology Co., Ltd., or Tryan.⁶⁰ Tryan, whose website is seen in figure 19, has four factories "specializing in the research and development, production, sales and after-sales of various high-performance modified plastics."⁶¹ Notably, Tryan states that its products are used in the production of "shoemaking."⁶² Tryan additionally specializes in "computer color matching," owns a colorimeter that can precisely measure color matching in pigments, and is hiring for a "color matching engineer" who is "able to independently match colors."⁶³ Tryan has patented technology for gas-assisted injection molding, which would be useful to make molded components in running shoes and shares similarities with Brooks' nitrogen infusion process.⁶⁴ Tryan is currently hiring for a "TikTok video shooting and editing" position to use "short videos and graphic self-media to promote the company's products."⁶⁵

Figure 19: Screenshot of Tryan's website



Tryan is a company with technical knowledge, including 30 employees and 3 senior engineers, and significant capital investment.⁶⁶ It has seemingly legitimate business streams, including a plastics and colorants business.⁶⁷ Tryan is, in part, subsidized by the Chinese government. The Suzhou local government awarded Tryan a stipend in 2023.⁶⁸ The Jiangsu Provincial Department of Science and Technology additionally recognized Tryan as a “Jiangsu Province Science and Technology Small and Medium Enterprise” that same year.⁶⁹

A company such as Tryan would have some of the capabilities required to make counterfeit shoes but likely not all the components. Counterfeiters can leverage recognizable brands such as Brooks not just to make profits, but also to gather consumer feedback, refine production processes, and accelerate development of a counterfeit version of its sneaker technology. This allows the counterfeiter to iterate on designs, reverse engineer authentic shoes, and gradually move up the value chain as it improves its processes. If Tryan produces counterfeit products, it uses a sophisticated model of counterfeiting that is more akin to advanced manufacturing than simple replications of plastic products.

The Brooks shoes appeared very similar to authentic Brooks Men Ghost 15 shoes on first glance. They arrived in a shoebox that looks identical to Brooks shoeboxes, and with a seemingly authentic label on the box's side. However, ITIF quickly observed some discrepancies. First, the shoe box the shoes arrived in contained a different barcode, “195394438666,” as seen in figure 20, than the shoe tongue's label, “195394160406,” as seen in figure 21. The shoebox barcode maps to Brook's Men Ghost 15 shoes, but in the wrong color, “Gray/Green/Daylilly,” according to Barcode Lookup.⁷⁰ The shoe tongue label's barcode maps to Brooks Women's Glycerin 20 shoes, which is the wrong model shoes entirely.⁷¹

Figure 20: Shoe box label barcode on Brooks shoes purchased by ITIF

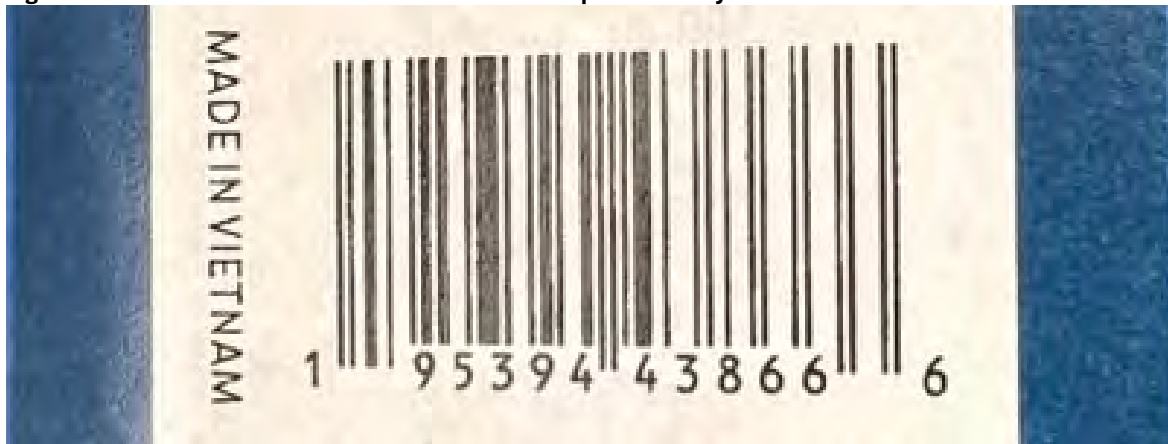
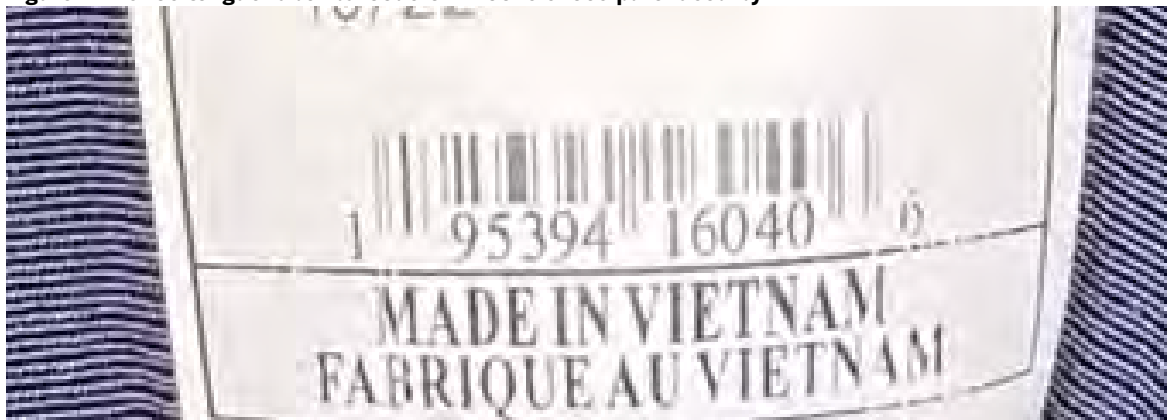


Figure 21: Shoe tongue label barcode on Brooks shoes purchased by ITIF



Second, the shoes physically presented some visual discrepancies from the authentic model online, as seen in figure 22.⁷² The design of the wraparound heel overlay is less reflective in the product ITIF purchased and also appears taller in the heel section, as seen in figure 23.

Figure 22: Heel detail of Brooks Men's Ghost 15 listing on Brooks' website⁷³



Figure 23: Heel detail of Brooks shoes purchased by ITIF

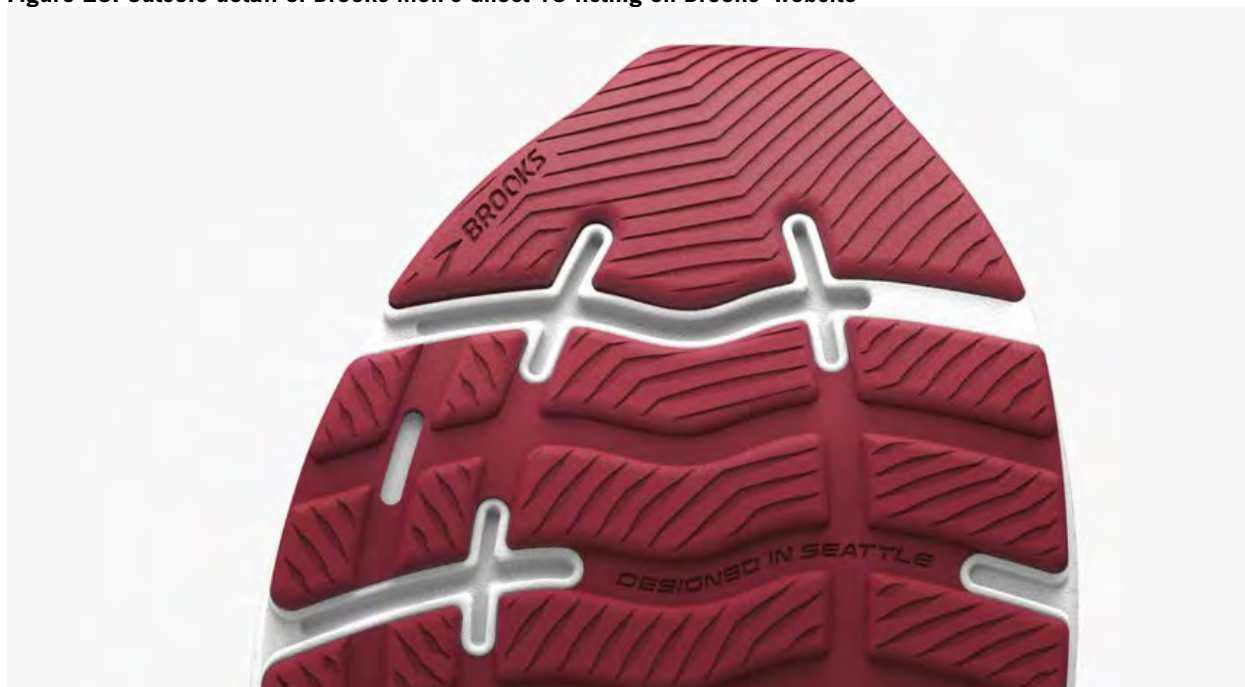


Third, the shoes' outsole also displayed some quality control discrepancies with images of the authentic pair of shoes. Two parts of the teal tread appear to have been cut imprecisely and hang out over the white outsole and the tread as a whole appears to have been slightly misaligned with the entire white part of the outsole, as seen in figure 24. This contrasts with Brooks' images of its outsole, as seen in figure 25.⁷⁴

Figure 24: Outsole detail of Brooks shoes purchased by ITIF

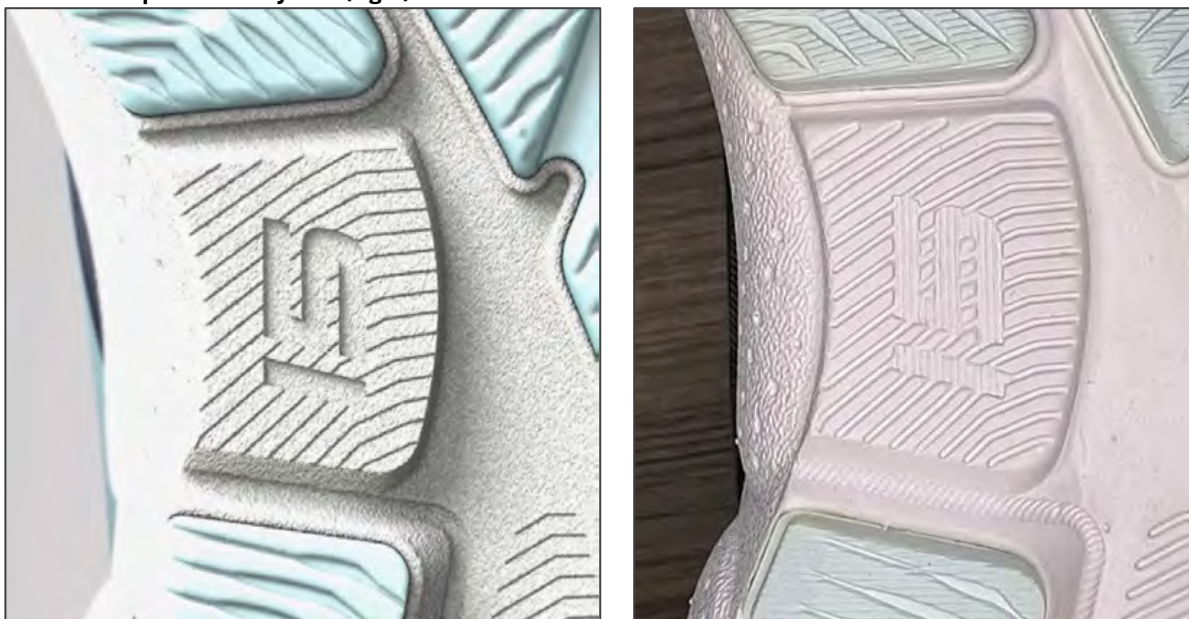


Figure 25: Outsole detail of Brooks Men's Ghost 15 listing on Brooks' website⁷⁵



The shoes also appeared to have a different “15” logo on their outsole based on comparison with the authentic model’s outsole, as seen in figure 26.⁷⁶ The “15” logo on the shoes ITIF purchased appears to be more shallowly carved and contains striped lines that the authentic version does not.

Figure 26: Outsole “15” logo detail of Brooks Men’s Ghost 15 listing on Brooks’ website (left), compared with Brooks shoes purchased by ITIF (right)⁷⁷

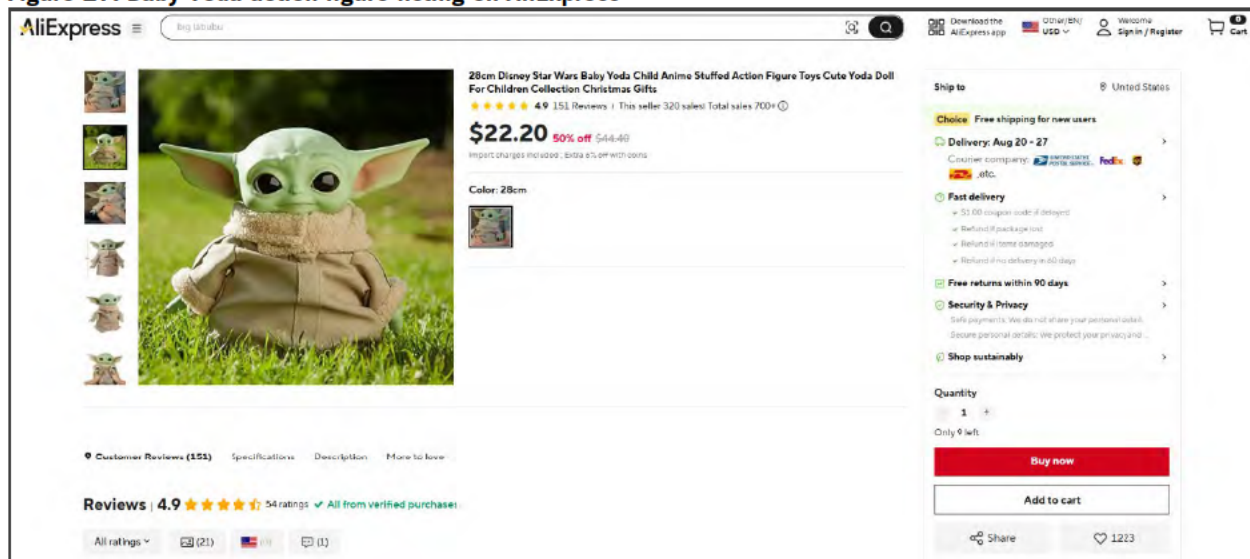


While Tryan has capabilities consistent with manufacturing counterfeit shoes, ITIF was unable to confirm whether the company itself is directly producing them. ITIF contacted Brooks to inquire about the purchased product’s authenticity, sharing photos and details about how the product was acquired. A Brooks supervisor responded: “I’ve confirmed with our quality teams here and can confirm this does not appear to be an authentic Brooks product.”⁷⁸

Baby Yoda Action Figure

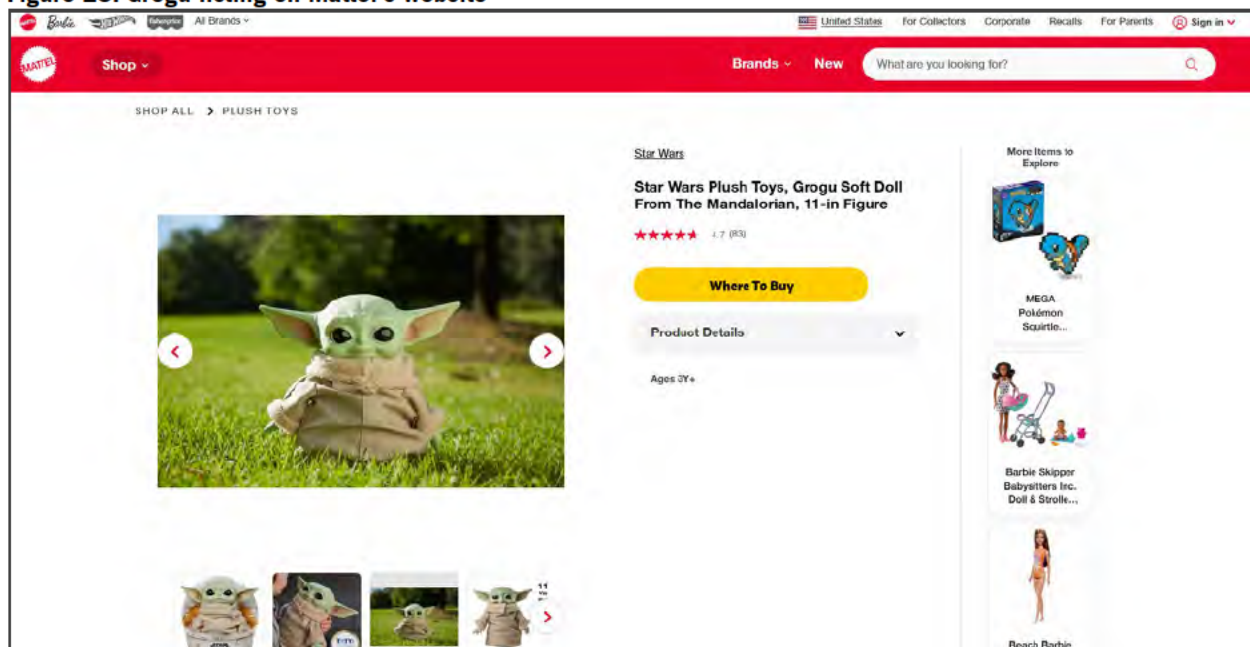
ITIF purchased a product titled “Disney Movies Star Wars 28cm Baby Yoda Action Figure Toy Model Dolls Toys Kids Birthday Gifts” on AliExpress for \$22.20, as seen in figure 27.⁷⁹

Figure 27: Baby Yoda action figure listing on AliExpress



The listing used a photo repurposed in listings on Disney-licensed vendors such as Mattel, seen in figure 28, which references the product's Star Wars licensing.⁸⁰

Figure 28: Grogu listing on Mattel's website



Upon arrival, the product lacked any Disney, Lucasfilm, or Star Wars branding. It arrived without packaging of any kind that could have indicated it was officially licensed. As seen in figure 30, it also contained visual discrepancies from the listing's repurposed photo.

Figure 29: Baby Yoda action figure purchased by ITIF



Figure 30: Baby Yoda toy product AliExpress listing photo compared with the product ITIF received



Despite this, the figure was an unmistakable likeness of “Grogu” (commonly known as Baby Yoda), a character owned by Disney and Lucasfilm.⁸¹ The use of “Disney” and “Star Wars” in the product title, combined with the visual imitation of a well-known character, strongly suggests this is an unauthorized product infringing on Disney’s IP rights.

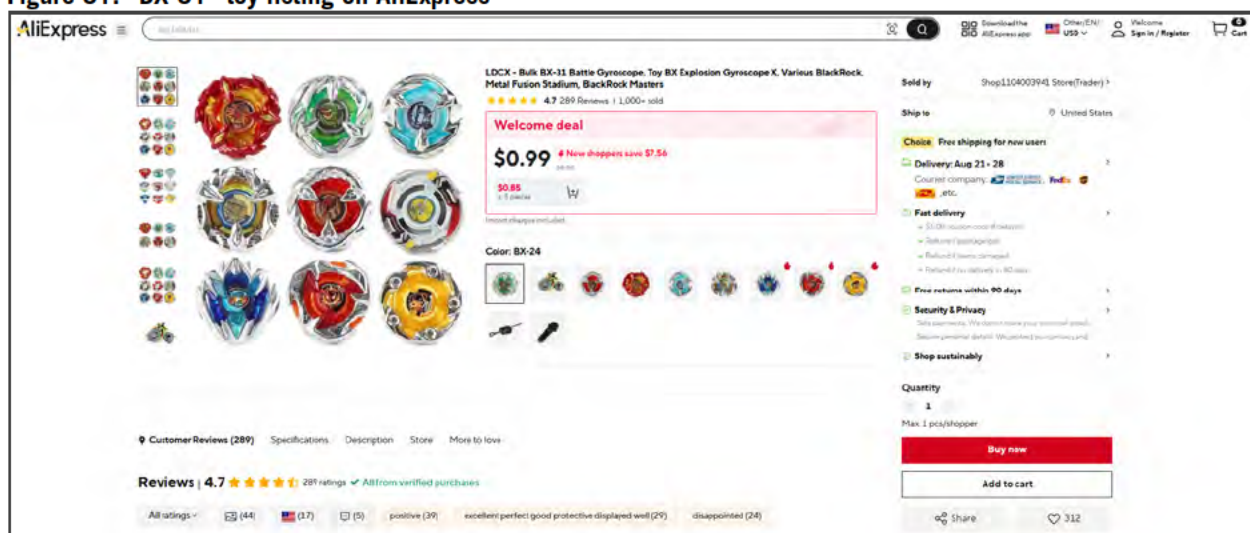
This type of infringement represents one of the highest margin forms of counterfeiting. Because the product itself is a simple combination of molded plastic and low-cost fabric, the real value lies in the product's IP: the Disney and Star Wars branding and the character design. Counterfeiters can manufacture these items at low overhead costs and profit by exploiting brand recognition, while avoiding licensing fees and quality control standards. In this case, the listed price of the counterfeited item was less than the typical MSRP for smaller, officially licensed Star Wars merchandise.⁸²

The seller, operating under the storefront Bandai Anime Lucky Shop Store, lists an address and company name that do not match.⁸³ The company name given is for a metallurgy and furnace company, but the business address given maps to an energy storage company in a different part of Shanghai.⁸⁴

Beyblade

ITIF purchased a children's spinning-top toy from AliExpress listed as "LDCX – Bulk BX-31 Battle Gyroscope," as seen in figure 31, which mimics the marketing, naming conventions, and design of the popular Beyblade brand.⁸⁵

Figure 31: "BX-31" toy listing on AliExpress



The listing prominently includes the term "BX-31," a code that mirrors Beyblade's product numbering system, and the product image features the word "BEY" in stylized capital letters at the center of the toy, as seen in figure 33, despite no affiliation with the official Beyblade trademark owner. Upon arrival, the product displayed no acknowledgement of any Beyblade IP.

Figure 32: "BEY" toy purchased by ITIF



Figure 33: "BEY" toy product listing photo compared with the product purchased by ITIF



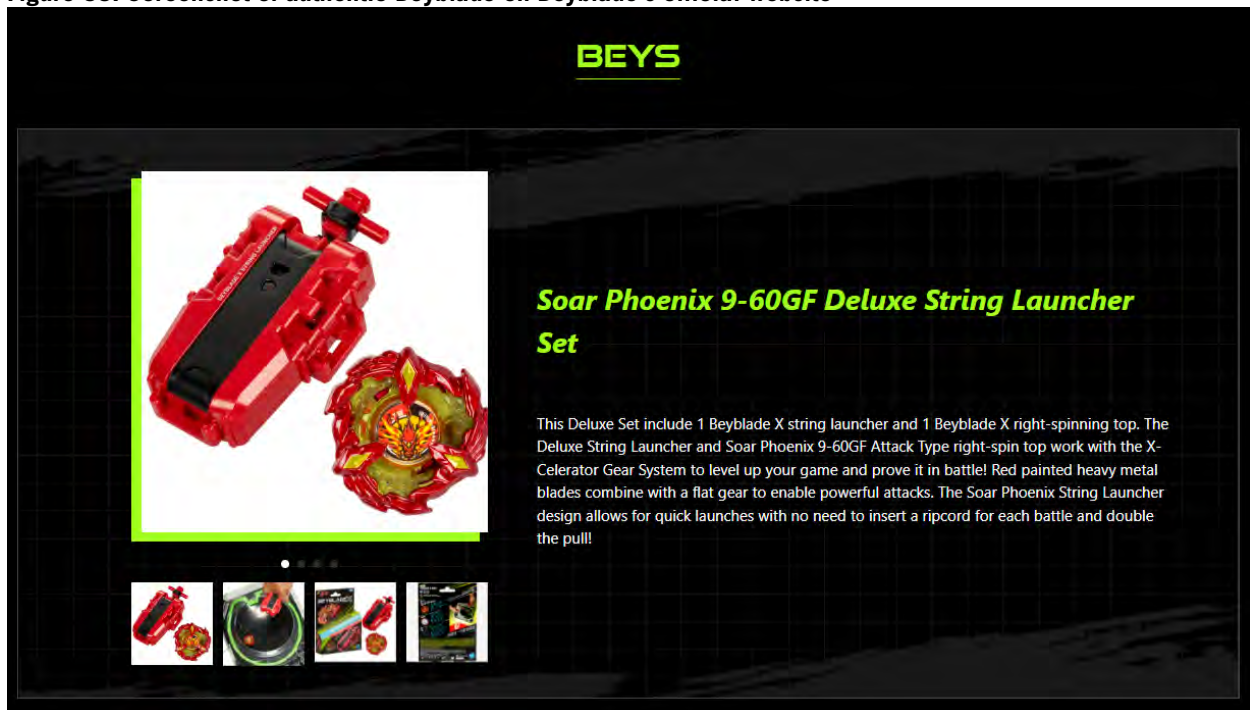
Figure 34: Detail of AliExpress listing showing “BEY”



These elements are designed to evoke the brand identity of Beyblade and signal to consumers that this product is part of the broader Beyblade universe, even though it is not.

While this listing does not use the full brand name in the product title, it uses the “BX-31” code, the “BEY” text, and a phoenix image that is identical to official Beyblade products, as seen in figure 35.

Figure 35: Screenshot of authentic Beyblade on Beyblade's official website⁸⁶

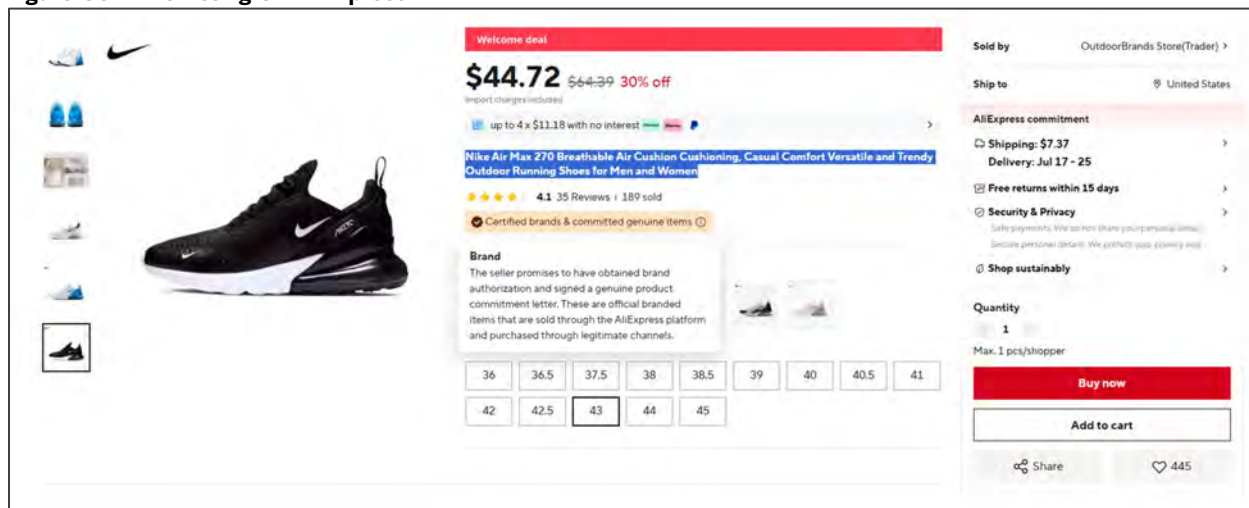


These factors allow the vendor to benefit commercially from the unauthorized use of Beyblade's branding and design language and align this product more closely with the definition of a counterfeit than a dupe. Additionally, the prevalence of nonstandard English and inconsistent text on listings such as this one make it harder for consumers to distinguish between legitimate products and knockoffs. In this case, the deliberate usage of brand imagery and terminology appears designed to exploit that confusion for commercial gain.

Nike Shoes

ITIF purchased a pair of Nike “Air Max 270” shoes from AliExpress based on a suspicious listing in which the listed price at \$44.72 was far below Nike’s typical Air Max 270 MSRP of between \$130 and \$160.⁸⁷ On the listing, seen in figure 36, AliExpress designated the vendor, OutdoorBrands Store, as a “certified brand” that “promises to have obtained brand authorization and signed a genuine product commitment letter.”⁸⁸

Figure 36: Nike listing on AliExpress⁸⁹



The shoes arrived in a plastic bag instead of a box and showed dents that reflected poor quality control. The shoes’ label, as seen in figure 38, appeared different from customer-submitted images of the authentic product’s label.⁹⁰

Figure 37: Nike shoes purchased by ITIF

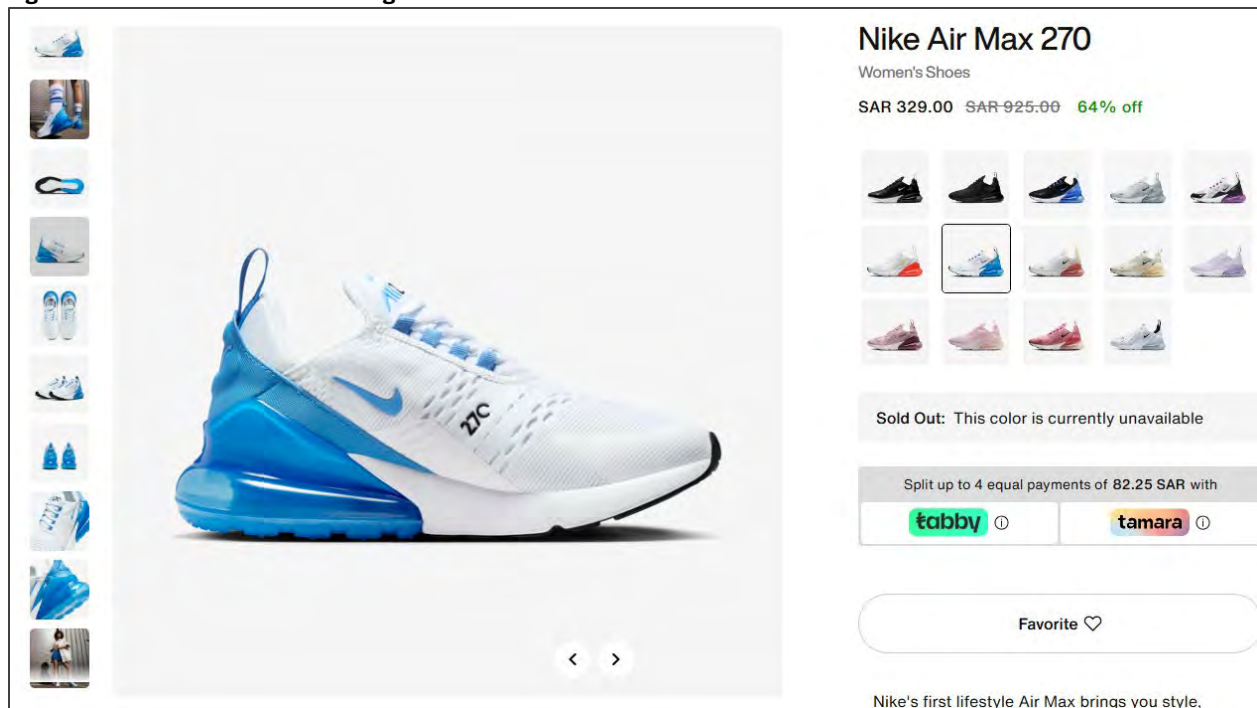


Figure 38: Label from Nike shoes purchased by ITIF



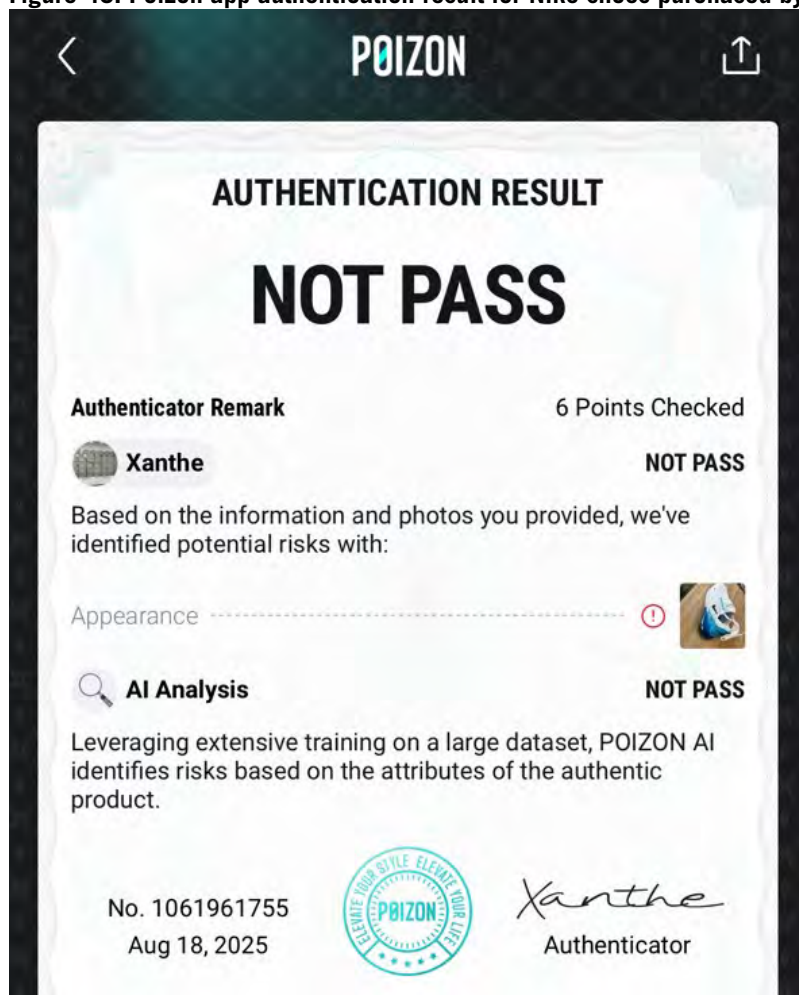
Additionally, the product's UPC that is printed on the label linked to the Nike Air Max 270 "Dusty Cactus" in U.S. size 8, which has black highlights and differences in design from the product received.⁹¹ The closest visual match to the purchased product appeared on Nike's Saudi Arabia website, as seen in figure 39. Yet, this was also not an exact match, as seen in discrepancies in both product design and labeling.⁹²

Figure 39: Nike Air Max 270 listing on Nike Saudi Arabia's website⁹³



ITIF requested that Nike authenticate the shoes, but the company responded that it does not provide authentication services.⁹⁴ ITIF tested the shoes using Poizon, a Chinese authentication app that “uses advanced AI technology, backed by extensive datasets” to authenticate brand authenticity to 90 percent accuracy through user-uploaded photos.⁹⁵ The shoes did not pass Poizon’s authentication, which, as seen in figure 40, identified authenticity risks based on the shoes appearance.⁹⁶

Figure 40: Poizon app authentication result for Nike shoes purchased by ITIF⁹⁷



Days after ITIF conducted the purchase, AliExpress seemingly delisted the vendor behind the product, OutdoorBrands Store.⁹⁸ The vendor's page is still live but its listings—which included Nike, “adids” (likely dupes of Adidas products), and bags—are no longer accessible. Established on December 13, 2024, the online vendor accumulated nearly 5,000 followers before its delisting.

“Qingdao Suzhi Trading Co., Ltd.” is the registered business name behind OutdoorBrands Store, with the address of “CN, Room 605-7, Building 3, Sino-German Institute of New Energy and Environmental Protection Technology, 816 Nanli Village, Aoshanwei Street, Jimo District, Qingdao City, Shandong Province, 370282.”⁹⁹ ITIF could find neither the business nor address on the Chinese Internet, but identified a different company, “Qingdao Shengda Floral Fragrance Trading Co., Ltd.,” that inhabits rooms 602-8.¹⁰⁰

AliExpress's removal of OutdoorBrands Store suggests that the platform does have some anticounterfeiting measures in place, at least when sellers are flagged or draw scrutiny. However, the fact that a vendor with nearly 5,000 followers could operate openly with listings for multiple suspected counterfeit brands before being taken down points to gaps in proactive enforcement. While AliExpress's delisting of the store shows an ability to respond to problematic sellers, the

persistence of counterfeit Nike products on the platform indicates that detection and removal likely remain reactive rather than systematic, allowing bad actors to continue exploiting the marketplace.

K18 Hair Treatment

ITIF purchased a hair treatment product from Temu marketed as “K18 Leave-in Molecular Hair Mask.” The listing, as seen in figure 41, showed a bottle that visually matched the authentic product sold by the U.S. haircare brand K18, known for its patented biotech products.¹⁰¹

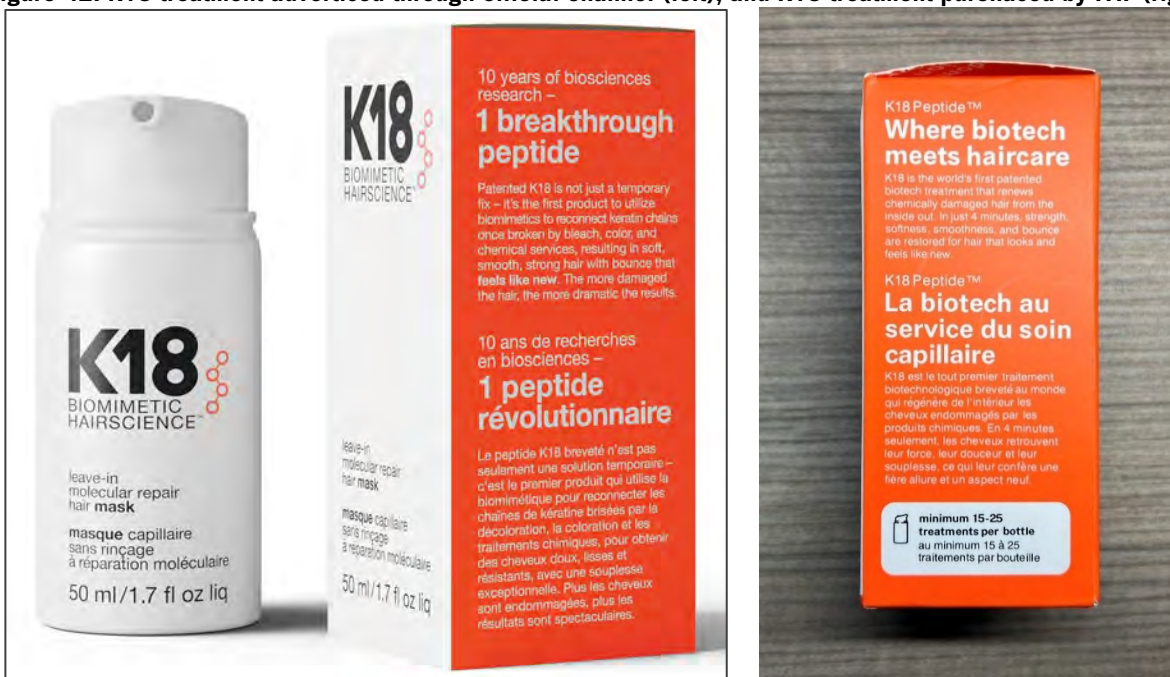
Suspicious indicators of counterfeit included a low listing price of \$5.55 for three 50 ml bottles, compared with K18's official MSRP of \$75 for one 50 ml bottle.¹⁰² The vendor behind the listing, “Yanyankeji Local,” Temu's second best-selling local warehouse store in hair care as of August 2025, does not appear to be affiliated with K18 or any known authorized distributor.¹⁰³

Figure 41: K18 listing on Temu¹⁰⁴



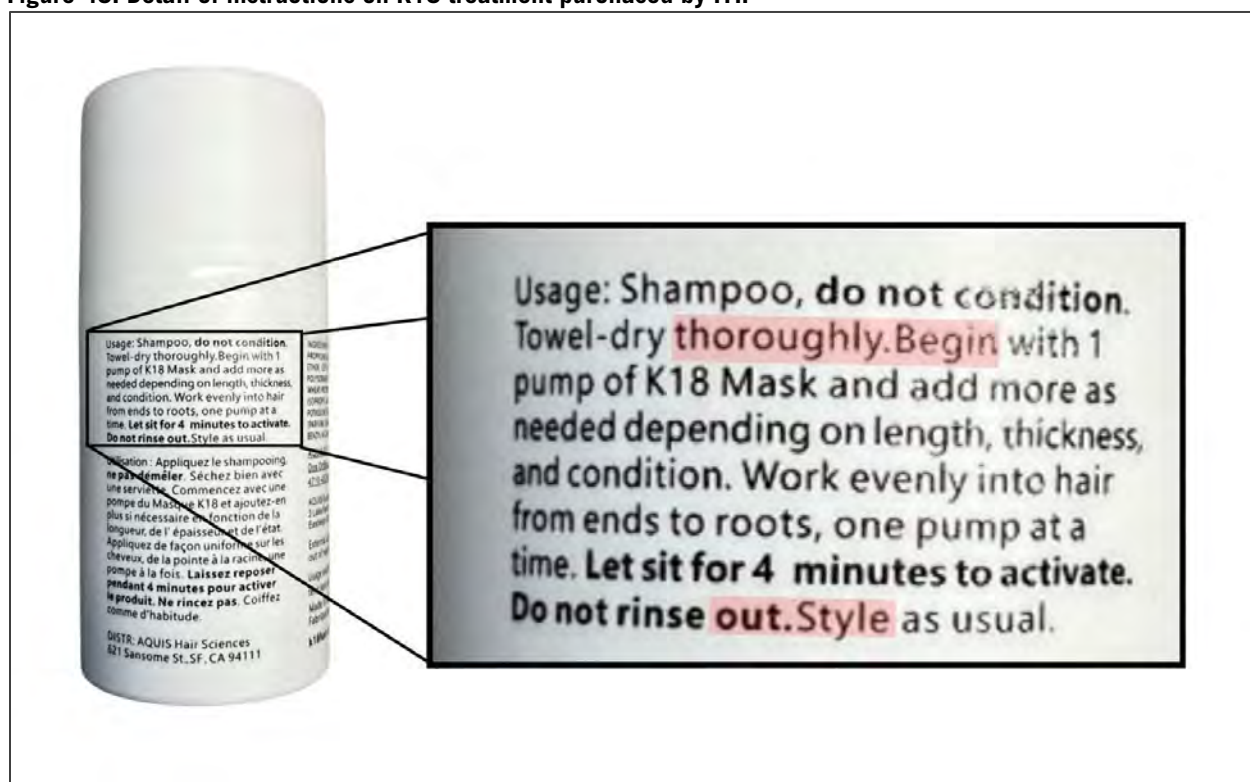
Upon delivery of the product, ITIF found several packaging anomalies. When sold through an authorized vendor, the product displays a different slogan on the same pane: “10 years of biosciences research - 1 breakthrough peptide.”¹⁰⁵ On the box, the side to the right of the white pane displays the slogan “Where biotech meets haircare,” as seen in figure 42.

Figure 42: K18 treatment advertised through official channel (left), and K18 treatment purchased by ITIF (right)



In the English instructions for product usage on the bottle, there are numerous punctuation errors, such as “Towel-dry thoroughly.Begin with” and “Do not rinse out.Style as usual.” A company name is given as “AQUIS EU Ltd..” These subtle but telling inconsistencies were cross-referenced against legitimate K18 products, where no such errors were present.

Figure 43: Detail of instructions on K18 treatment purchased by ITIF



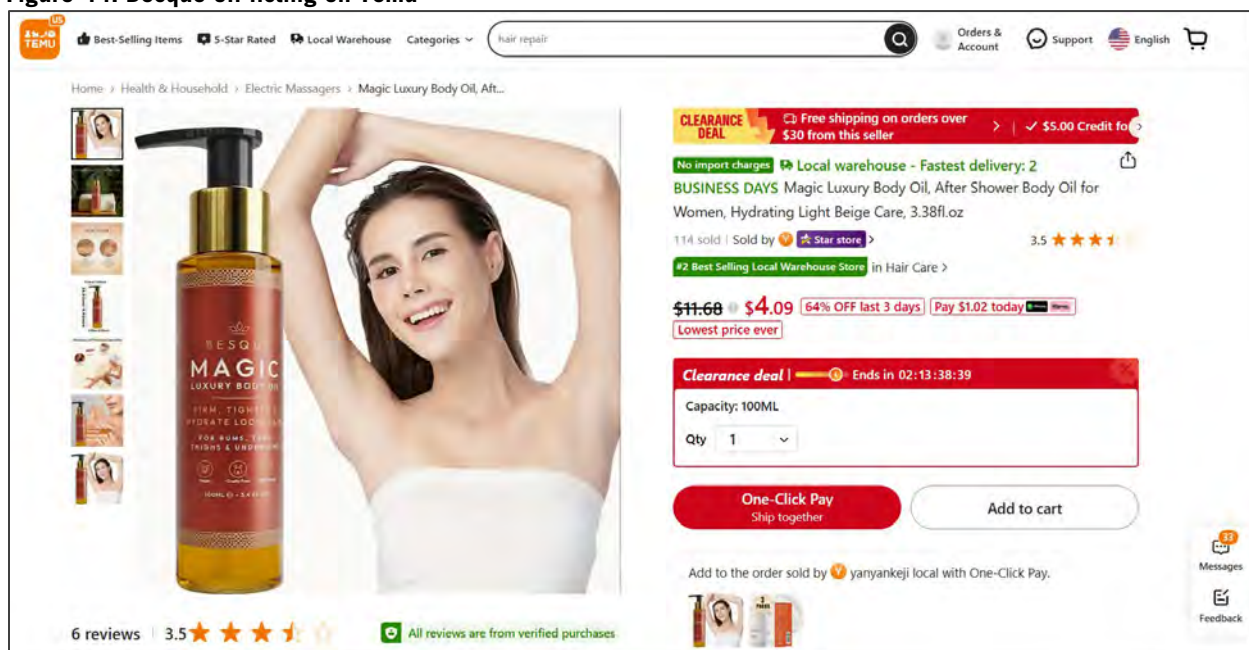
The bottom of the bottle displayed a batch number, “LT25028A,” which ITIF provided to K18 in an inquiry to verify authenticity. While the company stated it cannot guarantee the quality or authenticity of products purchased from unauthorized sources such as Temu, a representative said that the product was likely diverted, and that these diverted products “are often expired, counterfeit, stolen, or tampered with.”¹⁰⁶

As of August 2025, Yanyankeji Local has sold over 400 units of the K18 product on Temu. If each of those 411 orders replaced a legitimate triple-pack purchase, K18 would stand to lose nearly \$100,000 in potential retail sales on that one listing alone. This case demonstrates how even a single low-profile vendor can inflict substantial financial harm on legitimate companies. For a science-based brand such as K18, that nearly \$100,000 could have gone toward research and development (R&D) or product development.

Besque Oil

ITIF also purchased another product from Yanyankeji Local titled “Magic Luxury Body Oil, After Shower Body Oil for Women, Hydrating Light Beige Care, 3.38 fl.oz” via Temu.¹⁰⁷ The image in the listing clearly showed the product “Besque Magic Body Oil,” a U.K.-based skincare company. The seller listed the product for \$4.09, significantly below the \$60 MSRP listed on Besque’s official website.¹⁰⁸ The listing was also miscategorized under “electric massagers,” as seen in figure 44, and user reviews flagged the item as fake.¹⁰⁹

Figure 44: Besque oil listing on Temu¹¹⁰



Upon receipt, the package showed clear signs of poor quality control. The oil had fully leaked from the bottle during transit, soaking through both the paper box and outer plastic wrap as seen in figure 45.

Figure 45: Nearly empty Besque oil bottle as it arrived to ITIF



The packaging displayed several inconsistencies with Besque's known branding, including typographical errors such as "Smoothens&deeply," "once per day .Apply to," and "vegon" instead of "vegan," as seen in figure 46. These red flags, combined with the misleading product category, other branding discrepancies on the packaging, and extraordinarily low price point, strongly suggest that the item is counterfeit.

Figure 46: Typographical errors on packaging for Besque oil purchased by ITIF



The business behind Yanyankeji Local, Shenzhen Yanyan Network Technology Co., Ltd., was established in 2021 and advertises itself as an information technology company, with a business scope including computer hardware and software, database management, and maintenance of network platforms.¹¹¹ The only business activity remotely related to the sale of cosmetics is a mention of the “import and export of goods and technology.”

Shenzhen Yanyan Network Technology operates out of a residential building in the outskirts of Shenzhen, as seen in figure 47. Critically, the individuals most responsible for producing counterfeit goods—the plastics manufacturers replicating product colors, the engineers reverse-engineering original products, and the graphic designers copying logos and branding—often remain hidden. Residential addresses such as “Room 805, Building 72, Junlong New Village, Yousong Community, Longhua Street, Longhua District, Shenzhen” are used to shield the true source of counterfeit production.¹¹² This address is possibly where counterfeit cosmetics products are manufactured, but is more likely where final assembly occurs or where listings on e-commerce platforms are managed.

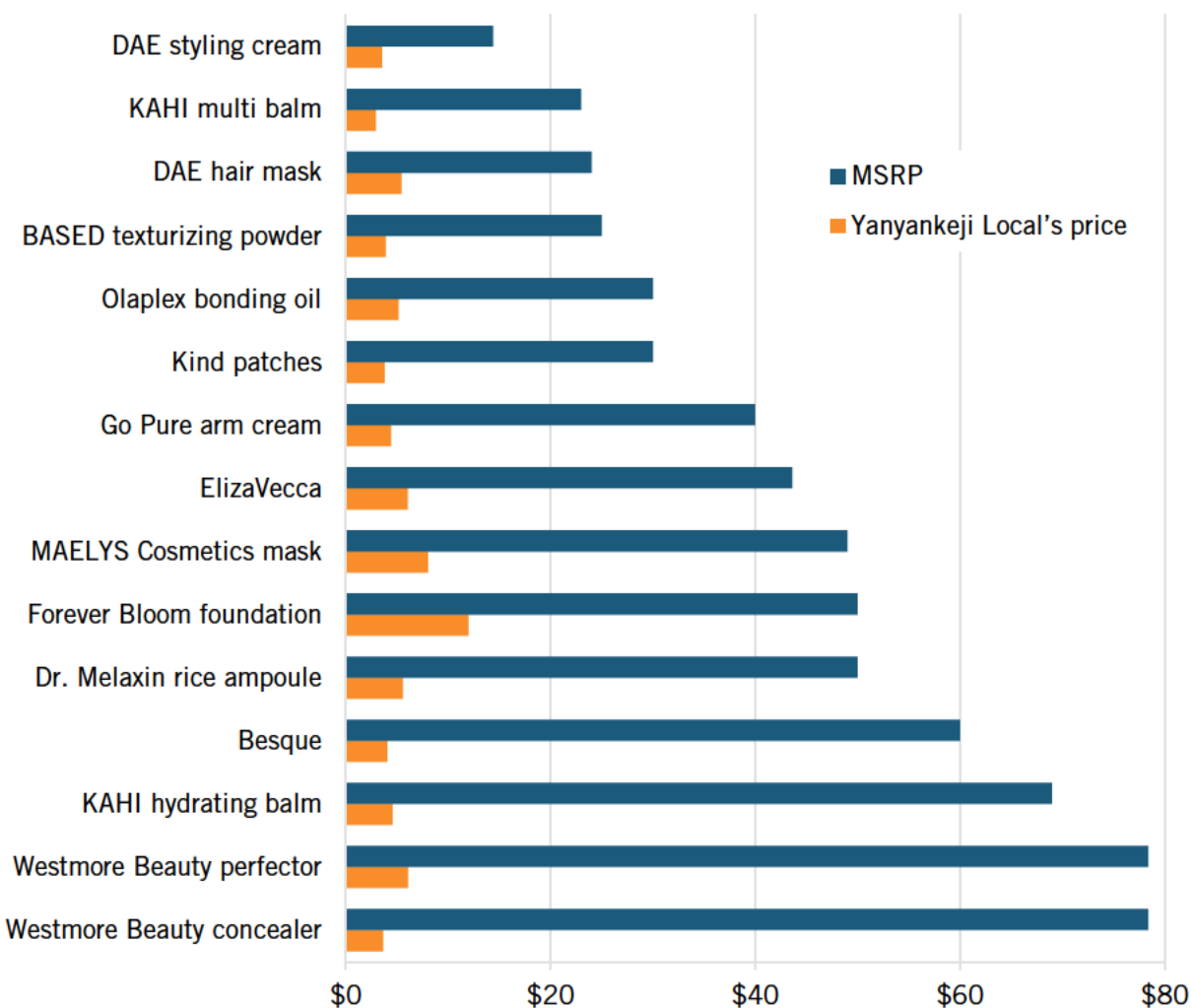
Figure 47: Screenshot from Baidu Maps of Yanyankeji Local's listed address¹¹³



With two very likely counterfeits attributed to Yanyankeji Local, the vendor presents a good case study of the overall impact of counterfeits. Many of the vendor's listings appear to imitate well-known health and beauty brands. As of August 2025, the storefront has sold 15,626 units across 59 current listings for a total of \$80,487. As of August 2025, the store has in total sold at least 36,000 products.¹¹⁴ Assuming similar pricing for its previous sales, Yanyankeji Local would have sold at least \$193,767 worth of goods over time.

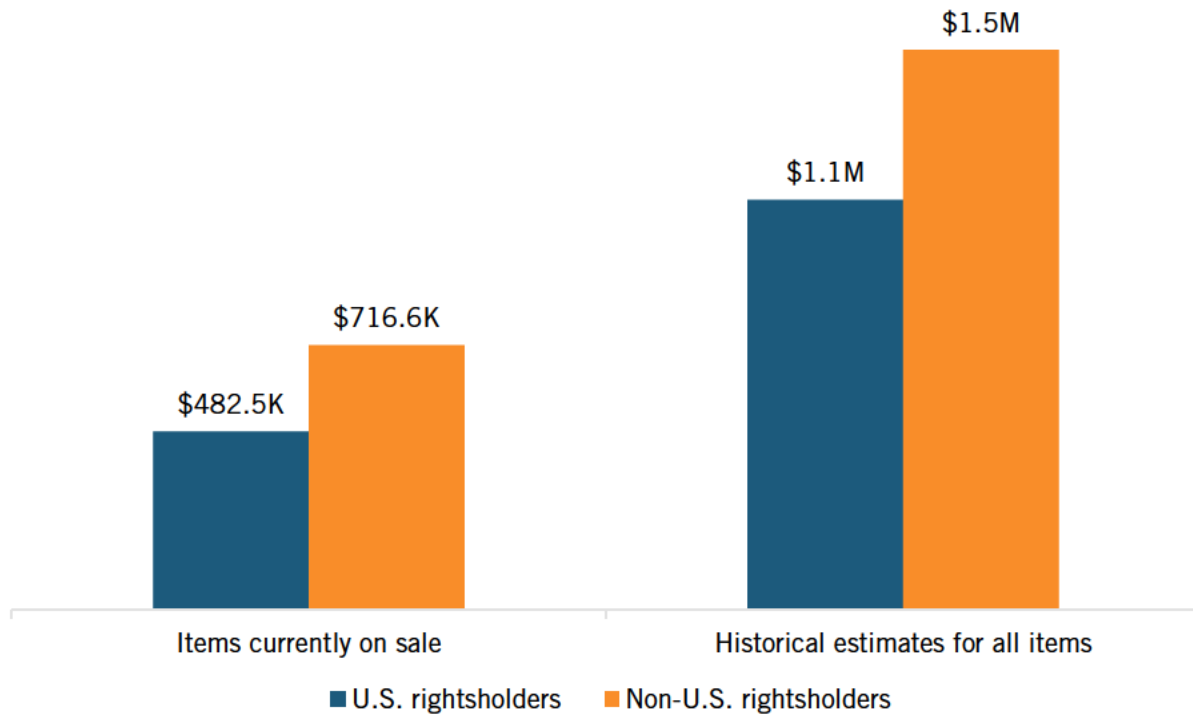
Of the 59 listed items in August 2025, ITIF identified 55 as potential counterfeits and 4 likely dupes that do not appear to infringe on brands' IP. In almost all cases, the listed price was significantly lower than the imitated product's MSRP, as seen in figure 48, a comparison of Yanyankeji Local's prices on its current 15 best-selling products versus the imitated products' MSRPs.

Figure 48: MSRP versus listing price for potential counterfeits



Using the imitated products' MSRPs, ITIF estimated the total amount of revenue lost by rights holders resulting from Yanyankeji Local's sales. On average, rights holders lost approximately \$40 every time a consumer purchased a counterfeit rather than a rights holder's authentic product. ITIF calculated the total lost revenues for U.S. and non-U.S. rights holders based on Yanyankeji Local's August's marketplace offerings, as well as its past sales. As seen in figure 49, U.S. rights holders stand to lose \$482,461 from August's listings and have lost \$1,109,917 in past listings, while non-U.S. rights holders stand to lose \$716,556 from August's listings and have lost \$1,516,247 in past listings.

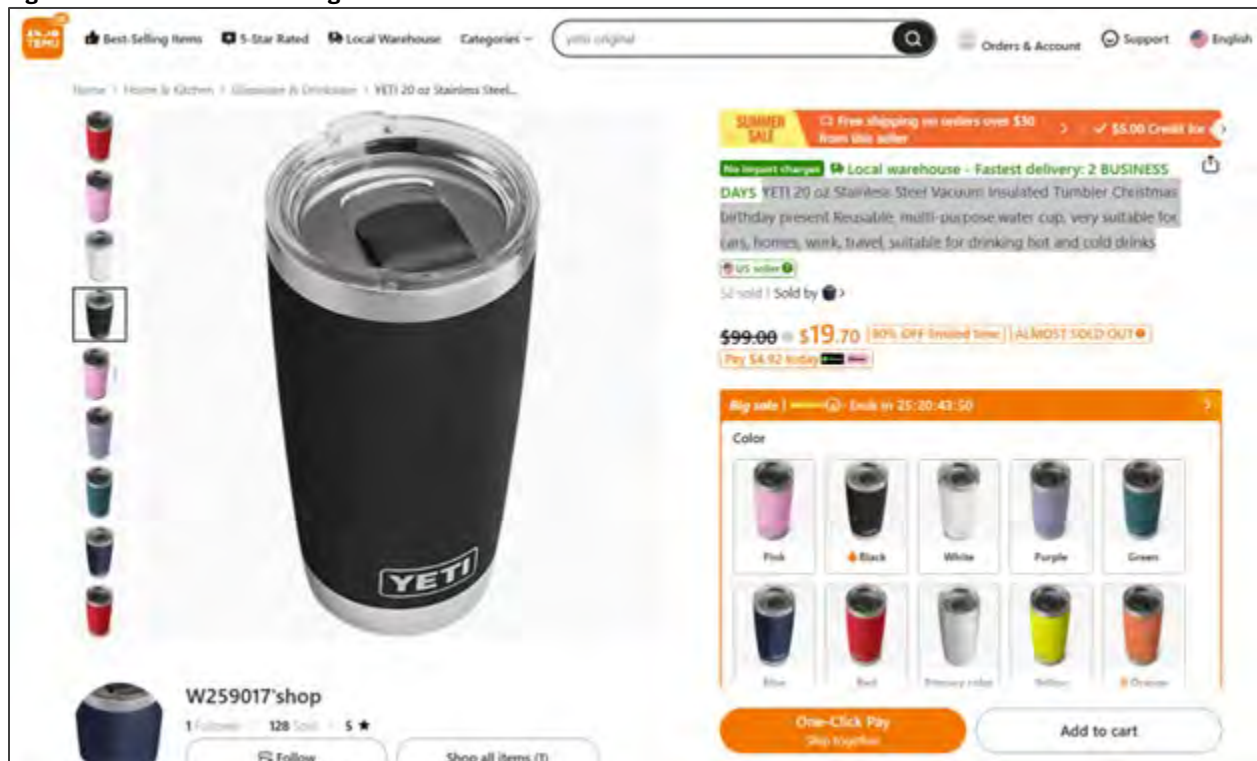
Figure 49: Lost revenue for U.S. and non-U.S. rights holders, August 2025¹¹⁵



YETI Tumbler

ITIF purchased a 20 ounce stainless steel tumbler marketed as a YETI product from a Temu listing titled “YETI 20 oz Stainless Steel Vacuum Insulated Tumbler Christmas birthday present Reusable, multi-purpose, water cup,” as seen in figure 50.¹¹⁶ The product is sold by a vendor operating under the storefront name “W259017’s shop,” with a listed business address in Denver, Colorado, under the name EANDDOON LTD. The seller listed the product for \$19.70, far below YETI’s official MSRP for this model, which typically retails for around \$35. While the listing did not prominently display the YETI name in the product title on Temu’s search results page, it did use YETI in the listing’s description and appeared to be designed to evoke the well-known brand.

Figure 50: YETI tumbler listing on Temu¹¹⁷



Upon arrival, the product presented several red flags indicating that it was likely not authentic. The text engraved on the bottom of the tumbler did not match the alignment or font seen on verified YETI products online.¹¹⁸ Notably, where the text should say “PAT OR PENDING · YETI.COM/PATENTS,” the product ITIF purchased instead used the interpunct twice, with an engraved “PAT OR PENDING · YETI · COM,” as seen in figure 51. Additionally, where the text should say “DESIGNED IN TEXAS · MADE IN CHINA,” the product ITIF purchased again messed up the punctuation with “DESIGNED IN TEXAS.MADE IN CHINA.” The magnetic sliding piece on the lid—a signature component of YETI’s “MagSlider” technology—also looked visibly different from official designs as seen on verified YETI products online.¹¹⁹

Figure 51: Bottom of YETI-branded tumbler purchased by ITIF



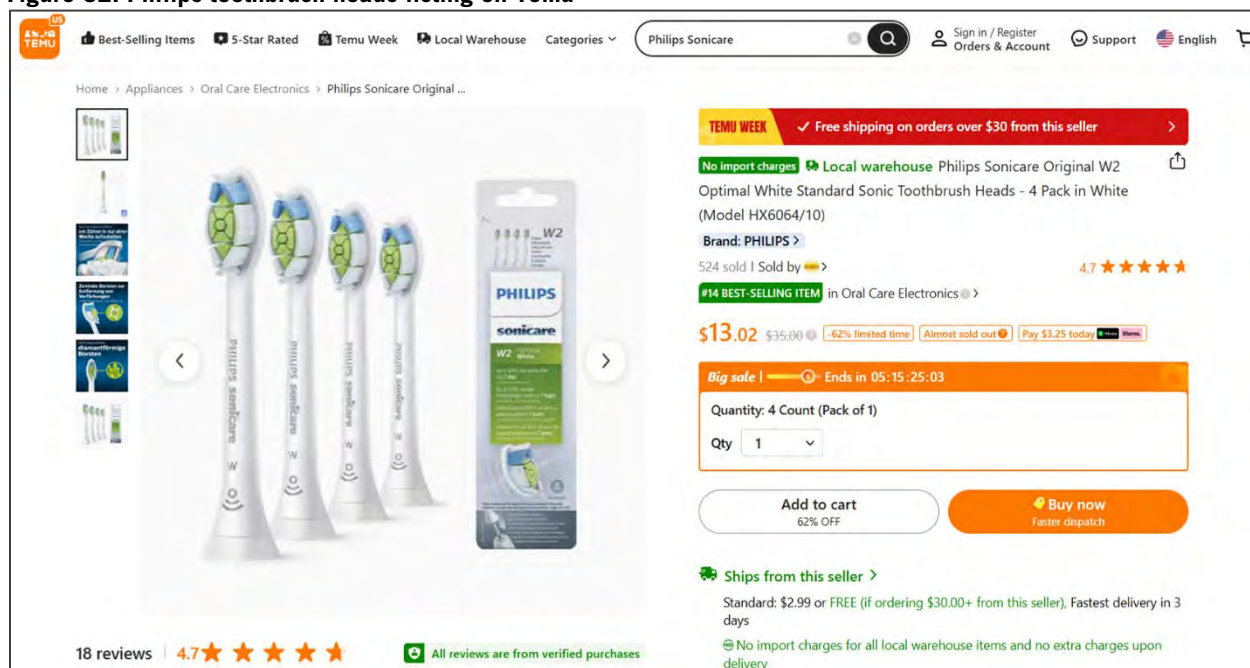
Most notably, the tumbler did not include YETI’s trademark registration QR code, which is supposed to come with every product and allows consumers to verify authenticity and register their purchase via YETI’s website. Instead, it came with a small slip of paper displaying a sample QR code that does not scan.

When ITIF contacted YETI with photos and details of the listing, the company declined to verify the item directly because the seller was not an authorized distributor.¹²⁰ However, a representative stated that the lack of a QR code and the described discrepancies “doesn’t sound right,” reinforcing suspicions of inauthenticity.¹²¹ The seller in question had no other products listed on Temu, and public records suggest the business was only recently registered—both characteristics commonly associated with short-lived or pop-up storefronts that are difficult to trace or hold accountable.

Philips Toothbrush Heads

In July 2025, ITIF identified a suspicious listing on Temu for “Philips Sonicare Original W2 Optimal White Standard Sonic Toothbrush Heads - 4 Pack in White (Model HX6064/10),” as seen in figure 52.¹²² The listing drew suspicion not only due to a lower price compared with official retail channels but also due to a warning left in a customer review: “do not buy from this seller. they are selling fake used toothbrush heads.”¹²³

Figure 52: Philips toothbrush heads listing on Temu¹²⁴



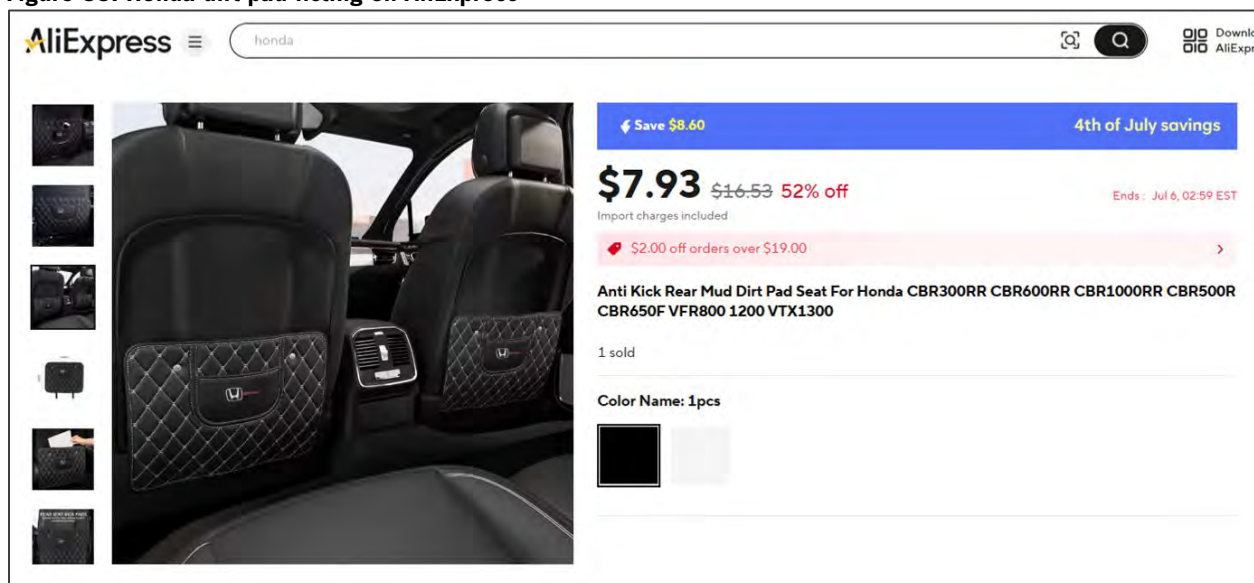
Shortly after ITIF documented the listing, Temu delisted it, along with the vendor’s entire storefront. This delisting provides insight into Temu’s anticounterfeiting measures. Days before its delisting, the toothbrush heads had amassed 542 sales and was ranked as the “#14 best selling item” in Temu’s Oral Care Electronics product category. The reason for the product’s delisting remains unclear. While the negative review referencing “fake” products was one star, the listing maintained an average 4.7-star rating across 18 reviews, so it is unlikely that a low overall rating would have flagged the product to Temu’s anticounterfeiting team or automated scans. More plausibly, keywords such as “fake” in the review may have tripped automated moderation, or Philips may have submitted a formal complaint, especially since a separate listing for Philips toothbrush heads that ITIF had come across was also delisted around the same time.¹²⁵ Regardless of the mechanism, the case highlights that Temu’s current practices appear to allow counterfeit goods to thrive until they become too visible, at which point the platform acts, but not before consumers have made hundreds of purchases.

ITIF was unable to identify any further information about the vendor behind the toothbrush heads, “Nazima Shaheen Ge Ecommerce Inc.” The seller’s listed business address corresponded to a suite in a commercial building on the outskirts of Denver that until recently was a health care business, so the vendor likely used a false address.¹²⁶

Honda Dirt Pad

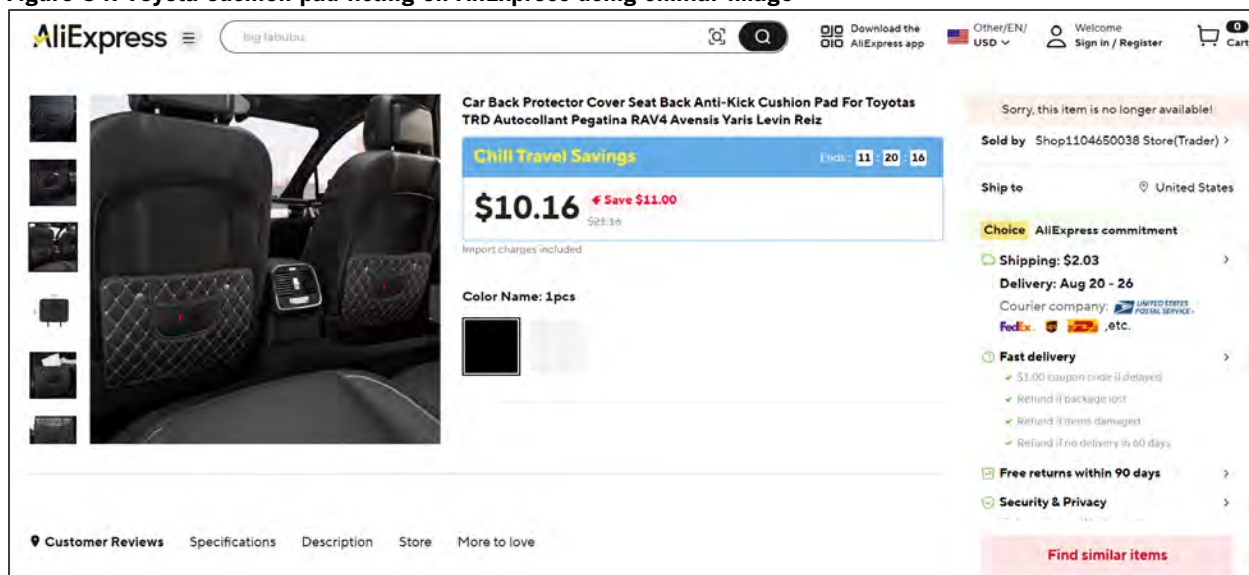
ITIF purchased a dirt pad for motorcycles on AliExpress listed as “Anti Kick Rear Mud Dirt Pad Seat For Honda CBR300RR CBR600RR CBR1000RR CBR500R CBR650F VFR800 1200 VTX1300” for \$7.93, as seen in figure 53.¹²⁷ The vendor behind the listing, “Shop1104458030 Store,” seemingly added an extra “R” to each of the model numbers written in the product title, such as “CBR300RR” instead of Honda’s branding of “CBR300R.”¹²⁸ This could have been a mistake, or it could be a deliberate way to avoid scrutiny. The use of “for Honda” in listings can be acceptable when describing compatibility, such as a vendor selling a replacement battery for a known brand’s power tools, but this listing crosses into infringement by reproducing Honda’s branding.

Figure 53: Honda dirt pad listing on AliExpress



Curiously, the AliExpress listing only shows pictures of the dirt pad being used in a car, even though the product name only names Honda motorcycle models.¹²⁹ This looks like a case of re-using a stock image and editing a photo to place the Honda logo. ITIF identified a separate AliExpress vendor, with a similar name—Shop1104650038 Store—connected to a separately registered business that appears to use the same base image but with a different brand edited into the image, as seen in figure 54.¹³⁰

Figure 54: Toyota cushion pad listing on AliExpress using similar image¹³¹



The dirt pad arrived with no barcode or manufacturer information. The product itself features the Honda logo and name. The logo and Honda lettering are not parallel with the entire dirt pad, as seen in figure 55. ITIF was unable to identify any official Honda-branded motorcycle dirt pads sold online, so this product represents a form of counterfeit where the seller attempted to legitimize a generic product by applying the rights holder's name and trademarked logo.

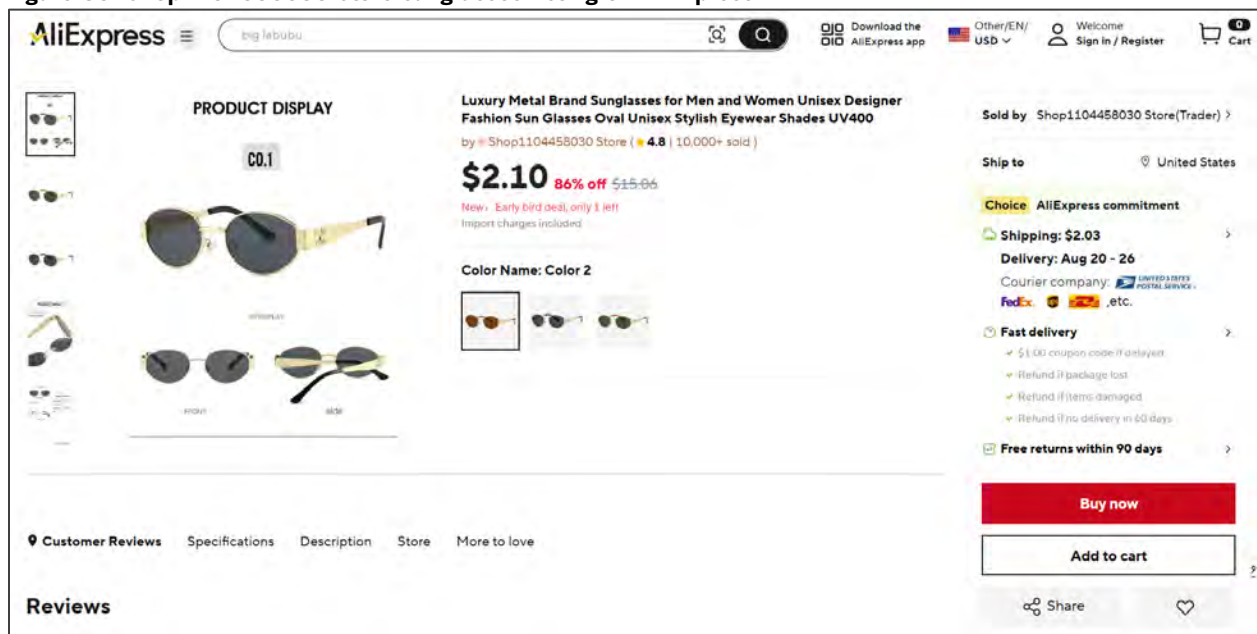
Figure 55: Logo detail on Honda dirt pad purchased by ITIF



The business behind Shop1104650038 Store is Foshan Zuofei Culture Media Co., Ltd. (Zoffy).¹³² The business address listed on AliExpress does not match the one in the company's

corporate registration, which has changed seven times in the last five years.¹³³ The business had previously been marked as operating abnormally due to being unreachable at its registered address. Its registered phone number has also been used by 54 other companies, suggesting possible shell companies or mass corporate registrations. The company’s business scope includes “motorcycle parts and accessories” along with a wide variety of unrelated goods and services.¹³⁴ Shop1104650038 Store only sells car accessories, with one exception: a listing that appears to be a logo-infringing pair of Celine sunglasses, as seen in figure 56.¹³⁵ Based on this evidence, Zoffy likely operates multiple online storefronts to target specific product niches, and it appears the sunglasses listing was mis-listed on the company’s auto accessory storefront.

Figure 56: Shop1104650038 Store sunglasses listing on AliExpress



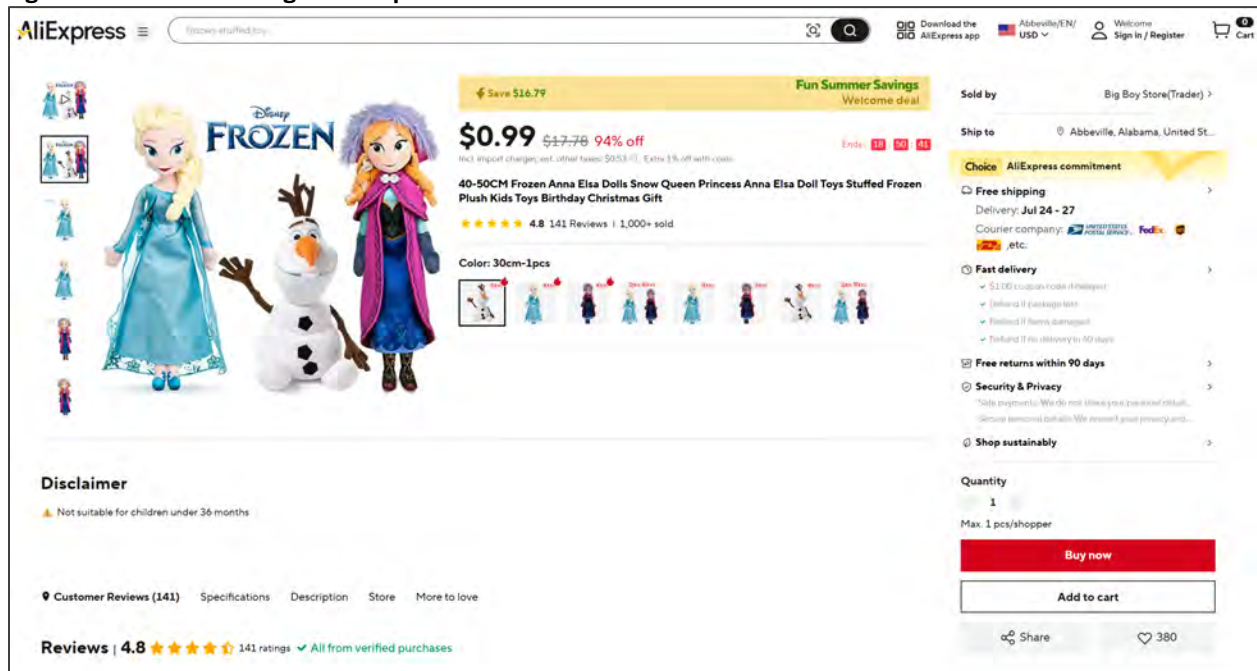
Zoffy is currently recruiting for a video editing role that will be “responsible for filming and editing Douyin videos,” referring to TikTok’s mainland China sibling company.¹³⁶ Examples of Zoffy’s videos show models posing with products such as backpacks and handbags.¹³⁷ ITIF was unable to determine whether these promotional videos were intended for marketing the sale of products such as the dirt pad or—based off the vendor’s business name—reflect a media business stream separate from e-commerce.

Along with Tryan, Zoffy displays a pattern of potential counterfeiters hiring for digital marketing roles, reflecting that counterfeiting activity is not just limited to the supply chain but also the promotional ecosystems that support sellers. In addition to its activity on Douyin, on which it is “a top seller,” Zoffy is also active on Toutiao, another media platform that exclusively operates in the mainland China market.¹³⁸ Zoffy’s presence on multiple platforms, both international and domestic, illustrates that IP infringement is ultimately a global challenge rather than one confined to U.S. platforms.

Elsa Doll

ITIF purchased an Elsa doll on AliExpress listed as a “40-50CM Frozen Anna Elsa Dolls Snow Queen Princess Anna Elsa Doll Toys Stuffed Frozen Plush Kids Toys Birthday Christmas Gift,” as seen in figure 57.¹³⁹ ITIF paid \$8.61 for the product, far below the MSRP of much smaller Elsa dolls sold through Disney’s official store.¹⁴⁰

Figure 57: Elsa doll listing on AliExpress



The doll ITIF purchased, seen in figure 58, arrived with a tag that states, “from the movie Frozen” and “Elsa,” as seen in figure 59. The back of the tag has no barcode, no product ID, no manufacturer name, and no Disney logo, but has an emblem saying “genuine,” “original,” and “authentic.”

Figure 58: Elsa doll purchased by ITIF



Figure 59: Label from Elsa doll purchased by ITIF



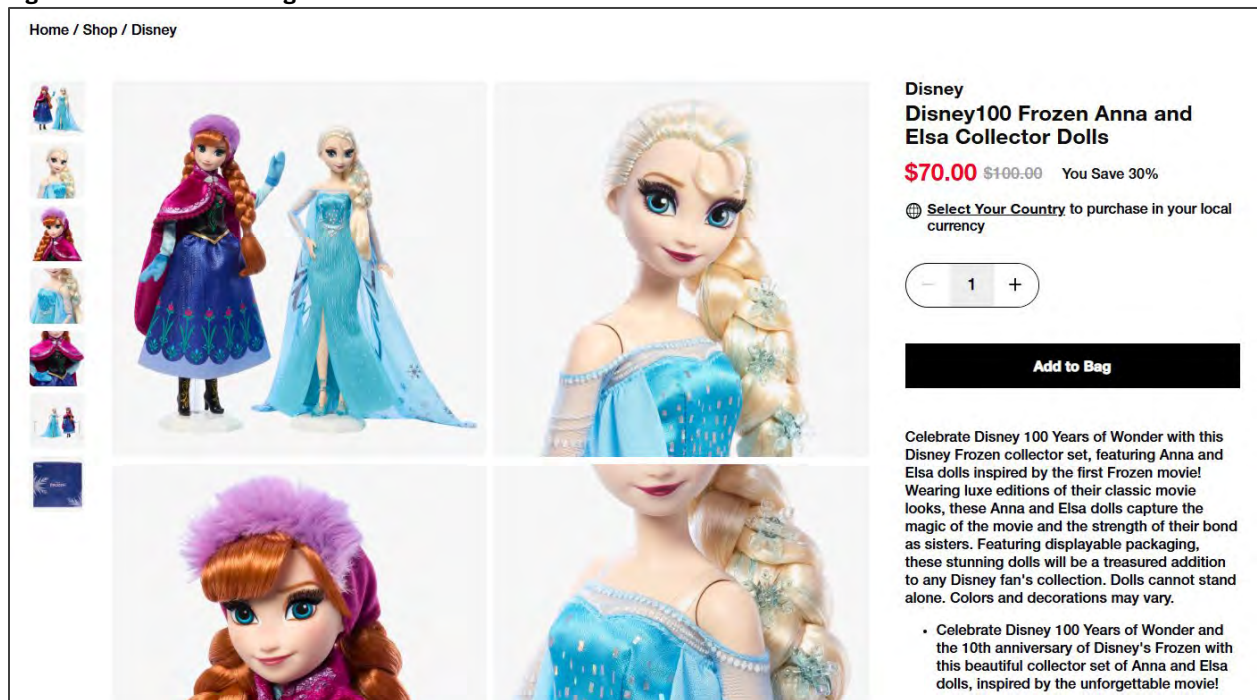
The overall workmanship appears lower in quality than expected from an officially licensed Disney product. As seen in figure 60, the stitching is inconsistent, and the fabric quality feels thin and inexpensive.

Figure 60: Stitching on Elsa doll purchased by ITIF



Disney must grant a company the right to produce Frozen branded products, and the company works only with approved licensees under formal agreements that include compliance with Disney's International Labor Standards Program, maintain control of their supply chain, and meet all applicable product safety laws and other specific requirements.¹⁴¹ A licensed Disney plush toy example, Mattel's licensed Disney100 Frozen Anna and Elsa Collector Dolls, can be seen in figure 61.¹⁴²

Figure 61: Elsa doll listing on Mattel's website¹⁴³



The AliExpress vendor for the Elsa doll uses the storefront name Big Boy Store, which is operated by the business Foshan Dingyue E-Commerce Co., Ltd.¹⁴⁴ Corporate records show that, in addition to toys, the company offers household, electronic, maternal and child, and automotive-related items.¹⁴⁵ The storefront on AliExpress, however, only offers action figures and plush dolls. This mismatch suggests that the company may operate additional storefronts with different names but under the same business registration to sell specialized product categories, which could also include potential infringing goods. The address listed on the AliExpress vendor profile also differs from Foshan Dingyue E-Commerce's corporate registration address, further complicating traceability within the supply chain.¹⁴⁶

CH Bag

ITIF purchased a “CH Premium Versatile Leather Crossbody Bag Ladies Large Capacity Daily Commuter Tote Bag Letter Print Design Ladies Fashion” from AliExpress.¹⁴⁷ The product listing, seen in figure 62, appears designed to mimic a CH Carolina Herrera “Matryoshka Locked M” shopping bag, seen in figure 63, closely resembling the genuine product in style and presentation while prominently using the “CH” branding in both labeling and product images.¹⁴⁸ The bag was priced at \$43.85 at the time of ITIF’s purchase compared with the \$1,100 MSRP of the authentic Carolina Herrera model.¹⁴⁹

Figure 62: CH bag listing on AliExpress¹⁵⁰

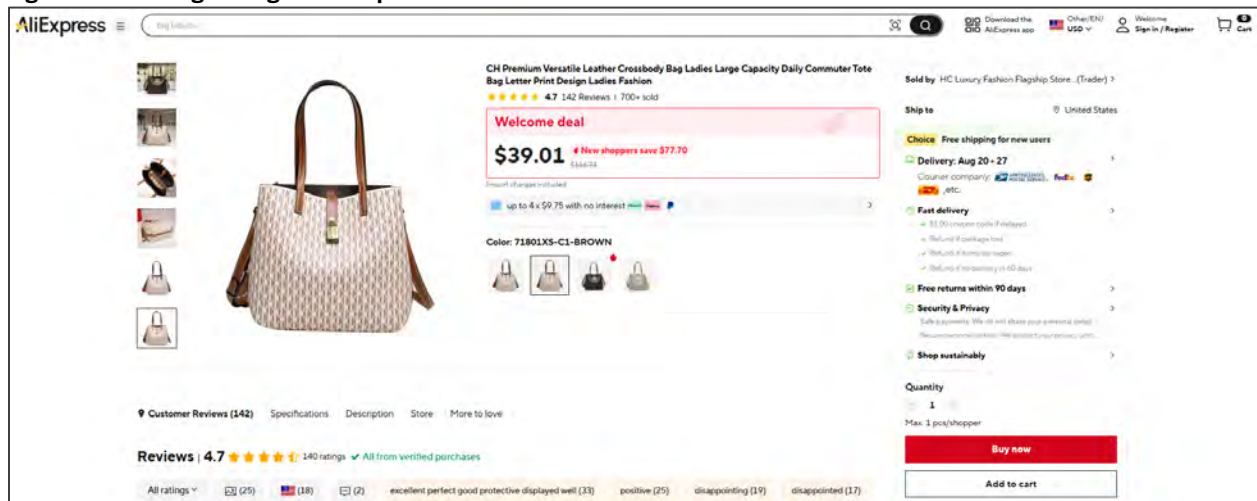
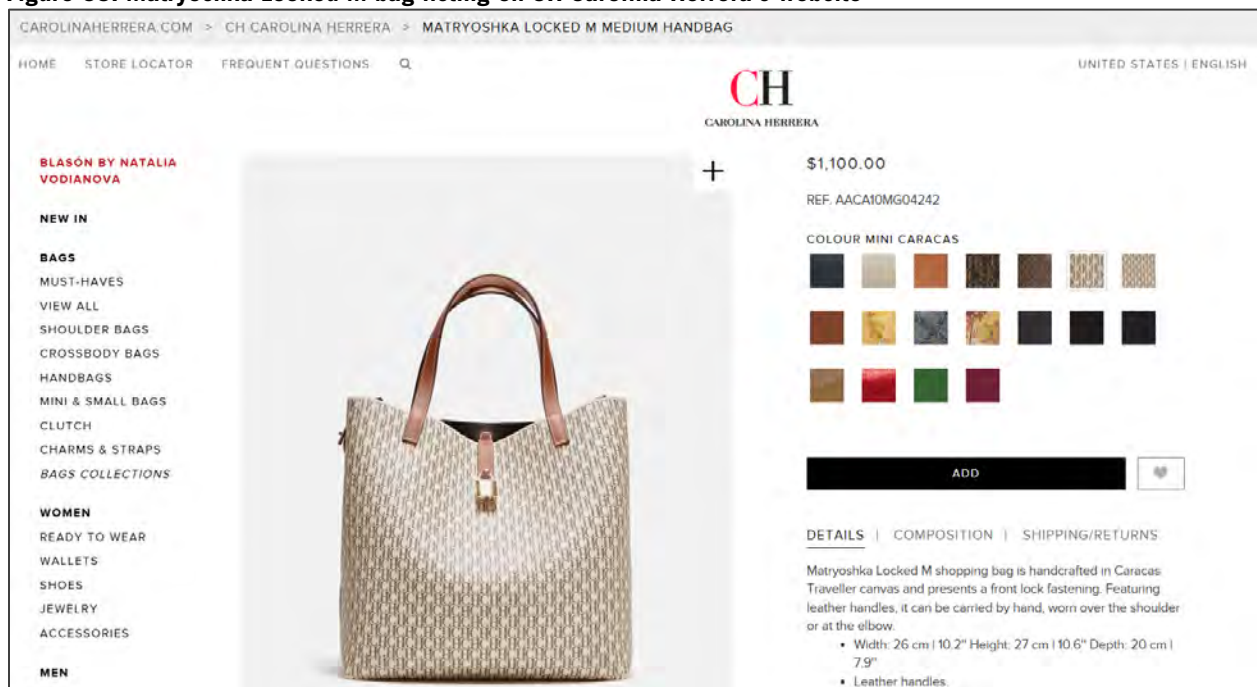


Figure 63: Matryoshka Locked M bag listing on CH Carolina Herrera’s website¹⁵¹



Upon arrival, the bag, seen in figure 64, contained no mentions of “Carolina Herrera,” including on its label but heavily features the letters “CH.”

Figure 64: CH bag purchased by ITIF on AliExpress



The product tag, seen in figure 65, contains typos such as “thank you very muchi” and “customars,” errors inconsistent with Carolina Herrera’s quality control standards. The product tag also displays an emblem reading “CHHC” and includes a message to customers under that branding.

Figure 65: Detail of product tag from CH bag purchased by ITIF on AliExpress



The bag's magnetic clasp hardware also contains a code, "NOATD8831628," as seen in figure 66, which has appeared verbatim on numerous forums online describing counterfeit luxury bags dating back to 2006.¹⁵²

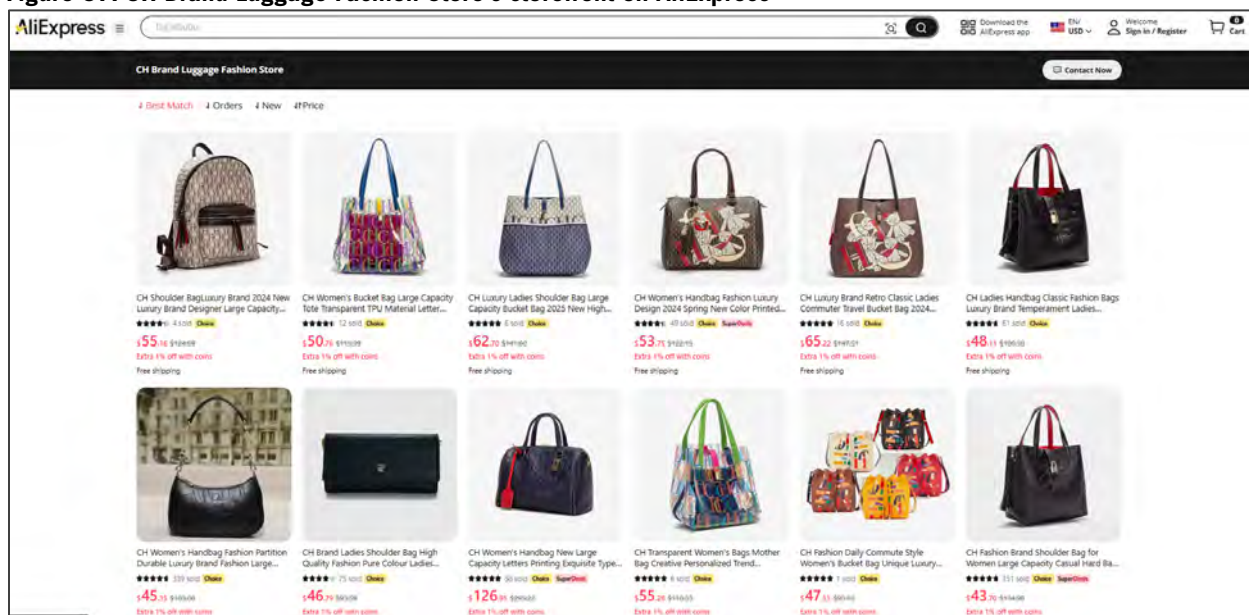
Figure 66: Detail of magnetic clasp hardware on CH bag purchased by ITIF on AliExpress



Carolina Herrera holds registered trademarks that include “CH” in a stylized design, which the ordered product’s branding closely resembles.¹⁵³ The vendor, “HC Luxury Fashion Flagship Store,” appears to have built a business model around infringing Carolina Herrera IP. As of August 2025, its AliExpress storefront contains 203 listings, all featuring “CH” in the title and on product branding.¹⁵⁴ ITIF identified a second storefront on Alibaba operated by the same business, “Global Overseas Luxury Store Store,” which also exclusively sells CH-branded goods.¹⁵⁵

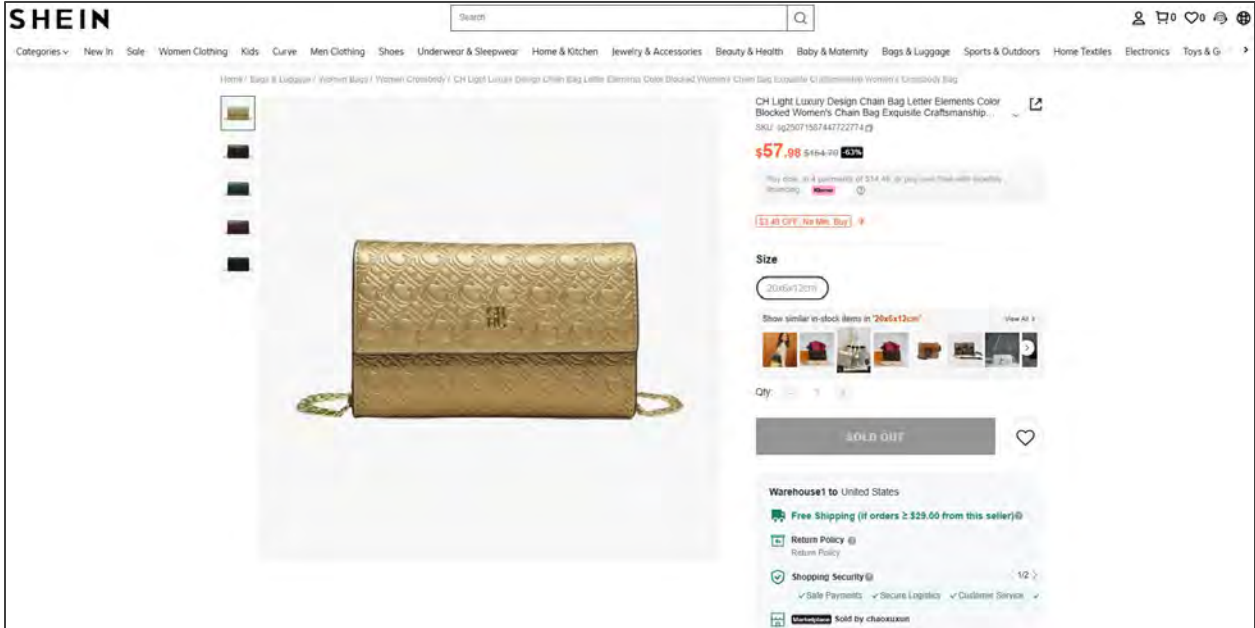
The two online storefronts launched in 2024, although the business behind both—July Clothing Store—claims an establishment date of 2022.¹⁵⁶ ITIF additionally identified a third AliExpress vendor, called “CH Brand Luggage Fashion Store,” which almost exclusively sells CH-branded products, as seen in figure 67.¹⁵⁷ This third vendor, however, maps to a different business than July Clothing Store called Guangzhou Sujia Leather Co., Ltd.¹⁵⁸

Figure 67: CH Brand Luggage Fashion Store's storefront on AliExpress¹⁵⁹



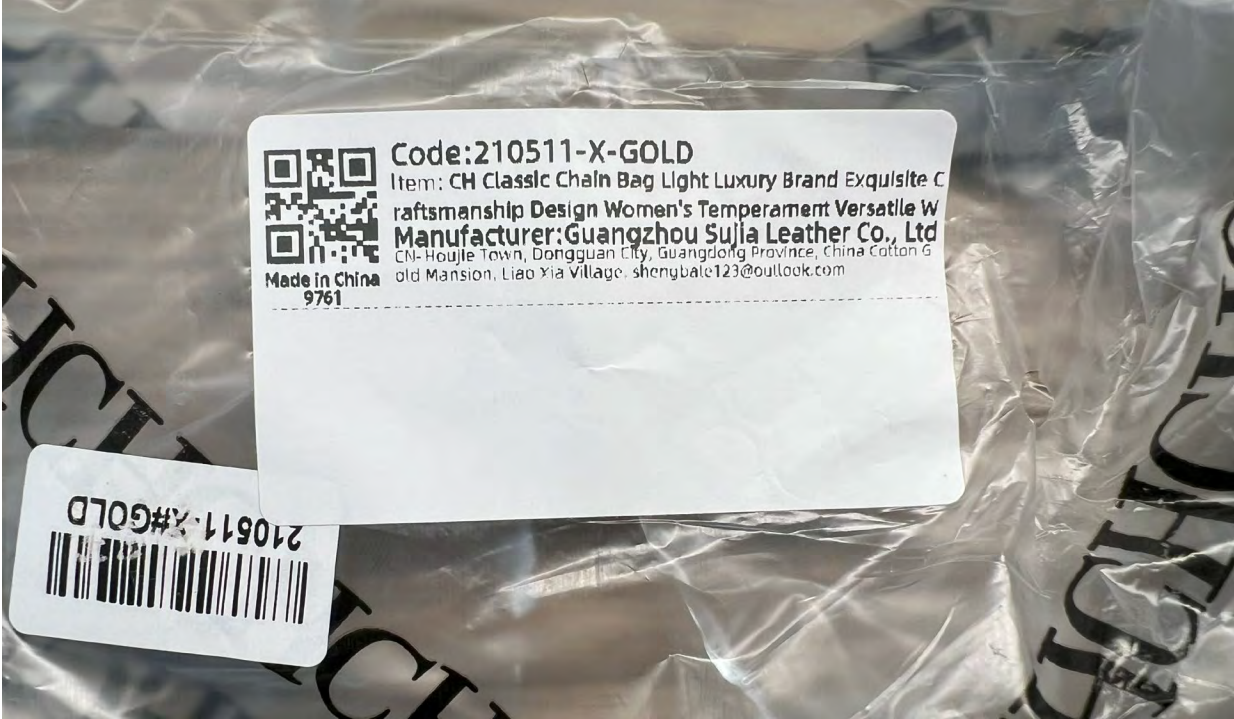
ITIF traced all three of these storefronts back to the same origin. ITIF purchased a likely counterfeit CH bag from Guangzhou Sujia Leather from a listing on SHEIN, as seen in figure 68. The product, “CH Light Luxury Design Chain Bag Letter Elements Color Blocked Women's Chain Bag Exquisite Craftsmanship Women's Crossbody Bag,” was from a vendor called “Chaoxuxun,” and listed for \$57.98.¹⁶⁰

Figure 68: CH bag listing on SHEIN



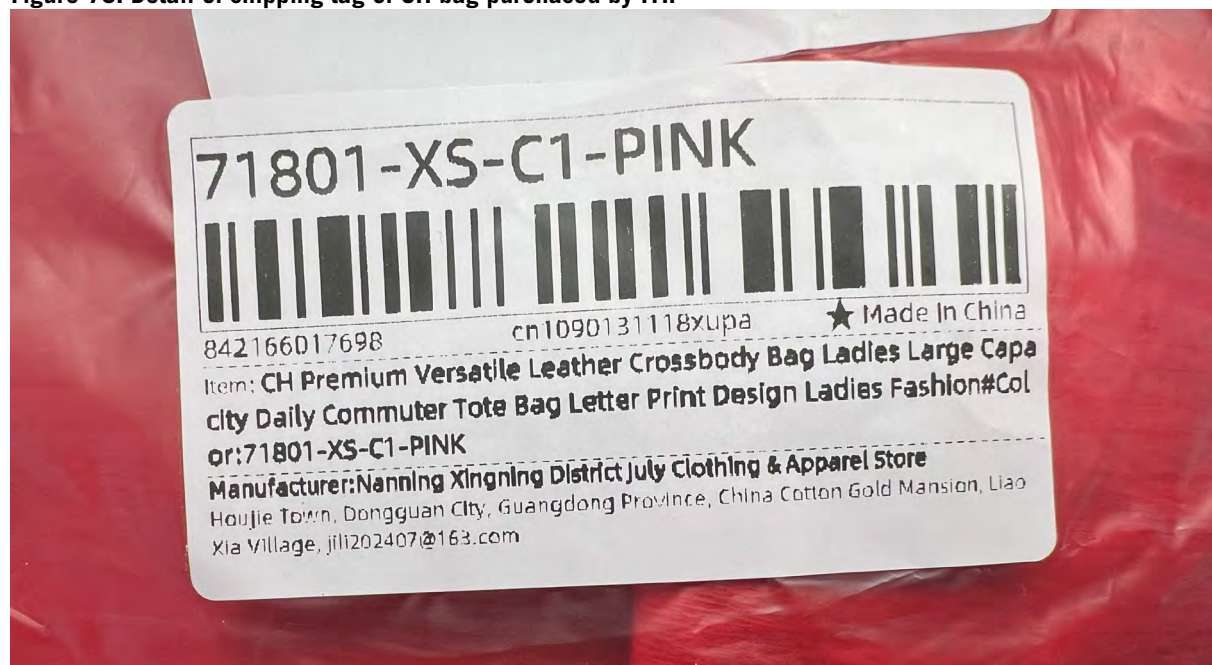
Unlike AliExpress and Temu, SHEIN vendors typically do not share business registration information such as company names or addresses. Upon delivery, however, the shipping tag on the product, seen in figure 69, revealed Guangzhou Sujia Leather to be the business behind Chaoxuxun. The shipping tag additionally had the same address of “China Cotton Gold Mansion” as the shipping tag listed on the AliExpress CH bag order.

Figure 69: Detail of shipping tag of CH bag purchased by ITIF on SHEIN



China Cotton Gold Mansion was also listed on the shipping tag on the CH bag ITIF purchased from HC Luxury Fashion Flagship Store Store on AliExpress, as seen in figure 70, despite the vendor listing a different address on AliExpress.¹⁶¹

Figure 70: Detail of shipping tag of CH bag purchased by ITIF



China Cotton Gold Mansion is better known as Guangzhou Baiyun World Leather Trading Centre, as seen in figure 71.¹⁶² The wholesale market was established in 2003 and contains at least 1,100 stores selling different leather products, many of which are bags.¹⁶³

Figure 71: Guangzhou Baiyun World Leather Trading Centre¹⁶⁴



July Clothing Store and Guangzhou Sujia Leather likely both have stalls at Guangzhou Baiyun World Leather Trading Centre. This demonstrates how China's well-known counterfeit bazaars are not confined to physical marketplaces but spill over into Chinese e-commerce channels, allowing the same bad actors to reach consumers directly online.¹⁶⁵

The two companies potentially share the same manufacturer for their CH bags. The SHEIN-purchased CH bag's magnetic clasp hardware contains an identical code, NOATD8831628, to the AliExpress-purchased CH bag, as seen in figure 72.

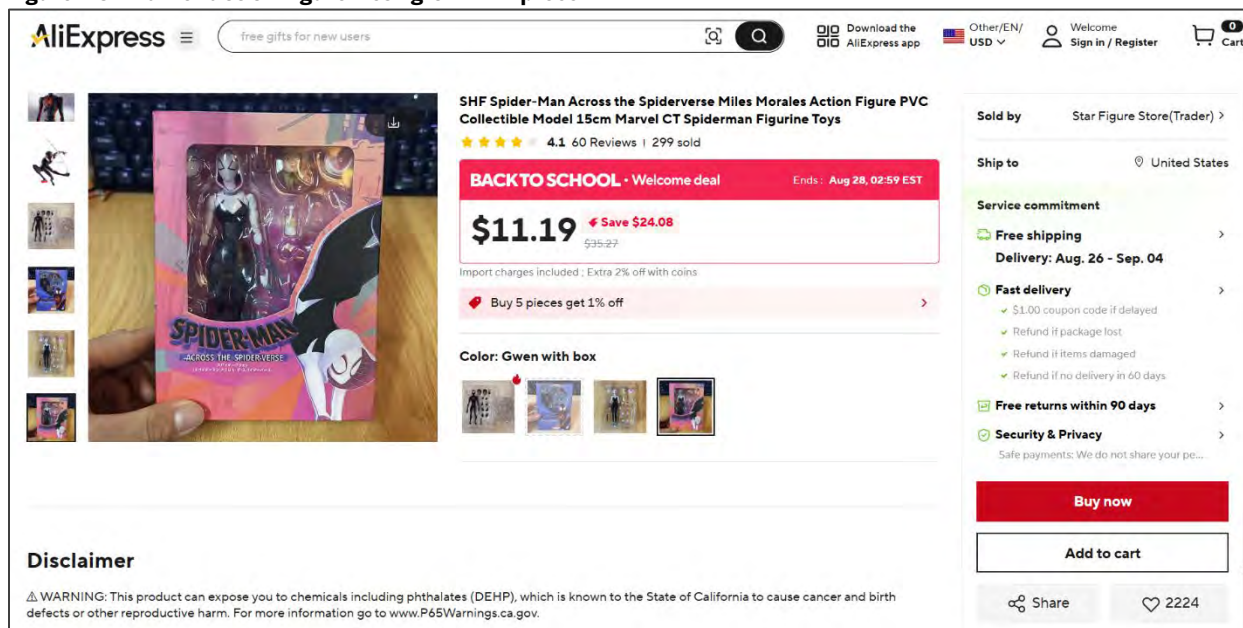
Figure 72: Detail of the magnetic clasp of CH bag purchased by ITIF on SHEIN



Marvel Action Figures

ITIF purchased two Spider-Man Universe action figures from AliExpress, both listed under the title “SHF Spider-Man Across the Spideverse Miles Morales Action Figure PVC Collectible Model 15cm Marvel CT Spiderman Figurine Toys.” The first purchase was a Miles Morales figurine sold under the option “Miles no box” for \$19.42, while the second was a Spider-Gwen figurine sold under the option “with box” for \$21.93. Both purchases came from the same vendor, Star Figure Store, with the listing seen in figure 73. When sold through official channels, authentic Spider-Gwen and Miles Morales SHFiguarts carry an MSRP of approximately \$80 each.¹⁶⁶

Figure 73: Marvel action figure listing on AliExpress



The box of the Spider-Gwen product claims the action figure is part of the SHFiguarts line, as seen in figure 74, a brand operated by Bandai that holds legitimate Marvel licensing rights.¹⁶⁷

Figure 74: Spider-Gwen action figure box purchased by ITIF



The listing photo for the boxed Spider-Gwen displayed no Marvel logo. When the action figure arrived, however, the packaging included both a Marvel logo and a “CT” logo where an authentic Bandai product would display the Bandai logo, as seen in figure 75.¹⁶⁸

Figure 75: Spider-Gwen action figure box purchased by ITIF



CT Toys is allegedly a Chinese company that manufactures bootleg versions of high-end collectibles, with a particular focus on Marvel figures.¹⁶⁹ CT Toys operates largely through social media, where its official account on X regularly promotes AliExpress listings that link back to the same vendor, Funly Toy Store.¹⁷⁰ CT Toys also seems to operate an online storefront on TikTok Shop.¹⁷¹

The action figures ITIF purchased have some subtle differences from the original SHFiguarts models. CT Toys has claimed that it itself faces infringement, and because the action figures ITIF purchased on AliExpress were not from Funly Toy Store, it is possible that ITIF purchased a counterfeit of a CT Toys likely counterfeit.¹⁷² Regardless, the action figures ITIF purchased appear less detailed than official SHFiguarts action figures. For example, the detail of facial features, particularly the eyebrows, differs slightly in one of the Miles Morales detachable heads in comparison to the authentic SHFiguarts action figure in product images as sold through official channels, as seen in figure 76.¹⁷³

Figure 76: Detail of Miles Morales detachable head from action figure purchased by ITIF (left), compared with detail of Miles Morales detachable head from action figure sold through official channel (right)¹⁷⁴



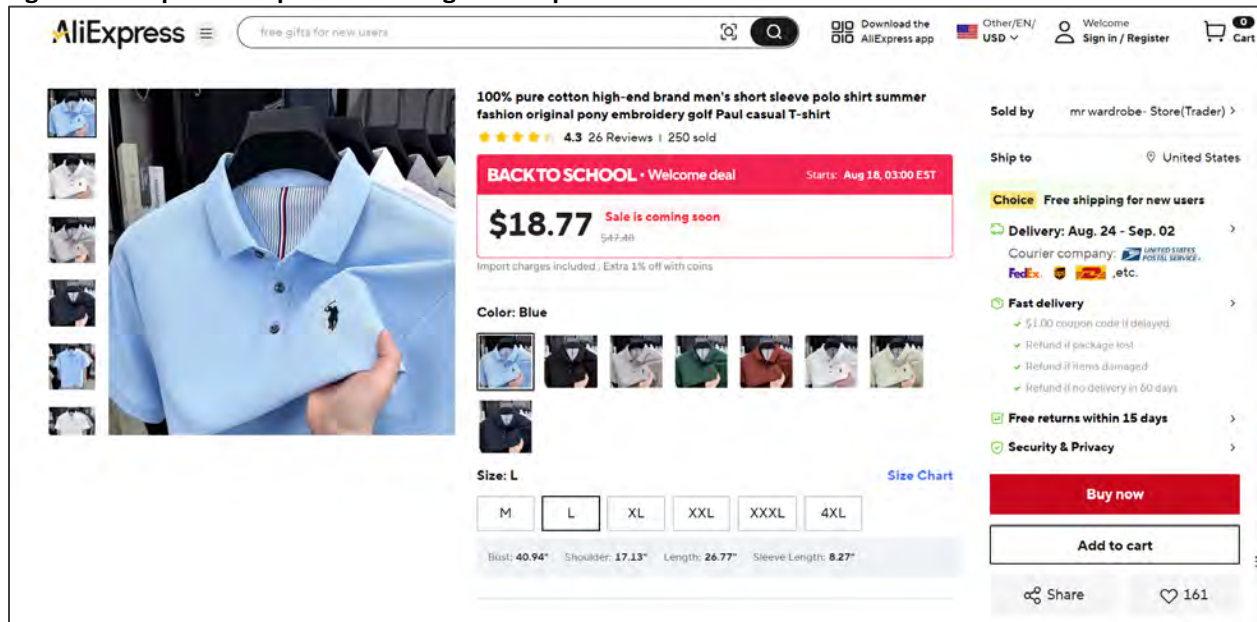
ITIF was unable to find any official CT Toys website outside of the company's X, AliExpress, and TikTok Shop accounts, and based on posts in CT Toys' subreddit, Funly Toy Store is CT Toys' primary means of selling its product.¹⁷⁵ Since CT Toys operates and sells almost exclusively through AliExpress, the platform is seen in this example not merely tolerating probable counterfeit sales but actively serving as the core infrastructure that enables businesses like CT Toys to run and scale their operations.

This case highlights the hybrid nature of certain counterfeiters. CT Toys does not necessarily attempt to deceive dedicated collectors who recognize the difference between Bandai and CT branding. Indeed, CT Toys appears to have a following and loyalty with action figure enthusiasts. At the same time, the company also likely exploits the broader market of consumers who may not know the distinction and simply want a Marvel-branded action figure.

Ralph Lauren Polo Shirt

ITIF purchased a polo shirt from AliExpress for \$19.70, marketed as a “100% pure cotton high-end brand men’s short sleeve polo shirt summer fashion original pony embroidery golf Paul casual T-shirt.”¹⁷⁶ The listing, seen in figure 77, did not explicitly reference Ralph Lauren but included clear cues to the brand, such as the terms “polo,” “pony,” and “golf,” as well as product imagery depicting a logo closely resembling Ralph Lauren’s polo player on horseback.

Figure 77: Ralph Lauren polo shirt listing on AliExpress¹⁷⁷



Upon arrival, the shirt bore little resemblance to an authentic Ralph Lauren product, the closest comparable being Ralph Lauren’s Classic Fit Performance Polo Shirt, which sells for an MSRP of \$110.¹⁷⁸ Visual discrepancies included black buttons instead of white and a collar accent featuring a blue-white-red-blue stripe, evoking Tommy Hilfiger’s branding more than Ralph Lauren’s, as seen in figure 78.

Figure 78: Ralph Lauren polo shirt purchased by ITIF



The vendor, “Mr Wardrobe- Store,” is operated by Shangrao Aoli Technology Co., Ltd., which according to corporate records has a business scope limited to the telecommunications industry, with no mentions of any apparel.¹⁷⁹ The vendor vaguely lists its business address on AliExpress as “South of the Eagle Highway.”¹⁸⁰ However, a separate corporate record lists Shangrao Aoli Technology’s business address as “Chengnan Shangying Highway.”¹⁸¹ ITIF was able to identify the highway in question on the Chinese Internet, which had at least four businesses linked to it, none of them named Shangrao Aoli Technology.

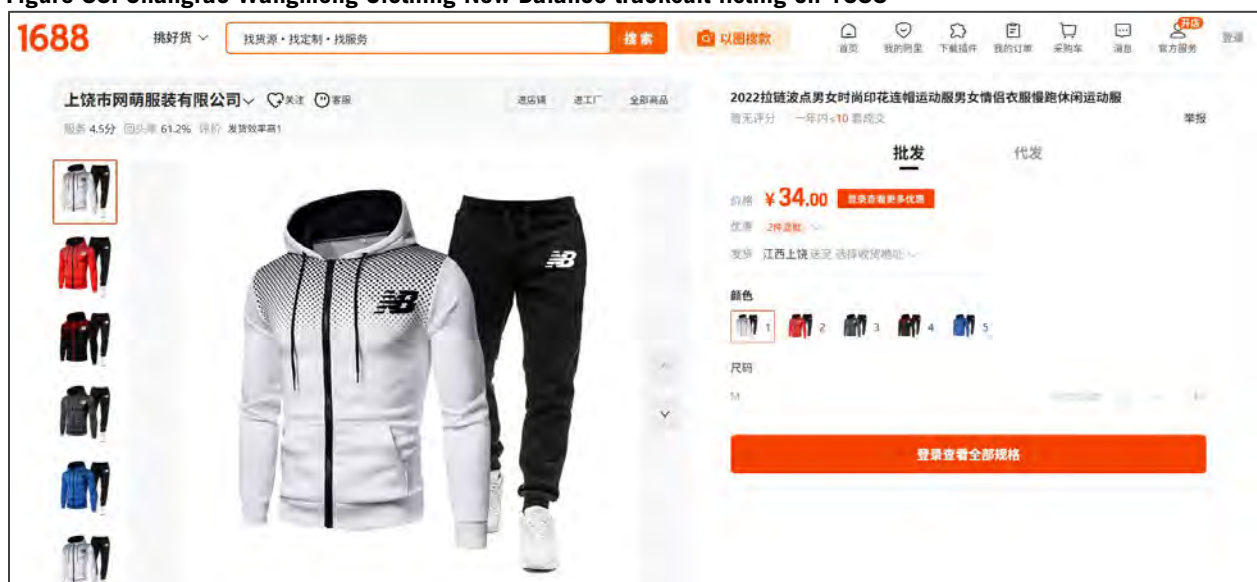
Three of the businesses are e-commerce and retail companies, but one of them, Shangrao Wangmeng Clothing Co., Ltd., looks like the actual company behind the shirt ITIF purchased. Shangrao Wangmeng Clothing specializes in manufacturing men’s clothing, and has a factory, seen in figure 79, located to the south of Shangying highway.¹⁸²

Figure 79: Shangrao Wangmeng Clothing's factory¹⁸³



On a storefront on 1688, a Chinese e-commerce platform, Shangrao Wangmeng Clothing lists men's polo shirts along with many articles of clothing that appear to infringe upon U.S. brands' IP, such as a New Balance tracksuit sold for less than \$5 seen in figure 80.¹⁸⁴

Figure 80: Shangrao Wangmeng Clothing New Balance tracksuit listing on 1688¹⁸⁵



Analysis of Findings

Overall Takeaways

ITIF identified likely counterfeits in multiple product categories across several Chinese e-commerce platforms. Moreover, those selling counterfeits exhibited certain common practices.

Some vendors falsely claimed to be authorized sellers of major U.S. brands, such as “Brooks Authorized Store,” without any public or legal evidence to support the claim. This could mislead consumers into believing that they are buying authentic products. Such activity may also signal upstream leakage from China’s legitimate manufacturing ecosystem, including unauthorized overproduction or diversion of goods.

Suspicious listings frequently attract traffic by embedding brand names or related keywords in product descriptions, such as the inclusion of the “BX-31” model number in the product description of the infringing Beyblade. This manipulation of product descriptions and metadata allows counterfeit sellers to capture search traffic while maintaining plausible deniability. It also distorts marketplace search results and undermines consumer trust.

Despite many signals indicating likely counterfeits, such as suspicious pricing and consumer feedback, platforms inconsistently intervene to take down these listings. Many suspect listings remain live for extended periods and accumulate substantial sales volumes before removal, suggesting that enforcement systems prioritize complaint-driven interventions over proactive risk mitigation. Vendors also appear to exploit platform design features—such as the ability to relabel listings, alter product categories, or rotate seller identities—to evade removal.

The persistence of high-volume sellers with counterfeit products indicates that these are not isolated opportunists but rather repeat actors who operate a business model centered on exploiting known weaknesses in IP enforcement on Chinese online marketplaces. Tactics such as keyword hijacking, miscategorization, misleading claims of brand authorization, and strategic manipulation of images and product titles allow sellers to evade detection while continuing to capture consumer traffic. The ability to reappear under new storefront identities after enforcement further underscores the inadequacy of current takedown mechanisms.

Temu vs. AliExpress vs. SHEIN

The initial hypothesis was simple: Temu, AliExpress, and SHEIN would be rife with counterfeits, based on journalistic, corporate, and governmental scrutiny of all three platforms on issues of product safety, human rights, and IP infringement.¹⁸⁶ But this report tells a more complex story that reflects the ongoing evolution of the counterfeit economy.

ITIF identified the most potential counterfeits and suspicious listings on AliExpress and Temu, but the platforms differ in the likely counterfeiting behavior they support.

AliExpress appears to host vendors that misuse brand trademarks across multiple product types, particularly in low-cost categories such as accessories, toys, and shoes. Likely counterfeits purchased on AliExpress often appear crude, with unauthorized use of brand names and logos applied to goods that the legitimate rights holder does not produce, or products with inferior quality than would be expected from the original manufacturer.

The U.S. Trade Representative (USTR) listed AliExpress on the 2021 and 2022 Reviews of Notorious Markets List (NML) for Counterfeiting and Piracy, which highlights prominent and

illustrative examples of online and physical markets that reportedly engage in, facilitate, turn a blind eye to, or benefit from substantial piracy or counterfeiting.”¹⁸⁷ USTR’s justification for adding AliExpress was “a significant increase in counterfeit goods being offered for sale on AliExpress, including goods that are blatantly advertised as counterfeit and goods that are falsely advertised as genuine” and that AliExpress “sellers apparently are not sufficiently vetted to ensure that they will not be selling counterfeit goods.”¹⁸⁸

Based on the test purchases detailed in this report, ITIF did not observe any goods on AliExpress that were blatantly advertised as counterfeit, but sellers on AliExpress clearly continue to falsely list many goods as genuine, and the platform still inadequately vets sellers for counterfeit risk. It is unclear why USTR removed AliExpress from the NML in 2023.

Temu presents a different counterfeit profile. The test buys suggest that the platform may host more deceptive counterfeits that closely mimic legitimate products in appearance and packaging. These goods often bear barcodes, certification marks, or manufacturer references that appear authentic. This makes Temu counterfeits more difficult for consumers to spot while browsing, and more difficult to determine are counterfeit upon receipt of the goods. Taken as a whole, potential counterfeit vendors on Temu appear to have a strategy aimed at selling counterfeit goods as legitimate-looking products to maintain customer trust while still profiting from infringing sales. The prices of likely counterfeits on Temu also frequently undercut authentic products’ MSRPs, increasing the appeal for consumers who may not realize that they are buying infringing goods. As seen in the Theraflu case, another strategy of suspicious vendors on Temu is to divert customers to alternative websites with potentially even less IP enforcement and consumer safety protections.

SHEIN’s anticounterfeit policies and practices appear to have shifted in the past year. Following negative press during the 2024 holiday season, the platform has tightened controls in certain categories.¹⁸⁹ Specifically, SHEIN announced plans to spend \$15 million on compliance initiatives and conduct 2,500,000 product safety and quality tests throughout 2025.¹⁹⁰ While ITIF’s test buy only included the purchase of one current SHEIN listing that appears to misuse a known brand’s trademark, IP infringement on SHEIN remains a live issue in the form of unauthorized reproduction of creative works by independent designers.¹⁹¹ These cases often avoid brand names and logos entirely, making them harder to detect with automated tools and more burdensome for individual rights holders to challenge.

Across all three tested platforms, for some product categories, such as the auto aftermarket, consumer appliances and electronics, OTC medicine, and luxury products, ITIF found that many of the test buy products received were unauthorized resales or otherwise diverted, authentic products. Clearly, the platforms appear to have implemented more sophisticated controls in certain categories.

These improvements could reflect selective investment in anticounterfeiting tools or cooperation with specific brand protection programs. At the same time, ITIF’s test buys have found counterfeit toys, mid-tier apparel, and household goods, suggesting that counterfeiters may simply shift to categories that face less scrutiny. Selective anticounterfeiting efforts likely create a whack-a-mole effect wherein enforcement in one area drives infringement into another. Likely counterfeiters such as Zoffy appear to operate multiple online storefronts that offer IP-infringing

products and may easily be able to maintain their overall business even if a platform tightens restrictions in a certain area.

Previous, more-permissive platform policies continue to influence today's e-commerce ecosystem. If counterfeiting was more common on Chinese e-commerce platforms in 2024 or earlier, those platforms likely attracted many customers who were lured in by cheaper, infringing goods. That customer base remains, so the economic effects of prior counterfeiting persist long after enforcement actions.

POLICY RECOMMENDATIONS

The scope of counterfeiting observed suggests that the risk is systemic, cutting across product categories and requiring regulatory responses that address platform-wide vulnerabilities rather than isolated verticals. These patterns point to structural misalignments between platform incentives and compliance with IP and consumer protection laws, enabling products to be marketed and sold at scale with minimal, sustained interference. Addressing this problem will require coordinated, sustained policy interventions that target both platforms and vendors, tackling the structural incentives driving counterfeiting and the tactical evasions counterfeiters use to exploit enforcement gaps.

To address the role of Chinese e-commerce platforms enabling counterfeits, ITIF recommends the following:

1. **USTR should classify Temu, AliExpress, and SHEIN as notorious markets.** This report shows that Temu, AliExpress, and SHEIN meet the USTR's criteria of notorious markets, meaning that they "engage in or facilitate substantial trademark counterfeiting or copyright piracy."¹⁹² These platforms benefit from hosting and algorithmically promoting products that undermine U.S. IP rights holders at scale. Including these companies in the NML would signal that the United States does not tolerate IP infringement in the U.S. market. It would also push these platforms toward real behavioral change in how they monitor, respond to, and work to prevent the sale of counterfeit goods.
2. **CBP should target platforms listed on the NML.** The NML currently functions as a name-and-shame mechanism without meaningful operational consequences. To turn it into an enforcement tool, CBP should integrate NML designations into its targeting and inspection protocols. Ideally, whenever USTR flags an online marketplace as a notorious market, CBP would have the capability to treat products purchased through that platform as high-priority risk sources in its automated cargo targeting systems, while still reserving enforcement bandwidth for detecting counterfeits from nonlisted sources. The solution lies in refining the inputs, infrastructure, and methodology behind CBP's counterfeit enforcement models by more heavily weighting shipments tied to NML-listed platforms with potential counterfeit risk.
3. **CBP should invest in AI capabilities to support anticounterfeiting efforts.** CBP inspected four suspicious test purchases, but failed to seize them. Additionally, CBP failed to inspect any likely counterfeits purchased on Temu and failed to inspect others purchased on AliExpress. And in the case of the Brooks shoes, CBP failed to seize the second shipment from the same vendor when ITIF repurchased the identical product—presumably after CBP had prior knowledge that this vendor was shipping likely counterfeit goods.

Moreover, CBP not only failed to seize products shipped directly from China to ITIF such as the Honda dirt pad, but it also failed to seize counterfeit goods imported from China in bulk to U.S. warehouses and then shipped domestically, such as the KontrolFreek Thumbsticks.¹⁹³ These results suggest that there is much room for improvement.

CBP already deploys AI solutions to boost numerous e-commerce enforcement issues, such as procuring the supply chain start-up Altana's software to assist CBP analysts in "determin[ing] high risk areas for trade targeting in the forced labor mission set."¹⁹⁴ According to CBP's AI Use Case Inventory, the agency has an institutional appetite to utilize AI and—through procurement power—shape the development of AI tools for assisting its mission. However, there is no mention of the counterfeit issue in the AI Use Case Inventory.

To address this gap, CBP should procure an AI-driven software solution that systematically "crawls" e-commerce platforms and essentially replicates what ITIF conducted in this test purchase by identifying suspicious listings. The procurement should instruct the software solution to detect MSRP and listing price discrepancies, compare product images and descriptions for inconsistencies (e.g., "cold relief" as a product description but the listing's photo clearly displaying "Theraflu"), and analyze user reviews for red flags.

Initially, this tool can serve as a lead generation system to prioritize and guide CBP analysts toward high-risk shipments and sellers, such as how CBP currently uses Altana's product, in which "no decisions or actions come directly from the information presented by Altana."¹⁹⁵ And, over time, there should be potential for more autonomous, agentic AI systems to take a primary role in identifying counterfeit operations at scale while more manual capabilities focus more on disrupting said operations.

4. Government oversight should focus on policies, processes, and outcomes, not public relations.

In recent months, Temu has joined the International AntiCounterfeiting Coalition's (IACC's) Marketplace Advisory Council (MAC) as an inaugural member, and joined the International Trademark Association (INTA) to serve on its Anti-Counterfeiting Committee.¹⁹⁶ IACC is made up of corporations, law enforcement, and industry groups working to combat counterfeiting and piracy, while INTA is made up of brand owners and platforms dedicated to supporting trademarks and IP protection.¹⁹⁷ These engagements signal Temu's willingness to participate in the global dialogue on IP enforcement and brand protection. However, as this report shows, Temu meets the bar of a notorious market due to ongoing widespread counterfeit and IP infringement issues. Its membership in IACC and INTA does not reflect a corresponding level of meaningful change in its platform governance or enforcement practices.

On one hand, Temu's involvement in IACC and INTA offers an opportunity for fellow members in these anticounterfeiting organizations, including other platforms, industry associations, and consumer safety groups, to pressure Temu to improve its platform. Participation can encourage transparency, knowledge sharing, and adoption of best practices. On the other hand, without tangible enforcement improvements, Temu's membership risks deflecting regulatory scrutiny and public criticism without producing substantive reforms. Indeed, in its formal submission to USTR for the 2024 NML review,

IACC wrote positively about Temu, saying that it had “been pleased with Temu’s direct engagement in recent months,” and that it “had an opportunity to meet with the company’s most senior executives, who reiterated Temu’s commitment to working with rights-holders to address IP concerns.”¹⁹⁸ But those efforts are not a replacement for implementing an aggressive anticounterfeiting program that delivers clear results.

IACC, INTA, and other independent organizations occupy an important position in the anticounterfeiting landscape. U.S. government oversight should focus on the policies, processes, and outcomes of Chinese platforms, rather than on the organizations they join. However, Congress and the administration can still urge these organizations to rigorously enforce membership standards—requiring platforms to maintain strong, ongoing anticounterfeiting measures as policies and practices as an ongoing prerequisite for participation. This would help ensure that memberships reflect genuine commitments to IP enforcement rather than reputational shields.

5. **Congress should pass CBP information-sharing legislation.** Congress should enact the bipartisan legislation introduced in the House (H.R. 4930) and the Senate (S.2677) to expand CBP’s authority to share detailed information on suspected counterfeit imports with rights holders, carriers, and online marketplaces.¹⁹⁹ Providing CBP with explicit authority to share shipping labels, sender and recipient addresses, and other packaging details would enable faster identification of trafficking networks, improve coordination with the private sector, and help intercept counterfeit goods before they reach U.S. consumers.²⁰⁰

To address vendors selling counterfeits on Chinese e-commerce platforms, ITIF recommends the following:

1. **Improve enforcement of INFORM Consumers Act.** The INFORM Consumers Act is designed to increase transparency and accountability in online marketplaces by requiring platforms to collect and verify detailed seller information.²⁰¹ Despite the law being in place, enforcement by the Federal Trade Commission (FTC) and state attorneys general remains uneven and insufficient. As this report shows, many vendors list erroneous business information, such as fake or shell companies and business names and addresses that do not match. SHEIN seemingly does not require its vendors to list any business information whatsoever.

The FTC should prioritize rigorous enforcement of the INFORM Act on high-risk platforms listed on the NML as a test case to develop future best practices for broader implementation. This targeted approach would provide valuable lessons on effective verification methods and enforcement mechanisms that could then be scaled to cover the wider e-commerce ecosystem. Demonstrating clear consequences for noncompliance by NML platforms would send a strong signal to all marketplaces about the seriousness of the law and the government’s commitment to combating counterfeit goods.

2. **The Department of Homeland Security should establish a Foreign Counterfeit Complaint Center (FC3).** Given the amount of counterfeit and infringing goods sold on platforms such as Temu, SHEIN, and AliExpress, as well as how quickly new vendors and listings may appear, rights holders struggle to effectively monitor these sites. Many items, as

identified in this report, do not blatantly misuse logos or trademarks, but instead replicate designs, packaging, and functionality in ways that evade simple authenticity tests. In addition, U.S. enforcement agencies operate in silos when tracking online counterfeit sales. Altogether, this weakens U.S. enforcement efforts and undermines the integrity of IP protection frameworks.

To address this challenge, the U.S. government should establish a centralized, public-facing counterfeit reporting mechanism modeled after the FBI's Internet Crime Complaint Center (IC3).²⁰² This system would allow consumers and rights holders to report suspected counterfeit or copycat goods sold by foreign sellers by providing details such as suspicious product listings, vendor behavior, or product discrepancies. By giving consumers a role in intelligence collection, the system would, over time, serve as a rich dataset for U.S. agencies such as the Consumer Product Safety Commission, CBP, USTR, FTC, and Homeland Security Investigations to aggregate with their own data and better identify repeat offenders, compile evidence for enforcement, and understand how counterfeiting intersects with adjacent issues such as product safety.

3. **The administration should integrate IP enforcement against Chinese-based counterfeit vendors into its broader trade negotiations with China.** On an annual basis, USTR's Special 301 Report consistently identifies China as the primary source of counterfeit goods entering the U.S. market, with the 2025 report asserting that "China continues to be the world's leading source of counterfeit and pirated goods."²⁰³ Based on this evidence, the administration should press China's government to extend its already existing domestic anticounterfeiting policies to cover counterfeit goods sold by Chinese vendors targeting U.S. consumers.²⁰⁴ Any negotiations should clearly signal that failure to address cross-border counterfeiting will carry economic consequences and impact any potential of reaching a trade deal.

CONCLUSION

The challenge posed by counterfeit goods on Chinese e-commerce platforms is both urgent and complex. This report reveals Temu and AliExpress to be online marketplaces that tolerate the sale of infringing and unsafe products to millions of American consumers. Addressing this issue requires more than spot enforcement. It demands coordinated, sustained U.S. government intervention to recalibrate platform behavior through targeted regulatory, trade, and technological measures. Policymakers have the tools to hold foreign e-commerce platforms to the same standards already adhered to by major domestic platforms. Global e-commerce, and the United States' place within it, depends on the ability to foster innovation and open markets without sacrificing the integrity and safety of the goods Americans buy every day.

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July 21, 2026

The Honorable Brett Guthrie
Chairman
House Committee on
Energy & Commerce
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
House Committee on
Energy & Commerce
Washington, DC 20515

The Honorable Gus Bilirakis
Chairman
House Energy & Commerce
Subcommittee on Commerce,
Manufacturing, and Trade

The Honorable Jan Schakowsky
Ranking Member
House Energy & Commerce
Subcommittee on Commerce,
Manufacturing, and Trade

Re: Opposition to H.R. 6832, the Packaging and Claims Knowledge Act of 2025 (PACK Act)

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Bilirakis, and Ranking Member Schakowsky:

Our organizations write in opposition to H.R. 6832, the Packaging and Claims Knowledge Act of 2025 or PACK Act. Improving the labeling of consumer packaging is essential to strengthening our recycling, composting and reuse systems. However, as drafted, the PACK Act will not deliver those much-needed improvements.

In an Ocean Conservancy-led study of U.S. adults published in 2024, proper recycling practices was found to be the most widely adopted action people take to reduce their plastic footprint.¹ However, the U.S. is broken up into 9,000 separate recycling systems² and the national recycling rate for plastics is below 9%.³ Despite the efforts of well-meaning consumers, their actions are not resulting in the products they recycle turning into new products. Although consumers want to recycle, confusion as to what is and is not accepted in their local system is a major concern; one survey found 82% of consumers feel deceived when labeling falsely implies recyclability.⁴ This confusion can

¹ Baechler, B.R., et al. (2024). [Frontiers in Marine Science](#).

² The Recycling Partnership. (2024) "2024 [State of Recycling Report](#)."

³ U.S. Environmental Protection Agency. (2020). "[Advancing Sustainable Materials Management](#)."

⁴ The Recycling Partnership. (2022). "[Consumer Insights on Packaging, Labels, and Claims for Recycling](#)."

reduce consumer confidence and drive contamination in recycling streams, costing businesses and state and local governments money.

To improve our recycling systems, we need on-package claims regarding recyclability to be accurate and based on whether it is actually recyclable—meaning it is economically and practically able to be collected, sorted and sold to responsible end markets to turn into new products. However, as it is currently written, the PACK Act looks primarily at whether an item is technically recyclable and whether consumers have access to a recycling system, not whether the material is accepted by that recycling system. It also defines recycling in such a way that harmful chemical recycling technologies, including those that primarily turn plastics into fuels, can count as recycling, misleading consumers as to where their recyclables are going and failing to achieve the environmental goals of recycling.

We also need clear, standardized labels to help.⁵ The 2025 National Academies of Engineering and Medicine’s report on municipal solid waste, produced at Congress’ request, includes recommendations for national recycling labeling standards and regulating the use of the “chasing arrow” recycling symbol.⁶ The PACK Act will not provide that clarity and instead leaves these details almost entirely to third-party certification systems, with no requirements as to standardization and only the bare minimum in terms of standards for making claims of recyclability, compostability or reusability to consumers.

The PACK Act places the majority of responsibility on industry and third-party certification bodies. Even the Advisory Council to advise the Federal Trade Commission would be made up entirely of industry stakeholders, leaving out state and local governments with the primary responsibility for waste management, communities impacted by waste, and other stakeholders with relevant expertise.

Finally, the PACK Act would preempt state laws that are not identical to its requirements. In many cases this would represent a weakening of those laws and would prevent states from taking further action to give their citizens the clarity and confidence in their waste management systems that the PACK Act will not provide.

We encourage Congress to work with stakeholders across the packaging life cycle to establish standards for labeling materials as recyclable, compostable, reusable or refillable that will deliver the outcomes needed to achieve the environmental and economic benefits that our recycling, composting and reuse systems can provide. These standards should build on the work that has been done at the state level, rather than

⁵ National Academies of Sciences, Engineering, and Medicine. (2025). [*Municipal Solid Waste Recycling in the United States: Analysis of Current and Alternative Approaches*](#).

⁶ *Id.*

undermine it. The PACK Act will not accomplish these goals and we urge you to oppose it.

Sincerely,

Ocean Conservancy

Californians Against Waste

Eureka Recycling

Alliance for Mission-Based Recycling (AMBR)

Minnesota Zero Waste Coalition

People Over Petro Coalition

Concerned Citizens Table of Lake Charles

The Plastics & Climate Project

Surfrider Foundation

Just Zero

Stop Waste Tucson

Beyond Plastics

Between the Waters

Clean Virginia Waterways

Upstream

cc: Members of the House Energy & Commerce Committee

July 21, 2026

The Honorable Brett Guthrie
Chairman
House Committee on
Energy & Commerce
Washington, DC 20515

The Honorable Gus Bilirakis
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
House Committee on
Energy & Commerce
Washington, DC 20515

The Honorable Jan Schakowsky
Ranking Member
Subcommittee on Commerce,
Manufacturing, and Trade
Washington, DC 20515

RE: Opposition to H.R. 7502, the Recycled Materials Attribution Act of 2026

Dear Chairman Guthrie, Ranking Member Pallone, Chairman Bilirakis, and Ranking Member Schakowsky:

Our organizations write in opposition to H.R. 7502, the Recycled Materials Attribution Act (RMAA). Improving recycled content labeling and transparency is critical to incentivizing recycled content use, rebuilding consumer trust, and improving our recycling system. However, by codifying all forms of mass balance accounting, including those that allow plastics turned into fuels to count as recycling, the RMAA actively undermines these goals.

Tracking recycled content accurately is vital to improving the recycling system and rebuilding public trust in recycling and recycled content claims. Mass balance accounting is an umbrella term that encompasses vastly different accounting methods that can result in significantly different outcomes for measuring and labeling the recycled content in an item. To give examples of how the different methods can yield different results, on one end of the spectrum, proportional mass balance works like splitting a dinner bill: each person pays for what they actually ordered. Under this approach, recycled content is allocated based on how much recycled material goes into each product. On the other end of the spectrum, free allocation is like one person picking up the dinner bill and then deciding who owes them and how much, regardless of what anyone ordered. Under this approach, recycled content credits are freely assigned between products without regard to where recycled material actually ends up. Under free allocation, a facility can convert the majority of its plastic waste into fuel, then still count that as recycled content credit to a plastic product — allowing a product to be labeled as containing recycled content, even if that “recycled content” is a credit

from plastic being turned into fuel rather than into new plastic in the product being marketed.

Despite these vastly different outcomes, the RMAA would broadly codify all types of mass balance accounting to count equally for measuring recycled content. Moreover, it hands the authority to determine whether a type of mass balance complies with this legislation over to a third-party certifier, not Congress, EPA or the FTC, creating weak standards that benefit facilities generating fuels over those generating actual recycled content.

As drafted, there are no limitations on counting fuel generation as recycling in the RMAA. While Section 4(a)(2) of the bill prohibits marketing fuels as "recycled content," it does not prohibit generating recycled content credits from fuel production and attributing those credits to plastic products. Moreover, the legislation only excludes waste-to-energy facilities in which material is "used primarily to generate process heat or electricity" from its definition of recycling (Sec. 2(9)(B)(ii)). That means a facility producing 49% fuel output still qualifies as recycling under this legislation.

The RMAA also fails to distinguish between pre-consumer and post-consumer recycled content in recycled content claims, two waste streams with meaningfully different environmental value and market impacts. The bill defines "recycled content" (Sec. 2(7)) as an undifferentiated mix of both pre- and post-consumer, meaning a single claim can obscure its sources. This disincentivizes improvements to the post-consumer collection and sorting infrastructure that most needs support. Allowing a manufacturer to substitute pre-consumer scrap for post-consumer material while making equivalent recycled content claims removes a critical market signal that would otherwise reward investment in curbside collection, sortation technology, and end markets for post-consumer materials.

Finally, the RMAA would preempt state laws that relate to the provisions of this legislation. This will broadly prevent states from taking further action to give their constituents additional clarity and confidence in their recycling and waste management systems, protections that the RMAA will not provide.

Meaningful recycled content legislation should: return plastics to the market to be reused as plastics, require chain-of-custody tracking that follows actual material flows, distinguish between pre- and post-consumer recycled content, preserve state authority, and establish appropriate federal regulatory authority to set and enforce standards. The RMAA as written does none of these things, and we urge you to oppose it.

We stand ready to work with Congress to make meaningful progress on this issue.

Sincerely,

Ocean Conservancy

Californians Against Waste

Eureka Recycling

Alliance for Mission-Based Recycling (AMBR)

Minnesota Zero Waste Coalition

People Over Petro Coalition

Concerned Citizens Table of Lake Charles

The Plastics & Climate Project

Surfrider Foundation

Just Zero

Stop Waste Tucson

Beyond Plastics

Between the Waters

Clean Virginia Waterways

Upstream

cc: Members of the House Energy & Commerce Committee



June 17, 2026

The Honorable Randy Weber
Member, U.S. House of Representatives
107 Cannon House Office Building
Washington, DC 20515

**RE: H.R. 6832 – Packaging and Claims Knowledge Act of 2025 (PACK Act) —
OPPOSE**

Dear Representative Weber,

On behalf of the Rural County Representatives of California (RCRC), California State Association of Counties (CSAC), League of California Cities (Cal Cities), California Compost Coalition (CCC), Community Alliance with Family Farmers (CAFF), Californians Against Waste (CAW), and the National Stewardship Action Council (NSAC), we must regretfully oppose your H.R. 6832, also known as the Packaging Claims and Knowledge Act of 2025 (PACK Act). While we support your overarching goals of helping consumers correctly identify recyclable and compostable materials, we regret that it will instead increase consumer confusion of what is truly recyclable or compostable in their communities and significantly increase recycling and composting costs for local governments, the solid waste industry, and consumers.

H.R. 6832 seeks to establish common national definitions for the terms “recyclable” and “compostable” and preempt any different definitions adopted at the state or local level. Unfortunately, those terms fail to recognize real-world operating conditions. This measure undermines existing efforts to ensure that materials introduced into the stream of commerce are actually, and not just theoretically, recyclable or compostable. By barring states from adopting measures to ensure that the products sold in their jurisdictions can actually be

handled by their recyclers and composters, we fear that H.R. 6832 will increase costs and challenges for states and local governments to manage the solid waste stream.

In California, local governments are the backbone of solid waste management and recycling efforts, with the State Legislature declaring that “solid waste management is a shared responsibility between the state and local governments.”¹ California local governments are also charged with diverting 50 percent of solid waste from landfill disposal through source reduction, recycling, and composting.

To achieve these objectives, California has adopted a wide-ranging program that builds upon substantial private and ratepayer investments with:

- A statewide market development program
- A sales and use tax exclusion for projects that utilize recycled feedstock
- Producer responsibility programs for the collection and recycling of paint, carpet, mattresses, mercury thermostats, pharmaceuticals and sharps, textiles, batteries, and pesticide containers
- A deposit program for beverage containers
- Minimum recycled content requirements for rigid plastic packaging and plastic beverage containers
- Requirements for producers to ensure that the single-use packaging they introduce into the stream of commerce is either recyclable or compostable
- Tailored definitions for what can be labeled as “recyclable” or “compostable” to ensure those items can be handled in the existing solid waste recycling and composting systems

Public agencies and the solid waste industry have no control over products introduced into the marketplace, for which they will ultimately be responsible for managing, disposing, composting, or recycling. As such, it is vital that manufacturers design products that are readily recyclable (not just theoretically recyclable) and for which there are end markets. Despite the substantial financial investments and programmatic changes described above, there remain significant challenges to recycling - particularly the lack of reliable end markets for those materials.

Any national standard for recyclability and compostability claims must be grounded in the presence, availability, and accessibility of end markets for those recyclable materials. In the absence of end markets, recyclable and compostable claims will be misleading to consumers, force the solid waste industry (and residents) to pay more to screen out materials for which there is no end market, and simply result in the creation of more expensive trash.

As we previously noted in comments on a proposed National Recycling Strategy, a well-structured national framework “could have a transformative effect on local and state recycling efforts and significantly reduce solid waste management costs... National efforts

¹ CA Public Resources Code Section 40001.

should focus first and foremost on increasing manufacturer engagement in designing readily recyclable products and using recycled materials in those products.”

Beyond recycling, the PACK Act will have a particularly harmful impact on local composting efforts in California. To label something as “compostable”, H.R. 6832 merely requires those products to meet ASTM industrial compostability standards and for municipal or industrial composting facilities to be available where the item is sold. This poses both technical and economic challenges for local governments, the solid waste industry, and residents.

California’s packaging labeling requirements were designed to reflect infrastructure realities and end-market considerations. Mere compliance with existing industrial composting standards, as envisioned in H.R. 6832, is neither economically adequate nor technologically feasible. From the technological perspective, existing industrial composting standards do not align with California composting practices or realities. For example, the ASTM D6400 certification standard for compostable plastics requires 90% biodegradation of compostable plastics within 180 days. In California, most composting facilities operate on 45-90 day cycles – far shorter than the 180 days contemplated for 90% biodegradation in ASTM D6400. This means that compostable plastics that meet ASTM standards will not fully break down in California’s composting facilities, thereby requiring both private and public facilities to substantially change existing operations to accommodate emerging products - at extraordinary cost.

While California’s SB 343 of 2021 ties recyclability claims to real-world collection and processing rates, AB 1201 of 2021 establishes standards for what can be labeled compostable in California. AB 1201 requires products labeled as “compostable” to comply with USDA National Organic Program (NOP) standards for allowable compost feedstocks and be free of persistent contaminants like PFAS. This standard is vital to ensure that the compost produced in California facilities is marketable, as roughly 2/3 of compost produced in California is sold to agricultural end markets that demand compliance with USDA NOP standards. Compostable plastics do not meet the USDA NOP standard, and so must be screened out as contaminants to preserve access to agricultural markets. Given the importance of these markets, contamination is a serious concern for California’s public and private composting facilities. Unfortunately, H.R. 6832’s preemption language will invalidate both of these important laws. In doing so, H.R. 6832 will undermine important efforts to improve and reduce the costs of local composting and recycling programs. As such, H.R. 6832 will remove incentives for manufacturers to design products that can actually be recycled or composted in existing facilities and markets.

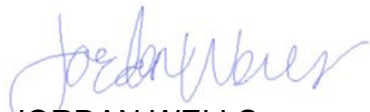
For the above reasons, we must respectfully oppose H.R. 6832. We strongly suggest removal of Section 27(c)(3), which preempts states and local governments from establishing packaging labeling laws that are different than the federal standard included in this measure. Federal laws should establish regulatory floors, not ceilings, to ensure that states can continue to serve as “laboratories of democracy” and have the freedom necessary to experiment with a variety of approaches to public issues. Please do not hesitate to contact us with any questions.

The Honorable Randy Weber
H.R. 6832 – PACK Act
June 17, 2026
Page 4

Sincerely,



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cc: The Honorable Barry Moore, Member of the U.S. House of Representatives
The Honorable Addison McDowell, Member of the U.S. House of Representatives
The Honorable Adam Gray, Member of the U.S. House of Representatives
The Honorable Nicholas Langworthy, Member of the U.S. House of Representatives
The Honorable Neal Dunn, Member of the U.S. House of Representatives
The Honorable David Joyce, Member of the U.S. House of Representatives
The Honorable Mariannette Miller-Meeks, Member of the U.S. House of Representatives
The Honorable Dan Crenshaw, Member of the U.S. House of Representatives
The Honorable Earl L. "Buddy" Carter, Member of the U.S. House of Representatives

The Honorable Michael Rulli, Member of the U.S. House of Representatives
The Honorable Bryan Steil, Member of the U.S. House of Representatives
The Honorable Russ Fulcher, Member of the U.S. House of Representatives
The Honorable Jared Huffman, Member of the U.S. House of Representatives
The Honorable Kevin Kiley, Member of the U.S. House of Representatives
The Honorable Tom McClintock, Member of the U.S. House of Representatives
The Honorable Doris Matsui, Member of the U.S. House of Representatives
The Honorable John Garamendi, Member of the U.S. House of Representatives
The Honorable Zoe Lofgren, Member of the U.S. House of Representatives
The Honorable Jimmy Panetta, Member of the U.S. House of Representatives
The Honorable Vince Fong, Member of the U.S. House of Representatives
The Honorable Jim Costa, Member of the U.S. House of Representatives
The Honorable David Valadao, Member of the U.S. House of Representatives
The Honorable Salud Carbajal, Member of the U.S. House of Representatives
The Honorable Raul Ruiz, Member of the U.S. House of Representatives
Ms. Sheryl Cohen, Partner, American Continental Group

July 21, 2026

The Honorable Gus Bilirakis, Chair
House Energy and Commerce Committee
Subcommittee on Commerce, Manufacturing, and Trade
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jan Schakowsky, Ranking Member
House Energy and Commerce Committee
Subcommittee on Commerce, Manufacturing, and Trade
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Brett Guthrie, Chair
House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Frank Pallone, Ranking Member
House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Subcommittee Chair Bilirakis, Subcommittee Ranking Member Schakowsky, Chair Guthrie, Ranking Member Pallone, and Members of the Committee,

On behalf of Moms Clean Air Force and the Natural Resources Defense Council we urge you to oppose two misleading bills included in tomorrow's subcommittee hearing entitled "Legislative Proposals to Strengthen Consumer Protection in a Changing Marketplace"—the Recycled Materials Attribution Act of 2026 (H.R.7502) ("RMAA") and the Packaging and Claims Knowledge Act of 2025 (H.R. 6832) ("PACK Act"). These two bills would undermine consumer confidence and increase confusion by allowing industry to promote false claims about both recycled content and the recyclability of plastic packaging. These bills are framed as consumer right-to-know laws but they **would actually strengthen industry's right to deceive consumers.**

The RMAA and PACK Act are part of a larger effort by industry to deceptively rebrand plastic waste incineration as a new and innovative solution to the plastics crisis. The incineration of plastic waste by pyrolysis/combustion, championed by industry under the misnomer "chemical recycling," is an old, inefficient, and highly toxic practice which does not actually recycle plastic, but does generate large quantities of hazardous waste, and only creates small amounts of highly contaminated pyrolysis oils. This inefficient process produces harmful pollution, including known human carcinogens such as benzene, dioxins, and PFAS; heavy metals including cadmium, lead, and mercury; and other toxic chemicals known to cause serious health harms.

Recycled Materials Attribution Act

The RMAA would allow industry to use highly deceptive accounting practices (including the worst types of “mass-balance” methods), which would allow virgin plastic to be sold as “recycled” for higher profits. By allowing practices that result in false and misleading claims about recycled content, the bill would promote highly polluting forms of plastic waste disposal and provide them with a market advantage over mechanical recycling. These deceptive claims prey upon consumers’ willingness to pay a premium for products they have been led to believe contain recycled content and also harm public trust in recycling, which is currently at an all-time low.

Turning waste into toxic fuel is not recycling. Nevertheless, the language in the bill that appears to exclude fuel production and use from being counted as recycling actually would allow plastic waste to be turned into toxic fuels and burned, while getting counted as “recycled.” While the bill prevents fuel made from plastic waste from being marketed as “recycled,” it allows companies to transfer the recycled content claim from fuel to an entirely different product and market those products as recycled. As a result, a plastic bottle could be sold as containing 100% recycled plastic, when in fact it may not contain *any* recycled plastic at all. Converting plastic waste to fuel should never result in a “credit” or “claim” for recycling.

The bill also **pre-empts states** from taking *any* action that would protect against these types of deceptive claims. Moreover, the bill allows industry to create their own private third-party certification methods with no independent oversight and requires the Federal Trade Commission to update the Green Guides to allow these highly deceptive forms of product claims for recycled content with no opportunities for public input.

Packaging and Claims Knowledge Act

The PACK Act would eliminate protective state “truth-in-labeling” laws which prohibit packaging from using recycling and compostability indicators on labels, such as the chasing arrows symbol, unless the products are actually being recycled or composted at scale. The bill pre-empts these effective state-level policies which protect both consumers and recyclers while leaving behind a voluntary national framework, which fails to consider states’ individual recycling capabilities, jeopardizing the work states are doing to ensure recycling claims are clear and accurate based on local conditions. The PACK Act would not only impede a traditional area of state regulation, but it would also saddle states and municipalities with the costs of dealing with large volumes of unrecyclable plastic waste in the recycling stream.

The RMAA and the PACK Act would increase consumer confusion by allowing false claims about whether a product actually contains recycled material or is actually recyclable, pre-empt protective state laws, and undermine traditional mechanical recycling methods—all while giving industry cover to ramp up plastic production which pollutes communities with toxic chemicals and hazardous waste. We

urge you to oppose both of bills and reject the chemical and plastic industry's attempts to prop up plastic incineration and deceive the public.

Sincerely,

MOMS CLEAN AIR FORCE
NATURAL RESOURCES DEFENSE COUNCIL

The undersigned organizations write to express our strong opposition to two bills in the House of Representatives that would promote plastic incineration, increase consumer deception, and undermine state's rights. Despite industry's claims, these bills are attempts by the chemical and plastics industries to preempt state laws that disallow forms of "chemical recycling" that are actually incineration to count as recycling, and protect consumers from deceptive marketing practices, which will further undermine consumer trust in the recycling system.

Plastic production is [expected to double](#) in the next 20 years, and possibly triple by 2050, leading to an increase of pollution of our air and waterways with plastic and harm to human health from microplastics. Evidence continues to grow that virtually all of us have microplastics in our bodies. Only [about 5-6%](#) of plastic waste in the US is actually recycled annually. The only scientifically proven way to reduce plastic pollution and associated harms to communities and the environment is to [reduce production of virgin plastics](#). The chemical and plastics industries reject this conclusion and instead [tout](#) "chemical recycling", an umbrella term for a slew of different processing technologies, as a solution. In [reality](#), "chemical recycling" has produced far more toxic air emissions and hazardous waste than actual recycled plastics. This has a particularly [negative cumulative impact](#) on communities living near processing and waste management sites. "Chemical recycling" also requires a lot more energy, process chemicals, and transportation to different facilities than most industries are [reporting](#).

The [Recycled Materials Attribution Act](#) and the [Packaging and Claims Knowledge Act](#) would give the producers of consumer products an enormous amount of power to label products as "recyclable" or to claim a certain percentage of recycled content on questionable grounds with no oversight from independent scientists or government agencies. These bills would remove key safeguards for human health and the environment from toxic chemical recycling technologies, and allow the deceptive use of these technologies to falsely advertise products as recyclable or made from a certain percentage of recycled content.

The following are some of the most significant loopholes these bills would open.

The [Recycled Materials Attribution Act \(HR 7502\)](#) would give a green light to deceptive accounting and marketing practices that increase corporate profits from plastic incineration and preempt states from taking stronger action and protecting their residents. The bill wrongly:

- Legitimizes deceptive accounting practices for plastic recycled content claims (e.g. by setting up systems that allows for virgin plastic to be marketed as recycled) and preempts states from taking any action that would be protective against any kind of deceptive accounting and claims relating to recycled content.
- Gives the most highly polluting forms of "chemical recycling" a market advantage over mechanical recycling.
- Creates loopholes that would allow plastic to be turned into fuels and still be counted as "recycled."

- Allows companies to rely on third-party certification for deceptive claims they themselves make the rules for.

The [Packaging and Claims Knowledge Act \(HR 6832\)](#) would undermine state efforts to create strong rules around recyclability and compostability claims. The bill wrongly:

- Is a not-so-veiled industry attack at California's strong that prohibit packaging from bearing chasing arrows or other recycling indicators unless the products will actually get recycled or composted.
- Ends effective state-level regulation of recyclability, compostability, and reusability claims, and leaves only a weak, voluntary federal program with no enforcement teeth.

We support legislation and innovation to tackle pollution that is protective of human health, the environment, and the consumer's right to know. That innovation should come in the form of reducing plastic production while upscaling infrastructure for non-toxic reusable and refillable alternatives and hiring Americans to service them- not toxic technofixes that lead to very little recycling, but a lot of industry profits and human health and environmental harms, while misleading consumers about recycled content. Consumer's right to know should come from an assurance that products that are labeled recyclable will go to an actual recovery facility and not an incinerator; and products that are labeled recycled are actually made from recycled materials.

We urge Congress to reject these bills. Sincerely,

Mid-Ohio Valley Climate Action
Between the Waters
People Over Petro Coalition
Just Transition Alliance
Stop Waste Tucson
Beyond Plastics
Californians Against Waste
Alliance for Mission Based Recycling (AMBR)
Eureka Recycling
Minnesota Zero Waste Coalition
GAIA (Global Alliance for Incinerator Alternatives)
Plastic Pollution Coalition
Eco-Cycle
Zero Waste Strategies
Just Zero
The Last Plastic Straw
Mi Familia Vota
Clean Air Council

Our Zero Waste Future
Zero Waste Ithaca
Fenceline Watch
The YEARS Project
Hip Hop Caucus
Vessel Project of Louisiana
Natural Resources Defense Council (NRDC)
Pacific Environment
Surfrider Foundation
Oceana
5 Gyres
GreenLatinos
CONCERN CITIZEN TABLE OF LAKE CHARLES

July 21, 2026

The Honorable Brett Guthrie
Chairman, House Committee on Energy
and Commerce
United States Congress
2161 Rayburn H.O.B.
Washington, DC 20515

The Honorable Gus Bilirakis
Chairman, Subcommittee on Commerce,
Manufacturing, and Trade
United States Congress
2306 Rayburn HOB
Washington, DC 20515

**Re: Hearing on Legislation to Strengthen Consumer Product and Service Protections
(July 22, 2026)**

Dear Representatives Guthrie and Bilirakis:

We write to express concerns about the “App Store Freedom Act” (ASFA). The bill would apply the Federal Trade Commission’s consumer protection authority to commercial transactions between app store operators and app developers, blurring the line between consumer protection and competition violations.

The FTC Act prohibits unfair or deceptive acts or practices.¹ This is commonly referred to as the FTC’s consumer protection authority; as the name suggests, it centers around protecting *consumers*.² Under the FTC Act, an act or practice is “unfair” if it “causes or is likely to cause substantial injury to *consumers* which is not reasonably avoidable by *consumers* themselves and not outweighed by countervailing benefits to *consumers* or to competition.”³ The FTC’s 1983 Policy Statement on Deception defines deception as “a representation, omission or practice that is likely to mislead the *consumer* acting reasonably in the circumstances, to the *consumer’s* detriment.”⁴

¹ 15 U.S.C. § 45(a)(1).

² See FEDERAL TRADE COMMISSION, *A Brief Overview of the Federal Trade Commission’s Investigative, Law Enforcement, and Rulemaking Authority* § II.1, <https://www.ftc.gov/about-ftc/mission/enforcement-authority> (last visited July 20, 2026).

³ 15 U.S.C. § 45(n) (emphasis added).

⁴ Fed. Trade Comm’n, Policy Statement on Deception at 2 (appended to *Cliffdale Associates, Inc.*, 103 F.T.C. 110, 174 (1984) (emphasis added)).

The FTC has historically exercised this authority principally to prevent harm to human consumers, applying it to business-to-business conduct in only a narrow set of circumstances involving small businesses.⁵ While Congress has, at times, authorized the FTC to police unfair or deceptive acts or practices impacting businesses, those laws and the resulting Commission rules protect both businesses *and* consumers—and are primarily concerned with consumer injury.⁶ In contrast, ASFA exclusively protects app developers, only indirectly impacting consumers.

In *Negotiated Data Solutions LLC (N-Data)*, Chair Deborah Majoras dissented from the Commission’s use of its consumer protection authority to challenge a patent holder’s repudiation of an earlier licensing commitment where the immediate alleged victims were large, sophisticated computer manufacturers. As she explained,

the FTC has used its authority under Section 5 to protect small businesses against unfair acts and practices. We have taken care to exercise this authority judiciously, however, to protect small businesses, non-profits, churches, and “mom and pop” operations that lack the resources and, in some cases, the experience or understanding to defend themselves adequately against fraud.⁷

“There is a clear qualitative difference[,]” Chair Majoras continued, “between these entities and” larger corporations⁸ —namely, that small businesses are positioned similar to consumers in the market, as opposed to “sophisticated” businesses conducting arm’s length transactions.⁹ Commissioner Ohlhausen later warned that “continu[ing] on the path begun

⁵ See generally FEDERAL TRADE COMMISSION, *Protecting Small Businesses: Cases*, <https://www.ftc.gov/business-guidance/small-businesses/protecting-small-businesses-cases> (last visited July 20, 2026).

⁶ See, e.g., Telemarketing Act, 15 U.S.C. § 6102; CAN-SPAM Act, 15 U.S.C. § 7707.

⁷ Dissenting Statement of Chairman Majoras at 5, *In re Negotiated Data Solutions LLC*, File No. 0510094 (Jan. 23, 2008), <https://www.ftc.gov/sites/default/files/documents/cases/2008/01/080122majoras.pdf#page=5> (footnote omitted) (To highlight the FTC’s judicious application of consumer protection authority to business-to-business conduct, Chair Majoras cited: *FTC v. Websource Media, LLC*, No. H-06-1980 (S.D. Tex. filed June 12, 2006) (unfair practice of “cramming” unauthorized charges onto the telephone bills of small businesses); *FTC v. Certified Merchant Services, Ltd.*, No. 4:02CV44 (E.D. Tex. filed February 11, 2002) (unfair practice of unilaterally inserting additional pages that describe substantial, undisclosed charges into credit card processing contracts with small business merchants); *FTC v. IFC Credit Corp.*, No. 07C3155 (N.D. Ill. filed June 6, 2007) (unfair practice of accepting and collecting on invalid, fraudulently induced equipment contracts with small businesses and religious and other nonprofit organizations)).

⁸ *Id.*

⁹ In its Analysis of the *N-Data* proposed consent order, the majority argued that “[t]he Commission has a ‘longstanding position that the statutory prohibition against unfair or deceptive acts or practices includes practices that victimize businesspersons as well as those who purchase products for their own personal or household use,’” citing the FTC’s Franchise Rule as an example. Analysis of Proposed Consent Order to Aid Public Comment at 8 n.14, *In re Negotiated Data Solutions LLC*, File No. 051 0094 (Jan. 23, 2008), <https://www.ftc.gov/sites/default/files/documents/cases/2008/01/080122analysis.pdf#page=8>. But, Chair

in *N-Data*” would lead the FTC to “polic[e] garden variety ... business disputes between private parties.”¹⁰

ASFA would force the FTC down the *N-Data* path, stretching its consumer protection authority to regulate the commercial terms on which app stores deal with developers. ASFA refers to consumers only twice, both in the context of “general purpose consumer computing device[s].”¹¹ Rather than focusing on consumers, ASFA primarily targets business-to-business conduct. The bill’s definition of “covered company” applies only to two businesses: Google and Apple.¹² And app “developer[s]” range from major technology companies and small startups to individual programmers.¹³

Specifically, ASFA would require app store providers to grant app developers “access to any interface and hardware and software feature” and “documentation and development information” on “equivalent [] terms of access by the covered company or any business partner.”¹⁴ In addition, the bill would prohibit app store providers from enforcing “exclusivity and tying” policies, such as requiring app developers to “use or enable an in-app payment system owned or controlled by the covered company or any business partner” or “tak[ing] punitive action or otherwise impos[ing] less favorable terms and conditions against a developer of an app distributed outside of an app store that is owned or controlled by the

Majoras explained, “[w]hile the Franchise Rule, which requires certain disclosures prior to the sale of a franchise, sometimes protects businesses, it typically protects individual consumers that are purchasing franchises rather than sophisticated corporations.” Majoras, *supra* note 7, at 5 n.15. The Chair added that the Franchise Rule exempts “several categories of sophisticated investors.” *Id.* (citing 16 C.F.R. § 436.8(a)).

¹⁰ Statement of Commissioner Maureen K. Ohlhausen at 3, *In re Robert Bosch GmbH*, FTC File No. 121-0081 (Nov. 26, 2012), https://www.ftc.gov/sites/default/files/documents/public_statements/statement-commissioner-maureen-ohlhausen/121126boschohlhausenstatement.pdf#page=3.

¹¹ App Store Freedom Act, H.R. 3209, 119th Cong. §§ 6(1), (2) (2025).

¹² *Id.* § 6(4) (“The term ‘covered company’ means any person who owns or controls—(A) an app store for which the number of users in the United States exceeds 100,000,000; and (B) the operating system on which such app store operates.”). See generally GOOGLE PLAY, https://play.google.com/store/apps?hl=en_US (last visited July 20, 2026); APP STORE, <https://www.apple.com/app-store/> (last visited July 20, 2026).

¹³ *Id.* § 6(5) (“The term ‘developer’ means a person who owns or controls an app or an app store.”). See *App developer survey*, GOV.UK (Dec. 5, 2024), <https://www.gov.uk/government/publications/app-store-security-and-privacy-app-developer-survey/app-developer-survey> (Table 1: Surveyed app developers’ profile by company size (based on employees)).

¹⁴ *Id.* § 2(a)(2) (“A covered company, in a timely manner, without cost, and on terms that are equivalent to the terms of access by the covered company or any business partner of the covered company, shall provide to a developer of an app accessible on an operating system, or distributed through an app store, owned or controlled by the covered company—(A) access to any interface and hardware and software feature of the operating system that are generally available to the covered company and any business partner of the covered company; and (B) documentation and development information sufficient to access any such interface and feature.”).

covered company.”¹⁵ Lastly, ASFA would prohibit app store providers from “impos[ing] any restriction or fee on the communication of a developer of an app ... concerning legitimate business offers.”¹⁶ All three provisions govern business-to-business conduct.

Violations of ASFA—such as app store providers withholding certain features from developers—would be deemed unfair or deceptive acts or practices.¹⁷ The FTC would have the authority to promulgate rules governing the relationship between app store providers and app developers¹⁸—*i.e.* rules governing business-to-business conduct. Violators would be subject to “any penalty applicable under the Federal Trade Commission Act,” as well as “a civil penalty of not more than \$1,000,000 for each violation.”¹⁹

ASFA would be a significant departure from the FTC's traditional use of its consumer protection authority, applying it to disputes between commercial actors. In 1994, Congress codified the FTC's Unfairness Policy Statement, focusing the doctrine on “substantial injury to *consumers*” rather than businesses or competitors.²⁰ The rare cases where the FTC has applied its consumer protection authority to business-to-business disputes have overwhelmingly involved small businesses that resemble consumers falling for scams.²¹ In contrast, ASFA would classify app developers of all sizes as consumers, treating disputes over platform access, payment systems, and other commercial terms as unfair or

¹⁵ *Id.* §§ 2(b)(1)(A)-(B) (“A covered company may not—(A) require, as a condition for an app to be accessible on an operating system or distributed through an app store that is owned or controlled by the covered company, that—(i) a developer of the app use or enable an in-app payment system owned or controlled by the covered company or any business partner of the covered company; or (ii) pricing or other terms of sale be equal to or more favorable on such operating system or app store than on another operating system or app store; or (B) take punitive action or otherwise impose less favorable terms and conditions against a developer of an app distributed outside of an app store that is owned or controlled by the covered company—(i) for using or offering different pricing or other terms of sale on an app store or through an in-app payment system that is not owned or controlled by the covered company; or (ii) on the basis that such app provides access to a third-party app that is not owned or controlled by the covered company through remote electronic services rather than through download from an operating system or an app store that is owned or controlled by the covered company.”).

¹⁶ *Id.* § 2(b)(2)(A) (“A covered company may not impose any restriction or fee on the communication of a developer of an app accessible on an operating system or distributed through an app store that is owned or controlled by the covered company with a user of the app, whether through such app or direct outreach to such user, concerning legitimate business offers, including pricing or other terms of sale and product or service offerings.”).

¹⁷ *Id.* § 3(a)(1).

¹⁸ *Id.* § 3(a)(2)(A). *See also* 15 U.S.C. § 57.

¹⁹ H.R. 3209, 119th Cong. (2025) §§ 3(a)(2)(B)-(3)(A).

²⁰ *See* J. Howard Beales, *The FTC's Use of Unfairness Authority: Its Rise, Fall, and Resurrection*, FEDERAL TRADE COMMISSION (May 30, 2003), <https://www.ftc.gov/news-events/news/speeches/ftcs-use-unfairness-authority-its-rise-fall-resurrection>.

²¹ Majoras, *supra* note 7. *See generally* FEDERAL TRADE COMMISSION, *supra* note 5 (for example, “Business Directory Scams,” “Unauthorized Phone Charges,” and “Office Supply Scam”).

deceptive—regardless of whether the protected developer is an individual programmer, a startup, or a multinational corporation.

Even small app developers seeking better access to app stores are qualitatively different from “mom and pop” operations deceived into paying an unauthorized invoice. The conduct regulated by ASFA does target consumers; it concerns competition and the contractual terms on which businesses deal with one another.

App store providers preferencing their own apps or those of business partners is a competition issue, not an unfair or deceptive act or practice harming consumers. As Commissioner Bill Kovacic explained in his dissent in *N-Data*, if “all business enterprises—including large companies—fall within the class of consumers whose injury is a worthy subject of unfairness scrutiny[,]” then the FTC’s consumer protection authority “subsumes” its separate competition authority, rendering the Sherman and Clayton Acts “superfluous.”²² This use of consumer protection authority to address conduct involving sophisticated businesses in *N-Data* was widely regarded as “highly unusual”²³ and “a dramatic departure in policy.”²⁴ ASFA would codify that exceptional theory into law for a major sector of the digital economy while imposing significant civil penalties.

Any new law governing how app stores deal with app developers should be enforced through the FTC’s competition authority, with violations treated as unfair methods of competition.²⁵ Alternatively, if the Committee wishes to attach civil penalties, it should consider treating violations of ASFA as standalone offenses unrelated to Section 5 of the FTC Act.

Thank you for your attention to our concerns.

Sincerely,

Andy Jung
AI Policy Counsel
TechFreedom

Berin Szóka
President
TechFreedom

²² Dissenting Statement of Commissioner William E. Kovacic, *In re Negotiated Data Solutions, LLC* at 3, File No. 051-0094 (Jan. 23, 2008), <https://www.ftc.gov/sites/default/files/documents/cases/2008/01/080122kovacic.pdf#page=3>.

²³ Dentons, *FTC uses unique, long-dormant authority to challenge patent troll's alleged breach of licensing commitment to standard-setting organization*, LEXOLOGY (Jan 28, 2008), <https://www.lexology.com/library/detail.aspx?g=5d6f068f-fa6a-4712-ae70-53ccaced9d72>.

²⁴ Anne Layne-Farrar, *Patents in Motion: The Troubling Implications of the N-Data Settlement*, GCP (Mar. 2009), https://competitionpolicyinternational.com/assets/0d358061e11f2708ad9d62634c6c40ad/Layne-Mar-09_2_.pdf#page=4.

²⁵ See FEDERAL TRADE COMMISSION, *supra* note 2, § II.2.

July 21, 2026

The Honorable Charles E. Grassley
Chairman, Committee on the Judiciary
U.S. Senate
Washington, DC 20510

The Honorable Richard J. Durbin
Ranking Member, Committee on the Judiciary
U.S. Senate
Washington, DC 20510

The Honorable Brett Guthrie
Chairman, Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Frank Pallone, Jr.
Ranking Member, Committee on Energy and
Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Grassley and Ranking Member Durbin:

We, the undersigned advocates dedicated to protecting children from online harms, write in support of the bipartisan Open App Markets Act (OAMA), co-sponsored by Sens. Marsha Blackburn (R-TN), Richard Blumenthal (D-CT), Mike Lee (R-UT), Amy Klobuchar (D-MN), and Dick Durbin (D-IL), and its House counterpart, the App Store Freedom Act (ASFA), co-sponsored by Rep. Kat Cammack (R-FL) and Rep. Lori Trahan (D-MA).¹ The bills would promote online child safety by bringing much-needed competition to the mobile app ecosystem, enabling alternative app stores and distribution channels that cater specifically to the needs of parents and children.

Apple and Google argue that opening their app stores to competition would put children at greater risk. The opposite is true. As we explain below, competition is needed to spur better practices by Apple and Google—and OAMA and ASFA would complement other online safety measures before Congress. Importantly, nothing in the bill would weaken or override the parental controls the two companies offer today. A broad coalition of child-safety advocates wrote last fall in support of ASFA.² As that letter explained:

For more than a decade, Apple and Google have monopolized the mobile app ecosystem through the App Store and Play Store.³ Without meaningful competition, these firms have continually failed to protect children from sexual exploitation, exposure to obscenity, abuse of their data, and more. In parallel, Apple and Google have fought to prevent competition under the premise that their

¹ The Open App Markets Act, S. 2153, 119th Cong. (2025), <https://www.congress.gov/bill/119th-congress/senate-bill/2153>; App Store Freedom Act, H.R. 3209, 119th Cong. (2025), <https://www.congress.gov/bill/119th-congress/house-bill/3209>.

² Letter from Child Safety Advocates to the Hon. Brett Guthrie, Chair, and the Hon. Frank Pallone, Jr., Ranking Member, H. Comm. on Energy & Commerce, in Support of the App Store Freedom Act (Oct. 24, 2025), https://digitalprogress.tech/wp-content/uploads/2025/10/2025-10-24-Coalition-letter_ASFA_Kids-Safety.pdf.

³ Josh Howarth, *iPhone vs. Android User Stats*, EXPLODING TOPICS (Apr. 24, 2025), <https://explodingtopics.com/blog/iphone-android-users>.

monopolies are safe for children.⁴ The argument is not only cynical—it is belied by these tech giants’ own terrible track record on safety and privacy.

Since then, the case for competition has only grown stronger.

Child-safety advocates have filed detailed complaints with the Federal Trade Commission against both Apple and Google, alleging that each knowingly marketed unsafe apps as suitable for children, brokered exploitative contracts with minors, and violated the Children’s Online Privacy Protection Act and a 2014 FTC consent decree.⁵

In January 2026, the Tech Transparency Project identified more than 100 nudify apps still available across the two app stores, downloaded more than 705 million times and generating over \$117 million in revenue—a share of which Apple and Google take directly.⁶ Many were rated suitable for minors: DreamFace, which could turn a photo of a clothed woman into a topless video, was rated 9+ in the Apple App Store and 13+ in Google Play; Collart, which stripped the clothes off test figures on command, was rated 12+ in Apple’s store; and AI Dress Up and RemakeFace were rated suitable for all ages.⁷

Worse, the stores are not merely hosting these apps—they are steering users to them. A follow-up Tech Transparency Project investigation in April 2026 found that Apple and Google ran ads for nudify apps at the top of search results, and that both stores’ autocomplete suggestions pointed users to queries like “image to video ai nsfw” and “nude video apps,” which returned still more nudifying apps. That investigation flagged 31 nudify apps rated suitable for minors, even as schools across the country confront a surge of sexual-deepfake scandals.⁸

These failures extend well beyond nudify apps. The *Wall Street Journal* previously found that one in four apps rated as safe for children actually contained violent or sexual games, anonymous

⁴ Compare APPLE, *Maintaining a Safe App Store Experience* (last visited June 1, 2026), <https://support.apple.com/en-us/122712> and Digital Childhood Institute, Request by Child Safety Advocates for the FTC to Investigate Apple’s Deceptive and Unfair App Store Practices, Violations of COPPA, and the 2014 FTC Consent Decree, Fed. Trade Comm’n (2025) (“The Supreme Court described a company in Apple’s position as a ‘bottleneck monopolist or monopsonist,’ which applies to Apple due to its monopoly power over how app developers sell their product through its store. Given the size of Apple’s app marketplace, even seemingly small deceptive claims or unfair practices can cause serious harm to children. As detailed throughout this complaint, Apple’s violations are significant.”), https://www.digitalchildhoodinstitute.org/wp-content/uploads/2025/08/FTC-Complaint-Against-Apple_25.pdf.

⁵ Digital Childhood Institute, *Request by Child Safety Advocates for the FTC to Investigate Google’s Deceptive and Unfair Play Store Practices, Violations of COPPA, and the 2014 FTC Consent Decree*, Fed. Trade Comm’n (Oct. 14, 2025), https://ohiocapitaljournal.com/wp-content/uploads/2025/10/Google-FTC-complaint-FINAL_10.14.25-1.pdf; see also *supra* note 4 (Apple complaint).

⁶ Tech Transparency Project, *Nudify Apps Widely Available in Apple and Google App Stores* (Jan. 27, 2026), <https://www.techtransparencyproject.org/articles/nudify-apps-widely-available-in-apple-and-google-app-stores>.

⁷ *Id.*

⁸ Tech Transparency Project, *Apple and Google Are Steering Users to Nudify Apps* (Apr. 15, 2026), <https://www.techtransparencyproject.org/articles/apple-and-google-are-steering-users-to-nudify-apps>.

chat, and suggestive content.⁹ An independent analysis found that 45 percent of the top 500 grossing apps carry App Store age ratings lower than the minimum age the developers themselves require in their terms of service, and 74 percent carry ratings lower than their own privacy policies allow.¹⁰

In a competitive market, these failures would carry consequences: families could take their business elsewhere, and the risk of losing them would force Apple and Google to compete on safety. But with the two companies controlling the software on more than 99% of American smartphones, and erecting barriers to any rival distribution channel, that discipline never arrives. Compounding the problem, both firms take a cut of downloads and in-app purchases—including from the very apps that endanger children—giving them a financial reason to look the other way.

OAMA and ASFA would enable much-needed alternatives to flourish, including app stores that actually live up to the standards that Google and Apple claim to uphold. Importantly, the bills would allow parents to hide or delete the Apple App Store or Google Play Store from their children's devices and designate a different app store as the default.¹¹ This would empower parents, for instance, to ensure their children can access only app stores that properly vet apps for safe and age-appropriate content—rather than ones that surface nudify apps at the top of search results. OAMA and ASFA would also let app distributors compete specifically on child safety, building curated experiences that earn families' trust by actually meeting their needs.

For years, Apple and Google have resisted every effort to open their app stores while insisting that their control keeps children safe. The record refutes that claim: their dominance has not merely failed children but amplified the harms they face. Congress should pry open these walled gardens and let a competitive market reward the app stores that actually serve families. OAMA and ASFA would do exactly that.

The bills enjoy strong, bipartisan support. OAMA was introduced by a bipartisan group of senators and has drawn endorsements from advocates across the ideological spectrum,¹² and a prior version of the bill cleared the Senate Judiciary Committee by an overwhelming, bipartisan 20–2 vote in 2022.¹³

⁹ Aaron Tilley, *Apple's App Store Puts Kids a Click Away from a Slew of Inappropriate Apps*, WALL ST. J. (Dec. 22, 2024), <https://www.wsj.com/tech/apples-app-store-puts-kids-a-click-away-from-a-slew-of-inappropriate-apps-dfde01d5>.

¹⁰ Mark Sellman, *Four-Year-Olds 'Exploited' by Tech Giants' App Store Age Ratings*, THE TIMES (June 30, 2025), <https://www.thetimes.com/uk/technology-uk/article/four-year-olds-exploited-by-tech-giants-app-store-age-ratings-6txf0z0zr>.

¹¹ Open App Markets Act, S. 2153, 119th Cong. § 3(d) (2025) (requiring covered companies to allow users to choose third-party app stores as defaults and to hide or delete preinstalled app stores).

¹² Press Release, Sen. Marsha Blackburn, *Blackburn, Blumenthal, Lee, Klobuchar, and Durbin Introduce Bipartisan Antitrust Bill to Promote App Store Competition* (June 24, 2025), <https://www.blackburn.senate.gov/2025/6/technology/blackburn-blumenthal-lee-klobuchar-and-durbin-introduce-bipartisan-antitrust-bill-to-promote-app-store-competition>.

¹³ The bill's predecessor, the Open App Markets Act, S. 2710, 117th Cong. (2021), was advanced by the Senate Judiciary Committee on February 3, 2022, by a vote of 20 to 2. See Lauren Feiner, *Senate Committee Advances*

We urge the Senate Judiciary Committee to advance OAMA, and the House Energy and Commerce Committee to advance ASFA, as part of their broader work to protect children online.

Signed,

Aiden Buzzetti
President
Bull Moose Project

Evan Swarztrauber
Senior Fellow
Digital Progress Institute

Terry Schilling
President
American Principles Project

Clare Morell*
Fellow
The Ethics and Public Policy Center

Mike Davis
President
Article III Project

Otto Heck
Chief Operating Officer
Internet Accountability Project

Wade Miller
Executive Director
Citizens for Renewing America

Jon Schweppe
Founder
Populist Solutions

Ben Winters
Director of AI and Privacy
Consumer Federation of America

Patrick Gallaher
Senior Policy Advocate
Public Knowledge

Melissa McKay
President
Digital Childhood Institute

Sacha Haworth
Executive Director
Tech Oversight Project

**Affiliation listed for identification purposes only.*

Open App Markets Act, CNBC (Feb. 3, 2022), <https://www.cnbc.com/2022/02/03/senate-committee-advances-open-app-markets-act.html>.

NEWSLETTER

Climate Forward

Advanced Recycling Hits a Rough Patch

In the past weeks, two sites in the United States have halted operations.



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By Hiroko Tabuchi

July 9, 2026

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Nationwide, less than 10 percent of discarded plastic gets recycled. A lot of plastic products are tricky to recycle. Most of it goes straight to the landfill.

One possible solution that's emerged in recent years is advanced recycling.

Advanced recycling, also called chemical recycling, uses heat and chemical reactions to break down plastic waste into its molecular building blocks.

It's promising on paper, and the chemicals industry has heavily promoted advanced recycling, as has the Trump administration. Except, the industry is running into trouble.

In the past weeks, two of just a handful of advanced recycling sites in the United States have suspended operations: the Freepoint Eco-Systems plant in Hebron, Ohio, and the Braven Environmental plant in Zebulon, N.C.

Both closures followed environmental violations cited by state regulators involving harmful air pollution and hazardous waste.

Now, just seven advanced recycling plants remain in the United States, barely making a dent in the amount of plastic that's discarded, according to Beyond Plastics, an environmental advocacy group.

That's down from the group's tally of 11 facilities in 2023.

The industry's troubles have bolstered critics who have called advanced recycling a false solution. They say it releases toxic chemicals into the atmosphere and cannot reliably and economically be ramped up.

It's a ruse put forward by the plastics industry, they say, to counter a growing recognition that the world must curb plastic production instead.

"They're convincing lawmakers that we don't need to reduce plastics," said Judith Enck, president of Beyond Plastics and a former regional administrator at the Environmental Protection Agency.

Asked about the recent closures, Ross Eisenberg, president of America's Plastic Makers, an industry group, said that, in any emerging manufacturing sector, some operations would scale up while others would close. He said some companies were expanding their advanced recycling capacity and that major brands like Nike were incorporating plastics made from advanced recycling into products, like World Cup soccer jerseys.

One of the big attractions of advanced recycling is the possibility that it could offer a path toward a "circular economy" for plastics.

Unlike the more traditional mechanical recycling, which involves grinding up plastic to process into new products, advanced recycling can theoretically process mixed or contaminated plastics that otherwise end up in landfills.



Recycled polypropylene pellets at an advanced recycling plant in Ohio. Maddie McGarvey for The New York Times

One type of advanced recycling called pyrolysis offers a way to transform plastic waste into oil, which can be used as industrial heating fuel, a substitute for diesel or as raw material for producing new plastics. That potentially reduces the need to use fossil fuels to make plastic.

But the trouble at the Ohio and North Carolina plants point to some grave challenges.

The Freepoint plant in Ohio stopped operations after being hit with violations for dozens of unreported equipment malfunctions and illegal emissions. It also failed to produce enough pyrolysis oil to meet Ohio's definition of recycling. That meant it faced reclassification as a waste incinerator, which would have come with stricter regulations.

Freepoint Eco-Systems said in a statement that it had shuttered its plant for commercial reasons and that it was working with the Ohio E.P.A. on a safe shutdown.

Bryant Somerville, a spokesman for the Ohio Environmental Protection Agency, said the state was in communication with the company to ensure that the plant shutdown complied with regulations.

The Braven plant closed after multiple unresolved hazardous waste management violations, according to North Carolina's regulatory database.

Josh Kastrinsky, a spokesman for the North Carolina Department of Environmental Quality, said the state had not issued orders to close the facility nor rescinded any permits. Still, the agency was aware that closure was underway, he said.

An email sent Wednesday to Braven's media relations email address bounced back as undeliverable.

The chemicals industry, meanwhile, is backing an effort in Congress, as well as rule-making at the E.P.A., to relax the environmental regulations they must meet.

The Trump administration has been supportive. In November, Lee Zeldin, the E.P.A. administrator, visited ExxonMobil's Baytown complex in Texas to tour its advanced recycling operations and later appeared in ExxonMobil promotional videos and published an opinion article promoting the recycling technology.

"If America does not invest in scaling this technology now, it stands to lose not just an environmental opportunity, but an enormous economic opportunity as well," Mr. Zeldin wrote. Nearly 90 advanced recycling facilities are ready to be built across the country, he added.

Can advanced recycling really work in an environmentally friendly way?

Roger Ruan, a professor in renewable engineering and environment at the University of Minnesota, said that current pyrolysis plants, which tended to produce fuel for burning rather than new plastic, were just an "expensive way to burn fossil fuels."

But he said early failed efforts had given the technology a bad name. He said he still saw a way forward if larger companies with resources and expertise started to adopt the technology.

Jennifer Dunn, a professor of chemical and biological engineering at Northwestern University, cautioned that environmental harms still are not well understood. Many analyses of pyrolysis technologies don't account for emissions of pollutants beyond greenhouse gases and basic air pollutants, she said.

The best case scenario, Professor Dunn said, would be for advanced recycling plants to install the most stringent pollution control devices and continually monitor their emissions, something they're currently not required to do. But that would make advanced recycling more expensive.

More promising, she noted, was research into new materials that can reduce the use of plastics. Scientists have been trying to develop plastic substitutes from materials like seaweed and algae, for example.

"We need to keep pressing on these options," Professor Dunn said.





www.no-burn.org

Jul 21, 2026

The Honorable Gus Bilirakis, Chair
House Energy and Commerce Committee
Subcommittee on Commerce, Manufacturing, and Trade
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jan Schakowsky, Ranking Member
House Energy and Commerce Committee
Subcommittee on Commerce, Manufacturing, and Trade
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Brett Guthrie, Chair
House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Frank Pallone, Ranking Member
House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Subcommittee Chair Bilirakis, Subcommittee Ranking Member Schakowsky, Chair Guthrie, Ranking Member Pallone, and Members of the Committee,

On behalf of GAIA (Global Alliance for Incinerator Alternatives) and the 11 undersigned organizations, we are writing to express our strong opposition to the [Recycled Materials Attribution Act](#) (RMAA) and the [Packaging and Claims Knowledge Act](#) (PACK Act). These bills are the proverbial wolf in sheep's clothing: RMAA purports to prohibit misleading recycled content claims and the PACK Act claims to improve labeling requirements for recyclable, compostable, and reusable claims for packaging. In reality, these bills would give the plastic and chemical industry the license to greenwash so-called "chemical recycling" as a solution to the plastics crisis it created by preempting states' authority to ban, restrict, or in any way regulate toxic plastic breakdown technologies. Such actions undermine the public trust and uphold technologies that are actively harming the communities around them and along the entire plastic supply chain, while also devastating the environment.

Industry has promised to exponentially expand its virgin plastic production over the next decades. [More than 99% of plastics are made of fossil fuels](#). If the plastic's life cycle were a country, it would be the [fifth largest greenhouse gas emitter in the world](#). Without plastic production reduction, [primary plastic production will take up 21-31% of the global carbon budget by 2050](#).

GAIA U.S. OFFICES

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In order for industry to maintain its destructive momentum, it has to sell the idea that there are 'new' technologies to address the ever-expanding threats of over-produced plastic with no viable downstream management. For decades, industry has been promising to effectively recycle hard to recycle plastics through various technologies they call "chemical recycling." As most so-called "chemical recycling" facilities are pyrolysis and gasification, the treatment is in fact incineration by another name, and is failing to meet the deliverables promised, while harming employees and local communities.¹

GAIA has been tracking, studying, and reporting on pyrolysis and other forms of so-called "chemical recycling" since 2000. And, the results have barely changed over the last 26 years. In the 2017 report "Waste Gasification & Pyrolysis: High Risk, Low Yield Processes for Waste Management Pyrolysis," GAIA found that although companies had been experimenting with pyrolysis and other technologies for more than thirty years, there was very little success and many examples of facilities closing because of technical and financial failures in addition to opposition and "government scrutiny into false and exaggerated claims."² In fact, facilities continue to close down—two in just the past few months.³⁴ These two bills would give industry the license needed to continue to exacerbate the plastic crisis while making dangerous and polluting.

The PACK Act (HR 6832), rather than establishing a responsible baseline—as the Federal Trade Commission's Green Guide has done for decades—would take away state authority to legislate for stronger enforcement of recyclability and compostability claims, transferring most of that authority to industry to self-designate and define outcomes, with no enforcement at the federal level. [According to the Alliance of Mission Based Recyclers](#) (AMBR), "The PACK Act rewrites the standard for recyclability to benefit packaging producers — at the expense of recycling systems, the public, and the environment.

RMAA (HR 7502) authorizes industry to use specious accounting and marketing practices which are necessary to sell plastic incineration as recycling, and to make it profitable. This allows plastic to be labeled as recycled whether or not the item contains actual recycled material and could allow for producing fuel to count as recycling. By defining forms of so-called "chemical recycling" as recycling, this bill essentially removes federal regulatory oversight of the many dangerous, polluting emissions that are disproportionately harming Black, Brown, Indigenous, and low-wealth communities where most of these facilities are, and will be, located. All of which give a regulatory and financial advantage to these toxic technologies over mechanical recycling. The bill would also preempt states from legislating or regulating against such practices, including the ever-expanding number of proposed state-level Extended Producer Responsibility programs.

¹ [Freepoint Eco-Systems suspends operations after 18 months with its goals to change plastic recycling unmet](#), The Reporting Project, by Doug Swift, June 9, 2026 (Freepoint Eco-Systems)

² Waste Gasification & Pyrolysis: High Risk, Low Yield Processes for Waste Management; A Technology Risk Analysis; GAIA March 2017; no-burn.org/gasification-pyrolysis-risk-analysis

³ Freepoint Eco-Systems.

⁴ [A Chemical Plant Mishandled Hazardous Waste for Years. Then Quietly Shuttered](#), Inside Climate News, By Lauren Dalban, Lisa Sorg, July 10, 2026

Together these two acts do the exact opposite of what is needed to address the plastic crisis. They promote and incentivize downstream toxic technologies that harm communities and the environment while what we need is production reduction, upstream.

We urge you to oppose these bills.

Sincerely,

Jessica Roff
Plastics & Petrochemicals Program Manager
Global Alliance for Incinerator Alternatives
(GAIA)

Katie Drews
National Director
AMBR

Jim Puckett
Founder
Basel Action Network

Tracy Frisch
Chair
Clean Air Action Network of Glens Falls

Barbara Arrindell
Director
Damascus Citizens for Sustainability

Randy Moorman
Director of Policy and Community Campaigns
Eco-Cycle, Inc.

Lucy Mullany
Vice President of Policy & Communications
Eureka Recycling

Alejandra Torres
Assistant Director of Advocacy & Organizing
Ironbound Community Corporation

Joshua Toor
Policy Manager
Minnesota Zero Waste Coalition

Bryan Ukena
CEO
Recycle Ann Arbor

Beto Lugo Martinez
Executive Director
RiSE4EJ

Thomas Helme
Co-Founder/Co-Director
Valley improvement Projects (VIP)

Congressional Statement - Support for the Nitrous Oxide Safety Act

The Honorable Gus Bilirakis
Chairman

The Honorable Jan Schakowsky
Ranking Member

Re: Support for the Nitrous Oxide Safety Act

Dear Chairman Bilirakis and Ranking Member Schakowsky,

I respectfully request that my name, my family's names, and all personally identifying information be redacted before this statement is shared publicly or entered into the Congressional Record. My purpose in writing is not to seek recognition, but to help protect other families from experiencing the devastation that mine has endured.

My advocacy began unexpectedly in March 2025, when my son, a college student attending school in Tallahassee, Florida, was hospitalized after abusing recreational nitrous oxide. Until that day, I knew very little about nitrous oxide outside of its legitimate medical and culinary uses. Like many parents, I had no idea flavored nitrous oxide products were being openly sold in vape and smoke shops or how easily they could be purchased by young adults.

Within hours, our family's life changed forever.

My son suffered severe neurological injuries caused by repeated nitrous oxide use and the profound vitamin B12 depletion associated with it. He became paralyzed and required hospitalization and extensive rehabilitation. Watching your child lose the ability to walk is something no parent should ever experience.

The neurological damage extended far beyond the paralysis. MRI imaging revealed a lesion within his cervical spinal cord that clinically resembled multiple sclerosis (MS). Hearing those words was terrifying. Fortunately, after further evaluation, his physicians determined that he did not have MS. Instead, they concluded the lesion was consistent with neurological injury associated with nitrous oxide toxicity and the severe vitamin B12 depletion caused by repeated exposure.

His treating neurologist explained that this pattern of cervical spinal cord injury is one they have been seeing with increasing frequency in patients who abuse nitrous oxide. Although many questions remain regarding the long-term neurological effects because clinical research is still evolving, the neurologist expressed concern that similar cases have been appearing in their practice at an alarming rate.

While sitting beside my son's hospital bed, I began asking myself one question: **How was this happening?**

I personally visited 26 vape and smoke shops throughout my community in Florida, documented flavored nitrous oxide products, and recorded store employees explaining how the products were used. I contacted the State Attorney's Office in Tallahassee and submitted the videos, photographs, and documentation I had gathered. Within one day, investigators contacted me and opened an investigation using the evidence I had provided. Investigators later informed me they conducted undercover operations to verify the information I submitted and, according to what they shared with me, those investigations ultimately resulted in arrests in multiple locations throughout Florida.

What began as a desperate mother's search for answers became a commitment to ensuring that

other families would not have to endure what ours had experienced. I traveled to Tallahassee, met with lawmakers, and continued reaching out to legislators, legislative staff, prosecutors, and public officials across Florida, urging them to strengthen the law by closing loopholes that allowed retailers to continue selling these products for recreational abuse while claiming they were intended solely for culinary purposes.

Although I am grateful for the progress Florida has made, this is not simply a Florida problem. Nitrous oxide products continue to be manufactured, marketed, distributed, and sold across the United States. Young people continue to obtain these products with alarming ease, while many parents remain unaware of the devastating neurological consequences.

I respectfully urge Congress to support the Nitrous Oxide Safety Act and any additional measures necessary to strengthen enforcement, close existing loopholes, reduce youth access, improve public education, and encourage continued medical research into the long-term neurological effects of recreational nitrous oxide abuse.

Thank you for your leadership, your time, and your consideration.

Respectfully submitted,

A Concerned Florida Parent and Advocate

(Please redact my name and all personally identifying information before publication or inclusion in the Congressional Record.)

Letter from an Anonymous Parent, Venice, Florida
on H.R. 7945, Nitrous Oxide Safety Act

I am writing as the parent of a son whose life has been profoundly impacted by the easy availability of nitrous oxide. Our family has witnessed firsthand the devastating physical, neurological, emotional, and financial consequences of this highly addictive substance, and I hope that by sharing our experience, it may help strengthen efforts to limit access and protect others from enduring what we have.

Before this addiction, our son was a healthy, vibrant young man with his entire future ahead of him. In a matter of months, nitrous oxide changed the course of his life, robbed him of his health and independence, and nearly took his life.

Our son suffered catastrophic medical complications from nitrous oxide abuse. He experienced paralysis throughout his lower body that left him unable to walk, significant numbness in his hands and feet, loss of bodily functions, and numerous other neurological impairments. Watching your child lose the ability to perform basic functions is something no parent should ever have to experience.

Perhaps one of the most frightening parts of this journey was discovering how little awareness existed within the medical community. We struggled to find healthcare professionals who recognized the effects of nitrous oxide toxicity or knew how to treat it appropriately. More than once, I found myself educating physicians about the condition and explaining what testing and treatment our son needed. Even after the acute medical crisis, there was little guidance regarding appropriate follow-up care.

At one point, while our son was hospitalized in St. Petersburg, Florida, I was speaking with neurologists and medical residents who admitted they had never encountered the neurological consequences of nitrous oxide abuse. They were so unfamiliar with the condition that they asked if they could use our son's case as a teaching case for future physicians. While I appreciated their willingness to learn, it was heartbreaking to realize that families facing this crisis are often doing so without an informed medical community to help them.

Our experience did not stop there. We also found that many addiction treatment centers lacked adequate education about nitrous oxide addiction and its unique neurological consequences. Families should not have to educate both medical providers and addiction professionals while desperately trying to save their child's life.

We know how fortunate we are. Our son survived. Many families are not able to say the same.

The ease with which he was able to obtain nitrous oxide is deeply troubling. Despite its life-altering dangers, it remains widely and easily accessible. This addiction also became extraordinarily expensive, creating another devastating burden on our family. Those who knowingly profit by providing access to this addictive substance should be held accountable for the harm it causes.

Every day that nitrous oxide remains so easily accessible is another day that another family's son or daughter may begin a life-threatening addiction with consequences they never imagined. No family should have to watch their child suffer preventable neurological injury because a dangerous product is so readily available with so few safeguards.

I respectfully urge you to support legislation that significantly restricts the retail sale of nitrous oxide, strengthens enforcement against those who knowingly facilitate its misuse, and invests in education for healthcare professionals and addiction treatment providers so they can recognize and effectively treat nitrous oxide toxicity and addiction. Greater awareness within the medical community and stronger protections for our communities are essential if we hope to prevent more families from experiencing this unimaginable tragedy.

Thank you for your commitment to addressing this growing public health crisis. We are profoundly grateful to everyone who is working to raise awareness, advocate for meaningful legislative change, and protect future generations from the devastating effects of nitrous oxide abuse. Your efforts have the potential to save lives and spare countless families from the heartbreak ours has endured.

Thank you for listening to our family's story and for standing with the families who have been forever changed by this devastating epidemic. We pray that together we can prevent another parent from receiving the phone call, making the emergency room visit, or watching their child fight for their life because of a product that was simply too easy to obtain.

Sincerely,

A family in Venice, Florida

July 21, 2026

I am writing to you concerning Nitrous Oxide. I support H.R. 7945 the Nitrous Oxide Safety Act. I want to share my story without my name to protect my son.

My 38-year-old son got addicted to Nitrous several years ago. Started with the small canister used mainly for whip cream. He then moved to the large canisters. We have removed hundreds of these canisters from his home. These are readily available at most Vape/Smoke shops and some gas stations. One Vape shop was fronting it to my son and delivering it to his door! The profit on these large canisters is huge. Around 60%.

He passed out behind the wheel and hit a truck carrying propane tanks. Thank God they did not explode and no one was hurt. He received an OUI. 30 days in jail, 24-month probation, \$5000 fine, lost his drivers license. Drug rehab program.

Spent several weeks in ICU. He was unable to walk, urinate without a catheter or breath without supplemental oxygen. Most doctors have no experience with the signs and effects of Nitrous. Years later, he still walks with a cane due to nerve damage. Nitrous is a "free radical" it can and will travel anywhere in the body.

It is as addictive as Heroin according to one drug counselor.

One of the big problems with it is that it does not show up in a drug test. This makes it very attractive to those on probation. I am sure that law enforcement and judges would welcome a ban.

It is most upsetting because we live in Michigan. A couple of years ago, a large warehouse that was illegally storing large canisters of Nitrous exploded. It was like a war zone. One innocent man who as a quarter mile away was hit in the head and died. It caused millions of dollars of damage. Yet Michigan has done nothing to outlaw this. I have contacted several lawmakers here and received no response. Our only hope is a federal ban. These canisters are imported from the Netherlands. Should be easy to stop?

The only hope of recovery for my son and millions of others is a federal ban.

Please, I am begging Congress to act. Millions of families are suffering. People don't realize how dangerous Nitrous is until it is too late.

Letter from an Anonymous Parent
on H.R. 7945, Nitrous Oxide Safety Act

There was a time when my daughter, Robyn, was the happiest girl in the room. She loved life with her whole heart. You could find her on the volleyball court, cheering from the sidelines, or riding her four-wheelers with the biggest smile on her face. She was full of energy, laughter, and dreams. Watching her enjoy life so freely was one of my greatest joys as her mother. I never imagined that one tragic moment would change the course of her life forever.

When Robyn lost her best friend in a fatal car accident, a part of her was lost too. The grief was overwhelming, and no mother is ever prepared to watch her child carry that kind of pain. In an effort to escape the heartbreak, she turned to nitrous oxide, and before any of us realized how serious it had become, it had taken over her life and slowly it paralyzed her body...Literally, She woke up and couldn't walk. The daughter who once laughed so easily became someone fighting a battle that many people couldn't see or understand. We endured countless therapy sessions, rehabilitation programs, and stays in mental health facilities, searching for anything that could help bring my little girl back. There were moments when I questioned if I would ever see her smile the same way again, but I never stopped believing that she was still in there.

Through every setback, every tear, and every difficult day, Robyn has continued to fight. Recovery has not been a straight path, but she has shown a strength that inspires me every single day. Even when she felt weak, she held on to the words permanently tattooed on her body as a reminder of the hope she refused to let go of: "I can do all things through Christ who strengthens me." Those words became more than a Bible verse—they became a promise she made to herself that no addiction, no loss, and no hardship would have the final say over her life.

Today, when I look at my daughter, I don't just see the pain she has endured—I see courage, resilience, and the grace of God carrying her forward. I see a young woman who has survived unimaginable heartbreak and continues to choose hope every day. Her story is not defined by addiction or tragedy but by the strength it has taken to overcome them. As her mother, I couldn't be prouder of the woman she is becoming. She reminds me that even after the darkest storms, healing is possible, faith is powerful, and with love, perseverance, and God's strength, there is always a reason to keep going. And to think that this deadly drug being sold to our communities. It must be banned!! For our future.

Respectfully Submitted,

A Concerned Parent & Advocate

**Letter from Bridget Healy Schoenig
on H.R. 7945, Nitrous Oxide Safety Act**

I am writing to respectfully ask you to support and advance **H.R. 7945, the Nitrous Oxide Safety Act**. I recognize the important responsibility your Committee and Subcommittee have in evaluating legislation that protects American consumers. I hope that by sharing my family's story, you will understand why this bill is so important and why I believe it has the potential to save lives.

In 2019, my 17-year-old son, Jack, was a senior in high school. He attended a prep school in Erie, Pennsylvania, where he was a varsity hockey player, a good student, and a young man surrounded by friends who loved him. He had a bright future ahead of him.

That fall, Jack and a friend traveled to Penn State for the Penn State–Michigan football game. Unable to get tickets, they went to a student's apartment to watch the game. Before the game, they went into one of the bedrooms where nitrous oxide was being used recreationally through "whippets." Jack was in that apartment for fewer than 20 minutes before he suffered cardiac arrest and died.

To the best of my knowledge, this was the first time Jack had ever used nitrous oxide. He was not struggling with addiction. He was not a habitual user. He was a teenager who made one impulsive decision that cost him his life. One decision. Less than 20 minutes. An entire lifetime stolen.

No parent expects to receive a phone call telling them their healthy, vibrant 17-year-old is gone. No family should have to bury a child because a dangerous inhalant is marketed, sold, and treated as though it is harmless entertainment.

Too many people—including teenagers and young adults—believe nitrous oxide is a safe way to get high because it is inexpensive, widely available, and easily purchased online or in retail stores. The reality is that misuse can have devastating and sometimes fatal consequences. Easy access creates the false impression that the product carries little risk.

What concerns me most is not simply that nitrous oxide is available—it is the way it is marketed and sold. Products intended for recreational abuse are promoted online with colorful packaging, candy and fruit flavors, and social media advertising that makes them appear harmless and even fashionable. They are displayed in vape shops, smoke shops, and convenience stores alongside products that appeal to young people. A teenager should not be able to walk into a vape shop or order these products online as easily as purchasing everyday consumer goods.

I urge the Committee to ensure that H.R. 7945 has real teeth by ending the online sale of recreational nitrous oxide consumer products, eliminating their sale through vape and

smoke shops, and prohibiting the marketing of flavored and youth-oriented products that encourage recreational abuse. Nitrous oxide has legitimate medical, industrial, and culinary uses, and those uses should be preserved. But there is no legitimate reason to package and market these products in ways that entice teenagers and young adults to inhale them for a quick high.

I know legislation alone cannot eliminate every tragedy. But it can make these products significantly harder to obtain for recreational use, reduce impulsive experimentation, raise public awareness of the dangers, and save lives. If H.R. 7945 prevents even one family from experiencing what ours has endured, it will have made a profound difference. European nations are far ahead of America in banning Nitrous Oxide.

Jack's life cannot be restored. His future, his dreams, and the countless moments our family should have shared with him are gone forever. But his story can help protect others.

As leaders of the Committee and Subcommittee responsible for considering this legislation, you have an opportunity to prevent other families from enduring the unimaginable pain that ours has experienced. Had these products not been so easy to obtain and so deceptively marketed, I believe there is a very good chance my son would still be alive today.

I respectfully ask that you move H.R. 7945 forward and give it your full support. If Jack's story helps save even one child or spares one family from receiving the devastating phone call that forever changed our lives, then sharing our loss will have served a meaningful purpose.

Thank you for your time, your service, and your thoughtful consideration of this important legislation.

Respectfully,

Bridget Healy Schoenig
Mother of Jack Schoenig
Erie, Pennsylvania

Letter from Candi Morris, Tecumseh, Oklahoma
on H.R. 7945, Nitrous Oxide Safety Act

My 18-year-old son and only child Maddix was killed by an impaired driver under the influence of nitrous oxide. She purchased two large nitrous tanks at a vape shop on campus corner in Norman, Oklahoma. She then drove with Maddix and two other employees also young men back to work. While she was driving them, she was huffing the nitrous until she became unconscious. Going off the road traveling 500 feet before she hit a raised asphalt driveway then sending the car airborne and rolling coming down a tree line landing on the driver side. Maddix was in the back passenger seat and did not have his seat belt on. Maddix sustained a life ending brain injury and died 14 hours later from his injuries. Nitrous oxide destroyed my life. I live every parent's worst nightmare every day because someone chose to drive with huffing a substance they knew would make you go unconscious.

Eleven days later I learned the cause of the wreck. I had no idea that nitrous oxide was sold to the public. I have worked in dentistry for 20 years. I had to take a course over nitrous oxide, pass a test, hold a state certification and CPR certification to administer it in a dental office. Every year we must send our nitrous oxide supplier a new copy of the dentist's state license for them to continue to sell to us for our patients. In the dental office we administer nitrous oxide with no less than 30% oxygen, for the patient's safety and to ensure they don't pass out from lack of oxygen to their brain. These vape/head shops and convenience stores are exploiting a loophole and selling this dangerous substance to the public. Nitrous oxide has no place being accessible to the public at any age. Why would you make dentists, and medical physicians have a license to administer it with oxygen but then allow a minor or any person off the street buy it in massive quantities and straight 100% nitrous. It is a danger to both public health and public safety because of its easy accessibility. Everyday more people are being killed by nitrous oxide both on the roads in impaired driving and from addiction. Many other countries have banned Nitrous oxide due to deaths and addictions. I was able to get my State of Oklahoma to ban it April 2026 but know that until is completely banned in the US another child will be killed. Please keep Americans safe, and never make another mother bury their only child.

Candi Morris
Tecumseh, Oklahoma

Letter from Carissa Ann Garabedian, Montpelier Virginia
on H.R. 7945, Nitrous Oxide Safety Act

Dear Chairman Guthrie, Ranking Member Pallone, and Members of the Committee,

My name is Carissa Ann Garabedian, and I am writing in support of H.R. 7945, the Nitrous Oxide Safety Act.

Eighteen months ago, my oldest daughter, Ashley, died from nitrous oxide. In an instant, our family was forever changed.

No parent imagines they will outlive their child. There are no words that adequately describe what it means to lose a daughter. Every morning I wake up knowing she is gone, and every morning part of me still cannot believe it. The grief is relentless. It has changed every part of my life, my family, and who I am.

Ashley was so much more than the way she died. She was kind, funny, deeply loved, and had a future filled with possibilities. She was a daughter, a sister, a granddaughter, and a friend. She mattered, and she should still be here.

I am sharing our family's story because I do not want another parent to experience this kind of loss. Nitrous oxide is far too easy to obtain, and too many people—especially young people—have no idea how dangerous it can be. What is often viewed as harmless can become fatal in seconds, leaving families like mine to live with a lifetime of heartbreak.

This bill cannot bring Ashley back. Nothing ever will.

But if stronger safeguards, clearer warnings, greater accountability, and increased public awareness prevent even one family from living this nightmare, then Ashley's life will continue to make a difference.

Please support H.R. 7945. Please help ensure that fewer families have to endure the unbearable pain of losing a child to nitrous oxide.

Thank you for your time, your compassion, and your commitment to protecting others.

Respectfully,

Carissa Ann Garabedian
Montpelier, Virginia

The Honorable Gus Bilirakis Chair,
Subcommittee on Commerce, Manufacturing, and Trade
Committee on Energy and Commerce
2123 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Bilirakis, Ranking Member Schakowsky, and Members of the
Subcommittee:

RE: Statement for the Record – Hearing on “Legislative Proposals to Strengthen Consumer
Protection in a
Changing Marketplace,” July 22, 2026

I am making this statement to honor my brother in the hope that his loss will bring about hope for those who have already found themselves within the maelstrom of Nitrous Oxide addiction. My brother's story has been told in The House of Representatives. His image was used. His name was evoked. All in the name of change. A step toward a brighter future for all of us who have battled addiction.

Four years ago my brother took his own life. The act was senseless and violent. I use these words not to be gruesome, but to state facts; my brother's death was both violent and senseless. It should not have happened. It was a preventable waste of his life. I have never publicly spoken about Rob's death, but today I feel compelled to do so. We live in a world that shuns the addicted and afflicted. A society that tells us that we need to keep those nasty things to ourselves so as to not upset those around us. My brother suffered for years without his family knowing. Because he felt ashamed. Because the world told him he was lesser. Because he didn't want to disappoint anyone. A bill is being passed to restrict the consumer use and sale of Nitrous Oxide, this most insidious substance that killed my brother. The use and abuse of Nitrous is not publicly known. Not on a massive scale. Certainly not on the scale it needs to be. Bills are passed and bills are rejected in congress. Why? I simply will never truly understand. But it doesn't matter. It doesn't matter if this bill is passed or rejected. Why? Because the word is out. People all over the world will see my brother's face and know his story. People afflicted by the same disease as him. People on the edge of a cliff looking for a reason, any reason at all, to take a step back. They will see my brother's face. They will know his story. They will feel my mother's tears and maybe just maybe say: “not today.”

Sincerely,

Christopher Michael Charleston

Birmingham, AL

Letter from Emily Farmer, Magalia, California
on H.R. 7945, Nitrous Oxide Safety Act

Urgent Call for a Nationwide Ban on Nitrous Oxide Sales

Dear Honorable Chair (Hon. Brett Guthrie) and Ranking Member (Hon. Frank Pallone) of the House Energy & Commerce Committee and/or the Chair (Hon. Gus Bilirakis) and Ranking Member (Hon. Jan Schakowsky) of its Commerce, Manufacturing, and Trade Subcommittee,

This is a very difficult letter to write and convey the reality of our families lives and the impact from nitrous oxide has had on my brother and our family.

About six years ago, nitrous oxide nearly killed my brother. At 36, he is now a shadow of the vibrant man he once was as his life flipped upside down from using nitrous oxide as an inhalant. Today he is medically sick with serious permanent neurological problems and severe B12 depletion affecting cognition and creating neurological confusion. He is penniless, homeless, hopeless and his body is now medically sick with irreversible spinal cord damage. Our family is considering conservatorship.

Before inhaling nitrous oxide and developing an addiction, my brother was incredible: happy, stable, reliable, a six-figure supervisor in Monterey County, sponsored skateboarder, surfer, snowboarder, hockey/baseball/soccer player, musician, world traveler, and college-educated hard worker. With no prior addiction history, he was the picture of health, coordination, friends, and promise. He genuinely loved his life and had many dreams.

After being hospitalized several times for the toxic effects of inhaling nitrous, he could not stop. The nitrous oxide causes dopamine, endorphins, and norepinephrine to release together creating euphoria, and renders B12 immediately inactive causing neurological damage to begin. Additionally a key element is nitrous inhalation specifically sends endorphins (endogenous opioids) up 300% higher than alcohol and other illicit drugs do creating a deep desire to repeat inhaling the gas. Quickly he negatively progressed with loss of function: numb feet, to falling over, falling down to being bedridden with almost full body paralysis for weeks hospitalized, to a wheelchair, learning to walk again, to living in assisted living and a homeless shelter for the medically sick. Completely showing mental decline and mental impairment for neurological problems from the inactive B12. He has lost it all next to dying— mind, body, and spirit. Monetarily his success has disappeared. And the true wealth, health, he will never gain feeling in his lower legs and feet ever again— permanently numb almost six years he is not getting better, he is getting further from the life we all once knew.

Today, he is under the care of Stanford Neurologist Dr. Maxwell Greene, almost two years, carries a formal diagnosis of Subacute Combined Degeneration (SCD) from severe vitamin B12 deficiency induced by nitrous oxide. The gas oxidizes active B12, crippling his body's ability to use it through metabolism and he is even now in active degeneration of his spinal cord, advancing injury and increasing loss of function. The core of the nitrous damage is the severe

B12 depletion that has a cascade of negative effects including the key point of demyelinating his nerves and spinal cord and creating neurological impairment to his brain. Other than B12 bolster shots, doctors worldwide do not have a clear path on how to help their patients once B12 metabolic dysfunction occurs. Each day, he grows sicker, and more mentally impaired far from the life he once knew, and he will ultimately always be dependent on lifelong assisted care. His athleticism, career, music, independence— essentially every aspect of his life has been negatively altered forever due to nitrous oxide use.

This overlooked and misunderstood tragedy is exploding worldwide. Young people across the globe are suffering identical neurological devastation from easily available nitrous oxide gas. What began as a niche party drug has become a public health crisis, enabled by lax regulation that treats it as a mere culinary product has somehow gone under the legal radar for great opportunity for misuse. It is far from “whipped cream.”

As I have personally explored the world of nitrous oxide as an inhalant in great detail over the past six years I have learned globally and locally in the United States— young children, young teens, and adults are huffing nitrous at an alarming rate and abundant accessibility coast to coast is one of the clear key factors in this usage. Additionally, it has been sold nearly 24 hours a day at smoke shops and gas stations around the country for recreational use claiming to be for whip cream. The damage is done. For my brother it is largely too late. We as a family will be living with the consequences of nitrous oxide toxicity and his spinal cord demyelination for the rest of our lives.

As a mother deeply educated in this obscure topic after watching my brother deteriorate, I sincerely encourage you to please ban all recreational nitrous oxide sales nationwide with strict regulation and charges to those who sell it illegally. The current Bill proposing the ban in the Nitrous Oxide Safety Act represents a critical first step, but only a comprehensive federal prohibition—with medical exceptions.

My brother’s story is one of millions, arguably now, just another hurt homeless addict. But to our little family, it is our story, our truth, our reality. He never was on the path of addiction. He had a rich and full life centered on fitness and hard work. We are the ones living with the haunting shattered reality that my brother is limping, falling over, numb, confused, paranoid and hopeless that he will ever be a healthy athlete again. Inhaling and misusing nitrous oxide led to this outcome. Please acknowledge the severity of this concern— the easy accessibility to nitrous gas to our youth and adults needs to stop. Words truly cannot express the heart break I have witnessed from this bizarre product being misused. I am available to share medical records or expert testimony.

Respectfully,
Emily Farmer

Letter from Gerrie Gray-Benedi, Colonial Beach, Virginia
on H.R. 7945, Nitrous Oxide Safety Act

Thank you for the opportunity to submit this statement in support of H.R. 7945, the Nitrous Oxide Safety Act of 2026.

My name is Gerrie Gray-Benedi, and I am a mother from Virginia.

I never imagined I would be writing to Congress about nitrous oxide.

Until February 2025, I had never heard of recreational nitrous oxide misuse. Like most Americans, I believed nitrous oxide was something used safely in hospitals, dentists' offices, and for culinary purposes. I had no idea that large, flavored nitrous oxide canisters were being openly sold in vape shops, smoke shops, convenience stores, and online.

Everything changed the day I discovered hundreds of discarded nitrous oxide canisters in my son's home.

Within just a few months of using nitrous oxide, my son developed severe peripheral neuropathy. Watching him lose his ability to walk normally was heartbreaking, but our family's nightmare was only beginning.

On August 31, 2025, my son was admitted to the hospital, where he remained for twelve days fighting for his life. Physicians diagnosed extensive deep vein thrombosis in both of his legs, pulmonary embolisms in both lungs, and a 3 cm blood clot in the right ventricle of his heart. As his mother, I stood beside his hospital bed wondering if my son was going to survive.

No parent should have to discover the dangers of recreational nitrous oxide this way.

As I searched for answers, I realized our family was not alone. I connected with parents across the country whose sons and daughters had suffered devastating neurological injuries, blood clots, paralysis, cognitive impairment, and, in some cases, had lost their lives. While only a few parents are able to be present for this hearing, we represent hundreds of families whose lives have been permanently changed.

I understand that some may have concerns that H.R. 7945 raises questions about personal liberty or government overreach. I respect those concerns.

However, I respectfully ask the Committee to view this legislation through the lens of consumer protection.

Manufacturers commonly label these products “For Culinary Use Only.” Yet high-capacity flavored nitrous oxide canisters are routinely sold in vape shops, smoke shops, convenience stores, and through online retailers—not through the commercial kitchen supply businesses one would expect if their primary purpose were truly culinary.

In many communities, these products can be ordered on a smartphone and delivered directly to a person’s doorstep in as little as fifteen minutes.

The reality of the marketplace does not match the label.

Products marketed as being for culinary use should not be packaged in bright fruit flavors, sold in stores that primarily serve the vaping market, or be available for rapid on-demand delivery in a manner that makes recreational misuse easy and foreseeable.

This is not about restricting legitimate medical, industrial, or culinary uses of nitrous oxide. It is about addressing a marketplace that has evolved far beyond those legitimate purposes.

Throughout our nation’s history, Congress has acted when products were marketed in ways that created unreasonable and preventable risks to consumers. H.R. 7945 follows that same principle. It seeks to close a dangerous loophole between product labeling and the reality of how these products are packaged, marketed, distributed, and used.

The photographs accompanying this hearing represent real people.

They are sons.

They are daughters.

They are brothers, sisters, cousins, and friends.

Behind every face is a family forever changed.

I cannot change what happened to my son.

But Congress has the opportunity to help prevent another family from experiencing what mine has endured. I respectfully ask you to support H.R. 7945 and help ensure that no other parent has to stand beside a hospital bed wondering whether their child will survive because of a product they never knew existed.

I didn't know what recreational nitrous oxide was until it nearly took my son's life. My hope is that, after this hearing, no Member of Congress—and no parent in America—can say the same.

Thank you for your consideration and for your commitment to protecting American families.

Respectfully submitted,

Gerrie Gray-Benedi
Colonial Beach, Virginia

Letter from Haleh Brown, Jericho, New York
on H.R. 7945, Nitrous Oxide Safety Act

Hello,

My name is Haleh Brown of Jericho, New York 11753, and I am writing in strong support of H.R. 7945, the Nitrous Oxide Safety Act.

I never imagined I would be writing a letter like this. My **34-year-old son, Nima, lost his life because of nitrous oxide**. No parent should ever have to endure the unimaginable pain of losing a child to a product that is so easily available and so widely misunderstood.

Nima was so much more than the way he died. He was a kind and gentle soul with a quiet strength that touched everyone who knew him. He was a gifted artist, a talented athlete, and someone who loved motorcycles, cars, and animals. Above all, he loved his family. We miss him every single day.

Nitrous oxide is often viewed as harmless because it is sold openly in smoke shops and marketed in colorful packaging with appealing flavors. It's easy availability sends the dangerous message that it is safe. It is not. It can be deadly, and my family is living proof of that reality.

Since losing Nima, I have dedicated myself to educating others about the dangers of nitrous oxide and advocating for stronger protections so that no other family has to endure the heartbreak that ours has. Every day, I wonder whether my son would still be here if these products had not been so easy to purchase.

My family will never celebrate another birthday with Nima. We will never share another holiday, another conversation, or another ordinary day with him. The empty chair at our table is a constant reminder of what we have lost. While we cannot change what happened to our son, we can change what happens to the next family.

H.R. 7945 is an important step toward protecting children, young adults, and vulnerable individuals from preventable harm. This legislation puts public safety ahead of profit and acknowledges the very real dangers posed by unrestricted access to nitrous oxide products. No law can bring Nima back, but this law has the potential to save lives.

I respectfully urge you to support and advance the Nitrous Oxide Safety Act. Please do not wait for more parents to bury their children before taking action. My son's story is only one among many, but together our voices can help prevent future tragedies and spare other families from a lifetime of grief.

Thank you for your time, your compassion, and your commitment to protecting American families.

Respectfully,

Haleh Brown
Jericho, New York

Letter from Heather Agee, Springfield, Missouri
on H.R. 7945, Nitrous Oxide Safety Act

My name is Heather Agee and I reside in Springfield Missouri. I am writing in support of H.R. 7945 because I lost my daughter, my only child, to a saddle pulmonary embolism on January 11, 2025 at the age of 22. She had been abusing nitrous oxide for just a few months, according to her boyfriend. I had no idea of the extent of her use until after her death. She was a regular customer at one vape shop in particular and I believe they sold her nitrous repeatedly and possibly on a daily basis. She was having concerning symptoms but refused to be seen by a medical professional. The day she died, she actually drove to the Urgent Care but was afraid to go in because she thought she would get in trouble since the Nitrous boxes state "Do Not Inhale" and someone at the vape shop told her it was a felony. Hannah had a whole life ahead of her; she had a new job, was looking wedding dresses and hoping to have a baby. I truly believe she would still be here with us if Nitrous Oxide was not available to purchase at our local vape shops.

Thank you,

Heather Agee
Springfield, Missouri

Letter from Jason Politte
on H.R. 7945, Nitrous Oxide Safety Act

I am writing today to tell you why I support the Nitrous Oxide Safety Act, H.R. 7945.

My name is Jason Politte, and I am the father of Marissa Politte. It is her story that I want to share with you today.

Marissa was an amazing 25-year-old woman who got along with everyone. She had no enemies. Everyone loved her. She was lighthearted and always tried to make people smile or laugh, even if it was at her own expense. And she had a laugh that, once you heard it, made you want to laugh along with her. It was infectious.

Unlike many young people in her generation, Marissa loved her job, and she loved to work. She loved making money, too. She would cover for coworkers, work extra hours and pick up additional shifts, and she did it all with a smile.

Marissa was a radiology technologist at Total Access Urgent Care, or TAUC. She attended Meramec College in St. Louis, graduated, and went on to build a career in the field she had chosen and loved.

Then, on October 18, 2020, everything changed.

At approximately 8:00 p.m., Marissa was finishing her shift at the TAUC facility in Chesterfield, Missouri. She was saying her goodbyes and walking out of the building when a 20-year-old man, Trenton Gieger, was driving down Clarkson Road while inhaling nitrous oxide.

Trenton passed out behind the wheel. His vehicle crossed two lanes of traffic, struck a curb, a tree, and a pole, and ultimately hit Marissa before crashing into the building. The force of the impact sent Marissa through the glass and steel-framed entrance of TAUC and back into the lobby.

She never had a chance.

She never knew what was coming. It happened in an instant.

After Trenton lost consciousness, his foot remained pressed down on the accelerator. When a bystander reached him and woke him up, the SUV was still trying to move. The bystander had to pull Trenton's foot off the accelerator.

Marissa was rushed to the hospital with broken legs, a broken jaw, a crushed pelvis, and extensive internal injuries. She held on for a couple hours, but she never regained consciousness.

Her mother, Karen, stayed by her side, gently picking pieces of glass from her hair and placing them in a pile. Her siblings and I took turns holding her hands, wondering how and why something like this could happen.

Everything was taken from Marissa.

Even the possibility of becoming an organ donor was taken from her because her injuries were simply too severe.

And then she was taken from all of us.

She was only 25 years old.

As for Trenton, he was not physically injured. He served approximately a year in prison and is now back on the street.

One of the challenges with nitrous oxide is that it is difficult to detect in a person's system because it leaves the body so quickly. That is one reason it is attractive to people who misuse it. Nitrous oxide is being used as a recreational drug, and we need to recognize the danger that presents.

In Marissa's case, had it not been for the efforts of our attorneys and the drug-related paraphernalia found in the vehicle, there may have been little evidence of what had happened.

But I believe the larger question is this: Why is a product that can be so dangerous when misused so readily available to the public?

Nitrous oxide is commonly used in food preparation, including making whipped cream. So why is it being sold in smoke shops, gas stations, and head shops? It certainly isn't being sold next to the dairy section.

Today, nitrous oxide is also being sold in increasingly large containers—far beyond what an ordinary household would reasonably need for making whipped cream. Some products are even sold with no obvious food-use dispenser and with nozzles that can be used for inhalation.

This has become a serious problem.

Too many people have died or been seriously injured because of nitrous oxide misuse. Too many families have been devastated. And, as our family knows all too well, innocent people can also lose their lives because of someone else's use of this drug.

I am asking you to please open your eyes to what is happening. We need to take meaningful steps to keep large quantities of nitrous oxide out of the hands of people who intend to misuse it.

There is no place for products designed or marketed for recreational inhalation in ordinary retail or online sales.

I pray that the Nitrous Oxide Safety Act, H.R. 7945, becomes law. I hope lawmakers will listen to families like ours and take action before another family has to experience the unimaginable loss that we have endured.

Marissa was loved. She had a family who adored her. She had a career she loved, a future ahead of her, and so much more life to live.

She should still be here today.

Please help us make sure that what happened to Marissa does not happen to another family.

Thank you for your time, your consideration, and for listening to Marissa's story.

Respectfully,

Jason Politte

Letter from Jessica Amendt, Spencer, Iowa
on H.R. 7945, Nitrous Oxide Safety Act

My name is Jessica Amendt. I am the Co-Founder and CEO of Still Waters Recovery, Inc. in Northwest Iowa, and I have spent more than 25 years working in behavioral health, addiction treatment, crisis response, and recovery support.

I am writing in strong support of H.R. 7945, the Nitrous Oxide Safety Act of 2026.

This issue is deeply personal.

[Redacted] was a former resident in one of our recovery homes. He was kind, compassionate, deeply loved by those who knew him, and he worked incredibly hard to build a life in recovery. Like so many others in recovery, he faced challenges, but he never stopped trying to move forward.

Everything changed when he discovered nitrous oxide.

In the short time leading up to his death, his life became consumed by obtaining this substance. We later learned he spent thousands of dollars paying a cab driver to take him from one store to another searching for more canisters. He called the driver at all hours of the day until the driver finally refused, telling him they would have to try again the next day. After [Redacted]'s death, we learned that many stores had already begun refusing to sell to him because he was purchasing such large quantities so frequently. He even asked to be driven across state lines to continue buying it, but the driver refused.

Despite all of those warning signs, there was nothing in place to stop him from finding enough.

On February 4, 2026, a wellness check led to [Redacted] being found deceased in his bed, surrounded by countless empty, brightly colored nitrous oxide canisters purchased from ordinary retail stores. Those same products can be found in vape shops, gas stations, convenience stores, grocery stores, and online.

These products are marketed in ways that make them appear harmless. Bright packaging, appealing flavors, and advertising often suggest they provide a quick boost of energy or help people get through the day. They are presented as though they are no more dangerous than an energy drink.

That is simply not true.

Nitrous oxide is not a harmless recreational product. It can cause catastrophic neurological injury, oxygen deprivation, addiction, permanent disability, and death. For some people, it only takes one use. One time is all it takes to destroy a life or end one.

As someone who has dedicated my career to helping people recover from substance use disorders, I have seen many addictive substances. Nitrous oxide presents a unique danger because it is inexpensive, widely available, socially minimized, and sold with virtually none of the safeguards that accompany other dangerous substances.

I believe nitrous oxide should only be available for legitimate medical and commercial purposes. Licensed medical providers, including dental offices, should continue to have access for patient care. Restaurants and commercial food businesses that legitimately use nitrous oxide should be able to obtain it through documented, regulated purchasing systems that ensure accountability and prevent diversion.

It should not be available as an over-the-counter recreational product.

Every day we delay meaningful action, more families lose sons, daughters, brothers, sisters, and friends to a substance that many people do not even realize can be fatal.

I respectfully urge you to support H.R. 7945 and take meaningful action to prevent additional tragedies. [Redacted]'s story cannot be changed, but together we can help ensure fewer families experience the unimaginable pain of losing someone they love to a preventable death.

Thank you for your time, your leadership, and your consideration of this important legislation.

Respectfully submitted,

Jessica Amendt, MS, IADC

Letter from Michael Charleston, Hoover, Alabama
on H.R. 7945, Nitrous Oxide Safety Act

I am writing to submit this formal statement for the record regarding the Subcommittee's upcoming legislative hearing on July 22, specifically concerning H.R. 7945, **The Nitrous Oxide Safety Act (NOSA), authored by Representative Kevin Mullin**. While the committee's agenda properly includes a robust slate of 12 bills, I want to strongly emphasize the critical importance of H.R. 7945 in protecting families from the devastating effects of misusing Nitrous Oxide.

My son, Robert Howland, misused Nitrous Oxide, and ended up taking his life as his only way out. Nitrous Oxide wrapped its vicious tentacles around his life, and suffocated him to the point of no return.

Robert was a veteran, serving two tours in Iraq and Afghanistan. He was a homeowner, an avid outdoorsman, and a Dean's list student, three months away from graduating his Bachelor's Degree in Psychology. His dream was to go on to Graduate school to get his masters in Psychology in order to help people; especially fellow veterans who struggled with PTSD like himself.

Robert went missing in March of 2022, and his remains were found 63 days later. Authorities determined he died the night he went missing. His body was so badly decomposed, the Sheriff had to use his military records to ID him. Upon his disappearance, I walked into his house, and found a war zone of empty Nitrous Oxide tanks littered on every square inch of his home. I had no idea what those tanks were, but my heart sank as I learned the truth about the secret war Robert was fighting.

For the last four years, I have researched and educated myself on the fatally toxic chemical that is Nitrous Oxide. I formed the group **PANOS, People Against Nitrous Oxide**, to get the word out. I had to keep talking about it in order to do something about it.

I have heard countless stories of people all across the country who have suffered devastating loss from Nitrous Oxide misuse. **H.R. 7945** is a bill that will save lives. If the bill had been passed in 2022, I believe my son would still be alive today. Thank you for the opportunity to share my story.

Sincerely,

Julia Charleton
Hoover, Alabama

Karen and Tony Chaplin
101 Ellerman Ridge Dr.
Foristell, MO 63348
chaplink721@gmail.com, chaplink7375@gmail.com
636-633-2877

July 21, 2026

The Honorable Brett Guthrie, Chair
The Honorable Frank Pallone, Ranking Member
House Energy & Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Gus Bilirakis, Chair
The Honorable Jan Schakowsky, Ranking Member
Commerce, Manufacturing, and Trade Subcommittee
2125 Rayburn House Office Building
Washington, D.C. 20515

Subject: Support for H.R. 7945 – The Nitrous Oxide Safety Act of 2026

Dear Chairs Guthrie and Bilirakis, and Ranking Members Pallone and Schakowsky:

We are writing to you to urge your full, immediate support for H.R. 7945, the Nitrous Oxide Safety Act of 2026, introduced by Rep. Kevin Mullin. This bipartisan legislation would ban the retail and online sale of consumer nitrous oxide products by classifying them as banned hazardous products. We are pleading for your support because the unregulated, recreational availability of this substance resulted in a conscious, reckless decision that stole the life of our sweet girl, Marissa.

On Sunday night, October 18, 2020, our lives were forever shattered. Marissa was a smart, joyful, goofy, hardworking Radiology worker who loved owls, dogs, the color purple, ice cream, and her family. Marissa had a very infectious laugh that once you heard it, made you want to laugh too. She loved helping people so much that she routinely stayed late so her co-workers could go home. That night, she lost the argument to stay late because she was looking forward to getting ice cream with her boyfriend.

As she left the building, a driver made the selfish, conscious decision to get behind the wheel under the influence of nitrous oxide. He plowed into the building, knocking Marissa out of her shoes and throwing her violently through the air into a glass window. Her cell phone, keys, and purse flew in all directions. The promise ring from the man she called "the one" was left a mangled mess, crushed around her finger. She lay gasping for breath in a bed of glass and rubble.

We received the phone call no parent should ever receive. We raced to the Emergency Room, our hearts pounding, the world a blur. When we entered the trauma room, our ears filled with the sound of crunching glass under our feet, and our eyes met a chaotic, blood-stained floor. For hours, we stared at machines, holding her hand and stroking hair tangled with blood and glass. Her pelvis, legs, jaw, and spine were shattered. She never stood a chance.

Marissa's dying wish was to be an organ donor to save another life. But at 4:30 AM, we received one final heart-wrenching blow: her internal injuries were so severe that she had no organs left to give. Nothing could be saved. The reckless choices made by a driver that night took her life, her future, a lifetime of birthdays, and even her final dying wish. We are now left with a revolving door of panic attacks, depression, and a grief so strong it immobilizes us. Our holidays now feature an empty chair, and our conversations with Marissa happen at a gravestone.

Many call what happened an accident. To us, getting behind the wheel was a conscious decision. Hiding evidence to avoid consequences was a conscious decision. This was no accident.

While nitrous oxide has legitimate medical and professional culinary uses, manufacturers exploit loopholes to market large-scale tanks and flavored cartridges—like "Galaxy Gas"—directly to consumers for recreational inhalation. This has caused a massive surge in impaired driving, severe neurological damage, and tragic, preventable deaths like Marissa's.

H.R. 7945 provides a common-sense federal response. It completely shuts down the retail and online pipeline to everyday consumers while strictly preserving legitimate medical and commercial applications. Individual state laws leave dangerous regulatory gaps, but a unified federal ban will protect communities nationwide.

As leaders of the Energy & Commerce Committee and the relevant subcommittee, you hold the power to move this bill forward. By passing the Nitrous Oxide Safety Act, Congress can remove these dangerous products from store shelves and stop the predatory sales that lead to these nightmares. We respectfully ask that you advance H.R. 7945 and vote in favor of its passage. Please do it for Marissa, and to ensure no other family has to scream in the night because their baby was taken from them.

Thank you for your time, consideration, and leadership on this pressing public safety issue.

Sincerely,

Karen Chaplin (Mother) and Tony Chaplin (Step Father)

Gabrielle Politte (Sister), Brenden Politte (Brother)

My name is Kathleen Boyle, a Queensbury, New York resident.

Nitrous oxide abuse has devastated my family. On May 7, 2025, my son Zack Ignazio, who struggled with addiction, inhaled nitrous oxide from a canister he purchased at a local smoke shop. He stopped breathing and his heart stopped. EMS did CPR but it was too late and life support was removed on Mother's Day, May 11th.

Many people, like my son Zack, did not realize how dangerous this was. He didn't fully understand the risks of inhaling nitrous oxide, and that lack of awareness is part of why these tragedies happen.

Zack had easy access to canisters at many smoke shops in both Glens Falls, NY and Queensbury, NY.

This tragedy is not unique to my family. In towns across America, **nitrous oxide use is visible**. Once, while picking up a to-go order at my favorite restaurant in Glens Falls, a woman came in and told the hostess that people at the bus stop were "huffing gas." This is dangerous—and it is preventable.

In 2025, the FDA issued a warning advising consumers not to inhale nitrous oxide products. Our own Warren County NY Public Health shared these dangers, and I deeply appreciate that. But I am writing today to urge you to do more: to pass a national law banning the sale of nitrous oxide canisters in smoke shops and convenience stores.

The urgency is clear. A new JAMA Network Open study found that nitrous oxide related deaths have risen more than 500% nationwide over the last decade.

Many states and counties have acted but this is a national problem. I am not asking to restrict nitrous oxide in medical or

culinary settings—only to prevent its sale for recreational inhalation, which is dangerous and deadly.

Please recognize this as a public health emergency. My son's death could have been prevented. Your action can save lives. I urge you to pass a ban on nitrous oxide sales everywhere.

Sincerely,

Kathleen Boyle
Queensbury NY

Letter from Kim Kuehl, Dakota Dunes, South Dakota
on H.R. 7945, Nitrous Oxide Safety Act

My name is Kim Kuehl. I am a mother from Iowa and South Dakota.

I am writing to you in support of H.R. 7945, The Nitrous Oxide Safety Act of 2026.

My youngest son Bobby died on February 3rd, 2026. He died alone and was found surrounded by the large colorful canisters of nitrous oxide. They were everywhere throughout his home. The coroner said she saw the damage to his brain and lungs from inhaling this poison. He became addicted to it quickly. It is so easy to purchase, looks innocent, and is marketed to young adults and kids. It comes in pretty containers, readily available over the counter and online. My son was 33, he would have been 34 on 3/4/26. It is not the natural order of life for a son to die before his mother. I am heartbroken and shattered. He was a kind, gentle boy with a huge heart and he loved people, he loved his family and he loved Jesus. Now I face the future without him. Please help us and support H.R.7945 so no other parent loses a child from this, the heartbreak is unbearable. This will save lives. These vape shops and stores selling it are profiting from the deaths of our children. I have heard that vendors are showing up outside of concert venues selling it.

Thank you for listening to my concerns. I have four grandchildren from my oldest son, one who just returned from Kuwait and Jordan fighting the ongoing war, and three in grade school and I pray that we can stop the sale of this poison so that it is not available for any other child or young adults in the future.

Respectfully Submitted,
Kim Kuehl

Letter from Leigh Caldwell, West Frankfort, Illinois
on H.R. 7945, Nitrous Oxide Safety Act

My name is Leigh Caldwell, and I am writing in strong support of H.R. 7945, the Nitrous Oxide Safety Act of 2026.

My younger sister, Margaret “Meg” Caldwell, died in November 2024 at the age of 29 after struggling with a severe addiction to nitrous oxide. Her body was found behind a smoke shop in Orlando, Florida, that sold the nitrous oxide products she abused.

Before addiction took over her life, Meg was bright, loving, adventurous, and deeply connected to her family. She had been an excellent student. She loved skiing, horseback riding, and spending time with her nieces and nephews. Our family watched as nitrous oxide gradually took away the life she had known.

Meg’s addiction caused devastating physical consequences. She experienced impaired bladder function and temporarily lost the use of her legs. After one hospitalization, a physician warned her plainly that continued nitrous oxide use would kill her. Yet as soon as she was physically able, she returned to a smoke shop and purchased it again.

One of the greatest barriers we faced was Meg’s belief that the product could not truly be dangerous because it was sold legally. She could walk into a brightly lit retail store, use a credit card, and purchase a variety of nitrous oxide products. She did not have to find a drug dealer or enter an underground market. The substance feeding her addiction was displayed openly and sold as an ordinary consumer product.

That accessibility matters.

Nitrous oxide has legitimate medical, dental, commercial food-production, and research uses. But the products at issue are not small cans of finished whipped cream. They are large consumer canisters, often sold in smoke shops, convenience stores, gas stations, and online. Some are packaged in bright colors and offered in candy-like flavors. Their size, marketing, retail placement, and ease of purchase create an obvious potential for recreational inhalation and repeated abuse.

The public-health evidence now reflects what families like mine have experienced. The CDC has reported steep increases in nitrous oxide-related poison-center cases, emergency-department visits, and emergency medical-service responses. In Michigan, these encounters were four to five times higher in 2023 than in 2019. The FDA has also warned consumers not to inhale nitrous oxide from canisters, tanks, or chargers because

misuse can cause paralysis, blood clots, spinal cord or brain damage, loss of consciousness, and death.

Warnings are important, but warnings alone cannot overcome an addiction when the product remains inexpensive, legal, and available on demand.

H.R. 7945 offers Congress an opportunity to make a direct and swift change. The bill would treat nitrous oxide consumer products as banned hazardous products while preserving legitimate medical, dental, commercial food-production, research, and finished-food uses. It would address the retail supply that makes abuse so easy without eliminating the professional uses on which people and businesses rely.

State legislation can help, and my family has worked successfully in Florida to support restrictions known as “Meg’s Law.” But the market is national. Products can be sold across state lines and purchased online. A patchwork of state laws will always leave gaps that manufacturers, distributors, and retailers can exploit.

Federal regulation and enforcement can change the marketplace far more quickly and uniformly. It can prevent dangerous consumer canisters from simply moving from one state, one website, or one retailer to another. Most importantly, it can place responsibility upstream, rather than expecting families and people in active addiction to overcome unlimited access one purchase at a time.

Nothing Congress does can bring Meg back. But Congress can act so another family does not have to stand in a hospital room and hear that this product will kill someone they love, only to watch that person walk into a store and legally purchase it again.

I respectfully urge the Committee to advance H.R. 7945 and help remove these easily abused nitrous oxide consumer products from the national retail marketplace.

Thank you for considering my family’s experience and for including this letter in the hearing record.

Sincerely,

Leigh Caldwell

West Frankfort, Illinois

Letter from Maryette Ladley, Stirling City, California
on H.R. 7945, Nitrous Oxide Safety Act

Support to Remove Nitrous Oxide from Retail Stores

Dear Chair (Hon. Brett Guthrie) and Ranking Member (Hon. Frank Pallone) of the House Energy & Commerce Committee and/or the Chair (Hon. Gus Bilirakis) and Ranking Member (Hon. Jan Schakowsky) of its Commerce, Manufacturing, and Trade Subcommittee,

I am writing to you as a mother who has spent the last six years witnessing the destruction of my son's life by a product sold openly in our communities at local smoke shops and gas stations in the U.S. and here in California. Nitrous oxide has permanently damaged my son's health and flipped his life upside down.

My son once had an excellent life and a promising future—a lifelong athlete who excelled in all sports throughout his life, playing soccer, baseball, roller hockey, ice hockey, skateboarding, surfing and snowboarding. He loves playing musical instruments, backpacked through Europe, and nature. He has been a dedicated employee and attended college. He had a full and active life ahead of him, full of goals and ambitions.

Today, with the easy access to nitrous oxide being sold everywhere, he has become addicted for the first time. He has lost his health, wealth, he is literally homeless, and facing a lifelong struggle with irreversible neurological damage of brain and spinal cord from his injured metabolism from nitrous oxide misuse.

Starting in October 2020, his nitrous oxide use resulted in a catastrophic medical crisis and condition leading him to to be hospitalized for the first time of several more hospitalizations to follow. This substance does not just intoxicate a person; it triggers a chemical process that immediately inactivates Vitamin B12, effectively stripping the body of its ability to maintain the myelin sheath that protects the spinal cord and brain. My son has been diagnosed by his Stanford neurologist with "Subacute Combined Degeneration (SCD) from severe B12 deficiency from nitrous oxide use." His spinal cord is in a state of active, irreversible degeneration from his B12 metabolism having dysfunction. He has a profound physical and mental loss of function—permanent numbness in his extremities, sensory ataxia that causes him to lose his balance and fall, and a cognitive confusion, even mental hallucinations that are all getting worse.

As I have personally navigated more than 30 hospitals and specialist clinics trying to be proactive with my son, I have seen firsthand that our medical system is often unequipped to handle this specific neurotoxic crisis. He has lost his home, his career, and his physical health to nitrous oxide gas that is marketed with bright colors and flavors to children and adults alike as a harmless party favor. The reality is that for millions like him, the "high" is fleeting, but the demyelination of the nerves and the resulting physical paralysis are lifelong sentences of assisted care. Many across the world have died from Nitrous oxide

misuse. The mortality numbers are hard to quantify, and likely in the thousands. For the ones that live and cannot stop using the gas, they are severely injured from the B12 deactivation.

I respectfully urge this Committee to move forward with H.R. 7945, the Nitrous Oxide Safety Act. We must ban the retail sale of nitrous oxide to consumers and strictly limit its availability to professional medical and industrial use. At 74 years old, I am completely heartbroken and reaching out to share this reality of our family that has been deeply impacted by my brilliant, kind hearted and severely injured son. He is not bouncing back. He has a very difficult health journey ahead at only 36 years old.

Please take positive action to ensure that no other family must watch their loved one's vibrant life be forever changed by a product that should never have been on a retail shelf. Your leadership is a critical step in protecting our youth and fellow citizens from permanent, life-altering harm.

Thank you for your time, compassion, and your urgent consideration of this matter.

With Solidarity,

Maryette Ladley

Letter from Michael Charleston, Hoover, Alabama
on H.R. 7945, Nitrous Oxide Safety Act

I am writing to submit this formal statement for the record regarding the Subcommittee's upcoming legislative hearing on July 22, specifically concerning H.R. 7945, the **Nitrous Oxide Safety Act (NOSA)**, authored by Representative Kevin Mullin. While the committee's agenda properly includes a robust slate of 12 bills, I want to strongly emphasize the critical importance of H.R. 7945 in protecting families from the devastating effects of misusing Nitrous Oxide.

The strategies used in marketing and distribution of this product as a "party drug" hide the devastating impact that the chemical has on our community. We've heard the stories, we've lived with the pain of tragic loss, and we know the cost.

We are well aware of legislator's reluctance to pass laws that seem to restrict people's freedom or restrict lawful commerce. This bill, NOSA, carves out provisions that preserves the positive intended use of the product while protecting the rest of us from the harmful and devastating side effects.

This is a road that our legislators have been down before. When it comes to the safety of our citizenry, we find a way. As a Nation, we find the courage to do the right thing. In the past we've passed good legislation to protect us from the horrific impact of Mercury poisoning. Later, with the **Clean Air Act (CAA)** the EPA created the Mercury and Air Toxics Standards (MATS) to regulate and reduce hazardous air pollutants, including mercury, from coal and oil-fired power plants. This law specifically protected families from the invisible and devastating effects in a very similar circumstance as the one NOSA addresses. The effects and impact of Mercury Poisoning and Nitrous Oxide Poison are eerily similar.

In 1978 the US passed laws protecting families from lead paint while carving out exceptions for critical uses including industrial equipment refinish coatings used in traffic and safety markings. This law was one of our nation's most critical public health victories. It drastically reduces irreversible brain damage, learning disabilities, and behavioral issues in children, while lowering the risks of cardiovascular disease and developmental harm across the entire population. All of these benefits are available without missing a beat with important commercial uses.

The list goes on with one remarkable legislative victory after another, protecting unsuspecting people in this country from products that can hurt or kill them while allowing

commerce the freedom to provide goods and services that we all benefit from. **We need to do that again!**

As the Subcommittee evaluates these various legislative proposals, I urge the Members to give NOSA the close consideration and support it deserves to ensure robust consumer safety. Thank you for your leadership and for the opportunity to submit this testimony.

Sincerely,

Michael Charleston
Hoover, Alabama

Letter from Pam Pontius, Hillsborough, California,
on H.R. 7945, Nitrous Oxide Safety Act

I sent the attached email and photo over four years ago to dozens of local politicians in my state of California. At the time, Kevin Mullin was my local State Representative and the only one to reply to my plea for help. I am very proud of his continued success and the fact that he is bringing this much needed legislation forward on a national level at this time!

My daughter was 26 years old at the time of the original email below. She still suffers... Julia is diagnosed with anxiety, depression and severe substance use disorder involving legally obtained Nitrous Oxide from local smoke shops and gas stations. She has since continued to spend hundreds of thousands of dollars on this substance as her illness has continued to progress. My college educated daughter, who once was a Customer Success Manager making six figures, has been permanently impaired and unemployed for the better part of the last six years. She has been arrested multiple times for various offenses due to her substance use but not once has law enforcement investigated or pressed any charges upon the source of her distress; these shops that are making big, unethical money. Julia is currently 30 years old and just recently is 30 days sober from Nitrous Oxide for the umpteenth time. I am grateful that she keeps trying but it would be so much easier if this substance was not readily available to anyone. How many chefs actually shop at smoke shops or gas stations for their ingredients?

During the past six years, as my daughter's disease has continued to progress, she has not switched to alcohol or any other substance which would be much more affordable for her. There is no reason for anyone over the age of 21 to legally paralyze themselves with this substance because they suffer from the disease of addiction and their drug of choice is legally available on almost any retail block in many States. My daughter's substance use disorder did not begin until the pandemic when she was already 24 years old! There should be no age limit to this legislation, there is no responsible reason for humans of any age to ingest this substance in large tanks. All because bad players want to profit, with their brightly colored cannisters, from other people's distress.

We love our daughter deeply and are begging for reasonable assistance in getting this stuff off the streets. Please let me know if there is anything I can do to bring further awareness to this huge problem.

Best regards,

Pam Pontius, mother of a 30 year old daughter, severely addicted to Nitrous Oxide
Town of Hillsborough, San Mateo County, California

----- Forwarded message -----

Date: Sun, May 29, 2022 at 12:52 PM

Subject: Nitrous Oxide abuse

Hi,

I am looking through my election materials and reaching out on the above topic. How do you feel about local smoke shops and even gas stations selling drug paraphernalia and dozens of boxes of nitrous oxide cartridges to a young user with no consequences within the state of California? We happen to have an addicted daughter to this overlooked drug, which she obtains legally and in vast quantities. The police, when called, just turn away and advise us to be stricter parents. She has been hospitalized with severe neuropathy, paranoia, schizophrenia, delusions etc due to her extreme usage of “whippets”. She is a college graduate who had a good paying job until the pandemic and a bad breakup seemed to set her to loose ends. We now understand how drugs and mental illness can takeover a formerly functioning young adult and lead them fown the path to homelessness.

Interested in creating more awareness around this subject/



Letter from Rebecca Stogner, Bogalusa, Louisiana
on H.R. 7945, Nitrous Oxide Safety Act

Ashley's Story: When Addiction Follows Availability

Everything described in this letter is based on my family's lived experience. While every person's experience with addiction is different, Ashley's story reflects the devastating reality our family has faced over the past several years. I share it with deep respect for those who struggle with addiction and with sincere hope that it may help protect other families from experiencing similar heartbreak.

My daughter, Ashley, is alive today, and for that I thank God every single day.

There were many nights when I wasn't sure she would be.

My name is Rebecca "Becky" Stogner. I am a retired elementary school principal in Louisiana, currently a substance counselor, but most importantly Ashley's mother.

I have spent my entire career believing that education, strong families, and treatment can change lives. I still believe that with all my heart. But I have also learned that when a highly addictive substance remains easily available from one town or one state to the next, even the most determined families are forced to fight a battle that can feel almost impossible to win.

I am writing because statistics alone will never tell you what nitrous oxide addiction does to a family. I hope Ashley's story will.

Ashley has struggled with substance use at different times in her life, and like many families, we had walked through difficult seasons before. But nothing prepared us for what happened when nitrous oxide became her drug of choice. We had never seen an addiction consume a person with this level of intensity. The obsession, the isolation, the psychosis, and the complete takeover of her life were unlike anything we had ever witnessed.

Most people picture nitrous oxide as something someone might experiment with at a party. That is not what we lived through.

Ashley became so consumed by nitrous oxide that it became her entire life.

For well over a year, Ashley's life revolved around parking lots. This was not an occasional event or a weekend binge. It became her daily existence.

She spent countless days, nights, and sometimes weeks sitting alone in parking lots while inhaling nitrous oxide almost continuously. She would use throughout the day, sleep only a

few hours at a time, wake up, and immediately begin using again. Days blended into nights, nights into weeks, and weeks into months. Time no longer mattered. Birthdays, holidays, family gatherings, responsibilities, and relationships all faded into the background. The next canister was all that mattered.

She remained there because she knew that if she came home, we would do everything in our power to stop her from using. Rather than face her family, she isolated herself with the addiction.

She knew better than to drive while she was impaired. Instead, she remained parked for hours, overnight, and often for days at a time. During those periods, she had repeated encounters with law enforcement after officers came upon her sitting alone in parking lots or responded to concerns about her welfare. Because of the paranoia she experienced, Ashley often believed her family had called the police on her. We had not. Her fear and confusion became part of the psychosis that accompanied her addiction.

This heartbreaking cycle repeated itself over and over again for well over a year. The same parking lots. The same isolation. The same canisters. The same unanswered questions. Every time the telephone rang, our hearts stopped. We never knew whether it would be a police officer, an emergency room, or someone telling us our daughter had died alone in a parking lot. No parent should have to live with that fear.

As parents, we did everything we knew to do. We cut off access to money. We took away her vehicle. Even after we removed her transportation, the accessibility of nitrous oxide meant she could still find ways to obtain it. We searched for treatment. We tried love, boundaries, and consequences. Yet addiction is relentless.

Ashley had always been resourceful and had maintained good credit. Even after we limited her resources, she found ways to obtain money. She pawned belongings—something completely out of character for her—and spent extraordinary amounts of money on large nitrous oxide canisters. Watching someone sacrifice everything they once valued simply to buy another canister is something no parent should ever experience.

Ashley's addiction also exposed one of the greatest weaknesses in our current approach. Restrictions that exist only in one town or one state simply move the addiction somewhere else.

Ashley first began purchasing nitrous oxide while living in Louisiana. When Louisiana restricted retail sales, the addiction did not end. She simply crossed into Mississippi, where the product remained readily available in many communities.

When access became more difficult in some Mississippi locations, Ashley drove to Florida, where nitrous oxide was easier to obtain. She remained there for weeks at a time. Being so far away from home eventually made it difficult for her to continue pawning belongings or

finding resources, so she returned to Mississippi—not because the addiction had ended, but because she could still purchase nitrous oxide in communities where it continued to be sold.

Not every Mississippi community sells these products, and that illustrates the problem perfectly. When one town or county recognizes the danger and restricts sales, individuals simply drive to another community where the product remains available. Families are left chasing their loved ones across county lines and state lines while the addiction continues uninterrupted.

Louisiana's restrictions also resulted in people crossing the state line into Mississippi to purchase nitrous oxide because it remained readily available there.

Mississippi has recognized this growing concern as well. Representative Nelson introduced statewide legislation that would have restricted retail sales, but the bill did not advance. At the local level, Lafayette County, including the Oxford and Ole Miss community, took action through local officials to restrict retail sales after recognizing the growing danger.

Ashley's journey from Louisiana to Mississippi, then to Florida, and back to Mississippi demonstrates one simple truth: addiction follows availability. As long as one community restricts sales while the next community continues to allow them, the problem is merely relocated.

Ashley often defended her use by saying, "It's not illegal. Why does everyone have such a problem with it?" Because it was sold openly, she believed it couldn't really be dangerous.

She also told us something that has stayed with me. She said the euphoria from nitrous oxide was unlike anything she had ever experienced. She described it as the most intense emotional high she had ever felt. Hearing those words helped me understand why this addiction had such a powerful hold on her.

One of the most frightening aspects was the psychosis that developed.

Ashley became paranoid, confused, and disconnected from reality. She repeatedly believed something was seriously wrong with her eyesight. She made numerous trips to emergency rooms convinced she was losing her vision. She truly believed she could not see correctly.

Heavy nitrous oxide use is associated with vitamin B12 depletion and can lead to serious neurological problems, including problems with vision, sensation, balance, and thinking. Whatever the exact cause of each symptom, the result was devastating for Ashley and terrifying for our family.

Meanwhile, we were at home desperately wondering where she was, whether she had eaten, whether she had water, whether she was suffering in the blazing summer heat or freezing winter cold, and whether she would survive another night. We often had no way of knowing if she was safe until we eventually heard from her.

The image that stays with me is not of my daughter breaking the law. It is of my daughter sitting alone in a parking lot for days at a time, inhaling nitrous oxide while her family waited, prayed, and hoped she would come home alive.

This addiction did not only steal Ashley's peace. It stole our family's peace.

During my career in education and substance abuse counseling, I have worked with many individuals and families affected by addiction. Yet no substance has caused me greater concern than the increasing misuse of nitrous oxide because of its availability, its powerful appeal, and the widespread misconception that it is harmless.

It is anything but harmless.

Behind every canister is a family searching, praying, worrying, and hoping their loved one comes home.

I am not asking Congress to punish people suffering from addiction. I am asking you to help protect future families from experiencing what ours has endured.

Please consider stronger, consistent policies that limit easy retail access, especially to the large canisters that make prolonged misuse possible. Local ordinances alone cannot solve a problem that simply moves people from one town or one state to another.

There was a period when our family believed we had finally interrupted this nightmare. By removing access to money and transportation, we were able to create some distance between Ashley and nitrous oxide, and for a time she stopped using. Every day of that time felt like an answered prayer.

Sadly, addiction is relentless when a substance remains so easily available.

Shortly after I completed this letter, a friend took Ashley into town. During that one trip, she was able to obtain another nitrous oxide canister. Just that quickly, our nightmare began again.

That experience reminded us how fragile recovery can be when such a powerful substance remains so easy to purchase. Families can set boundaries, remove transportation, limit finances, search tirelessly for treatment, pray without ceasing, and still watch months of progress disappear because someone can legally buy another canister.

Our nightmare is not over. Like so many families across America, we continue living one day at a time, praying that Ashley will choose recovery and that one day we can allow her to live with the freedom and independence every parent hopes for—without the constant fear that this substance will once again consume her life.

We know recovery requires treatment, accountability, support, and hope. We also know that changing the law alone will not cure addiction. But making a dangerously addictive product so easily available makes recovery dramatically more difficult and relapse dramatically more likely.

Ashley is alive today, and for that I thank God every single day. Many families have not been as fortunate.

As I write these words, our family is still fighting this battle. Our story is not over.

I respectfully ask you to look beyond the canister and see the families behind it. See the mothers waiting for a phone call. See the fathers searching parking lots. See the law enforcement officers checking on young people sitting alone for days at a time. See the emergency room physicians treating injuries that could have been prevented. See the addiction counselors trying to help people recover from a substance that remains remarkably easy to obtain.

If Ashley's story helps prevent even one family from living through what ours has endured, then sharing our pain will have been worthwhile.

Thank you for your time, your service to our country, and your willingness to consider the voices of families like mine.

Respectfully,

Rebecca "Becky" Stogner
Retired Elementary School Principal/ Covington LA
Substance Abuse Counselor/Bogalusa, Louisiana
Mother

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July 21, 2026

Urgent Call for a Nationwide Ban on Nitrous Oxide Sales

Dear Honorable Chair (Hon. Brett Guthrie) and Ranking Member (Hon. Frank Pallone) of the House Energy & Commerce Committee and/or the Chair (Hon. Gus Bilirakis) and Ranking Member (Hon. Jan Schakowsky) of its Commerce, Manufacturing, and Trade Subcommittee,

Hello, my name is Ruby Farmer. I am eleven years old. My uncle was first hurt from using nitrous oxide for the past six years, almost half my life. My uncle was a very happy, talented, and an athlete for his whole life until 2020, when he started using. It hurts me to watch him try to walk knowing his feet and legs are numb. At the hospital, he was in bed a long time and could not walk and was in a wheelchair. It has been so sad. I hope everyone of all ages learns about how dangerous it is, and it becomes well-known that people are getting very hurt from it.

At my local gas station nitrous oxide is being sold, and even at eleven years old I know people are not using it for whip cream. A boy I know, at twelve years old, has taken nitrous oxide as well as his friends and talked about it to other kids acting like it was "cool."

I am asking you to please support the ban on nitrous oxide sales. I want it to stop being sold. Also, please help all the young people to learn about how bad it is for you and how it can ruin their brain and spinal cord if you take it. Thank you for your time.

Sincerely,

Ruby Farmer

From California, Age 11