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## **New York State Joint Legislative Budget Hearing on the Environment**

*Testimony submitted by Ashley Ranslow, NFIB New York State Director*

### **S8008/A9008, Transportation, Economic Development and Environmental Conservation (TED) Article VII, Part SS, Toxics in Packaging Act**

NFIB, New York's leading small business advocacy organization representing thousands of small, independent businesses across New York State, respectfully expresses our opposition to the FY 2022-23 Executive Budget Proposal TED Article VII, Part SS, which would ban entire classes of chemistry that contribute to effective packaging materials.

NFIB represents a wide range of businesses and industries, from independent restaurants to small manufacturers to retail boutiques, that produce, sell, and use a variety of packaging and packaging materials through the course of doing business. The Executive Budget Proposal's "Toxics in Packaging Act," would have a far-reaching impact on small businesses' abilities to not only manufacture packaging products but also to sell or procure these products.

As written, the "Toxics in Packaging Act" covers an extensive list of materials and does not include any meaningful threshold, which will affect a wide range of packaging materials, including food, medical, agricultural, personal care, cosmetic, and other general consumer good packaging that are used every day by small businesses and consumers. Independently owned and operated businesses will face significant challenges in finding packaging that meets the requirements of this proposal, adding additional compliance costs and burdens on already strained entrepreneurs. Furthermore, small businesses are facing severe supply chain disruptions which are driving up the costs of goods and services and altering business operations. Additional

restrictions on the availability of products will only exacerbate the supply chain crisis rippling through the state and nation's economy.

NFIB and its members value clean communities, protecting our environment, and utilizing safe, effective packaging. Unfortunately, this proposal disregards important scientific evidence and bans entire classes of chemistry, rather than recognizing the uniqueness of individual chemical compounds. Federal and global regulatory agencies have recognized that individual compounds within the respective PFAS and phthalate families are not the same. New York State should acknowledge the science and federal agency expertise and guidance before enacting such sweeping legislation with unintended economic consequences.

There is a worthy and constructive dialogue to be had on these efforts that our organization and members would be glad to participate in, however for the above-mentioned reasons, NFIB opposes the Toxics in Packaging Act. Banning entire classes of chemistry in packaging materials will limit the availability of products while driving up costs for small businesses, adding yet another burden to our state's job creators and community institutions.

I sincerely appreciate the opportunity to submit this testimony and thank you for your time and attention.