

EPR CHECKLIST

A Checklist For Effective Extended Producer Responsibility Regulation*

Ultimate Objective	
1 Reduce Environmental Impacts During All Stages of Product Life-Cycles	
Intermediate Objective	
2 Encourage Product Redesign by Shifting Financial Responsibility for End-of-Life Management from Taxpayers to Producers (Brand-Owners)	
Elements	
3 Mandatory	Program is encoded in law so that all competing producers within a product category have to participate and meet the same high standards (level playing field and no free riders).
4 Broad Scope	Scope is defined broadly to embrace all products in a market sector, so as to not disadvantage certain actors. Program covers products already sold, products currently on the market, as well as future products. Legislation applies to all brand owners regardless of sales channels (including internet sales). Products are clearly defined.
5 Producers are Responsible	As the party that controls product design, producers (or first importers) bear financial responsibility for management of their products at their end of product lives.
6 No Cost to Taxpayers	Responsibility for waste management is shifted from general taxpayers to producers. If producers chose to engage local governments for collection or other services, it is done on a contractual basis.
7 Producers are Responsible Individually	Efficiency and continued innovation is encouraged by making individual producers legally responsible for achieving outcomes. Producers may elect to set up or join Third Party Organizations (TPOs) to fulfill their obligations.
8 Competition is Encouraged	Competition among service providers is encouraged. If producers elect to set up a Third Party Organization, then multiple TPOs are allowed and encouraged.
9 Producers Design Plans	Producers design their own clean production and product take-back plans to meet performance standards and deadlines set by government. Producers have flexibility to determine the most cost effective means of achieving desired outcomes with minimum government involvement. Plans must be approved by a government body according to clear criteria.
10 Programs are Transparent	Government ensures transparency of producer programs and requires regular verifiable reports of progress. Program development process is open and provides opportunity for input to all stakeholders.
11 Outcomes are Enforced	Programs focus on results, with consequences for failure to achieve specified outcomes, such as termination of the right to sell products in the jurisdiction.

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Clear Performance Standards	Government sets clear performance standards in the public interest in the following six categories.
12 Collection and Re-use/Recycling Rates	Quantitative goals and timetables are set for collection and re-use/recycling of products expressed as a percentage of total products entering the market or the waste stream, from each producer. Reuse is encouraged before recycling. All consumers have reasonable access to product collection facilities.
13 Treatment Standards	Programs establish verifiable performance standards for recyclers, including reporting requirements, worker health and safety criteria, and penalties for violations. People are not exposed to toxic materials in their workplaces or their communities.
14 Historical Waste	Programs cover stockpiles of products sold and discarded prior to the effective date of the legislation, including those products whose brand-owners have gone out of business ("orphan waste").
15 Disposal Restrictions	Recovered products must not be landfilled or incinerated domestically and must be managed in accordance with international laws and conventions. Hazardous or unsanitary used products must not be exported from developed to developing countries either for disposal or for recycling.
16 Toxics Reduction	Rules clearly define harmful materials that need to be phased out by a set deadline. Phase-out takes priority over product take-back.
17 Labeling	Product labels are required which identify the brand-owner, describe hazardous material content, and tell the consumer how and where to dispose of the product.
18 Complementary Measures	Programs may be supported by complementary measures, including government procurement policies specifying product take-back, and specification of minimum recycled content or material reduction (dematerialization). Leasing systems are encouraged.

* EPR Essential Elements are a synthesis of EPR Working Group *Principles* (<http://www.eprworkinggroup.org/>), Computer TakeBack Campaign's *Essential Elements for [E-waste] Legislation*, (http://www.computertakeback.com/legislation_and_policy/essentials.cfm), and British Columbia's *Industry Product Stewardship Business Plan* (<http://wlapwww.gov.bc.ca/epd/epdpa/ips/review.html>)