



CONSUMER
HEALTHCARE
PRODUCTS
ASSOCIATION

Taking healthcare personally.

February 20, 2023

The Honorable Delegate Kumar Barve
Chair, House Environment and Transportation Committee
House Office Building, Room 251
Annapolis, Maryland 21401

RE: H.B. 31 Products and Packaging (Labeling, Marketing, and Advertising for Recycling) - OPPOSE

Dear Chairman Barve:

On behalf of the Consumer Healthcare Products Association (CHPA), the national trade association representing the leading manufacturers of over-the-counter (OTC) medicines, dietary supplements, and consumer medical devices, I'd like to express opposition to H.B. 31. The federal government is the primary arbiter of labeling regulations for consumer healthcare products but under this bill manufacturers would be expected to create a Maryland specific label that differs from the rest of the country. While we share a desire to increase recycling and reducing waste in landfills, we cannot support state labeling requirements that are not consistent with the rest of the country.

Consumer Healthcare Product Labeling is Regulated by the Federal Government

Labeling of consumer healthcare products differs from other consumer products in that it is often dictated by federal rules and regulations. The federal government has created labeling requirements to ensure consistent labeling conveying usage and safety information for consumers. The label informs consumers on what the medicine is supposed to do, who should or shouldn't take it, and how it should be properly consumed. The "Drug Fact" label has created more uniform and easier to understand information for Americans.

Inconsistent Labeling Across States is Causes Confusion

The labeling requirements for package recyclability proposed in H.B. 31 differ from the vast majority of states that have utilized a specific plastics recyclability standard dating back to 1988. In 2021, California adopted S.B. 343 which prohibits the use of recycling symbols in labeling if the state does not deem the materials recyclable. Yet, H.B. 31 differs from the California law, further illustrating the inconsistency among state labeling laws that will only serve to further confuse consumers of over-the-counter healthcare products.

Conclusion

Thank you for the opportunity to express our concerns with inconsistent labeling of consumer healthcare products across the United States. I'm happy to answer any questions or concerns you may have.

Respectfully,



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Cc: Members of the House Environment and Transportation Committee