

April 3, 2024

Dear Legislative Leader:

We are writing to express our collective concern and strong opposition to legislation currently under consideration in the New York State Legislature. This legislation, NYS S.4246-B/A.5322-B would ban the use of certain substances and materials in the production of printed packaging, labels, and other materials.

One of the substances that this legislation would ban is carbon black. Carbon black is the primary pigment in black ink and is present in several other ink colors as well.

As background, the signatories to this letter represent many companies and employees of the printing and packaging industries within New York State. While we generally sit on opposite sides of the bargaining table, we are united in our concern about the thousands of jobs within our state that will be lost should S. 4246-B/A.5322-B be signed into law. These are well paying manufacturing jobs that provide benefits, pay mortgages, put children through college, and support the New York State tax base.

If enacted, S. 4246-B/A.5322-B would codify several actions that would be of concern to our industry, the most troubling being the proposed ban on carbon black.

The environmental concern with carbon black toxicity is connected to the form in which it is being used. In powder form, carbon black does present an environmental concern. However, carbon black is not found in powder form when it is incorporated into printing ink or used as a colorant for a package. This very critical distinction has been recognized by the Occupational Safety & Health Administration (OSHA) and under California's Proposition 65 program but continues to be disregarded by the New York State Legislature as they consider S 4246-B/A 5322-B.

There are additional issues raised regarding ink containing carbon black interfering with the recycling process and sometimes "bleeding" when being processed for recycling. However, technological advancements have significantly mitigated these concerns rendering the proposed ban both unnecessary and counterproductive.

It should also be noted that carbon black is a major component in auto and truck tires, belts, gaskets, paints, coatings, cosmetics, and even some water and air filtration systems.

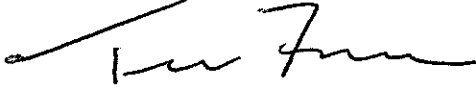
It is imperative that the draft language of the bill be revisited to exempt printing inks, labels, and packaging, and other printed materials containing carbon black from the ban. Such a revision would acknowledge the critical distinction regarding the form and use of carbon black, ensuring that legislation does not inadvertently compromise the viability and safety of packaging, labels, and printed materials. The proposed legislation overlooks the significant economic impact on New York's printing and packaging industry and the broader implications for consumer information accessibility.

Certainly, we are all concerned about the environment. Our Industry has undertaken many actions to decrease our carbon footprint and environmental impact. These actions include the use of recycled and environmentally sustainable paper as well as soy-based printing inks and a significant elimination or reduction in the use of chemicals. These actions have all been taken voluntarily by our industry based on a reliance on scientific data and input from stakeholders.

This contrasts significantly with the effort to ban carbon black under S.4246-B/A.5322-B where there has been no reliance on data or stakeholder input.

We respectfully ask that you oppose NYS S.4246 B/A.5322-B.

Sincerely,



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