



The Voice of the Mattress Industry™

February 22, 2012
Environment Committee
Connecticut General Assembly

Good morning Chairman Meyer, Chairman Roy and members of the Committee. My name is Ryan Trainer. I am President of the International Sleep Products Association (ISPA). We represent mattress manufacturers and suppliers of components and services to the industry. We appreciate the opportunity to share our views today on Senate Bill 89.

The International Sleep Products Association supports the proper disposal of used mattresses. However, ISPA strongly opposes Senate Bill 89. The “Extended Producer Responsibility” system (EPR) it imposes would require the mattress industry to develop a costly and inefficient system for collecting and processing used mattresses that will hurt Connecticut consumers, retailers, mattress manufacturers and state tax revenues. S.B. 89 is also premature in light of the Governor’s recent formation of a working group to study of recycling costs and opportunities in Connecticut.

The mattress industry has a long and proud history of being proactive on environmental, product safety and related issues. Since at least the 1990s, ISPA has promoted “green” practices, with used mattress disposal and recycling being among the first issues we addressed. We promote responsible recycling and disposal practices, and encourage companies to establish used mattress recycling facilities. As recently as seven years ago, there were only three or four mattress recyclers in this market. Today, over 30 used mattress recycling facilities are operating in North America.

In our experience, any system put in place to encourage more used mattress recycling should be national in scope. Manufacturers of new mattresses sell in a national, highly mobile market. A consumer may buy a new bed in one state and discard it years later in a different one. Therefore, a national recycling system is most appropriate to this product. Furthermore, a national system, as opposed to a range of different state-specific programs, will be more efficient and can achieve better economies of scale.

Before turning to the many significant problems that S.B. 89 creates, I want to note that ISPA is actively pursuing federal legislation to establish a national program to promote the recycling and disposal of used mattresses. While a few minor details remain to be resolved, ISPA is now discussing such legislation with leaders in Congress. The legislation is patterned on successful models used to recycle other products. Our goal is to make it easy and cost efficient for consumers, recyclers and the industry to recycle and dispose of mattresses.

We object to S.B. 89 for several reasons. First, the EPR model is inappropriate for regulating the recycling of used mattresses. EPR systems traditionally impose significant regulatory obligations on manufacturers of specific products that arguably pose significant health, environmental or safety risks. EPR advocates argue that manufacturers of products that can pose these risks should be responsible for them from cradle to grave in order to encourage more environmentally friendly

product design. Mattresses, however, do not fall in that category. Our products are benign and pose no environmental risks when discarded.

Second, S.B. 89 will be expensive for mattress manufacturers and consumers. At minimum, mattress producers must shoulder the current cost (both private and public) for disposing of used mattresses throughout Connecticut. The state also has authority to impose other performance conditions on the industry. And, S.B. 89 creates a complex and costly bureaucratic system to manage this disposal function. As a result, the bill will impose high and unforeseen operational and administrative costs on mattress companies that will inevitably increase the cost of mattresses sold in the state, harming Connecticut consumers.

Third, S.B. 89 would impose costs on Connecticut mattress manufacturers that had no role in making or selling many of the mattresses discarded in this state, many of which were bought in another state.

Fourth, S.B. 89 requires Connecticut retailers to sell only mattresses made by state-approved manufacturers that have agreed to fund and manage the costly recycling program. This will encourage manufacturers that currently sell in Connecticut to abandon the state and will discourage other mattress manufacturers from selling in Connecticut. As a result, S.B.89 will hurt Connecticut consumers through reduced product selection and competition in the state, encouraging them to cross state lines or turn to the internet to shop for mattresses. Traditional “brick and mortar” retailers already face significant challenges from on-line stores. S.B. 89 will amplify that pressure, hurting both Connecticut retailers and manufacturers, and in turn cutting state sales tax revenues because of lower in-state retail sales.

Finally, the mattress industry was hit hard by the recession. Sales dropped by over 20%, bankrupting large and small manufacturers and retailers. As we struggle to recover from this very difficult period, now is not the time to impose new costs on vulnerable businesses or impede their ability to sell new products. Higher costs will jeopardize businesses and jobs. Historically, the vast majority of mattresses sold in the United States are made here. But laws like S.B. 89 – which will be difficult to enforce with respect to imports – will make imports more attractive in this state.

For each of these reasons we oppose S.B. 89.

S.B. 89 is also unnecessary at this time. Governor Malloy just weeks ago created a working group that will comprehensively study how Connecticut should modernize its recycling policies. Among other things, the Governor instructed the working group to recommend how the state can “reduce waste through improved materials management and lower costs for municipalities and consumers.” An objective factual analysis like this will be critical to evaluating whether a program like that required by S.B. 89 makes sense.

It is premature for the legislature to consider product-specific recycling requirements like those set out in S.B. 89 before the Governor’s working group has completed its investigation. At a minimum, the Committee should wait until the working group issues its recommendations and all parties have had an opportunity to review its findings before taking further action.

For these reasons, we urge the committee to oppose S.B. 89. I am happy to answer any questions you may have.