



American Forest & Paper Association

April 23, 2026

The Honorable Kyle Mullica
Senate Health & Human Services Committee
Old Supreme Court
200 E. Colfax Avenue
Denver, CO 80203

Re: Senate Bill 146 Concerning restricting the distribution of single-use food serviceware.

Dear Chair Mullica, Vice Chair Jodeh and members of the Senate Health and Human Services Committee:

On behalf of the American Forest & Paper Association (AF&PA), we are writing in opposition to the Senate Bill 146, unless amended. As currently drafted, this bill would restrict providing single-use food serviceware essential for hygiene and safety to customers unless by request. We support the intent of reducing waste associated with single-use foodservice items but believe paper-based options provide vital hygiene and safety benefits while being a highly sustainable product. As such, we respectfully ask that napkins and cup sleeves be excluded from the definition of **“single-use food serviceware.”**

AF&PA Background

AF&PA serves to advance public policies that foster economic growth, job creation and global competitiveness for a vital sector that makes the essential paper and packaging products Americans use every day. The U.S. forest products industry employs more than 925,000 people, largely in rural America, and is among the top 10 manufacturing sector employers in 44 states. Our industry accounts for approximately 4.7% of the total U.S. manufacturing GDP, manufacturing more than \$435 billion in products annually. AF&PA member companies are significant producers and users of renewable biomass energy and are committed to making sustainable products for a sustainable future through the industry’s decades-long initiative — [*Better Practices, Better Planet 2030*](#).

In Colorado, the industry employs more than 6,500 individuals, with an annual payroll of over \$386 million. The estimated state and local taxes paid by the forest products industry totals \$28 million annually.¹

¹ Data sources: U.S. government, AF&PA, and Fastmarkets RISI. Figures are the most recent available as of December 2022.

Napkins Provide a Hygiene Benefit

It is critically important that hygiene opportunities are easy to access in food establishments. For restaurants – be it in-restaurant dining, delivery, or takeout – paper napkins play an important hygiene role. They are used for cleaning hands and to “catch” coughs and sneezes, reducing the likelihood of a spray of potentially viral droplets. Additionally, they can clean a surface such as a table or a steering wheel when a sneeze or cough happens.

Cup Sleeves Protect Both Consumers and Businesses

The primary function of a paper cup sleeve is to provide consumer protection when handling hot beverages. This is not only essential to ensure consumer safety, but also to protect businesses. As currently drafted, SB 146 exposes businesses to liability by limiting their ability to prioritize consumer safety when providing heated beverages. Businesses can either accept this increased liability or risk consumer dissatisfaction by providing lukewarm beverages to reduce potential liability risk.

Paper Napkins and Cup Sleeves are Sustainably Produced Products

Most commercial paper dispenser napkins are made from 100% recycled content, and many brands are fully certified as compostable. Commercial paper napkins provide the beneficial use of paper recovered for recycling that might otherwise end up in landfill. Paper cup sleeves are also manufactured with high recycled content and are recyclable, providing the same benefits.

Paper recycling is an environmental success story. Paper is one of the most widely recycled materials in America, and paper recycling rates in the U.S. have consistently increased in recent decades. The paper industry recycles nearly 60% more paper today than it did in 1990, when the industry set its first recycling rate goal. **In 2024, between 60 and 64 percent of paper and 69 and 74 percent of cardboard available for recovery in the United States was recycled.**² This speaks to the strength and resilience of paper and paper-based packaging recovery while technological innovations in product design and recycling processes are continuously allowing our industry to access and recycle more paper-based products.

Conclusion

AF&PA believes legislation requiring consumers to request napkins and cup sleeves is detrimental to public hygiene, health, safety, and business interests. We encourage the Colorado legislature to avoid measures that penalize paper and, as always, we stand ready to assist you and offer our expertise as a resource as you continue the dialogue on this important issue. Please feel free to contact Frazier Willman, Manager, Government Affairs at frazier_willman@afandpa.org.

² <https://www.afandpa.org/priorities/recycling>

Dear Health and Human Services Committee,

We are hugely in favor of expanding the Plastic Pollution Reduction Act to include restricting the distribution of single use service ware! We are excited about the reduction of waste and pollution from items given out for take out and fast food that are often not used or end up in the environment. We all know that much of this stuff ends up in glove compartments, in a drawer or in the parking lot and never even used.

Currently there are four states that have “skip the stuff” laws in place; California, Washington, New Jersey and New York. In addition, here in Colorado, Frisco and Denver have this type of law. These laws are popular with customers and businesses.

Currently customers usually have no choice but to take the bag of food and the single use serviceware automatically given to them. So a customer who wants to avoid waste has only one choice: not to eat take out and fast food. This type of legislation gives customers a choice to skip the stuff they don't want or need. In addition, businesses can save money by purchasing fewer disposables. That's a win, win for consumers and businesses.

I'm sure you are aware of the recent reports about microplastics. We now know that plastic never breaks down, it just breaks apart! Microplastics are wreaking havoc on our bodies and our environment.

Three quarters of Americans and 79% of registered voters support local and state policies that reduce single-use plastics, according to a 2023 poll by Oceana. That is pretty impressive support!

This is an easy way to reduce the amount of carbon used to make single use plastic and also reduce pollution and landfill waste. Please vote in favor of **SB26-146**.

Thank you.

FoCo Trash Mob, a Beyond Plastics Affiliate

(based in Fort Collins, CO)



Senate Health & Human Services

04/16/2026

SB26-146 Restrict Single-Use Food Serviceware Distribution

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Joseph Pero Against themselves	<p>SB26-146 is a well-intentioned bill that misses the mark. In doing so, it places yet another mandate on small businesses while delivering negligible environmental benefit.</p> <p>This proposal micromanages routine customer interactions by requiring workers to ask, confirm, and track single-use item preferences on every order. In the real world of busy kitchens, drive-thrus, and delivery rushes, that translates to slower service, longer lines, more order errors, and higher labor costs. For small, independent operators already struggling with inflation and staffing shortages, this is not a minor adjustment. It is a cumulative burden.</p> <p>The ban on bundled items is particularly impractical. It forces businesses to re-engineer efficient, standardized packaging systems into piecemeal processes that increase complexity and reduce accuracy. Instead of streamlining waste reduction, the bill creates operational chaos.</p> <p>Also concerning, the policy shifts responsibility away from consumers and onto businesses. If a customer forgets to request utensils or condiments, the result is not less waste, it's duplicated waste, as customers seek replacements elsewhere. That undermines the very environmental goals the bill claims to advance.</p> <p>This is a one-size-fits-all mandate imposed on a highly diverse industry, from food trucks to family diners to delivery-only kitchens. Many businesses have already adopted voluntary "opt-in" practices that work without state coercion. This bill disregards those efforts in favor of rigid compliance rules.</p> <p>Colorado should pursue practical, outcome-driven solutions, not symbolic regulations that burden local businesses, frustrate customers, and produce very questionable results.</p> <p>For these reasons, I urge a NO vote on SB26-146. Thank you.</p>

Senate Health & Human Services

04/23/2026

SB26-146 Restrict Single-Use Food Serviceware Distribution

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Sophie Tipper For themselves	<p>Dear Committee,</p> <p>My name is Sophie Tipper and I represent Senate District 16 to COYAC, but am writing representing myself. As Coloradans we should be proud of our state's natural beauty, but plastic is polluting our beautiful natural landscapes. It's a small story, a small tragedy we see everywhere whether it be our schools, our state parks or just around our communities. We see the remnants of our take out orders, the cups sitting on the grass that ultimately pollute our drinking water. In May 2023 the CoPIRG foundation found that every major waterway in Colorado was polluted with plastics and microplastics. Why does that matter? It matters because according to the United Nations Environment Programme microplastics may cause developmental, reproductive, neurological, and immune disorders. It's small, but it adds up. That's the point.</p> <p>It's a small behavior that needs to be changed. But those small changes add up. That's the point.</p> <p>We saw proof of this starting in 2021. When House Bill 21-1162 (the bill that created the ten cent plastic bag fee and banned styrofoam from restaurants starting in 2024) was introduced we all saw it. The subtle shift in our grocery store parking lots. At first it was hard to remember that reusable bag, but now you see the instinctual habit of grabbing a reusable bag before heading in. A small change, behaviorally, and just like that Coloradans had adjusted themselves as reusable bag users.</p> <p>That's what this bill aims to do: Achieve small, realistic, and manageable change.</p>

	<p>Because it's not about restricting choice, it's about changing a default so we can all keep enjoying our beautiful outdoors. I urge you to vote yes to support this bill.</p>
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