

February 4, 2026

The Hon. Sharon Shewmake
Chair, Senate Environment, Energy and Technology Committee
John L. O'Brien Building
P.O. Box 40466 Olympia, WA 98504-0600

RE: Opposition to SB 6271 Concerning Mattress Producer Responsibility Organizations

Dear Chairperson Shewmake and Committee Members:

The International Sleep Products Association (ISPA) represents mattress manufacturers and suppliers of components, retailers and service providers to the mattress industry. We appreciate this opportunity to provide testimony on SB 6271, which would create a product stewardship program for mattresses. ISPA supports mattress recycling and has a decade of successfully operating programs in the U.S. through its Mattress Recycling Council (MRC); however, we cannot support SB 6271 in its current form. Without legislation that provides an effective, consistent framework to operate in harmonization with other states, including neighboring Oregon and California, which have already adopted programs, Washington state will end up with a one-off ill-fated scheme, costing manufacturers, retailers, the Department of Ecology (DOE), and ultimately the consumer unnecessarily.

The mattress industry is a \$10 Billion industry that employs over 25,000 people throughout the United States. As the primary association representing the mattress industry in the U.S., ISPA assists our members in improving the environmental sustainability of their operations and products. To further this goal, ISPA created the MRC to operate programs in states that adopt mattress recycling laws. In addition to Oregon and California, MRC currently operates in Rhode Island and Connecticut. In its 10 years of operation, MRC has successfully recycled over 17 million mattresses and boxsprings and now processes over 2 million mattresses annually.

Unfortunately, SB 6271 differs significantly from the legislation that allows MRC to operate its existing programs efficiently and effectively. While ISPA worked extensively last fall in a stakeholder dialogue on the bill, and some improvements have been made since the introduction of HB 1901 in 2025, it still takes an untested path and needs additional consensus work.

Simply put, SB 6271 still does not reflect the realities of the mattress production and retail markets, nor the realities of collecting and recycling a bulky, yet durable good – one that lasts on average 13.5 years. ISPA’s concerns with specific provisions of SB 6271 include, but are not limited to, the following:

1. Prohibits a sustainable financing mechanism that enables a level playing field for all mattress producers and retailers

MRC utilizes a point-of-sale fee model, which is central to all successful, operational mattress recycling programs in the United States. This model provides a proven, traceable funding mechanism that reflects the complexities of the mattress retail market, including online sales and imports, to ensure all market participants contribute equally. Mattress manufacturers do not have a business model that can accurately provide the information necessary to set an internalized fee. Many mattress manufacturers produce mattresses for brands, private labels, specialty outlets, sleep shops, and online retailers. Other mattress producers license brands that may be manufactured and/or sold by a host of suppliers and retailers. Further, most mattress retailers sell a variety of mattress producers and licensees' brands both in brick-and-mortar stores and through e-commerce. Thus, mattress manufacturers often lack direct information about where final sales of their products occur. In the mattress industry, distribution centers often serve multiple states, as retailers don't have adequate space to store bulky mattresses on-site. This complex distribution system for mattresses creates numerous difficulties in fairly and accurately applying an internalized funding mechanism.

By contrast, the retail point of sale corresponds accurately to where a mattress is sold. It provides the most simple and accurate way to ensure compliance – all producers register with MRC, and retailers can quickly assess whether the producer/brand is in the program, and they can sell the bed in the state. MRC can also quickly assess whether the fee has been applied and, if not, can report it to DOE for appropriate enforcement action. A point-of-sale fee model limits free riders and evasion possibilities that stem from a lack of accurate tracing data. Further, this model is transparent to the consumer. The fee would be independently audited and subject to approval by DOE to ensure it covers the actual costs of administering a mattress recycling program and is not being used as a competitive or anti-competitive advantage. Based on MRC’s experience operating its existing programs, the most accurate, equitable, and efficient method to sustainably

finance the operation of the mattress stewardship organization is through the point-of-sale fee model. This is also the current model for the paint stewardship program operated in Washington State.

2. **Impractical performance standards**

ISPA recognizes and advocates for reasonable performance standards; however, SB 6271 contains reporting requirements that would impede a mattress recycling program, without clear benefits. This includes the numerous goals and performance standards for the Producer Responsibility Organization (PRO) related to mattress reuse and refurbishment. These requirements assume the stewardship organization can control the business activity of an independent mattress renovator, donation center, or individual who wants to dispose of their mattress, which is beyond the PRO's purview. A reused or donated mattress is still in use and would not be collected for recycling by the PRO. Donation and renovation of mattresses also pose health and sanitary concerns, as there is currently no uniform cleanliness standard for reused or renovated mattresses in the United States. So, while ISPA and MRC support the waste hierarchy and validate donation and refurbishment, mandating that the PRO pay for such is not only impractical, it is costly and will not result in more mattresses recycled at their end-of-life, but may result in liability for the PRO. Similarly, the mandatory recycling requirements in the bill are infeasible as they do not reflect the market fluctuations in mattress sales; the long-term durability of mattresses; nor the volatility of end markets and current technology available for mattress recyclers in the United States. It simply isn't realistic to meet the minimum 70% recycling goal required by SB 6271. After over ten years of MRC operations in states such as California, the recycling rate has not reached this arbitrary goal. For a successful mattress recycling program in Washington, performance standards must be technically and economically feasible. While MRC invests significant funds into expanding end markets and new recycling technology, imposing an unrealistic recycling rate harms a potential program's likelihood of success.

3. **Ambiguous Department of Ecology enforcement, timelines, and oversight**

Clarity on DOE's oversight of a mattress stewardship program is essential for the program's success. It must be clear that DOE rather than the PRO has the authority to enforce against non-compliant producers. Clear, concise language describing the plan approval process, plan amendment process, and submittal of annual reports is vital for the

success of a mattress stewardship program in Washington. Critically, HB 6271 does not contain a clear timeline for the Department of Ecology to approve or reject the initial program plan. While there is a July 1, 2029 deadline for the producer to submit a program plan, there is no timeline described for when DOE must approve or reject the plan. The statute must clearly define this timeline as the PRO requires certainty for the plan approval process timed with implementation. This is necessary for executing a statewide mattress EPR program. The PRO cannot submit a plan with a fee paid to DOE and wait for an undetermined amount of time for an initial decision. Recyclers and other contracted entities will be making significant facility investments and need revenue to expand to meet the needs of an improved statewide mattress recycling system before the program launches. A clear timeline helps the PRO, DOE, and contracted entities execute the requirements of a statewide recycling program for mattresses. This timeline must also reflect DOE input and staff time for plan review.

Two other major issues with the program plan requirements include, a provision for the PRO to develop an eco-modulated financing mechanism that must continuously evolve throughout program operation based on multiple, sometimes arbitrary criteria and an unnecessarily low threshold for the PRO to submit a plan amendment – requiring a plan amendment, instead of just notice to DOE because of one transporter or processor change lacks consideration for the time and effort required by both DOE and the PRO necessary for a plan amendment.

4. Incalculable and Arbitrary Data Reporting Requirements for Annual Reports

In addition, SB 6271 requires the PRO to include incalculable data points in the annual report. Some examples include: the type of all mattresses collected under the program, granular data on a recycler's operations, including data not routinely publicly shared about their secondary markets, and nebulous reporting requirements on mattresses (that are soiled, wet, moldy, etc.) that are not suitable for recycling. There are also annual reporting requirements on the number of mattresses reused, much of which will occur outside of the system without a reasonable way for the PRO to accurately measure and report on. Further, there is a requirement to discuss how the PRO will address discarded mattresses that are not program mattresses. This drastically expands the scope of the program to process mattresses that originate outside Washington state and is not indicative of how the program is achieving its goals to serve Washington State residents.



Annual reporting requirements should be carefully considered to reflect what data the PRO can reasonably collect and be directly tied to evaluating the program's success.

These are just a few of the issues with SB 6271 that create uncertainty for the mattress industry and hinder the PRO's ability to implement an efficient mattress recycling program in Washington, let alone in compliance with the law. They also create undue costs that will ultimately be borne by the consumer, without translating into more mattresses recycled at the end-of-life.

ISPA and MRC appreciate the interest in establishing a mattress recycling program in Washington. However, SB 6271 currently lacks the sound legislative framework necessary to do so. As written, SB 6271 would establish requirements for a mattress recycling program that are unrealistic and unachievable, setting the PRO up for failure.

As such, we urge the Committee to not advance SB 6271 and direct stakeholders to continue to engage and collaborate to develop legislation that is fair, reasonable, and reflects MRC's decade of experience operating successful mattress recycling programs.

Sincerely,

A handwritten signature in blue ink that reads "Alison Keane".

Alison Keane, Esq., CAE, IOM
President

