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Dear Fareed Ferhut and Task Force Members,

Thank you for the opportunity to comment and make suggestions on the four benchmarks being used to determine EPP cartridges.

Public Contract Code 12156 was declared a "win-win situation for cartridge manufacturers, consumers and the free enterprise system" by Assemblyman Thomas Oller upon the bill's passage into law in 1999.

We agree with the Task Force's recognition of the financial and environmental benefits associated with reusable, energy-efficient and waste-reducing products. We applaud the efforts of the Task Force in increasing purchases of Environmentally Preferred Products (EPP)

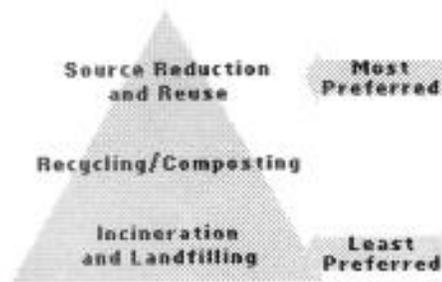
Similar environmentally-minded efforts in the EU have been pursued through the WEEE (Waste Electrical and Electronic Equipment) Directive, passed by the European Parliament in October 2002. Article 4 of the WEEE Directive is listed below:

Member States shall encourage the design and production of electrical and electronic equipment which take into account and facilitate the dismantling and recovery, in particular the re-use and recycling of WEEE, their components and materials. ***In this context, Members States shall take appropriate measures so that producers do not prevent, through specific design features or manufacturing processes, WEEE from being re-used,*** unless such specific design features or manufacturing processes present overriding advantages, for example, with regard to the protection of the environment and/or safety requirements.

With the development of a standard specific to printer cartridges, we would encourage the Task Force to adopt similar language that would prohibit the purchase of a cartridge that includes a specific design feature or any technical device including but not limited to a computer chip that restricts or prevents the cartridge from being reused.

The EPA has recognized a hierarchy of encouraging the production of less waste by practicing the 3 Rs: (<http://www.epa.gov/epaoswer/non-hw/muncpl/faq.htm>)

Solid Waste Management Hierarchy



Reduce the amount and toxicity of trash you discard.

Reuse containers and products; repair what is broken or give it to someone who can repair it.

Recycle as much as possible, which includes buying products with recycled content.

We would ask that the Task Force consider a similar hierarchy in preference, as remanufactured provides substantially greater benefits financially, environmentally and energy-wise than recycled. The result would be more effective standards, and greater achievement of the stated objectives.

I am including a brief market overview so that you might become more familiar with the aftermarket for imaging supplies.

The remanufacturing industry accounts for roughly \$2.8 billion in sales in the highly competitive imaging supplies marketplace. Remanufacturers collect cartridges from the consumer and repair worn parts, replace used toner and resell the cartridges at approximately one-half the price of a new cartridge.

This industry has been so successful that the original equipment manufacturers (OEMs) are fighting with the remanufacturers for market share. Increasingly, equipment manufacturers are using anticompetitive devices, including technology and marketing ploys that eliminate the ability to choose.

Imaging supplies are one of the largest business expenses annually. Cost-conscious consumers and environmentally minded organizations should be afforded the right to make purchasing decisions that support their beliefs.

If you or any of the Task Force Members would like to observe this industry in-depth, I extend an invitation to you to Recharger Magazine's 10th Annual World Expo in Las Vegas, Aug. 24-26, 2005. Information regarding the magazine and show are included. We would be pleased to welcome you to the event as our guests. Feel free to contact me personally if you would like to arrange this.

Thank you for your kind attention.

Phyllis Gurgevich

Publisher, Recharger Magazine