

PepsiCo sued by New York state over plastic pollution

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New York state sued PepsiCo, arguing the company's use of single-use plastics harms the Buffalo River and constitutes a 'public nuisance.'

New York state sued PepsiCo on Wednesday, pointing to the soda giant's plastic waste as a scourge of waterways and blasting the company's "misleading" statements on the environment.

The civil suit, filed by New York Attorney General Letitia James in the state Supreme Court, seeks a finding that PepsiCo contributed to a "public nuisance" in the Buffalo River; the imposition of financial penalties and compensatory damages on the company; and an order that PepsiCo cease the sale of single-use plastic on goods that do not warn of the environmental ills.

"All New Yorkers have a basic right to clean water, yet PepsiCo's irresponsible packaging and marketing endanger Buffalo's water supply, environment, and public health," James said in a statement.

"No one should have to worry about plastics in their drinking water, plastic garbage littering their scenic riverfront, or plastic pollution harming wildlife."

PepsiCo said the company is "serious" about plastic reduction and has been "transparent" in its efforts.

"This is a complex issue and requires involvement from a variety of stakeholders, including businesses, municipalities, waste-reduction providers, community leaders and consumers," a PepsiCo spokesperson said.

"PepsiCo has been working in New York to address the needs of communities, including advocating for New York bottle bill improvements and extended producer responsibility bills. We have worked effectively with a variety of communities across the country and remain committed to doing so."

A survey by James' office found that PepsiCo's plastic packaging was by far the greatest source of Buffalo River plastic pollution, three times as abundant as the next contributor (McDonald's), according to the suit.

The plastics "cause wide-ranging harms to the public and New York State," said the suit, which points to the presence of microplastics in both humans and fish.

Health-related problems "include early puberty in females, reduced sperm counts, altered functions of reproductive organs, obesity, altered sex-specific behaviors and increased rates of some kinds of cancers," said the suit.

The lawsuit acknowledges company statements pledging action to reduce plastic pollution, but depicts PepsiCo as repeatedly falling short of pledges.

Further, the suit says PepsiCo has not chosen alternatives to single-use plastics to any significant degree in the New York market. In contrast, PepsiCo has announced refillable and returnable glass and plastic programs in international markets including Mexico and Germany, according to the suit.

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