

Senate Bill 424

Tobacco Product Recyclability and Producer Responsibility Act

Senator Jackson

SUMMARY

Senate Bill 424 addresses the pervasive problem of tobacco product waste by establishing a framework of standards and extended producer responsibility to ensure tobacco products are either safely recycled or collected by manufacturers for safe disposal.

BACKGROUND

The improper disposal of tobacco products has significant impact on the environment and to local collection agencies. Tobacco product waste includes cellulose filters from cigarette butts, plastic tips for manipulation of cigarillo-type products, single-use electronic cigarettes, cartridges for reusable electronic cigarettes, and the reusable devices themselves.

Tobacco product waste ranks atop categories of waste found at coastal and beach cleanups, park cleanups, and other outdoor collections (including street sweepings). Cigarette butts are the foremost litter item found on beaches and roadsides, amounting to over a third of total waste found during coastal cleanup events.

Exposure impacts from tobacco product waste are several. Tobacco and tobacco-laden components leech toxic chemicals—including arsenic, lead, and nicotine—into the environment when improperly disposed. These compounds are especially pernicious in waterways, where small amounts can result in wildlife impairment and mortality. These compounds are also hazardous to children and pets when ingested or handled.

Tobacco product waste are a major constituent of the global plastic waste scourge. Like other plastic waste, cellulose filters (cigarette butts) persist in the environment for decades, and break down into microplastics that accumulate environmentally and biologically. In addition to the toxins from tobacco components, plastic waste from tobacco products also pollute plastic-related hazardous chemicals, with their own significant impacts to wildlife and the environment.

The cost borne by local and state agencies from dealing with tobacco product waste is sizeable, with annual

estimates in the tens of millions per large municipality. In 2009, San Francisco spent nearly \$10 million on cigarette butt cleanup alone. Municipalities out-of-compliance with water quality laws due to tobacco litter also pay millions for violations and costs to clean.

SOLUTION - SB 424

SB 424 addresses tobacco product waste with a two-fold strategy. First, this bill bans sale of single-use tobacco products, including single-use filters, single-use plastic devices needed for manipulation of tobacco products, and single use electronic cigarettes. Single use products are highly likely to be improperly disposed—particularly plastic filters and holders—and they remain costly and difficult to handle by local waste agencies even when disposed. The most effective way to reduce single-use waste is to prevent its usage in the first place.

Violations of the sales ban can result in civil penalties of \$500 per violation, and enforcement actions can be brought by local prosecutorial authorities only.

Second, this bill allows sale of multi-use tobacco products, so long as those products are ordinarily recyclable, or are collected for take-back by manufacturers of the product. Product manufacturers may form a stewardship organization to administer the take-back of non-recyclable multi-use components. Electronic components must be collected by manufacturers under state electronic waste laws. If a component is determined to be hazardous waste, manufacturers may either institute take-back collection of that waste, or may reimburse local agencies for costs resulting from handling of that waste.

STATUS

SB 424 is scheduled for hearing in Senate Health Committee on April 10, 2019.

CONTACT

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