

SB 343 – Truth in Labeling for Recyclable Materials

SENATOR BEN ALLEN

Fact Sheet

SUMMARY

In California, less than 15 percent of single-use plastic is recycled. Despite robust curbside recycling programs and decades of public education efforts, most single-use items are used once and then landfilled, incinerated, or dumped into the environment. Our dismal recycling rate is due to many factors, among them a severe drop in the market for recycled material and the low cost of virgin petroleum.

Consumers dutifully fill their blue bins with items they believe are recyclable, which contaminate the recycling stream and make it more costly to sort and clean the truly recyclable material. Manufacturers have used this confusion to their advantage by “greenwashing” unrecyclable products, often imprinting them with the “chasing-arrows” recycling symbol. Consumers need to know what is truly recyclable. SB 343 seeks to remedy this situation.

BACKGROUND

Before 2017, the United States was sending 4,000 shipping containers full of waste to China each day, including two-thirds of California’s potentially recyclable materials. Exporting this material allowed cities and counties to keep it out of local landfills. It also inaccurately inflated state recycling rates, as recyclers China and other countries picked out valuable material and dumped or burned the rest. Since 2018, China and other countries have refused to accept all but the most valuable material – collapsing the markets for plastic packaging that was previously considered “recyclable.”

This change has severely strained local waste collection systems. Without a willing buyer for most

of the plastic material being produced, the costs associated with sorting and landfilling the waste falls to local jurisdictions and their ratepayers. Recent waste management rate increases in Sacramento and elsewhere have been attributed, at least in part, to this problem. A 2018 study by CalRecycle found that plastic bags, films, and wraps – despite being only 12% of the waste stream – were “the largest type of contamination in curbside recycling bins.” This flexible plastic material with limited market value interferes with recycling facility machinery and, as a contaminant, lowers the value of recyclable paper and cardboard.

The strain on local recycling and waste systems is compounded as most consumers lack a clear understanding on what is acceptable. Further confusing consumers is the plastic resin identification coding (RIC) system, which classifies plastic types by numbers one through seven displayed within the chasing-arrows symbol. The RIC system was designed as a method for waste facilities to properly sort plastics. Most consumers simply see the chasing arrows and assume a product can be recycled.

The Statewide Commission on Recycling Markets and Curbside Recycling recently reported, “Since consumers equate the ‘recycle’ word and symbol with what is accepted in curbside recycling bins, the ‘recycle’ word and symbol must be reserved for materials which are accepted in curbside bins and do not cause contamination.”

SOLUTION

SB 343 will reduce contamination by clearly labeling which materials goes in the blue bins, thereby



SB 343 – Truth in Labeling for Recyclable Materials

SENATOR BEN ALLEN

Fact Sheet

SOLUTION CONTINUED

improving real recycling rates. The measure expands the existing “Truth in Environmental Advertising” law that prohibits the use of the word “recyclable” on unrecyclable products to include the use of the chasing-arrows symbol or any other suggestion that a material is recyclable. The bill also defines what is considered recyclable in California.

The bill calls on CalRecycle to identify which materials are accepted by most local recycling programs and are properly sorted and processed so they can be remanufactured into new products. The bill also makes clear that products or packaging that contain harmful inks, dyes, labels, or adhesives which would impede recyclability cannot be labeled recyclable.

SB 343 includes a process for producers of material that does not yet meet the criteria in the bill to, with approval from CalRecycle, develop a plan to increase the collection, sorting, and recycling of their material. They can continue to encourage consumers to put their material in the blue bins if they can demonstrate that doing so will not increase contamination in the recycling stream.

Like any environmental marketing claim, the provisions in this bill would be enforced by the Attorney General or local district attorneys who bring a claim. California’s Unfair Competition Law, which prohibits any unlawful, unfair, or fraudulent business act or practice and unfair, deceptive, untrue, or misleading advertising, could also be used to enforce the provisions of the bill.

SUPPORT

Californians Against Waste (sponsor)
National Stewardship Action Council (sponsor)

Active San Gabriel Valley
Algalita
Alliance of Mission-Based Recyclers
Alliance of Nurses for Healthy Environments
Association of Compost Facilities
Athens Services
Ban SUP
CalPIRG
California League of Conservation Voters
California Product Stewardship Council
California Resource Recovery Association
California State Association of Counties
California Waste Haulers Council
California Waste and Recycling Association
Center for Oceanic Awareness Research and Education
Central Contra Costa Solid Waste Authority
Clean Water Action
City of Los Angeles
City of Long Beach
City of Thousand Oaks
Colorado Medical Waste
Container Recycling Institute
Credo Beauty
Del Norte Solid Waste Management Authority
Detroiters Working for Environmental Justice
Ecology Center
EDCO Disposal
Environmental Working Group
Families Advocating for Chemical & Toxins Safety
Friends Committee on Legislation of CA
Full Circle Environmental
Full Spectrum Strategy
Heal the Bay
Inland Ocean Coalition
League of California Cities
League to Save Lake Tahoe
Linkco Inc.



SB 343 – Truth in Labeling for Recyclable Materials
SENATOR BEN ALLEN
Fact Sheet

SUPPORT CONTINUED

Los Angeles County
Los Angeles County Solid Waste Management
Committee/integrated Waste Management Task
Force Marin County Hazardous and Solid Waste
Management Joint Powers Authority
Marin Sanitary Service
Mariposa Eco Consulting, Inc.
Mendo Recycle
Mendocino Solid Waste Management Authority
Merced County Regional Waste Authority
Ming's Recycling
National Recycling Coalition
National Recycling Partnership
Natural Resources Defense Council
Northern California Recycling Association
Ocean Conservancy
Plastic Oceans International
Plastic Pollution Coalition
PreZero
Recology
Rethink Waste
Republic Services
Resource Recovery Coalition of California
Richard Watson & Associates, Inc.
Robin's Restaurant
San Diego County
San Gabriel Valley Council of Governments
Santa Barbara Standing Rock Coalition
Save Our Shores
Save The Albatross Coalition
Sea Hugger
Seventh Generation Advisors
Sierra Club California
Silicon Valley Democratic Club
Special Waste Advisors
StopWaste
Story of Stuff
Surfrider Foundation

Teamsters
The Atrium
The Last Beach Clean-Up
The Last Plastic Straw
The Nectary
Tri-CED Community Recycling
Turtle Island Restoration Network
Upstream
Waste Connection
Waste Management
Wishtoyo Chumash Foundation
Zanker Recycling
Zero Waste Marin
Zero Waste Sonoma
Zero Waste USA
350 Bay Area Action
5 Gyres

CONTACT

Tina Andolina
Office of Senator Ben Allen
tina.andolina@sen.ca.gov
(916) 651-4026

