

# Assembly Bill (AB) 1690

## Smoking Waste Pollution Prevention Act

Assemblywoman Luz Rivas

### SUMMARY

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Cigarette and cigar filters (filters), as well as more recent all-in-one disposable vaping devices (vapes), are smoking products that have caused a public and environmental health crisis. All-in-one disposable vapes are devices that use a heating element to create a vapor that has a battery attached to the liquid-containing portion that cannot be separated or refilled. Disposal of vapes after one use is wasteful and places the cost of cleanup onto state and local governments, while still leaving behind microplastics and toxins from their filters, electronics, and batteries.

The Smoking Waste Pollution Prevention Act (AB 1690) will transition the sale of cigarette/cigar filters and all-in-one disposable vapes, which are not rechargeable, to unfiltered cigarettes and reusable and rechargeable smoking products to address the ubiquitous impacts that these single-use products have on our health and environment.

### BACKGROUND

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Cigarette filters are the most pervasive form of litter worldwide. Of the 6 trillion globally consumed cigarettes, approximately 4.5 trillion cigarette filters are littered into the environment each year. Cigarette filters amount to over a third of the total waste found during coastal cleanup events, with 4.2 million collected in one day during the 2019 International Coastal Cleanup. In 2020, 8.9% Californians smoked yet they contribute to approximately more than 34% of the total litter collected in the state.

In 1964, the Surgeon General declared cigarette filters useless in reducing harm to the average smoker. 98% of cigarette filters are made of non-biodegradable cellulose acetate, which are plastic fibers that can take a decade or more for the sun's ultraviolet rays to break down into microplastics, which can be ingested. Additionally, vapes can contain heavy metals, battery acid, nicotine, and other harmful chemicals. Microplastics and hazardous chemicals accumulate in the food chain and affect whole ecosystems, including the health of soils used to grow our food.

Improperly disposed cigarette filters and all-in-one disposable vapes are known to leach toxic chemicals into the environment, pollute water, and harm wildlife. In 2017, the United Nations World Health Organization issued a report that describes the chemicals in discarded cigarette filters as acutely toxic to aquatic organisms. In one study, the chemicals that seeped from a single cigarette filter, soaked for 24 hours in one liter of water killed 50% of the saltwater and freshwater fish exposed. Ingestion of cigarette filters is not only a serious threat to wildlife; thousands of children and pets also experience nicotine poisoning annually by ingesting a cigarette filter.

### PROBLEM

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Local and state agencies deal with sizable costs due to discarded cigarette filters and all-in-one disposable vapes, with annual estimates in the tens of millions for large municipalities. In 2009, San Francisco spent nearly \$10 million on cigarette filter cleanup, and public agencies are spending more than \$41 million annually on sanitation services for cigarette filters alone. Stormwater agencies pay for violations and costs to implement effective capture systems and protect water quality. Additionally, schools must collect discarded vapes as hazardous waste, which is a costly burden to under-resourced schools.

As of January 2021, the cities of Beverly Hills and Manhattan Beach banned the sale of tobacco products. In December 2021, the State Recycling Commission adopted policy recommendations that single-use products containing lithium-ion batteries, such as vaping products, should be banned. The Ocean Protection Council just released the draft Statewide Microplastics Strategy, which included the recommendation to prohibit the sale of single-use tobacco products, that demonstrably contribute to tobacco product plastic pollution, including but not limited to cigarette filters, electronic cigarettes plastic cigar tips, and unrecyclable tobacco product packaging. Additionally, there is a similar bill to end single-use smoking litter, moving through the New York State Legislature.

### SOLUTION

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Reusable vapes are already widely available on the market and are a less wasteful alternative to disposable products. By moving away from all-in-one disposable vapes and single-use filters on cigarettes/cigars, the smoking industry will be driven to transition their products to be more environmentally sustainable, while also ending the myth that filters are health-protective.

AB 1690 will transition the sale of single-use cigarette and cigar, and all-in-one disposable vapes to rechargeable and reusable smoking products. These products harm public health and produce litter that has lingering adverse effects on our ecosystems. Cigarette and vape litter also pass unnecessary cleanup costs onto our state and local governments. Under the provisions of the bill, violations of the sales ban can result in civil penalties of \$500 per violation and are only enforced by local prosecutorial authorities.

### CONTACT

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Judy Yee | Legislative Director  
Judy.Yee@asm.ca.gov | 916-319-2039

## SUPPORT

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National Stewardship Action Council (Sponsor)  
Action on Smoking and Health (ASH)  
African American Tobacco Control Leadership Council  
Association of California Healthcare Districts  
Breathe California of the Bay Area, Golden Gate,  
and Central Coast  
Breathe Southern California  
California Academy of Child and Adolescent  
Psychiatry (Cal-ACAP)  
Californians Against Waste  
California Product Stewardship Council  
California Resource Recovery Association  
Cigarette Butt Pollution Project  
Clean Water Action  
Corporate Accountability  
Defenders of Wildlife  
Families Advocating for Chemical and Toxics  
Safety (FACTS)  
Friends Committee on Legislation of California  
Friends of the Petaluma River  
Heal the Bay  
Human Response Network  
Merced County Regional Waste Management Authority  
Northern California Recycling Association  
Oceana  
Ocean Conservancy  
Pacific Beach Coalition  
Plastic Oceans International  
Plastic Pollution Coalition  
Recology  
Republic Services  
RethinkWaste  
Rural County Representatives of California  
Russian River Watershed Association  
San Francisco Baykeeper  
San Luis Obispo Tobacco Control Coalition  
Save the Albatross Coalition  
Save Our Shores  
Sea Hugger  
Seventh Generation Advisors  
Surfrider Foundation  
The 5 Gyres Institute  
The Center for Oceanic Awareness, Research,  
and Education (COARE)  
The Northcoast Environmental Center  
Tree People  
Upstream  
Vida Mobile Clinic  
Waste Management  
Wishtoyo Chumash Foundation  
Woodland Coalition for Green Schools  
Zero Waste Humboldt  
Zero Waste Sonoma  
Zero Waste USA

