

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, the vast majority of 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 of 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 end consumer confusion about which material is suitable for the blue bin, with a mind toward reducing contamination, lowering waste



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SOLUTION CONTINUED

volume, and 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, unless the material is actually recyclable in most California communities and is routinely sold to manufacturers to make new products. Through regulations, CalRecycle will determine which material is truly recyclable and publish a list of acceptable types on its website.

SB 343 includes a process for producers of material that does not yet meet the criteria to submit a plan to CalRecycle that demonstrates a commitment to increasing the collection, sorting, and recycling of their material. If their plan is approved they can continue to encourage consumers to put their material in the blue bins.

SUPPORT

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

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