

Assembly Bill No. 1023

CHAPTER 143

An act to add Section 42298 to the Public Resources Code, relating to recycling.

[Approved by Governor July 27, 2007. Filed with
Secretary of State July 27, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1023, DeSaulnier. Recycling: compostable and biodegradable plastic trash bags.

Existing law requires a manufacturer of plastic trash bags equal to or greater than 0.70 mil thickness to ensure either that its trash bags intended for sale in this state contain a quantity of recycled plastic postconsumer material equal to at least 10% of the weight of the regulated bags, or that at least 30% of the weight of the material used in all of its plastic products intended for sale in this state is recycled plastic postconsumer material. The manufacturer is required to obtain from its supplier of recycled plastic postconsumer material a statement containing specified information and to certify to the Integrated Waste Management Board that it is in compliance with the recycled plastic postconsumer material requirements.

Existing law prohibits a person from selling a plastic bag that is labeled as "biodegradable," "compostable," "degradable," or as otherwise specified, unless, at the time of the sale, the plastic bag meets a current American Society for Testing and Materials (ASTM) standard specification for the term used on the label.

This bill would exempt, from those requirements for plastic trash bags, a plastic bag that is labeled with one of those terms and meets the ASTM standard specification for that term.

The people of the State of California do enact as follows:

SECTION 1. Section 42298 is added to the Public Resources Code, to read:

42298. A plastic bag that is labeled with a term specified in subdivision (a) of Section 42357 and that meets the current ASTM standard specified for that term, as defined in Section 42356, is exempt from the requirements of this chapter.

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