



September 10, 2008

Hon. Arnold Schwarzenegger  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

**RE: AB 2347, Ruskin: REQUEST FOR SIGNATURE**

Dear Governor Schwarzenegger:

**The California Retailers respectfully urges your signature on AB 2347, by Assembly Member Ruskin.**

AB 2347 is a far more significant bill than it might appear: AB 2347 would enact the first “producer responsibility” legislation in California. The worldwide environmental trend towards requiring producers/manufacturers of toxic products to be responsible for the end of life of their products would begin implementation in California. The California Retailers Association supports producer responsibility for the following reasons:

- 1) Unless manufacturers are responsible for the collection, recycling and ultimate disposition of their products, there is no incentive for them to make their products “greener” or “cleaner”. Strategies such as assessing a fee at point of sale to subsidize State recycling programs do nothing to make manufacturers produce their products differently; in fact they simply create bureaucracies and leave the manufacturers with no incentive to re-engineer, re-design or reformulate.
- 2) Other strategies such as mandated retail in-store take-back, while they might work for some retail tradestyles, do not work for others. Taking hazardous products back in-store requires hazardous waste training of staff, hazardous waste hauling permits when appropriate, in-store space issues, back-store storage issues, as well as customer and clerk liability issues. Stores that sell large quantities of a certain product line that is hazardous may find these burdens worth performing as a customer service; stores that sell an incidental number of the hazardous products or devices will not find it economical to do so.

- 3) With the expansion of private labeling in retail, in many cases a retailer *will* be a manufacturer, and we are willing to take the responsibility for the end of life of these products. Our position encouraging producer responsibility is not one of deflecting responsibility—in fact, we are stepping up to accept responsibility where the retailer is the manufacturer of the product.

Thus, we urge you to sign AB 2347, which will require manufacturers of mercury-added thermostats from pre-2006 (and who currently sell non-mercury thermostats) to establish collection and recycling programs for the old mercury containing thermostats.

Thank you for your consideration of our position.

The California Retailers Association is a trade association representing major California department stores, mass merchandisers, supermarkets, chain drug and convenience stores, as well as specialty retailers such as auto, book and home improvement stores. Our members have more than 9,000 stores in California and account for more than \$100 billion in sales annually.

Sincerely,

A handwritten signature in cursive script that reads "Pamela B. Williams".

Pamela Williams  
Senior Vice President

cc: Honorable Ira Ruskin