



## **Call for E-Waste Industry to Withdraw Lawsuit** **California Governments Join in Call for Electronics Industry to Drop Lawsuit**

**FOR IMMEDIATE RELEASE**

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(Sacramento, CA – November 6, 2009) California local governments and associations joined with officials from across the country in calling on the electronics industry to withdraw its lawsuit against the New York City e-waste recycling law, describing the lawsuit as a direct challenge to state and local government efforts to protect public health and the environment.

In a [letter](#) to the Consumer Electronics Association (CEA) and the Information Technology Industry Council (ITIC), who filed the lawsuit, state and local government representatives from 18 states expressed their continued support for state and local laws that give the electronics manufacturers responsibility for financing effective takeback services for all the products they are selling in those states.

“While this lawsuit was filed against New York City, it’s a direct challenge to the ability of states to pass takeback laws on any product such as the law California passed in 2008 for [mercury thermostats](#),” said Heidi Sanborn, Executive Director of CPSC, who co-sponsored the bill. “Our state is poised to pass takeback legislation on paint ([AB 1343- Huffman](#)) and the California Product Stewardship Act ([AB 283 – Chesbro](#)) in 2010 and we hope the courts don’t undermine our work to protect the environment and public health.”

The lawsuit, filed in U.S. District Court on July 24, argues that the New York City e-waste recycling law passed in April 2008 is unconstitutional. The City’s law requires the electronics companies to collect and recycle old electronic products. Nineteen states have passed laws similar “producer takeback” laws.

According to the California Integrated Waste Management Board, the cost of collecting, recycling, and disposing of just hazardous products easily exceeds \$500 million dollars a year just in California and local governments are looking to EPR laws to not only shift costs, but to drive green design of products.

The public statement by governments is in addition to local governments in New York, Oregon and California submitting an amicus brief to the Court – providing legal arguments challenging the industry claims in the lawsuit, and in support of New York City’s right to enact the producer takeback law. Two states, Maine and Washington, have provided affidavits that were submitted as part of the New York City’s defense. The Natural Resources Defense Council (NRDC) has also intervened in the case, in support of the City’s law, and is now a party to the case.

The oral arguments in the New York City lawsuit are expected to begin in late December.

**FOR ADDITIONAL INFORMATION:**

California Product Stewardship Council: <http://www.CalPSC.org>

Copy of filings in the lawsuit:

[http://www.electronicstakeback.com/legislation/lawsuit\\_vs\\_nyc/lawsuit\\_vs\\_nyc.htm](http://www.electronicstakeback.com/legislation/lawsuit_vs_nyc/lawsuit_vs_nyc.htm)

Copy of New York City law: [http://www.electronicstakeback.com/legislation/lawsuit\\_vs\\_nyc/LL%2013.pdf](http://www.electronicstakeback.com/legislation/lawsuit_vs_nyc/LL%2013.pdf)

For information on all the state e-waste recycling laws:

[http://www.electronicstakeback.com/legislation/state\\_legislation.htm](http://www.electronicstakeback.com/legislation/state_legislation.htm)