

# Fashion companies would have to help recycle clothes under proposed California bill

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Flora Rojas, of Pasadena, shops at the Goodwill Atwater Village store in Los Angeles on Wednesday, March 1, 2023. Sen. Josh Newman wants clothing and textile manufacturers in California to boost recycling to reduce the environmental impact of the fashion industry.

Goodwill would be a key player as a site to repurpose used clothing. (Photo: Sarah Reingewirtz/Los Angeles Daily News/SCNG)

It's widely known that you're not supposed to dump unused paint down the drain or in the trash, since it's considered hazardous. Instead, you're urged to drop off partially full cans, for free, at a city collection drive or local hardware store, where the paint gets reused or safely destroyed and cans are turned into something new.

What many people might not know is that all this was set up a decade ago, by state law, when California first started to make paint manufacturers pay for recycling and keeping their products out of landfills. Similar industry-backed recycling programs apply to mattresses, carpets and pharmaceuticals sold in the state.

Now, State Sen. Josh Newman, D-Fullerton, is proposing the same sort of “stewardship program” for California’s fashion and textile industries.

The goal is to slow the tide of clothing, towels, curtains, backpacks and similar items now streaming into landfills. While an estimated 95% of that material could be reused or recycled, Newman said only about 15% of textiles currently are diverted from landfills.

“If you could put in place a more rational system, where those things got sorted more deliberately, and then, you know, shunted in the right directions, we could really decrease the amount of waste that is coming from the system.”

Senate Bill 707, or the Responsible Textile Recovery Act of 2023, would make California the first state to require its thousands of fashion manufacturers to help set up free collection sites in every county where consumers can drop off unwanted items. Used clothes would be sorted, with items in good condition sent for donation to nonprofits such as shelters or Goodwill, and items with, say, loose zippers or small tears, would be sent to repair shops before going to those nonprofits. Used clothes deemed unsuitable for resale would be targeted for recycling, with designated centers breaking down fabrics into raw materials that could be made into new textiles.

- Vihaney Garate sorts incoming clothes at the Goodwill Atwater Village store in Los Angeles on Wednesday, March 1, 2023. Sen. Josh Newman wants clothing and textile manufacturers in California to boost recycling to reduce the environmental impact of the fashion industry. Goodwill would be a key player as a site to repurpose used clothing. (Photo: Sarah Reingewirtz/Los Angeles Daily News/SCNG)
- Erica Flag entertains her 14-month-old daughter at the Goodwill Atwater Village store in Los Angeles on Wednesday, March 1, 2023. Sen. Josh Newman wants clothing and textile manufacturers in California to boost recycling to reduce the environmental impact of the fashion industry. Goodwill would be a key player as a site to repurpose used clothing. (Photo: Sarah Reingewirtz/Los Angeles Daily News/SCNG)
- Flora Rojas, of Pasadena, shops at the Goodwill Atwater Village store in Los Angeles on Wednesday, March 1, 2023. Sen. Josh Newman wants clothing and textile manufacturers in California to boost recycling to reduce the environmental impact of the fashion industry. Goodwill would be a key player as a site to repurpose used clothing. (Photo: Sarah Reingewirtz/ Los Angeles Daily News/SCNG)

- Gino Issa, of Los Angeles, shops at the Goodwill Atwater Village store in Los Angeles on Wednesday, March 1, 2023. Sen. Josh Newman wants clothing and textile manufacturers in California to boost recycling to reduce the environmental impact of the fashion industry. Goodwill would be a key player as a site to repurpose used clothing. (Photo: Sarah Reingewirtz/ Los Angeles Daily News/SCNG)
- Shoppers head to the Goodwill Atwater Village store that includes an outlet store in Los Angeles on Wednesday, March 1, 2023. Sen. Josh Newman wants clothing and textile manufacturers in California to boost recycling to reduce the environmental impact of the fashion industry. Goodwill would be a key player as a site to repurpose used clothing. (Photo: Sarah Reingewirtz/Los Angeles Daily News/SCNG)
- Shoppers leave the Goodwill Atwater Village store in Los Angeles on Wednesday, March 1, 2023 as they pass recycled fabric art. Sen. Josh Newman wants clothing and textile manufacturers in California to boost recycling to reduce the environmental impact of the fashion industry. Goodwill would be a key player as a site to repurpose used clothing. (Photo: Sarah Reingewirtz/Los Angeles Daily News/SCNG)
- Gino Issa, of Los Angeles, shops at the Goodwill Atwater Village store in Los Angeles on Wednesday, March 1, 2023. Sen. Josh Newman wants clothing and textile manufacturers in California to boost recycling to reduce the environmental impact of the fashion industry. Goodwill would be a key player as a site to repurpose used clothing. (Photo: Sarah Reingewirtz/Los Angeles Daily News/SCNG)

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And in the same way that California's clout as the fifth largest economy in the world helps set clean air standards for the global auto industry, Newman hopes his legislation might have similar implications for the fashion industry worldwide. Because if the bill passes, clothing brands around the world — from Adidas to Zac Posen — would have to buy into California's recycling program as soon as 2026, or face the prospect of losing access to nearly 40 million California customers.

“Otherwise,” Newman said, “what’s the incentive?”

The proposal already is drawing sharp criticism from the head of one of California's main industry trade groups. Ilse Metchek, president of the California Fashion Association, called the legislation “useless.”

“This bill will do nothing to help the problem except give people a lot of work to do,” she said.

Such pushback did not surprise Newman. Talk around legislation to boost battery recycling started more than a decade ago. After multiple refinements, incorporating input from battery manufacturers and sellers, that legislation finally passed last year.

In some ways, he acknowledged, the fashion industry is even more complex.

“We’re at the beginning of what is always a fairly complicated and deliberately laborious legislative process. And lots can change,” Newman said. “My goal, as the author here, is to find the best common ground among all the various affected participants so that we come out of this with something that is actionable and workable and that the governor signs.”

## **Pressure builds**

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The fashion industry has been under increasing pressure to reduce its overall environmental impact, from water use to greenhouse gases. While solid data is hard to come by, different sources estimate that clothing accounts for anywhere from 2% to 10% of global carbon emissions throughout the lifecycle of products, from growing the cotton or creating other needed raw materials, to manufacturing the items, to shipping them to retailers — and to where they ultimately end up after customers are done with them.

Stories have spread of high-end brands like Burberry burning millions of dollars in unsold products to prevent them from being devalued on the second-hand or illicit markets. On the other end of the spectrum, so-called “fast fashion” brands, such as Shein and Temu, are getting heat for making products so cheap that buyers treat them as disposable.

Consumers, with support from environmental advocates, are starting to push back. One example could be seen in a corner of the “deinfluencing” movement that picked up steam on TikTok and other social media platforms in late January, with some popular trend-setters using their platforms to encourage their followers *not* to buy fast fashion because it’s bad for the planet.

At the same time, a growing focus on sustainability has created a massive market for rented and used clothing. High-end items might go to sites such as Rent the Runway or The RealReal, while other items go to sites like ThredUp or Poshmark, or to thrift stores. And then there’s the rise of “zero waste” and “buy nothing” movements, where people swap clothing and other goods for free.

Such trends are one reason Metchek, with the California Fashion Association, deemed Newman’s proposed legislation “monumentally stupid.”

“There is a very good system already in place,” Metchek said.

She said manufacturers naturally try to avoid sending anything to the incinerator or a landfill, since that represents a complete loss for them. In Los Angeles, for example, she said they might take pennies per item to give excess inventory to Goodwill or to the Midnight

Mission shelter. But sometimes she said it's necessary for companies to destroy products to protect their brand. And Metchek argued that's "none of anybody's business."

Metchek instead pointed the finger at consumers, arguing most clothing ends up in landfills when individuals throw it away or leave it at Goodwill or Salvation Army, where it may never sell. "Where does it go from there? And why is it the manufacturer's problem?"

Goodwill takes multiple steps to avoid letting donated goods end up in landfills, said Marla Eby with Goodwill Southern California, which covers much of Los Angeles County as well as Riverside and San Bernardino counties. First, Eby said, Goodwill tries to sell items through their retail stores, boutiques and online. Unsold items from then go to outlet stores. And whatever doesn't sell there goes to third-party resellers, who might turn unsold or damaged items into rags needed by car washes and auto shops.

Through those efforts, Eby said, Goodwill SoCal keeps more than 130 million pounds of items out of landfills each year.

But Doug Kobold, executive director of the California Product Stewardship Council, which is sponsoring SB 707, said it's not fair that the cost of managing unusable and unwanted textiles has fallen entirely on thrift and secondhand markets "while producers keep making products with no plan for what to do with them when they are no longer wearable."

And despite the best efforts of organizations like Goodwill, each year, the average U.S. consumer throws away more than 81 pounds of clothing — an increase of 55% per capita over the past two decades. Textiles are the sixth most common material in the overall waste stream, CalRecycle says, making up 4% of all landfilled waste.

Clearly, Newman argued, a more comprehensive solution is needed.

After Oregon passed the first stewardship program laws for paint in 2009, that industry saw the writing on the wall. A national paint trade group formed a nonprofit called PaintCare that now oversees paint collection, reuse and recycling programs across ten states that have passed similar programs. The nonprofit reports that it has collected 63 million gallons of paint in a little more than a decade.

Newman hopes California can do for the fashion sector what Oregon did for the paint sector, spurring creation of a national nonprofit to oversee clothing recycling.

## **Recycling challenges**

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If that happens, entrepreneur Gareth Amon said his recycling business is ready.

Amon started out more than a decade ago in the electronics recycling sector, building a business that eventually recycled some 30 million pounds of electronic waste a year. When he looked at where the next big boom might be, he zeroed in on textiles. Now he runs a

multipronged business under the umbrella name RecyclingQuotes.com that recycles textiles at a facility in Atlanta, with some of his biggest clients California-based clothing manufacturers.

Amon's Clothing Take Back program offers businesses a similar model to what California is pitching in Newman's proposed legislation. His company provides bins that can be set up at a manufacturer or retail store, where consumers can return unwanted items. His team then arranges for pickup and transport to his Atlanta site, where the old clothes can be sorted for reuse or recycling. That typically means using heavy machinery to shred the clothing for rags or repurpose the fibers in other products, such as stuffing for furniture, insulation or carpet padding.

Some companies aren't waiting for lawmakers to require them to recycle textiles. Brands like Patagonia have been leading the way by pivoting to using recycled materials. One big ecommerce brand collected unwanted items and had Amon's team recycle the fabric into yarn that was made into socks to give to the homeless, while a footwear company had his team separate out the polyester in unwanted shoes to make swimsuits.

Recycling textiles is complicated business, though. Metchek noted how that many fabrics are actually mixed materials, making it tough and pricey to sort out, say, pure cotton, for another project. Then there are the zippers and buttons and other trims that get in the way. Unless someone is paid to take those all off by hand, she said, many materials are unsuitable for recycling.

Amon declined to discuss how his company handles such problems, citing a proprietary process. But he said more technology is needed to help the industry address those issues and to make textile recycling scale up in a major way.

Newman said he hopes his law would help drive demand, motivating the textile recycling industry to grow and develop new solutions.

"In its current patchwork form, you're not going to have the economies of scale or the incentives to do this," Newman said. "But if you can create a streamlined system, absolutely. They will solve the problems."

## **Bill on the table**

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Under Newman's bill, the state would need to adopt regulations for a textile stewardship program by Dec. 31, 2025. Within 12 months, the industry would need to submit a plan to comply, at which point CalRecycle would start listing up-to-code businesses on its website to let retailers know which products are clear to sell in California.

The legislation calls for the industry (presumably through a joint nonprofit, as with the paint sector) to help establish a minimum of 10 collection sites per county, or one collection site for every 25,000 people, with exceptions for counties with fewer than 100,000 residents. That will certainly include existing collectors, Newman said, such as thrift stores or those big bins some schools have set up for donated items. And Nicole Suydam, CEO of Goodwill of Orange County and chair of the California Council of Goodwills, said her organization is looking forward to working with Newman on those plans.

The proposal also calls for the industry group to spell out plans for collecting and transporting items from collection sites to an authorized sorter, or directly to an authorized repair business or recycling facility.

The bill also would require a public education campaign, to let residents know about collection sites and how the program works. And the industry, or a group created to run the program, would need to provide data for an annual report to tracks all of those efforts.

There's no hard estimate for how much all of this will cost manufacturers, Newman said, since it'll be up to each company to decide whether to establish its own stewardship plan or buy into a joint agency to manage it all. But manufacturers who knowingly violate the rules could be fined up to \$50,000 per day.

While paint customers are charged a small fee at the register to help fund recycling efforts in that sector, it would be up to clothing and textile manufacturers to carry the costs of this program. But since those increased costs will likely be passed along to consumers, that may wind up being a difference with little distinction.

Since Newman just introduced the bill Feb. 16, it's still waiting to be assigned to a committee for an initial hearing, with action expected on or after March 16.

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