



March 18, 2021

The Honorable Luz Rivas
Chair
Assembly Natural Resources Committee
Room 2160
State Capitol
Sacramento, CA 95814

RE: AB 1201 (Ting) Solid waste: plastic products: labeling: compostability and biodegradability (SUPPORT)

Dear Chairwoman Rivas:

On behalf of the undersigned organizations, we are pleased to support AB 1201, which would ensure that only products that are capable of being composted in real-world compost facilities are labeled “compostable.” As California moves towards its aggressive 75% statewide diversion goal for organic material by 2025, composting will continue to grow as a critical component of our waste diversion infrastructure. At the same time, the legislature, local governments, and individual businesses have taken action on the plastics pollution crisis and are moving towards requiring the use of packaging that is reusable, recyclable, or compostable. However, the standards for labeling products “compostable” were not designed with contemporary composting infrastructure in mind, which often means these products must be sent to the landfill. Before we see an increase in compostable packaging used throughout the state, we need to ensure that products flowing through our local organics programs help, not hinder, our burgeoning infrastructure.

CalRecycle’s SB 1383 regulations will require every jurisdiction in California to begin collecting food scraps, the majority of which will go to compost facilities. These programs will begin January 1, 2022 for most jurisdictions in the state. It is our experience that many jurisdictions want to include compostable packaging and products (e.g. compostable trash bags) in their programs in the interest of increasing customer convenience. However, because facilities cannot

tell the difference between compostable and conventional plastics, most of this material must be excluded at the beginning of the compost process and sent to landfill. Compostable products can also interfere with the quality of the compost and our ability to market it to agricultural customers. The costs of managing the incremental processing and disposal of allegedly “compostable” products are a significant burden on both existing and nascent programs at a time when they can least afford it. Delays in taking action to address the faults with compostable products will lead to otherwise avoidable increases in disposal, and associated costs, across California.

AB 1201 would ensure that compostable products meet existing design standards used by a significant portion of the compostable packaging industry; meet the California Department of Food and Agriculture’s existing standards for organic certification; prohibit the use of PFAS in compostable products; and are certified by a qualified third-party certification entity that can evaluate material health and toxicity concerns at the source.

AB 1201 would also allow CalRecycle to adopt regulations to help consumers and solid waste facility operators distinguish compostable from non-compostable products, reducing contamination and facilitating better local customer education. For these reasons, we support AB 1201.

Sincerely,



Kelly Astor, General Counsel
California Waste Haulers Council



Joe LaMariana, Executive Director
RethinkWaste



Gary Clifford, Executive Vice President
Athens Services



Alex Oseguera, Director of Government Affairs,
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Laura Ferrante, Government Affairs Advocate
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Heidi Sanborn, Executive Director
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Christine Wolfe, Public Policy Manager
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Doug Kobold
California Product Stewardship Council

cc: Members, Assembly Natural Resources Committee
The Honorable Phil Ting
Elizabeth MacMillan, Principal Consultant, Assembly Natural Resources Committee
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