April 7, 2021

Senator Anthony J. Portantino, Chair
Senate Appropriations Committee
State Capitol, Room 4203
Sacramento, CA 95814

SUBJECT: SB 343 (Allen): Truth in Recycling Labeling - SUPPORT

Dear Senator Portantino:

We, the undersigned, write to record our support for Senate Bill 343 (Allen) as amended April 6, 2021, the Truth in Recycling Labeling Bill, which will end consumer confusion about which materials are suitable for the recycling bin, and reduce contamination in the recycling system.

Most consumers lack a clear understanding of what is recyclable or acceptable to put in the curbside “blue bin” and dutifully fill their bins with materials they believe are recyclable, especially when the material displays the “chasing arrows” recycling symbol. However, due to misinformation by labeling tactics, most materials have been falsely considered “recyclable” by consumers. This confusion contaminates and overwhelms the recycling stream, which places an
incredible strain on local recycling and waste collection systems, and leads to a less efficient, more expensive system that falls to local jurisdictions and their ratepayers. This is further exacerbated by the confusion caused by the plastic resin identification coding system (RIC), which was introduced in 1988. The RIC is the number code (1-7), that is displayed on plastic packaging, intended to be used by waste facilities to properly sort the different types of plastic. However, the chasing arrows symbol that typically surrounds the RIC falsely conveys recyclability and leads to widespread confusion for consumers when they are sorting their waste into different bins. Despite consumers dutifully placing their materials in the blue bin, less than 15 percent of single-use plastic is actually recycled, with the remainder landfilled, incinerated, or dumped into the environment.

Manufacturers have used this confusion to their advantage by greenwashing unrecyclable products and confusing consumers. According to a recent report by the Statewide Commission on Recycling Markets and Curbside Recycling, “Since consumers equate the 'recycle' word and symbol with what is accepted in curbside recycling bins, the 'recycle' word and symbol must be reserved for materials which are accepted in curbside bins and do not cause contamination.” Consumers need a reliable way of knowing what is truly recyclable.

SB 343 extends the existing “Truth in Environmental Advertising” law that prohibits the use of the word “recyclable” on unrecyclable products and the use of the “chasing arrows” symbol or any other suggestion that a material is recyclable. The use of the word “recyclable” and the “chasing arrow” symbol will be reserved for the materials that are truly recycled in most California communities and is routinely sold to manufacturers to make new products. The Department of Resources and Recycling and Recover (CalRecycle) will, through regulations, determine which materials are truly recyclable and publish a list of acceptable material types on its website. The bill includes a process for producers of material that do not yet meet the criteria to demonstrate a commitment to increasing the collection, sorting, and recycling of their material – allowing them to continue to encourage consumers to put their material in the blue bins.

SB 343 will reduce contamination in the recycling system, lower the costs for local governments and ratepayers, and empower consumers to make informed purchasing choices based on a product’s recyclability. This will encourage producers to make sustainable packaging choices, and support companies looking for a steady supply of material to invest in recycling and reprocessing facilities in California.

For these reasons, we strongly support SB 343 and urge your “Aye” vote when it is heard in the Senate Appropriations Committee.

Sincerely,

Heidi Sanborn, Executive Director
National Stewardship Action Council

Nick Lapis, Director of Advocacy
Californians Against Waste
David Stitzhal, President
Full Circle Environmental

Beverly Hanstrom, CEO/Owner
Colorado Medical Waste

Teri Cohan Link
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Katherine O'Dea
Katherine O'Dea, Executive Director
Save Our Shores

Martin Bourque, MA, Executive Director
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Anna Cummins
Anna Cummins, Interim Executive Director
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Darby Hoover, Senior Resource Specialist
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Jim Lindburg, Legislative Consultant
Friends Committee on Legislation of California

Jan Dell, Independent Engineer
The Last Beach Cleanup

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Surfrider Foundation

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Michael Gross, Director of Sustainability
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Eric Zetz, Director
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Laura Anthony, Program Coordinator
Save the Albatross Coalition

Emily Parker, Coastal and Marine Scientist
Heal the Bay

Dianna Cohen, Chief Executive Officer
Plastic Pollution Coalition

Christopher Chin, Executive Director
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Leslie Mintz Tamminen, Director
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Claudia Bill de la Pena, Mayor
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Mitchell Colbert, CEO
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Jeff Donlevy, GM of Business Development
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Jackie Nuñez, Founder
The Last Plastic Straw

Lendri Purcell, Co-Founder and President
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John Snyder, Vice President & CAO
EDCO Disposal

Tracie Bills, Executive Director
California Resource Recovery Association

Mia Davis, VP of Sustainability & Impact
Credo Beauty

Ken Etherington, Executive Director
Central Contra Costa Solid Waste Authority (RecycleSmart)

Shanny Covey, CEO
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Shira Lane, Founder and CEO
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