



The Sunshine State is poised to introduce a new Responsible Textile Recovery Act to combat unnecessary waste and promote the textile circular economy through new statutory measures.

Regulators in California point to figures outlining the textile sectors carbon emissions – estimated at a large 2% of the global total – as the reasons why the textile sector needs to up its game when it comes to waste and reuse.

This is because as textiles decompose in landfills, they contribute to more greenhouse gases emissions, leach potentially hazardous chemicals into soil and groundwater, and reinforce a linear, rather than a circular economy. All this adds up to why the disposal of textile waste has become a hot political potato around the world – not just on the west coast USA.

Nevertheless, it's the west coast of the USA that's stepping up to the plate on this global issue. According to California Senator Josh Newman, architect of the proposed new Responsible Textile Recovery Act of 2024 (SB-707), approximately 1.2 million tonnes of textiles were disposed in California in 2021 – and despite 95% of textiles being reusable or recyclable, only 15% are currently recycled or reused across the whole state – one of the USA's most progressive.

That's why Senator Newman introduced his landmark, first-in-the-country, textile recycling bill. At the end of August its path was eased further through the legislative process when it received backing from key US trade associations.

Senator Newman said: "Textile waste is a growing environmental issue that will require innovation and collaboration. This bill, and the groundbreaking programme it will enable, will make California a global leader in textile recycling and waste reduction."

The influential Apparel and Footwear Association (AAFA) initially objected to the bill but agreed to back it at the end of August after amendments tightened loopholes around online marketplaces.

Further changes also now ensure that the resale efforts of brands will be accounted for, and that their circularity partners can participate in the programme. After consultation, brand liability for counterfeit products has also been removed, a key change.

Also known as the Responsible Textile Recovery Act of 2024 (SB-707), the bill establishes a robust extended producer responsibility (EPR) programme which would make California the first US state to require producers to implement and fund a programme to facilitate the reuse, repair and recycling of clothing and textile fibres.

It has the potential to develop previously untapped or underutilised upcycling and recycling clothing and fibre markets, as well as to support ongoing state efforts to encourage the repair and reuse of clothing and textiles.

As with most California state legislation it's significant because its economy is the largest in the United States, with a \$3.987 trillion gross state product (GSP) as of 2024 – and with most global consumer brands selling vast quantities of product into the state.

A side effect is that it will also strengthen the ability of thrift stores and charities to handle unsellable garments and combat textile waste by incentivising the use of more sustainable and easier-to-recycle materials.

In a nut shell, the Responsible Textile Recovery Act would:

- require apparel and textile manufacturers to form and join a 'producer responsibility organisation' (PRO)
- require PROs to adopt regulations to implement the programme no earlier than 1 July 2028
- require PROs to submit a plan for collecting, transporting, repairing, sorting, recycling and safely managing apparel and textiles
- subject manufacturers to specified civil penalties, unless they participate in a PRO, upon approval of a plan, or 1st July 2030, whichever is earlier
- require PROs to review plans at least every five years, and to submit annual reports under penalty of perjury
- require PROs to pay fees not exceeding reasonable regulatory costs to implement and enforce the act
- establishes a Textile Stewardship Recovery Fund in the State Treasury to receive money from PROs
- authorise administrative civil penalties for violating the programme's requirements, not to exceed \$10,000 per day, or \$50,000 per day for an intentional violation

If signed into law at the end of September, which appears likely, SB-707 will be monitored by CalRecycle which partners with the state Office of the Attorney General, Department of Justice, California Department of Food and Agriculture, California Highway Patrol, and various local law enforcement agencies to pursue criminal investigations and prosecution of individuals and entities who commit programme-related fraud and abuse.

#### Next steps

Over the course of the legislative process, the bill has received widespread support – a testament to its importance and potential impact.

Douglas Hand, founding member of the fashion law firm HBA, chairman of the Fashion Institute of Technology Foundation Board, and vice-chair of the Board of Goodwill – a non-profit organisation selling second-hand apparel, told us: "At a time when the world is producing more clothing than ever before in human history, the RTRA would establish a robust extended producer responsibility programme requiring apparel producers to implement and fund a programme to facilitate the reuse, repair and recycling of clothing and textile fibres."

**“For too long, the global fashion industry has subsidised costs in the form of sub-living wages, unsafe working conditions and environmental degradation”**

"This type of regulation is required to remediate a broken fashion system financially driven to systemic overproduction and low quality. While the costs of the RTRA's implementation will trickle down to consumers, raising prices in the fashion industry, it will hopefully result in a fundamental shift in consumers relationship with clothing – from cheap and disposable to quality and valued.

"For too long, the global fashion industry has subsidised costs in the form of sub-living wages, unsafe working conditions and environmental degradation, all of which consumers have been too distanced from to personally feel."

#### Powerful network

The California Product Stewardship Council (CPSC) is a powerful network of local governments, non-government organisations, businesses, and individuals supporting policies and projects where producers share in the responsibility for managing problem products at their end of life.

The organisation's director of advocacy, Joanne Brasch, states: "The industry has really shown up for the stakeholder process for RTRA 2024. As sponsors of the bill, alongside Senator Newman, we've led countless meetings, workshops, and presentations.

"The proposed programme will provide equitable funding to reuse, repair, and recycling businesses and incentivise producers to adopt less wasteful production and greener designs."

Responding to the proposed new regulation, Mardi Ditze, US sustainability manager for Sweden-based retailer IKEA, says: "We've an ambition to become a circular business by 2030.

"To achieve this, we must partner with policymakers to support efforts in creating more circular systems for textiles and other products. We applaud Senator Newman for leading a collaborative process with industry stakeholders, and support efforts to increase textile circularity in California and across the US."

Peter Majeranowski, CEO of textile-to-textile recycling firm Circ., which works with Patagonia, Inditex, Zalando and others added: "Textile recycling is a growing industry domestically, creating jobs and reviving manufacturing in areas near recycling facilities.

"We've seen the fashion industry really step up to adopt fibres and yarns with lower impacts. We thank Senator Newman for leading in California to incentive funding for textile recycling."

The next step is for Governor Newsom to sign the bill to authorise CalRecycle to receive the directive. He has until 30 September to sign with perhaps many in the US and around the world watching and wondering if they could all be like California.

*Additional reporting from John Mowbray*