

AMENDED IN SENATE APRIL 13, 2004

SENATE BILL

No. 1749

Introduced by Senator Karnette

February 20, 2004

~~An act to relating to plastics.~~ *An act to add Section 42230.5 to, and to add Article 3 (commencing with Section 42250) to Chapter 5 of Part 3 of Division 30 of, the Public Resources Code, relating to composting.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1749, as amended, Karnette. ~~Plastics~~ *Composting.*

Existing law requires the California Integrated Waste Management Board and specified state departments to undertake various actions related to compost.

This bill would require the board to review biodegradable technologies and compostable food service products and bags, and coordinate voluntary demonstrations and testing to determine the effectiveness of using biodegradable technologies and compostable food service products and bags, as specified. The bill would require the board to publish a summary of the products and technologies and demonstrations, on its Web site on or before June 30, 2006. The bill would require the board to evaluate the performance of using various biodegradable technologies and compostable food service products and bags in simulated litter environments, and to publish the evaluation on its Web site on or before June 30, 2006. The bill would make legislative findings and declarations.

~~Existing law generally requires every rigid plastic packaging container sold or offered for sale in the state to meet one of several criteria, which include, among other things, that the container have a certain recycling rate, as specified.~~

~~This bill would declare the Legislature’s intent to examine the rigid plastics law in order to increase the recycling rate of plastics in the state.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1.— The Legislature intends to examine the rigid~~
 2 ~~plastics law in order to increase the recycling rate of plastics in the~~
 3 ~~state, over the rates required by Section 42310 of the Public~~
 4 ~~Resources Code.~~

5 *SECTION 1. The Legislature finds and declares all of the*
 6 *following:*

7 *(a) The California Integrated Waste Management Act of 1989*
 8 *(Division 30 (commencing with Section 40000) of the Public*
 9 *Resources Code) generally requires cities and counties to reduce*
 10 *the amount of material disposed in landfills in California by 50*
 11 *percent by 2000.*

12 *(b) Organic waste represents over 35 percent of the material*
 13 *disposed in landfills in California.*

14 *(c) Composting is a common practice for many types of organic*
 15 *materials.*

16 *(d) A significant amount of food waste is not composted due to*
 17 *the high cost of removing and separating food service products*
 18 *from food waste.*

19 *(e) If food service products were compostable, costs would be*
 20 *reduced and more food waste could be economically composted.*
 21 *This would help cities and counties to achieve and maintain their*
 22 *diversion goals.*

23 *(f) Litter is more than a visual blight. It is a significant*
 24 *contributor to the contamination of land and water, and poses a*
 25 *threat to state wildlife, public health, and public safety.*

26 *(g) Reduction of litter is an integral part of local governments’*
 27 *ability to comply with their trash total maximum daily load*
 28 *permits.*

29 *SEC. 2. Section 42230.5 is added to the Public Resources*
 30 *Code, to read:*

31 *42230.5. “Biodegradable product” or “compostable*
 32 *product” means a product that meets ASTM Specifications 6400*
 33 *and 6868.*



1 SEC. 3. Article 3 (commencing with Section 42250) is added
2 to Chapter 5 of Part 3 of Division 30 of the Public Resources Code,
3 to read:

4

5 Article. 3. *Biodegradable Technologies and Compostable*
6 *Products*

7 42250. (a) (1) *The board shall review biodegradable*
8 *technologies and compostable food service products and bags,*
9 *and coordinate voluntary demonstrations and testing to determine*
10 *the effectiveness of using biodegradable technologies and*
11 *compostable food service products and bags.*

12 (2) *The board shall pursue agreements with interested private*
13 *and public partners to fund and coordinate the voluntary*
14 *demonstrations and testing.*

15 (b) (1) *The board shall summarize the biodegradable*
16 *technologies and use of compostable food service products and*
17 *bags, and the voluntary demonstrations, including the*
18 *performance of various food service products and bags; cost*
19 *information; toxicity, including heavy metals; and estimated*
20 *potential diversion from landfills in the state if those products and*
21 *technologies are used.*

22 (2) *The board shall publish the summary on its Web site on or*
23 *before June 30, 2006.*

24 42251. *The board shall evaluate the performance of using*
25 *various biodegradable technologies and compostable food service*
26 *products and bags in simulated litter environments. The board*
27 *shall publish the evaluation on its Web site on or before June 30,*
28 *2006.*

