

ASSEMBLY BILL

No. 837

Introduced by Assembly Member Nestande

February 17, 2011

An act to amend Section 42310 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 837, as introduced, Nestande. Solid waste: plastic packaging containers.

Existing law requires rigid plastic packaging containers sold or offered for sale in this state to meet specified criteria, including, but not limited to, that the container be made from 25% postconsumer material.

This bill would make technical, nonsubstantive changes to that provision.

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

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

- 1 SECTION 1. Section 42310 of the Public Resources Code is
- 2 amended to read:
- 3 42310. Except as otherwise provided in this chapter, every
- 4 rigid plastic packaging container sold or offered for sale in this
- 5 state shall, on average, meet one of the following criteria:
- 6 (a) Be made from 25 percent postconsumer material.
- 7 (b) Have a recycling rate of 45 percent if it is a
- 8 product-associated rigid plastic packaging container or a single
- 9 resin type of rigid plastic packaging container, as demonstrated to

- 1 ~~the board~~ *department* by the product maker, container
2 manufacturer, or other entity. ~~The board~~ *department* may take
3 appropriate action to verify the demonstration, but ~~the board~~
4 *department* is not required to expend state funds to conduct a
5 survey or calculate the rate.
- 6 (c) Be a reusable package or a refillable package.
 - 7 (d) Be a source reduced container.
 - 8 (e) ~~Is~~ *Be* a container containing floral preservative that is
9 subsequently reused by the floral industry for at least two years.