

ASSEMBLY BILL

No. 2530

Introduced by Assembly Member Gordon

February 19, 2016

An act to add Sections 14549.3 and 14575.2 to the Public Resources Code, relating to recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 2530, as introduced, Gordon. Recycling: beverage containers.

Existing law, the California Beverage Container Recycling and Litter Reduction Act, requires that every beverage container sold or offered for sale in this state have a minimum refund value. A beverage distributor is required to pay a redemption payment to the Department of Resources Recycling and Recovery for every beverage container sold or offered for sale in the state to a dealer, and the department is required to deposit those amounts in the California Beverage Container Recycling Fund. The act defines the term “beverage” for these purposes to include certain types of products in liquid, ready-to-drink form, and also excludes specified products from the definition of “beverage.”

This bill, beginning January 1, 2018, would require a manufacturer of a beverage sold in a plastic beverage container to clearly indicate through labeling the average percentage of postconsumer recycled content in the beverage container, subject to certification by a 3rd party certification entity, as specified.

Existing law provides for the department to reduce processing fees paid by beverage manufacturers under certain circumstances.

This bill would require a beverage manufacturer to demonstrate compliance with the labeling provisions annually to the Department of Resources Recycling and Recovery, and would prohibit the department

from reducing processing fees unless the manufacturer demonstrates compliance.

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

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

1 SECTION 1. Section 14549.3 is added to the Public Resources
2 Code, to read:

3 14549.3. (a) On and after January 1, 2018, a manufacturer of
4 a beverage sold in a plastic beverage container shall clearly indicate
5 through labeling the average percentage of postconsumer recycled
6 content in the beverage container by either printing or embossing
7 the beverage container or by securely affixing a clear and
8 prominent stamp, label, or other device to the beverage container.
9 The indication of postconsumer recycled content shall follow the
10 size and format requirements described in paragraph (2) of
11 subdivision (b) of Section 2200 of Title 14 of the Code of
12 California Regulations.

13 (b) For purposes of determining and labeling the average
14 percentage of postconsumer recycled content of plastic beverage
15 containers, a manufacturer of a beverage shall utilize one or both
16 of the following approaches:

17 (1) The average amount of postconsumer recycled content in
18 all beverage containers sold by the manufacturer in the state during
19 the previous year.

20 (2) The average amount of postconsumer recycled content in a
21 specified type of beverage container.

22 (c) A third-party certification entity shall certify that the
23 manufacturer's plastic beverage containers meet the requirements
24 of this section. The third-party certification entity shall be an
25 independent, accredited (ISO/IEC 17025) laboratory.

26 (d) This section does not apply to a refillable plastic beverage
27 container.

28 SEC. 2. Section 14575.2 is added to the Public Resources Code,
29 to read:

30 14575.2. (a) A manufacturer of a beverage sold in a plastic
31 beverage container shall demonstrate compliance with Section
32 14549.3 to the department on an annual basis.

1 (b) Notwithstanding subdivision (e) of Section 14575, the
2 department shall not reduce the processing fee requirements for a
3 beverage manufacturer for a plastic container sold in this state
4 unless the manufacturer demonstrates to the department that the
5 plastic beverage container complies with the labeling requirements
6 of Section 14549.3, regardless of whether the plastic beverage
7 container is manufactured in this state.

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