CA Legislature Fails to Act On Ambitious Plastics and Circular Economy Bills

SACRAMENTO, Sept 16, 2019 — In the final week of session, the California Legislature failed to pass legislation aimed at reducing and recycling single use products and packaging.

Senate Bill 54 (Allen, Skinner, Stern, Wiener) and Assembly Bill 1080 (Gonzalez, Calderon, Friedman, Ting), companion measures known jointly as the California Circular Economy and Pollution Reduction Act, would have required manufacturers and producers to reduce product and packaging waste by 75% by 2030 through source reduction, recycling, and composting.

Despite tremendous support from the public and over 140+ organizations, including leading environmental, public health, labor, local government, waste hauler, faith-based, and business groups, the measures faced significant opposition from the plastics industry and packaging manufacturers. Without assurance of 21 votes in the State Senate and 41 votes in the Assembly, the bills were held over by the authors for consideration when the legislature returns in January.

“This plastic pollution crisis is too pressing to put off for another year, so it's really disappointing that the opposition’s disingenuous hyperbole was able to sway the legislature,” said Nick Lapis, Director of Advocacy of Californians Against Waste. “I think the public response to these bills has sent a strong signal that Californians want their legislators to take decisive action to turn the tide on plastic pollution.”

The measures were subject to intense and deceptive lobbying tactics by plastic packaging manufacturers and the California Manufacturers and Technology Association (CMTA). Novolex, one of the nation's largest manufacturers plastic bags and grocery sector packaging, created and funded the misleadingly named “Californians for Recycling and the Environment” which funded a deceptive social media campaign targeting members of the California legislature.

Similarly, CMTA distributed an anonymous Floor Alert to members of the legislature that appeared to convey support for non-controversial recycling related measures for which CMTA had no interest or position, while expressing opposition to SB 54/AB1080.

“It's telling that Plastics and Packaging Interests felt it necessary to deceive members of the legislature and disguise the source of lobbying efforts and resources in an effort to defeat California's bold plastic pollution legislation,” said Mark Murray, Executive Director of
Californians Against Waste.

The bills also enjoyed engagement from celebrities who chimed in on social media for a final push on Friday, including Jason Momoa, Jeff Goldblum, Kelly Slater, Jeff Bridges, and Alicia Silverstone.

These high-profile environmental bills will be eligible for a vote next year in January when the Legislature reconvenes for the second half of the 2019-2020 legislative sessions.

A number of other recycling related bills did pass the Legislature in the final week and now sit on the governor’s desk awaiting a signature. These include:

- **AB 792 (Ting)** – Mandates manufacturers to use recycled content in plastic beverage containers, starting with 10% by 2021 and scaling up to 50% by 2030. These standards are the most ambitious in the world, surpassing the European Union’s mandates for recycled content maxing out at 30% by 2028.
- **AB 1583 (Eggman)** – The California Recycling Market Development Act creates a “Statewide Commission on Recycling Markets and Curbside Recycling” to oversee statewide messaging on recyclability product redesign. The bill also reauthorized the Recycling Market Development Zone (RMDZ) loan program and the California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA), which provided sales tax exemptions for recycling and remanufacturing equipment. AB 1583 also eliminated an existing requirement to for all plastic products to have the “chasing arrows” symbol,
- **AB 827 (McCarty)** – Requires businesses to make composting and recycling bins accessible to customers wherever they have trash bin.
- **AB 614 (Eggman)** – Expands the Farm to Food Bank tax credit beyond fresh produce to include other staples such as rice, beans, eggs, nuts, and other goods.
- **AB 1162 (Kalra)** – Prohibits the distribution of single-use toiletries at lodging establishments.
- **AB 619 (Chiu)** – Allows customers to bring their own reusable foodservice items to restaurants and temporary food facilities.
- **AB 187 (C. Garcia)** – Updates the Used Mattress Recycling Act to increase consumer access to convenient recycling for used mattresses, including expanding free mattress pickup for consumers that purchases mattress online.
- **AB 729 (Chu)** – Revises the Carpet Recycling Act to ensure that all funds collected pursuant to the program are used to fund recycling.

These remaining 8 bills must be approved by Governor Newsom before October 13th.

*Founded in 1977, CAW is a non-profit environmental research and advocacy organization that identifies, develops, promotes and monitors policy solutions to pollution and conservation issues that pose threats to public health and the environment. CAW has pioneered and advocated for*
the implementation of many of the waste reduction and recycling policies and programs that have made California a leader in the nation. www.cawrecycles.org