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SENATE BILL

No. 54

Introduced by Senators Allen, Skinner, Stern, and Wiener
(Principal coauthors: Assembly Members Friedman and Gonzalez)
(Coauthor: Senator Wieckowski)
(Coauthors: Assembly Members *Boerner Horvath*, Carrillo, Kalra,
Kamlager-Dove, and McCarty)

December 11, 2018

An act to add Chapter 3 (commencing with Section 42040) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 54, as amended, Allen. California Circular Economy and Plastic Pollution Reduction Act.

The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste, including, among other solid waste, single-use plastic straws.

The Sustainable Packaging for the State of California Act of 2018 prohibits a food service facility located in a state-owned facility,

operating on or acting as a concessionaire on state property, or under contract to provide food service to a state agency from dispensing prepared food using a type of food service packaging unless the type of food service packaging is on a list that the department publishes and maintains on its internet website that contains types of approved food service packaging that are reusable, recyclable, or compostable.

Existing law makes a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by 2020.

This bill would enact the California Circular Economy and Plastic Pollution Reduction Act, which would require the department, before January 1, 2024, to adopt regulations that require covered entities, as defined, to source reduce, to the maximum extent feasible, single-use packaging and priority single-use plastic products, as defined, and to ensure that by 2030 all single-use packaging and priority single-use plastic products in the California market are recyclable or compostable. The bill would require those regulations to achieve, by 2030, a 75% reduction of the waste generated from single-use ~~packaging~~ *packaging*, and a 75% *reduction of the waste generated from* priority single-use plastic ~~products~~ *products*, offered for sale or sold in the state through source reduction, recycling, or composting, and would establish a policy goal to achieve, by 2030, a 75% reduction of the waste generated from all other single-use products offered for sale or sold in the state through source reduction, recycling, or composting. The bill would require covered entities to annually report specified information to the department. The bill would require the department, before adopting the regulations, to develop a scoping plan, as specified.

The bill would require the department to develop criteria to determine which types of single-use packaging or priority single-use plastic products are reusable, recyclable, or compostable. The bill would require local governments, solid waste facilities, recycling facilities, and composting facilities to provide information requested by the department for purposes of developing that criteria. By imposing additional duties on local governments, the bill would impose a state-mandated local program.

The bill would require a covered entity to demonstrate a recycling rate of not less than 20% on and after January 1, 2024, not less than 40% on and after January 1, 2028, and not less than 75% on and after January 1, 2030, as a condition of sale of single-use plastic packaging or priority single-use plastic products, and would authorize the

department to impose a higher recycling rate as a condition of sale, as specified. The bill would require the department to create, update, and post on its internet website a list of recycling rates of single-use plastic packaging and priority single-use plastic products, as specified.

The bill would require the department to report to the Legislature every 2 years its progress in implementing the bill’s provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

1 SECTION 1. Chapter 3 (commencing with Section 42040) is
2 added to Part 3 of Division 30 of the Public Resources Code, to
3 read:

4

5 CHAPTER 3. CALIFORNIA CIRCULAR ECONOMY AND PLASTIC
6 POLLUTION REDUCTION ACT

7

8 42040. This chapter shall be known, and may be cited, as the
9 California Circular Economy and Plastic Pollution Reduction Act.

10 42041. The Legislature finds and declares all of the following:

11 (a) Annual global production of plastic has reached 335 million
12 tons and continues to rise. The United States alone discards 30
13 million tons each year. Global plastic production is projected to
14 more than triple by 2050, accounting for 20 percent of all fossil
15 fuel consumption.

16 (b) Without action, projections estimate that by 2050 the mass
17 of plastic pollution in the ocean will exceed the mass of fish. A
18 study by the University of Exeter and Plymouth Marine Laboratory
19 in the United Kingdom found plastics in the gut of every single
20 sea turtle examined and in 90 percent of seabirds. Additionally,
21 plastic negatively affects marine ecosystems and wildlife, as
22 demonstrated by countless seabirds, turtles, and marine mammals,

1 including, but not limited to, whales and dolphins, dying from
2 plastic ingestion or entanglement.

3 (c) Based on data from the United States Environmental
4 Protection Agency, Institute of Scrap Recycling Industries trade
5 statistics, and industry news source Resource Recycling, the
6 national recycling rate for plastic is projected to sink from 9.1
7 percent in 2015 to 4.4 percent in 2018, and could drop to 2.9
8 percent in 2019. Even in California, less than 15 percent of
9 single-use plastic is recycled.

10 (d) Before 2017, the United States was sending 4,000 shipping
11 containers a day full of American waste to China every year,
12 including two-thirds of California's recyclable materials. However,
13 China has implemented the Green Fence, National Sword, and
14 Blue Sky policies, severely restricting the amount of contaminated
15 and poorly sorted plastics it would accept. This shift in China's
16 policy has resulted in the loss of markets for low-value plastic
17 packaging that was previously considered recyclable. That material
18 is now being landfilled or burned.

19 (e) Additionally, the foreign market for recycled paper has
20 collapsed in California. Foreign exports of mixed paper fell from
21 over 400,000 tons in the first quarter of 2017 to just 136,000 tons
22 in the first quarter of 2018. The price of mixed paper fell from
23 ninety-five dollars (\$95) per ton to just ten dollars (\$10) a ton in
24 the same timeframe.

25 (f) The loss of markets for recyclable material has added huge
26 costs to local governments for the disposal and diversion of
27 material. For many cities, counties, and waste haulers in California,
28 recycling has turned from a profitable business into an activity
29 that actually costs local governments money. These costs are being
30 absorbed by city general funds or by rate increases on residents
31 for waste collection.

32 (g) The environmental and public health impacts of plastic
33 pollution are devastating and the environmental externalities and
34 public costs of cleaning up and mitigating plastic pollution are
35 already staggering and continue to grow.

36 (h) Local governments in California annually spend in excess
37 of four hundred twenty million dollars (\$420,000,000) in ongoing
38 efforts to clean up and prevent plastic and other litter from entering
39 our rivers and streams and polluting our beaches and oceans.

1 (i) Evidence now shows that even our own food and drinking
2 water sources are contaminated with plastic. Microplastics have
3 been found in tap water, bottled water, table salt, and fish and
4 shellfish from local California fish markets. A growing body of
5 research is finding plastic and associated toxins throughout the
6 food web, including in our blood, feces, and tissues. Exposure to
7 these toxins has been linked to cancers, birth defects, impaired
8 immunity, endocrine disruption, and other ailments.

9 (j) It is the policy goal of the state that not less than 75 percent
10 of solid waste generated be source reduced, recycled, or composted
11 by the year 2020. However, as of 2017, the state was only on track
12 to reach 44 percent, falling far short of this important goal.
13 Additionally, the state has done little to require businesses to reduce
14 the amount of packaging and single-use product waste they
15 generate in California.

16 (k) As the fifth largest economy in the world, California has a
17 responsibility to lead on solutions to the growing plastic pollution
18 crisis, and to lead in the reduction of unnecessary waste generally.

19 (l) Further, businesses selling products into California have a
20 responsibility to ensure that their packaging and products are
21 minimizing waste, including ensuring materials used are reusable,
22 recyclable, or compostable. This responsibility includes paying
23 for the cost of the negative externality of recovery for materials
24 they sell in California.

25 42042. (a) Before January 1, 2024, the department shall, in
26 consultation with all relevant state agencies with jurisdiction over
27 sources of waste in California, and local jurisdictions and regional
28 agencies charged with meeting waste diversion goals, adopt
29 regulations that do all of the following:

30 (1) (A) Require covered entities to source reduce single-use
31 packaging to the maximum extent feasible.

32 (B) Require covered entities to ensure that by 2030 all single-use
33 packaging in the California market is recyclable or compostable
34 as determined by the department pursuant to Section 42044.

35 (2) (A) Require covered entities to source reduce priority
36 single-use plastic products to the maximum extent feasible.

37 (B) Require covered entities to ensure that by 2030 priority
38 single-use plastic products in the California market are recyclable
39 or compostable as determined by the department pursuant to
40 Section 42044.

1 (3) ~~Achieve~~*Achieve, by 2030, a 75-percent reduction by 2030*
2 of the waste generated from single-use ~~packaging~~ *packaging*, and
3 *a 75-percent reduction of the waste generated from priority single*
4 ~~use single-use plastic products~~ *products*, offered for sale or sold
5 in the state through source reduction, recycling, or composting.

6 (b) (1) Before adopting the regulations, the department shall
7 develop a scoping plan for meeting the requirements of this section.

8 (2) As part of the scoping plan, the department shall conduct
9 extensive outreach to stakeholders. This outreach shall include,
10 but is not limited to, all of the following:

11 (A) Convening a series of public workshops throughout the
12 state to give interested parties an opportunity to comment.

13 (B) Convening a series of stakeholder meetings designed to
14 facilitate dialogue between stakeholders representing different
15 interest groups such as local governments, the solid waste and
16 recycling industries, product and packaging manufacturers,
17 retailers, trade associations, and environmental organizations.
18 These meetings shall be held throughout the state to increase the
19 opportunity for participation and shall inform the development of
20 regulations pursuant to this section.

21 (3) As part of the scoping plan, the department shall evaluate
22 the feasibility of employing the following regulatory measures:

23 (A) Developing incentives and policies to maximize and
24 encourage in-state manufacturing using recycled material generated
25 in California.

26 (B) Developing economic mechanisms to reduce the distribution
27 of single-use packaging and priority single-use plastic products.

28 (C) Discouraging, to the extent feasible, the litter, export, or
29 improper disposal of single-use packaging, products, and other
30 materials likely to harm the environment or public health in
31 California or elsewhere in the world.

32 (D) Requiring individuals or entities, including, but not limited
33 to, brokers, processors, and sorting facilities, to notify the
34 department prior to the export of unprocessed plastic for recycling
35 in a country that is not a member of the Organization for Economic
36 Cooperation and Development.

37 (E) Establishing labeling requirements regarding the
38 recyclability or compostability of single-use packaging and *priority*
39 *single-use plastic* products. Labeling may reflect whether the
40 packaging or product can be readily recycled or composted and

1 whether the packaging or product is likely to contaminate other
2 recyclable or compostable material or complicate processing.

3 (F) Adopting model best practices for ~~manufacturers and~~
4 ~~retailers~~ *covered entities* to reduce packaging waste, including
5 through the creation of effective and convenient take-back
6 opportunities, deposit systems, reusable and refillable delivery
7 systems, or similar mechanisms.

8 (G) Developing alternative compliance mechanisms for
9 ~~manufacturers and retailers~~, *covered entities*, including market
10 mechanisms that reduce the overall material usage across a
11 company's product line or between multiple manufacturers of
12 similar products.

13 (H) Adopting actions identified through the California Ocean
14 Litter Prevention Strategy and the Statewide Microplastics Strategy.

15 (I) Establishing an extended producer responsibility program
16 to require ~~manufacturers and retailers~~ *covered entities* to contribute
17 to the costs associated with processing the single-use packaging
18 and *priority single-use plastic* products they produce.

19 (J) Establishing criteria for the source reduction requirements
20 specified in subdivision (a), including reducing weight, volume,
21 or quantity of single-use packaging and *priority single-use plastic*
22 product material in a way that does not decrease the ability of the
23 material to be recycled or reused.

24 (K) Establishing minimum postconsumer recycled content
25 requirements for single-use packaging and *priority single-use*
26 *plastic* products.

27 (c) The department may identify single-use packaging or priority
28 single-use plastic products that, while determined to be single use
29 for purposes of this chapter, present unique challenges in
30 complying with this chapter. For any packaging or products
31 identified as presenting those unique challenges, the department
32 shall develop a plan to phase the packaging or products into the
33 regulations.

34 (d) The regulations shall include a mechanism for accounting
35 for the total statewide generation of single-use packaging and
36 priority single-use plastic products in order to set a baseline amount
37 for waste generation from these sources.

38 (e) (1) The department shall require a covered entity to annually
39 report all of the following information to the department for the

1 covered entity’s single-use packaging and priority single-use plastic
2 products:

3 (A) The quantity, weight, volume, and type of single-use
4 packaging and *priority single-use plastic* product materials sold
5 *or distributed* into California by the covered entity annually.

6 (B) The quantity, weight, volume, and type of material source
7 reduced by the covered entity annually.

8 (C) Any other data the department deems necessary to establish
9 a baseline for waste generation and subsequent source reduction
10 by a covered entity.

11 (2) Any market sensitive data received by the department
12 pursuant to this subdivision shall be held confidentially by the
13 department to the extent required by existing law.

14 (3) The department ~~may~~ *shall* create an online registration form
15 to facilitate submitting reports pursuant to this subdivision.

16 (4) The department may audit reports submitted pursuant to this
17 subdivision to ensure compliance with this chapter.

18 (5) *Covered entities shall submit the information required by*
19 *the department pursuant to paragraph (1) using the format*
20 *established by the department pursuant to paragraph (3).*

21 (f) The regulations shall include direct source reductions of
22 single-use packaging and priority single-use plastic products to
23 the maximum extent feasible, in accordance with subdivision (a),
24 as follows:

25 (1) To determine the amount of source reduction required
26 pursuant to the regulations, the department shall establish a baseline
27 for each covered entity using the last three years of packaging
28 material and product data sold by that covered entity into or in the
29 State of California. For purposes of this chapter, source reduction
30 shall not include replacing a recyclable or compostable material
31 with a nonrecyclable or noncompostable material, and shall not
32 include a shift to plastic material. The department may consider
33 single-use packaging and *priority single-use plastic* product
34 reductions achieved by a covered entity before the effective date
35 of the regulations if the covered entity can demonstrate to the
36 satisfaction of the department that the covered entity reduced the
37 single-use packaging or *priority single-use plastic* product in a
38 manner consistent with this chapter.

39 (2) To determine which source reduction measures to implement,
40 the department shall consider which single-use packaging ~~is~~ *and*

1 *priority single-use plastic products are* prone to become litter, ~~has~~
2 *have* readily available alternatives, ~~makes~~ *make* up a significant
3 portion of the waste stream, or ~~has~~ *have* established, or the potential
4 for, recycling or composting infrastructure.

5 (3) When establishing the source reduction measures, the
6 department shall avoid incentivizing ~~regrettable substitutions.~~
7 *substitutions that may have a more substantial negative impact on*
8 *the environment.*

9 (4) In developing the regulations, the department shall count a
10 covered entity's source reductions achieved to comply with Chapter
11 5.5 (commencing with Section 42300) toward compliance with
12 this chapter.

13 (g) If the department determines that early actions to source
14 reduce certain single-use packaging and priority single-use plastic
15 products can further the purposes of this chapter, the department
16 may adopt regulations to achieve those reductions.

17 (h) In developing the regulations, the department shall consider
18 all relevant information on reduction programs in other states,
19 localities, and nations, including, but not limited to, the European
20 Union, India, Costa Rica, and Canada.

21 (i) As an alternative compliance mechanism, the department
22 may allow covered entities to comply with the regulations through
23 alternative methods. The department shall provide technical
24 guidance and outreach to these covered entities to help them
25 identify packaging and product reform solutions to achieve the
26 ~~requirements.~~ *requirements of the alternative methods.*

27 (j) The department shall ensure that any regulations adopted
28 pursuant to this chapter account for health and safety as required
29 by the United States Food and Drug Administration.

30 42043. (a) Consistent with the policy goal established in
31 Section 41780.01, it is the policy goal of the State of California
32 that, by 2030, covered entities achieve a 75-percent reduction of
33 the waste generated from single-use products offered for sale or
34 sold in the state that are not priority single-use plastic products
35 through source reduction, recycling, or composting.

36 (b) In accordance with the policy goal established in subdivision
37 (a), it is the intent of the Legislature that covered entities do all of
38 the following for single-use products that are not priority single-use
39 plastic products:

1 (1) Source reduce those products, and transition those products
2 to reusable products, to the maximum extent feasible.

3 (2) Ensure those products are recyclable or compostable, as
4 determined by the department pursuant to Section 42044.

5 (3) For single-use plastic products that are not priority single-use
6 plastic products and that are offered for sale or sold in California,
7 reduce waste generation by 75 percent through combined source
8 reduction and recycling.

9 42044. (a) In adopting regulations pursuant to Section 42042,
10 the department shall develop criteria to determine which types of
11 single-use packaging or priority single-use plastic products are
12 reusable, recyclable, or compostable.

13 (b) For purposes of determining if single-use packaging or
14 priority single-use plastic products are recyclable, the director shall
15 consider, at a minimum, all of the following criteria:

16 (1) Whether the single-use packaging or priority single-use
17 plastic product is eligible to be labeled as “recyclable” in
18 accordance with the uniform standards contained in Article 7
19 (commencing with Section 17580) of Chapter 1 of Part 3 of
20 Division 7 of the Business and Professions Code.

21 (2) Whether the single-use packaging or priority single-use
22 plastic product is regularly collected, separated, and cleansed for
23 recycling by recycling service providers.

24 (3) Whether the single-use packaging or priority single-use
25 plastic product is regularly sorted and aggregated into defined
26 streams for recycling processes.

27 (4) Whether the single-use packaging or priority single-use
28 plastic product is regularly processed and reclaimed or recycled
29 with commercial recycling processes.

30 (5) Whether the single-use packaging or priority single-use
31 plastic product material regularly becomes feedstock that is used
32 in the production of new products.

33 (6) Whether the single-use packaging or priority single-use
34 plastic product material is recycled in sufficient quantity, and is
35 of sufficient quality, to maintain a market value.

36 (c) For purposes of determining if single-use packaging or
37 priority single-use plastic products are compostable, the director
38 shall consider, at a minimum, all of the following criteria:

39 (1) Whether the single-use packaging or priority single-use
40 plastic product will, in a safe and timely manner, break down or

1 otherwise become part of usable compost that can be composted
2 in a public or private compost facility designed for and capable of
3 processing postconsumer food waste and food-soiled paper.

4 (2) Whether the single-use packaging or priority single-use
5 plastic product made from plastic is certified to meet the ASTM
6 standard specification identified in either subparagraph (A) or (C)
7 of paragraph (1) of subdivision (b) of Section 42356 and adopted
8 in accordance with Section 42356.1, if applicable.

9 (3) Whether the single-use packaging or priority single-use
10 plastic product is regularly collected and accepted for processing
11 at public and private compost facilities.

12 (4) Whether the single-use packaging or priority single-use
13 plastic product is eligible to be labeled as “compostable” in
14 accordance with the uniform standards contained in Article 7
15 (commencing with Section 17580) of Chapter 1 of Part 3 of
16 Division 7 of the Business and Professions Code.

17 (d) (1) In implementing this section, the department may consult
18 with local governments and representatives of the solid waste
19 industry, the recycling industry, the compost industry, and
20 single-use product and packaging manufacturers to determine if a
21 type of single-use packaging or priority single-use plastic product
22 is recyclable, reusable, or compostable.

23 (2) Local governments, solid waste facilities, recycling facilities,
24 and composting facilities shall provide information requested by
25 the department pursuant to paragraph (1) to the department.

26 42045. (a) A covered entity shall demonstrate the following
27 recycling rates as a condition of sale of single-use plastic packaging
28 or priority single-use plastic products:

29 (1) On and after January 1, 2024, not less than 20 percent.

30 (2) On and after January 1, 2028, not less than 40 percent.

31 (3) On and after January 1, 2030, not less than 75 percent.

32 (b) Notwithstanding subdivision (a), the department may impose
33 a higher recycling rate as a condition of sale of single-use plastic
34 packaging or priority single-use plastic products by a covered
35 entity as needed to achieve the requirements established in Section
36 42042.

37 (c) (1) The department shall create and post on its internet
38 website a list of recycling rates by material type and form of
39 single-use plastic packaging and priority single-use plastic

1 products. In creating the list, the department may consider data
2 gathered pursuant to any of the following:

- 3 (A) Chapter 746 of the Statutes of 2015.
- 4 (B) Chapter 6 (commencing with Section 42370).
- 5 (C) Chapter 395 of the Statutes of 2016.
- 6 (D) Chapter 5.5 (commencing with Section 42300).
- 7 (E) Division 12.1 (commencing with Section 14500).
- 8 (F) Data received from local jurisdictions.

9 (2) A covered entity may comply with subdivision (a) by
10 submitting to the department evidence that the particular type of
11 single-use plastic packaging or priority single-use plastic product
12 meets the applicable recycling rate threshold established in
13 subdivision (a) by reference to a recycling rate on the department's
14 list or through another mechanism approved by the department.

15 (3) The department shall regularly, but no less than once every
16 three years, evaluate the list of recycling rates to determine whether
17 the recycling rates are still accurate. After evaluation, the
18 department may amend the list to remove, add, or change recycling
19 rates. The department shall post any updates to the list on its
20 internet website.

21 (4) A covered entity that seeks to have its recycling rate included
22 or changed on the list may be required by the department to submit
23 data for purposes of the department's determination of the recycling
24 rate to include on the list.

25 (5) Development of, publication of, and updates made to the
26 list pursuant to this subdivision are exempt from Chapter 3.5
27 (commencing with Section 11340) of Part 1 of Division 3 of Title
28 2 of the Government Code.

29 (d) The department may audit demonstrations made pursuant
30 to subdivision (a) to ensure compliance with this chapter.

31 (e) For purposes of this section, "recycling rate" means the
32 percentage, as measured by weight, volume, or number, of
33 single-use plastic packaging or priority single-use plastic products
34 sold or offered for sale in the state that is recycled over a three-year
35 rolling period, as determined by the department. Recycling rate
36 may be measured by either of the following:

37 (1) A particular type of single-use plastic packaging or priority
38 single-use plastic product, such as a thermoformed or molded
39 container, soft drink container, or detergent bottle.

40 (2) A single resin type, as specified in Section 18015.

1 42045.5. *The department shall report to the Legislature in*
2 *compliance with Section 9795 of the Government Code every two*
3 *years its progress in implementing this chapter.*

4 42046. (a) For purposes of this chapter, the following
5 definitions apply:

6 (1) (A) “Covered entity” means the person or company that
7 manufactures the single-use packaging or single-use product that
8 is sold *or distributed* in or into the state.

9 (B) If there is no person or company that meets the description
10 in subparagraph (A) in the state, the covered entity is the person
11 or company that imports the single-use packaging or single-use
12 product into the state for sale or distribution.

13 (C) If there is no person or company that meets the description
14 in either subparagraph (A) or (B) in the state, the covered entity
15 is the person or company that sells, offers for sale, or distributes
16 the single-use packaging or single-use product in the state.

17 (2) “Packaging” means the material used for the containment,
18 protection, handling, delivery, or presentation of goods by the
19 producer for the user or consumer, ranging from raw materials
20 to processed goods. Packaging includes, but is not limited to, all
21 of the following:

22 (A) Sales packaging or primary packaging.

23 (B) Grouped packaging or secondary packaging.

24 (C) Transport packaging or tertiary packaging.

25 ~~(2)~~

26 (3) “Priority single-use plastic products” means the 10 single-use
27 plastic products, or categories of products, that are the most littered
28 in California, as determined by the department. The department
29 may reference any of the following when making this
30 determination:

31 (A) Beach cleanup surveys.

32 (B) Factors relating to total maximum daily load or stormwater
33 discharge requirements.

34 (C) International actions.

35 ~~(3)~~

36 (4) (A) “Single-use packaging” means the packaging of a
37 product when the packaging is routinely disposed of after its
38 contents have been used or unpackaged, and typically not refilled.

39 (B) Single-use packaging does not include any of the following:

1 (i) Packaging that is durable or washable, and routinely used
2 for its original purpose multiple times before disposal.
3 (ii) Packaging containing toxic or hazardous products regulated
4 by the Federal Insecticide, Fungicide, and Rodenticide Act (7
5 U.S.C. Sec. 136 et seq.).
6 (b) For purposes of this chapter, medical devices, medical
7 products, prescription drugs, and the packaging used for these
8 products, that require approval from the United States Food and
9 Drug Administration shall not be considered single-use packaging
10 or priority single-use plastic products.
11 SEC. 2. If the Commission on State Mandates determines that
12 this act contains costs mandated by the state, reimbursement to
13 local agencies and school districts for those costs shall be made
14 pursuant to Part 7 (commencing with Section 17500) of Division
15 4 of Title 2 of the Government Code.