



California Law

California Restricts Environmental Marketing Claims on Plastic Bags

If your company is conducting business in California, the new California Law (SB 1972) should be of great interest. Even if your company does not do business in the state, the law may reinforce the trend nationally for greater clarification for the average consumer regarding biodegradable and compostable product claims.

SEC. 4. Section 42357 of the Public Resources Code is amended to read:

42357. (a) (1) A person shall not sell a plastic bag in this state that is labeled with the term “compostable” or “marine degradable,” unless, at the time of sale, the plastic bag meets the applicable ASTM standard specification(ASTM D 6400-04), as specified in paragraph (1)of subdivision (b) of Section 42356.

(2) Compliance with only a section or a portion of a section of an applicable ASTM standard specification does not constitute compliance with paragraph (1).

(b) Except as provided in subdivision (a), a person shall not sell a plastic bag in this state that is labeled with the term “biodegradable,” “degradable,” or “decomposable,” or any form of those terms, or in any way imply that the bag will break down, fragment, biodegrade, or decompose in a landfill or other environment.

SECTION 1. Section 42358 is added to the Public Resources Code, to read:

42358. (a) A city, a county, or the state may impose civil liability in the amount of five hundred dollars (\$500) for the first violation of this chapter, one thousand dollars (\$1,000) for the second violation, and two thousand dollars (\$2,000) for the third and any subsequent violation.

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