

EXPLAINED:

Senate Bill 1383: Recycled Paper Procurement



Beginning January 1, 2022, SB 1383 requires jurisdictions (cities, counties, cities and counties, or special districts that provide solid waste collection services) to purchase recycled-content paper products that are recyclable.

This builds upon existing laws to purchase products that contain minimum recycled content and adds requirements on product recyclability and recordkeeping.

As examples, these product types may include, but are not limited to:

- Office Supplies: file folders, envelopes, index cards, cartons, wrapping, packaging, boxes
- Papers: copy, xerographic, watermark, note pads, and other uncoated writing papers
- Printed Materials: calendars, brochures, reports, magazines, publications, posters, newsprint
- Paper Janitorial Supplies: toilet paper, toweling, facial tissue, toilet seat covers

Jurisdictions must ensure that they are purchasing paper products and printing and writing papers that meet the following SB 1383 requirements:

- **Minimum recycled content and recyclability (described in further detail below, under the sections “Recycled-Content Requirements” and “Recyclability Requirements”)**
- **Written certification and other verification from product vendors, as applicable, certifying that the products meet the recycled-content and recyclability requirements.**

Jurisdictions must maintain records certifying the minimum recycled content and recyclability of paper purchases. CalRecycle has developed an optional Recycled-Content and Recyclable Paper Certification form, which may be used by vendors to certify one or both claims and may help jurisdictions meet their recordkeeping requirements.

Requirements for Paper Products (Postconsumer Recycled Content):

- Printing and writing paper shall consist of at least 30 percent postconsumer recycled content.
- Toilet paper shall consist of at least 45 percent postconsumer recycled content.
- Paper towels shall consist of at least 40 percent postconsumer recycled content.
- Facial tissue shall consist of at least 10 percent postconsumer recycled content.
- Toilet seat covers shall consist of at least 20 percent postconsumer recycled content.
- General purpose paper wipers shall consist of at least 40 percent postconsumer recycled content.
- Food service wares, including, but not limited to, napkins, plates, bowls, food trays, takeout boxes, placemats, etc. shall consist of at least 40 percent postconsumer recycled content.

These minimum postconsumer recycled content fiber requirements are required when:

- **Available at no greater cost than nonrecycled products, and**
- **Fitness and quality are equal to nonrecycled products.**

However, jurisdictions are not restricted from purchasing recycled-content paper products that cost more than nonrecycled products, which may support their sustainability goals or more environmentally preferable purchasing choices.

WHAT TO DO:

Senate Bill 1383: Recycled Paper Procurement

While CalRecycle states that there is no “reporting” requirement, there is a “record keeping” requirement for this component of Senate Bill 1383. Each jurisdiction must keep records of their procurement through one of the options described below.

OPTION 1: PRODUCT VENDOR CERTIFICATION

Written documentation from the product vendor certifying:

- The products are eligible to be labeled with an unqualified recyclable label, meaning that at least 60 percent of consumers or communities where the items are sold have access to recycling facilities for the products
- The minimum percentage, if not the exact percentage, of postconsumer material in the products

OPTION 2: PRODUCT VENDOR CERTIFICATION AND OTHER VERIFICATION

- Written documentation from the product vendor certifying the products are eligible to be labeled with an unqualified recyclable label, meaning that at least 60 percent of consumers or communities where the items are sold have access to recycling facilities for the products, AND
- Documentation, such as record of a product label, catalog, invoice, or a manufacturer or vendor website, that verifies the minimum percentage, if not the exact percentage, of postconsumer material in the products

CalRecycle has developed an optional “Recycled Content and Recyclable Paper Certification” form available at this link: (<https://www2.calrecycle.ca.gov/Docs/Web/120753>) for you to use with vendor certification.

Cal-Waste Recommendation:

- Utilize CalRecycle’s Recycled Content and Recyclable Paper Certification form with any vendors of paper products (URL in paragraph above).
- Review your orders for paper products from 2023 and assess which orders need to be modified in the future to reach the postconsumer recycled content requirements on the other side of this paper.
- Maintain records of all invoices, receipts, and other proofs of purchase that detail the procurement of paper products and printing and writing papers by volume and type.
- Maintain written certification from vendors for minimum recycled content.
- Maintain documentation through Option 1 or Option 2 above.