



CA SB 343 Background for the Truth in Labeling Task Force

In 2021, the California legislature passed SB 343 to address the labeling of products and packaging. The law aims to ensure that claims related to an item's recyclability are truthful and that consumers receive accurate and helpful information about recycling products and packaging. California's SB 343 declares the use of the chasing arrows symbol, the chasing arrows symbol surrounding a resin identification code, or any other mark or statement indicating recyclability to be deceptive or misleading unless the product or packaging is recyclable according to statewide recyclability criteria.

How SB 343 works

SB 343 directs the California Department of Resources Recycling and Recovery to conduct a characterization study of material types and forms collected, sorted, sold or transferred by solid waste facilities. Based on that study, CalRecycle will create a list of materials and forms of products or packaging that are eligible to be labeled recyclable in California if they also meet the additional requirements in the bill. All items on CalRecycle's list must meet both of the following criteria:

- The material type and form is collected for recycling by recycling programs for jurisdictions that collectively encompass at least 60 percent of the population of the state; and
- The material type and form is sorted into defined streams for recycling processes by large volume transfer or processing facilities (or other facilities as determined by CalRecycle) that process materials and collectively serve at least 60 percent of recycling programs statewide, with the defined streams sent to and reclaimed at a reclaiming facility consistent with the requirements of the [Basel Convention](#).

Furthermore, to be recyclable in California, a product or packaging must:

- Meet the [Association of Plastic Recyclers' APR Design® Guide](#) for recyclability (for plastic items only);
- Not include any components, inks, adhesives, or labels that prevent the product's or packaging's recyclability;
- Not contain an intentionally added chemical identified in [subparagraph \(4\) of subdivision \(g\) of Section 42370.2 of the Public Resource Code](#); and
- Not be made from plastic or fiber that contains perfluoroalkyl or polyfluoroalkyl substances (PFAS).

Notwithstanding the requirements laid out above, a product or packaging is recyclable if:

- The product or packaging has a demonstrated recycling rate in California of at least 75 percent
- For non-curbside items (e.g., plastic film collected at stores), collection programs must recover and recycle at least 60% of the product or packaging before January 2030 and 75% after January 2030. If the

product or packaging does not meet these requirements, recyclability claims or symbols are not allowed.

Timeframe

On or before January 1, 2024, CalRecycle will study large volume transfer or processing facilities (or other facilities as determined by CalRecycle) in California. The subsequent report will outline what material types and forms are routinely collected, sorted, and become feedstock used to produce new products or packaging. The report will be updated in 2027 and then every five years. The department may publish additional information as it becomes available outside the five-year update period. The bill allows manufacturers up to 18 months to comply and sell existing products after CalRecycle publishes or updates its report.

Non-covered products

Products covered under stewardship programs (including carpet, mattresses, tires, electronics, batteries, cellphones, paint and mercury thermostats) can accurately instruct consumers to recycle their products without violating this law. SB 343 does not include items covered under the California bottle bill or compostability claims.

Helpful links

Association of Plastic Recyclers' APR Design® Guide - <https://plasticsrecycling.org/apr-design-guide>

Basel Convention - <http://www.basel.int/>

SB 343 full text - https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB343

More Information

Visit RecyclingAct.Oregon.gov to sign up for email notifications, announcements and more information about implementation.

Alternate formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.