SENATE COMMITTEE ON ENVIRONMENTAL QUALITY
Senator Blakespear, Chair
2025 - 2026 Regular

Bill No:	AB 1812		
Author:	Aguiar-Curry		
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Urgency:	No	**Fiscal:**	Yes
Consultant:	Alyssa Poletti		

SUBJECT: Solid waste: compostable products

DIGEST: This bill prohibits, on and after January 1, 2027, a person from selling or offering for sale a product that is labeled with the term "compostable" or "home compostable" that is made wholly or partially of plastic and updates and revises the requirements for labeling products "compostable" or "home compostable."

ANALYSIS:

Existing law:

1) Establishes a state recycling goal of 75% of solid waste generated to be diverted from landfill disposal through source reduction, recycling, and composting under the Integrated Waste Management Act of 1989 (IWMA; AB 939 (Sher)).

    a) Requires each state agency and each large state facility to divert at least 50% of all solid waste through source reduction, recycling, and composting activities. (Public Resources Code (PRC) §§ 41784, 41786)

2) Requires the state to reduce methane emissions to 40% below 2013 levels by 2030 and reduce landfill disposal of organics to 50% below 2014 levels by 2020 and 75% by 2025. (AB 1383 (Lara), Chapter 395, Statutes of 2016; Health and Safety Code (HSC) §§ 39730.5, 39730.6)

3) Establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB 54 (Allen), Chapter 75, Statutes of 2022) which requires the following of single-use plastic packaging and food service-ware 65% of covered materials be recyclable or compostable by 2032.

    a) To be considered recycled, covered materials must be sent to a responsible end market defined as "a materials market in which the recycling and recovery of materials or the disposal of contaminants is conducted in a way

that benefits the environment and minimizes risks to public health and worker health and safety." (PRC § 42040 et seq.)

4) Requires a product meet the following requirements to be labeled "compostable":

   a) The one of the following American Society for Testing and Materials (ASTM) Standard Specifications:
      i) Labeling of Plastics Designed to be Aerobically Composted in Municipal or Industrial Facilities D6400; or
      ii) Labeling of End Items that Incorporate Plastics and Polymers as Coatings or Additives with Paper and Other Substrates Designed to be Aerobically Composted in Municipal or Industrial Facilities D6868;

   b) On and after January 1, 2026, requires products that are labeled "compostable" or "home compostable" unless it satisfies all of the following:
      i) Is an allowable agricultural input under the requirements of the United States Department of Agriculture (USDA) National Organic Program (NOP);
      ii) Does not have a total organic fluorine concentration of greater than 100 parts per million, as specified;
      iii) Is labeled in a manner that distinguishes the product from a noncompostable product upon reasonable inspection by consumers and to help enable efficient processing by solid waste facilities; and,
      iv) Is designed to be associated with the recovery of desirable organic waste. (PRC § 42357)

5) Defines "ASTM standard specification" as either the ASTM standard specification for labeling of plastics designed to be aerobically composted in municipal or industrial facilities (D6400), as published in 2019 or the ASTM standard specification for labeling of end items that incorporate plastics and polymers as coatings or additives with paper and other substrates designed to be aerobically composted in municipal or industrial facilities (D6868), as published in 2019. (PRC § 42356)

6) Requires compostable plastic bags, as specified, to be readily and easily identifiable from other plastic bags in a manner that is consistent with the Federal Trade Commission (FTC) Guides for the Use of Environmental Marketing Claims (Green Guides), as specified. (PRC § 42357.5)

7) Disallows noncompostable products from using misleading terms or tints which might imply a product will decompose in a landfill or other facility. (PRC § 42357(b))

8) Requires CalRecycle to review the ASTM standards specified in PRC 42356 if they are revised, and, if the new standard is more stringent and more protective of public health, public safety, and the environment, to adopt the new standard, as specified. (PRC § 42356.1)

9) Authorizes CalRecycle to adopt an existing standard other than the prescribed ASTM standard specifications if the standard meets specified requirements. (PRC § 42356.2)

10) Requires CalRecycle to adopt regulations to establish a process and develop criteria for determining the types of food service packaging that are reusable, recyclable, or compostable. (PRC § 42370.2)

This bill:

1) Prohibits, on and after January 1, 2027, a person from selling or offering for sale a product that is labeled with the term "compostable" or "home compostable" that is made wholly or partially of plastic.

2) Revises the requirement for CalRecycle to adopt a standard other than the prescribed ASTM standards if the standard is adopted or developed by a standard-setting organization recognized by CalRecycle. Authorizes CalRecycle to adopt a standard for compostable fiber products.

3) Requires CalRecycle to consider whether food service packaging meets the requirements for compostable products that meet the ASTM standard for "End Items that Incorporate Plastics and Polymers as Coatings or Additives with Paper and Other Substrates Designed Aerobically Composted in Municipal or Industrial Facilities," as specified.

4) Revises the requirements for labeling products with the terms "compostable" or "home compostable" to remove references to the ASTM specifications and instead limits those labels to products that meet the OK compost HOME certification or a different standard adopted by CalRecycle.

5) Specifies that a fiber product that is demonstrated to not incorporate any plastics of polymers, including, but not limited to, through lamination, extrusion, or mixing, is not required to comply with specified labeling requirements, unless CalRecycle has adopted or approved a standard relevant to compostable fiber products.

6) Repeals:

   a) PRC 42281.1(1)(A) (SB 1046, Eggman, Secretary of State. Chapter 991, Statutes of 2022), which requires that precheckout compostable bags meet the standards set by PRC § 42357.5.

   b) PRC § 42357.5 (SB 228, DeSaulnier, Chapter 406, Statutes of 2010), which establishes labeling requirements for compostable plastic bags.

   c) PRC § 42356.1 (AB 1972, DeSaulnier, Chapter 436, Statutes of 2008), which requires CalRecycle to review revisions to ASTM standards and authorizes it to adopt revised standards.

7) States legislative findings and declarations relating to the scale and value of California's composting programs.

Background

1) *Organic waste in California.* SB 1383 (Lara) requires CARB to approve and implement a comprehensive SLCP strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon, by 2030. To accomplish these goals, the law specifies that the methane emission reduction goals include targets to reduce the landfill disposal of organic waste, including food, 50% by 2020 and 75% by 2025 from the 2014 level. An estimated 40 million tons of waste are disposed of in California's landfills annually.[1] 48% of landfilled material is organic waste.[2]

   The 2020 Analysis of the Progress Toward SB 1383 Organic Waste Reduction Goals from CalRecycle states that "in 2025 there will be an additional 5.5 million tons of compost and more than 14 billion cubic feet of biomethane produced as a result of SB 1383 implementation" but does not explicitly state if the 2020 waste diversion goal was met.[3] Additionally, CalRecycle reports that as of 2022, 97% of jurisdictions have residential organics collection.[4]

   SB 1383 also requires that by 2025, 20% of edible food that would otherwise be sent to landfills is redirected to feed people. Specifically, the law requires jurisdictions to establish food recovery programs and strengthen existing food recovery networks, food donors to arrange to recover the maximum amount of

[1] CalRecycle. (2021) *Disposal Facility-Based Waste Characterization Study*. https://calrecycle.ca.gov/wcs/dbstudy/
[2] CalRecycle. *Organic Materials Management*. https://calrecycle.ca.gov/organics/
[3] CalRecycle (2020) *Analysis of the Progress Toward the SB 1383 Organic Waste Reduction Goals*. https://www2.calrecycle.ca.gov/Docs/Publications/Details/1693
[4] CalRecycle, *California's Climate Progress on SB 1383.* https://calrecycle.ca.gov/organics/slcp/progress/

edible food, and food recovery organizations and services that participate in SB 1383 to maintain specified records. In 2024, 231,766 tons of edible food were recovered.[4] Since 2022, over 1 billion meals went to Californians in need.[4]

2) *What are compostable plastics?* The terms bioplastic and compostable plastic are sometimes used interchangeably; however, there is an important distinction. Compostable plastics are products which can fully decompose into non-toxic components at a commercial composting facility. Bioplastics are products made from organic feedstocks, such as plant materials, rather than petroleum feedstocks. Bioplastics do not necessarily biodegrade, nor degrade into non-toxic components.[5]

   One industry standard for compostable plastics is the ASTM Standard Specification D6400, a globally recognized biodegradation test standard. ASTM D6400 requires that a product a) breaks down into carbon dioxide, water and biomass through aerobic microbial activity at temperatures between 130 and 160^{o}F within 6 months, b) leaves no visible fragments, and c) the final compost is free from heavy metals and toxins and can support plant growth.[6]

   There are several types of compostable plastics. Common compostable plastics include: PLA, PHA, PHB, and PBAT.

   a) *PLA*. PLA, or polymerized lactic acid, is derived from plant material, such as corn, sugar, or food waste. Sugars in the plant material are fermented and the resulting lactic acid is transformed into a polymer. PLA requires 65% less energy to produce and emits 68% fewer greenhouse gases than petroleum-based plastic. Like PET (the plastic used for most bottled beverages), PLA is a thermoplastic, meaning it's moldable and malleable when heated.[7] However, PLA is brittle compared to traditional plastics and other bioplastics.[8]

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[5] Beyond Plastics (2026) *Demystifying 'Compostable' and 'Biodegradable' Plastics*. https://www.beyondplastics.org/fact-sheets/bad-news-about-bioplastics

[6] Jacobus, K. *ASTM Standards for Compostable Packaging: D6400, D6868 & What They Mean*. Good Start Packaging. https://www.goodstartpackaging.com/what-are-astm-standards/

[7] Jacobus, K. What is PLA? Everything you need to know. Good Start Packaging. https://www.goodstartpackaging.com/guide-to-pla-polylactic-acid/

[8] Correa-Pacheco Z.N., et al. (2019) *Preparation and Characterization of Bio-Based PLA/PBAT and Cinnamon Essential Oil Polymer Fibers and Life-Cycle Assessment from Hydrolytic Degradation.* Polymers (Basel). https://pmc.ncbi.nlm.nih.gov/articles/PMC7023530/

b) *PHA and PHB*. PHA and PHB (polyhydroxyalkanoates and polyhydroxybutyrates, respectively) are derived from microorganisms.[9,10] The microorganisms feed on methane to create a biopolymer.[11] In some cases, the methane is captured from landfills, thus capturing and transforming greenhouse gases into a usable material rather than heating the planet. However, PHA can also be made from traditional natural gas, in which case, PHA still depends on the traditional fossil fuel industry as does petroleum-based plastics. Compared to PLA, PHA composts more readily.[9]

c) *PBAT*. PBAT, or polybutylene adipate terephthalate, is derived from petrochemicals: purified terephthalic acid (PTA), butanediol, and adipic acid.[12,13] PBAT is also more easily composted than PLA, PHA, or PHB. Additionally, PBAT is flexible, unlike PLA. PLA is sometimes blended with PBAT to increase its malleability.[8]

Each of these materials has pros and cons. PLA is the least dependent on the petroleum industry but is brittle and difficult to compost. PBAT is the most flexible and easiest to compost but is derived from common petrochemicals. PHA and PHB sit in the middle: derived from greenhouses gases which may or may not be procured sustainably.

3) *The NOP requirement.* There is no federal standard for the labeling and certification of compostable plastics. California, beginning January 1, 2026 requires that anything labeled compostable meet the USDA National Organic Program (NOP) requirements (in addition to the applicable ASTM specification). In order to be NOP certified, a product must be a) overseen by a USDA NOP-authorized certifying agent and b) produced without prohibited methods (including genetic engineering or ionizing radiation) and with allowed substances.[14] For example, farmers growing organic crops can use allowed non-organic substances such as isopropyl alcohol but cannot use genetic engineering (Title 7 Code of Federal Regulations (CFR) § 205.600).

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[9] Jacobus, K. *What are PHAs and Bioplastic polyhydroxyalkanoates?* Good Start Packaging. https://www.goodstartpackaging.com/guide-to-pha-bioplastic-polyhydroxyalkanoates

[10] Getachew A & Woldesenbet F. (2016) *Production of biodegradable plastic by polyhydroxybutyrate (PHB) accumulating bacteria using low cost agricultural waste material*. BMC Res Notes. https://pmc.ncbi.nlm.nih.gov/articles/PMC5154074/

[11] Green Chemistry for Sustainability. *Biodegradable PHA Plastics* https://chemistryforsustainability.org/innovations-and-technologies/biodegradable-pha-plastics

[12] EU PLAS. *What is PBAT plastic? Pros and cons of PBAT* https://europlas.com.vn/en-US/blog-1/what-is-pbat-plastic-pros-and-cons-of-pbat

[13] Tullo, A. H. (2021) *The biodegradable polymer PBAT is hitting the big time.* http://cen.acs.org/business/biobased-chemicals/biodegradable-polymer-PBAT-hitting-big/99/i34

[14] USDA, *Labeling Organic Products*. https://www.ams.usda.gov/rules-regulations/organic/labeling

Compostable plastic producers must petition the National Organic Standards Board (NOSB) to be added to the National List of Allowed Substances (7 CFR § 205.600). NOSB includes a technical panel which ultimately recommends if/how the National List should change.[15] The Biodegradable Products Institute petitioned NOSB to include compostable plastics in 2023. In January of this year, NOSB held a meeting on compostable plastics and published a technical report indicating the board would not vote in favor of compostable plastics.[16] Without approval from the NOP/NOSB, these "compostable" plastics cannot be labelled "compostable" in the state, as of June 30, 2027.

AB 1201 (Ting, Chapter 504, Statutes of 2021) granted the director of CalRecycle the authority to issue an extension on this requirement for up to five years if the director determines that the product or substance is, or will soon be, an allowable organic input for compost. Last year, industry groups representing the compostable plastics industry requested that CalRecycle issue such an extension, which was granted by the director until June 30, 2027.

4) *Where's the responsible end market?* SB 54 (Allen) requires 65% of all single-use plastic to be recyclable by 2032. Plastic producers can meet this target through source reduction, plastic recycling, or switching to a compostable alternative. Ideally, plastic producers would first reduce their plastic use as much as possible (source reduction). Next producers would switch to recyclable or compostable alternatives. For example, a producer could use compostable fiber products, such as cardboard packaging, instead of plastic, where possible. If the producer maintains plastic packaging, they could switch to a highly recyclable material (such as PET) or invest in infrastructure for harder-to-recycle plastics.

Under SB 54, plastic producers are responsible for ensuring there is a "responsible end market" for their recycled plastic products. In other words, producers are not off the hook the moment a consumer puts their product into the recycling bin. Instead, producers must ensure the plastic becomes a new raw material which is not taken to a landfill, sold internationally, or downcycled.

However, plastic producers are *not* responsible for finding an end market for compostable alternatives. Therefore, even if compostable packaging is landfill bound, plastic producers can still reach their SB 54 requirements. If plastic

[15] USDA, The National List of Allowed and Prohibited Substances. https://www.ams.usda.gov/rules-regulations/organic/national-list

[16] O'Connor, M. (2026) *Compostable Packaging Acceptance Remains Contentious Even as Sector Scales*, Packaging Drive. https://www.packagingdive.com/news/compostable-packaging-organics-revolution-foods/807789/

producers switched to compostable fiber packaging, this might not be a problem. Fiber products have a responsible end market, either as recycled paper or as organic compost. However, some producers are making the switch to compostable plastic. Compostable plastics do not currently have a responsible end market. This means that compostable plastics could comply with the letter of SB 54 without achieving the spirit of it.

5) *Challenges in California compostable market.* There are three major challenges to finding a responsible end market for compostable plastics in California: 1) Composters cannot distinguish between compostable and noncompostable plastics, 2) there are discrepancies between the realities of California composting with the ASTM requirement, and 3) California farmers do not want compostable plastics in their compost.

   a) *Plastic contamination*. Contamination is inevitable. Someone might accidentally put their plastic fork in the compost bin after a meal, necessitating the removal of plastic from the compost waste stream. California composters currently remove *all* plastic, compostable or not. Without an ability to distinguish compostable plastic from traditional plastic, it is costly if not impossible to remove one and not the other. Less than half of US composting facilities accept compostable plastics at all.[17] Thus, most compostable plastics are landfill bound.

   b) *ASTM requirement vs reality.* The ASTM D6400 specification has a timeline of 6 months, meaning a product must fully degrade within 6 months. However, California composters are currently strained by high volume of waste from ambitious SB 1383 goals.[18] Therefore, California composters favor lower cost, shorter timelines to deliver a premium, higher margin product (organic compost). To deliver this product, composters use high heat and a short turnover time, usually 4 months or shorter. The Yolo County Central Landfill, for example, only takes 90 days to compost organic waste.[19] A partially decomposed compostable plastic could at best leave visible fragments (e.g. half of a fork) in compost and at worst create microplastics. Neither option is acceptable to the California agricultural industry.

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[17] Wicker, A. (2024) *Most 'compostable' bioplastics are anything but, says new report,* Monga Bay. https://news.mongabay.com/2024/07/most-compostable-bioplastics-are-anything-but-says-new-report/

[18] CalRecycle (2019) SB 1383 *Infrastructure and Market Analysis Report*, DRRR-2019-1652 https://www2.calrecycle.ca.gov/Docs/Publications/Details/1652

[19] Secaira, M. (2023) *A year after California's composting mandate, local officials still focusing on education over enforcement*, Cap Radio. https://www.capradio.org/articles/2023/12/13/a-year-after-californias-composting-mandate-local-officials-still-focusing-on-education-over-enforcement/

In recognition of the issues with the current ASTM standards, SB 1335 (Allen, Chapter 610, Statutes of 2018), which established reuse, recycling, and compost requirements for food packaging used in state facilities, also required CalRecycle to adopt regulations to create standards for those terms. For composability, CalRecycle regulations require that the packaging must meet the ASTM standards D6400-19 or D6868-19, demonstrate 90% biodegradation within 60 days, and comply with related statutory requirements to be labeled "compostable" in the state.

c) *California farmers are not an end market*. California farmers have concerns about the safety of compost containing compostable plastics.[20] Fragments of compostable plastics left in compost must be removed by farmers and thrown away, since these fragments cannot decompose outside of industrial composting conditions. Fragments of partially decomposed compostable plastics can introduce microplastics into compost. A 2022 Review in the Journal of Applied Soil Ecology found that microplastics in the soil are absorbed into the seeds, the root system, and the vascular system of crops.[21] Therefore, microplastics in compost could travel into and accumulate in a crop, harming plant growth and human health.[22] Microplastics have been found in several fruits and vegetables such as carrots, lettuce, and broccoli, and in the root systems of tomatoes, apples, and onions.[23] Even if compostable plastics were entirely safe, they do not add beneficial nutrients to the compost. For California farmers, compostable plastics are high risk and no reward.

Under the current status quo, California industrial composting facilities are incentivized to create premium compost at low cost: organic compost with a short turn over time. California farmers, whether or not they prefer organic compost, have significant concerns about plastic contamination in their compost. Without an end market, composters have no incentive to increase the composting time for unwanted compostable plastics. Finally, compostable plastics are unlikely to meet the NOP requirement to be labeled organic or compostable in California. Consequently, compost facilities remove all compostable plastics from the waste stream as a contaminant.

Comments

[20] Rust, S. (2025) *Should bioplastics be counted as compost? Debate pits farmers against manufacturers*, LA Times https://www.latimes.com/environment/story/2025-07-04/does-plastic-waste-in-compost-make-sense
[21] Iqbal, B. et al. (2022) *Impacts of soil microplastics on crops: A review,* Applied Soil Ecology. https://www.sciencedirect.com/science/article/abs/pii/S0929139322002967
[22] Masciarelli, E, et. al. (2024) *Microplastics in Agricultural Crops and Their Possible Impact on Farmers' Health: A Review*. Int J Environ Res Public Health, doi: 10.3390/ijerph22010045
[23] Lazar, N. (2024) *Micro and nano plastics in fruits and vegetables: A review, Heliyon.* https://pmc.ncbi.nlm.nih.gov/articles/PMC10966681/

1) *Purpose of Bill.* According to the author, "AB 1812 clarifies which products can be labeled as compostable to make sure that California's composters can produce high-quality compost and that California's farmers and vibrant agricultural community have access to affordable compost. Farmers purchase two-thirds of California's compost, making them critical to a viable compost market. Many farmers and growers undergo lengthy and expensive processes to attain and keep their certification as organic farming operations. This certification relies on the federal National Organics Program (NOP) standard, which prohibits any plastic materials or residues in compost feedstocks. Composters adhering to this standard are prohibited from accepting bioplastics. Even without this standard, breaking down the best-performing compostable plastics would require extending processing timelines, lowering temperatures below food safety thresholds, and producing lower-quality compost that few farmers can use. Removing contaminants accounts for over 20% of composting costs—expenses ultimately passed on to ratepayers and local governments. This bill will keep California's compost stream clean to reduce costs for communities, produce compost that works for farmers, and help California meet its organic waste diversion goals."

2) *Excluding naturally occurring polymers.* AB 1812 intends to preclude any product made wholly or partially of plastic from being labelled compostable. This would allow fiber products which do not incorporate plastics, such as plastic coatings, to be labelled compostable. However, AB 1812 states "a fiber product that is demonstrated to not incorporate any plastics or polymers … is not required to comply with this section." Understanding that natural polymers exist, such as cellulose, proteins, and starches,[24] ***the committee may wish to clarify that "polymers" does not include natural rubber or naturally occurring polymers such as proteins or starches.***

3) *Curbside organic waste collection*. SB 1383 (Lara) requires jurisdictions to provide organic waste collection to businesses and residents. People often use compostable plastic bin liners to collect organic waste. This is especially important for people in multifamily homes who cannot wheel their bins to the curb but instead lug their waste downstairs and elevators to the building dumpster. AB 1812 would preclude such bags from being labelled compostable. Without a bin liner, some people might not separate their organic waste due to issues with odor, transporting the waste, or difficulty sanitizing the bin after collection.

[24] Saleh, T. A. (2021) *Polymer science and polymerization methods toward hybrid materials: Natural Polymers*, Polymer Hybrid Materials and Nanocomposites. https://www.sciencedirect.com/topics/materials-science/natural-polymer

However, exempting bin liners from complying with AB 1812 would allow for a landfill bound product to be labelled "compostable." Alternative labels such as "may be used for organic waste" or "compatible with green bins" would allow for bin liners as necessary contamination without false labelling. However, additional regulations would be necessary to determine how the label should be worded and which materials are the least harmful as contamination. Care must be taken to balance necessary organic waste diversion items with the quality of California compost and truthful labelling.

4) *Pre-checkout bags*. A pre-checkout bag is any bag used to carry merchandise before checkout, such as produce bags. Grocery stores, retail stores with pharmacies, convenience stores, food marts, and liquor stores can only provide recycled paper bags or compostable bags (plastic or otherwise) as a pre-checkout bag (SB 1046 Eggman, Chapter 991, Statutes of 2022). In compliance with SB 1046 (Eggman), many stores have made the switch to compostable plastic bags. Though potentially burdensome to retailers, reuseable bags and recycled plastic bags remain viable pre-checkout bags.

5) *Closed-loop systems*. One issue with compostable plastics is that they are incompatible with California's organics waste stream. Compostable plastics could be viable if they had their own waste stream where they could be properly composted over longer time periods and sent to end markets outside of agriculture or land-use. Though not feasible state-wide, a closed-loop could achieve this.

    a) *Stadiums*. For example, Petco Park, stadium of the San Diego Padres, has diverted 96% of its waste from landfills.[25] Petco Park partnered with a local composter and picked only compostable plastic products that the composter tested and agreed to accept. The waste is sorted on-site, and products were labelled to clearly communicate the correct bin for both consumers and the sorters. However, it is unclear who purchases the resulting nonorganic compost resulting from this partnership. Ideally, Petco Park would purchase back their composted waste, but if there is an end market at all for the resulting nonorganic compost, then the stadium has succeeded in diverting from landfill and reducing single-use plastic use.

    b) *Hospitals.* Hospitals generate several forms of medical waste which are regulated and handled differently than typical waste. There are different methods for treating or disposing of medical waste depending on the type

[25] San Diego (2026) *Inside Petco Park: A New Model for Sustainable Events*. https://www.sandiego.org/latest-greatest/article/inside-petco-park-a-new-model-for-sustainable-events

of medical waste: some waste must be incinerated while other waste can be treated (through steam sterilization, for example) and then disposed of traditionally.[26] Hospitals require single-use plastics for sanitation purposes and cannot recycle their waste once it's a biohazard. Should a hospital want to decrease their reliance on fossil fuel derived products, they are limited in both source reduction and recyclability. Hospitals using compostable plastics can maintain proper sanitation while not sending that material to traditional landfills or compost facilities.

When a producer of compostable plastic waste (either the manufacturer or the business selling the plastic, such as Petco Stadium) invests in and collaborates with local waste management (composters) to choose materials which actually compost in real world conditions, compostable plastics become a viable alternative to single-use plastics. However, repealing the compostable plastic labeling requirements (as AB 1812 does) precludes an on-ramp in the case that a specific compostable plastic material becomes NOP certified and/or is accepted by local composters.

6) *Municipal single-use plastic bans*. Some California cities, such as San Francisco and Carlsbad, have banned single-use plastics.

   a) Carlsbad Municipal Code CS-447 Chapter 6.20 states "prohibits the use and distribution of any polystyrene (Styrofoam) and single-use plastic foodware from food establishments and recommends their replacement with reusable, marine degradable or compostable alternatives in Carlsbad."[27] Though the City of Carlsbad website encourages the use of reusable or "compostable paper" straws, utensils, and bags, compostable plastics are still an option for businesses.

   b) San Francisco requires Biodegradable Products Institute (BPI) or TÜV AUSTRIA Belgium certification for straws made from natural fiber or paper and does not require certification for single-use foodware made entirely of natural fibers.[28] Check out bags must be reusable, 40% post-consumer content paper bags, or certified compostable plastic bags.[29]

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[26] Spaccamonti, S. (2025) *California's Comprehensive Approach to Medical Waste Regulation*, San Diego Medical Waste Services, LLC. https://www.sdmedwaste.com/post/california-medical-waste-regulations

[27] City of Carlsbad, *Single-Use Plastics Ban*. https://www.carlsbadca.gov/departments/environmental-sustainability/single-use-plastics-ban

[28] San Francisco Environment Department, *Plastic, litter, and toxics reduction law*. https://www.sfenvironment.org/reduceplastic

[29] San Francisco Environment Department, *Checkout Bag Ordinance.* https://www.sfenvironment.org/checkout-bag-ordinance

Retailers in these cities may struggle to comply with AB 1812, depending on the extent to which compostable plastic was used as an alternative and whether fiber products can fill the gap. Other jurisdictions can replace compostable plastics with recyclable plastics, but cities such as San Francisco and Carlsbad lack this option. ***The committee may wish to consider providing businesses in municipalities with single-use plastic bans with the option to switch to recyclable plastic products.***

7) *Fiber products for food packaging*. Without the option of compostable plastics and under SB 54, food packaging would need to be made from recyclable plastic or compostable fiber. Not all food packaging can be made from recyclable plastic. However, fiber products are not always viable for foodware without a polymer coating. Without proper treatment (coatings, lamination, additives, etc.) fiber packaging cannot hold liquids. A *de minimis* exception for products with a sufficiently small amount of polymers could balance the need for such products in the restaurant industry while decreasing the amount of contamination in the organic waste stream. This would also enable local jurisdictions who have banned single-use plastics to maintain compostable alternatives.

8) *Alignment with SB 1201 rulemaking*. SB 1201 (Ting, Chapter 504, Statutes of 2021) requires compostable plastics to meet the NOP standard to be labeled compostable in CA. The deadline to meet the NOP standard was extended to June 30, 2027, while the petition was pending with the NOSB.[30] Should AB 1812 be enacted, the deadline to switch from compostable plastic packaging would be more than six months earlier: January 1, 2027. To provide businesses with the time to change labels and supply chains, ***the committee may wish to consider delaying the implementation of AB 1812 to June 30, 2027.***

9) *Committee amendments.* ***Staff recommends the committee adopt the bolded amendments contained in comments 2, 6, and 8 above.***

Related/Prior Legislation

SB 1031 (Blakespear, 2026) updates compostable plastic labelling requirements so compostable plastics are distinguishable in the solid waste stream. This bill is currently in the Assembly Natural Resources Committee.

SB 1201 (Ting, Chapter 504, Statutes of 2021) prohibits the sale of a product labelled compostable unless it meets the applicable ASTM specification.

[30] Heller, Z. (2025) *2 year extension letter,* CalRecycle. https://www2.calrecycle.ca.gov/Docs/Web/130644

SB 567 (DeSaulnier, Chapter 594, Statutes of 2011) prohibits the sale of a compostable plastic bag unless it meets the applicable ASTM specification and follows specific labelling requirements.

SB 1046 (Eggman, Chapter 991, Statutes of 2022) placed restrictions on the types of pre-checkout bags that most grocery stores, retail stores with a pharmacy, convenience stores, food marts, and liquor stores may provide to customers.

SOURCE: The California Compost Coalition

SUPPORT:

Abreu Vineyards
Agra Marketing Group
Agromin
Alexandre Family Farm
Association of Compost Producers
Breast Cancer Prevention Partners
California Association of Winegrape Growers
California Compost Coalition
California Product Stewardship Council
California State Association of Counties
City of San Leandro
City of Thousand Oaks
Colusa County Farm Bureau
Community Alliance With Family Farmers
Cr&r Environmental
Cr&r Environmental Services
Doffo Wines, LLC
Lake County Farm Bureau
League of California Cities
Marin Sanitary Service
Monterey County Farm Bureau
Napa County Farm Bureau
Napa Recycling & Waste Services
Northbay Brokerage
Northern Recycling, LLC
Occidental Arts and Ecology Center
Organic Farming Association
People, Food and Land Foundation
Pestoni Family Estate Winery
Plasticfreemarin

Pre-con Products
Recology
Regen Monterey
Republic Services
Resource Recovery Coalition of California
Rural County Representatives of California
Solano County Farm Bureau
Sonoma County Farm Bureau
South Bayside Waste Management Authority (sbwma) Dba Rethinkwaste
The Last Plastic Straw
Toogood Estate Winery
Waste Connections, INC.
Wm
Zero Waste San Diego
Zero Waste Sonoma

OPPOSITION:

Bpi
California Chamber of Commerce
California Grocers Association
Californians Against Waste
World Centric

-- END --