SENATE COMMITTEE ON APPROPRIATIONS
Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1812 (Aguiar-Curry) - Solid waste: compostable products

Version: July 2, 2026
Urgency: No
Hearing Date: August 3, 2026
Policy Vote: E.Q. 6 - 0
Mandate: No
Consultant: Ashley Ames

Bill Summary: This bill would prohibit, on and after June 30, 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 would update and revise the requirements for labeling products "compostable" or "home compostable."

Fiscal Impact:
- The Department of Resources Recycling and Recovery (CalRecycle) estimates ongoing costs of up to $595,000 in the first year and $395,000 annually thereafter (Integrated Waste Management Account) to conduct stakeholder outreach and engagement, research existing labeling standards, conduct rulemaking, evaluate existing standards, and consult with subject matter experts, standard-setting bodies, and producers.
- Potential cost pressures (Trial Court Trust Fund) of an unknown amount to the courts to adjudicate enforcement actions. (See staff comments for details.)

Background:

Organic waste in California. SB 1383 (Lara) requires CARB to implement a short-lived climate pollutant strategy achieving, from 2013 levels, a 40% methane reduction, 40% hydrofluorocarbon reduction, and 50% anthropogenic black carbon reduction by 2030. Its methane targets include cutting landfill disposal of organic waste 50% by 2020 and 75% by 2025 from 2014 levels. California landfills roughly 40 million tons of waste annually, 48% of it organic. CalRecycle projected in 2020 that SB 1383 implementation would yield an additional 5.5 million tons of compost and over 14 billion cubic feet of biomethane by 2025, and reports that 97% of jurisdictions had residential organics collection as of 2022. SB 1383 also requires 20% of edible food otherwise landfilled to be redirected to people by 2025; 231,766 tons were recovered in 2024, and over 1 billion meals have gone to Californians in need since 2022.

Compostable plastics. Compostable plastics fully decompose into non-toxic components at a commercial composting facility; bioplastics, by contrast, are simply made from organic rather than petroleum feedstocks and do not necessarily biodegrade or break down safely. The principal standard, ASTM D6400, requires breakdown into carbon dioxide, water, and biomass through aerobic microbial activity at 130–160°F within six months, no visible fragments, and final compost free of heavy metals and toxins and able to support plant growth. Common types trade off differently: PLA, derived from plant sugars, is least dependent on petroleum and takes 65% less energy and 68% fewer greenhouse gases to produce than petroleum plastic, but is brittle and hard to compost; PBAT is flexible and easiest to compost but is made from

petrochemicals; PHA and PHB are produced by microorganisms feeding on methane — sometimes captured from landfills, sometimes from natural gas — and sit between the two.

The National Organic Program requirement. There is no federal standard for labeling compostable plastics. Beginning January 1, 2026, California requires anything labeled compostable to meet USDA National Organic Program (NOP) requirements in addition to the applicable ASTM specification. Producers must petition the National Organic Standards Board (NOSB) for inclusion on the National List of Allowed Substances. The Biodegradable Products Institute petitioned in 2023; in January of this year NOSB held a meeting and published a technical report indicating it would not vote in favor. AB 1201 (Ting, Chapter 504, Statutes of 2021) authorized CalRecycle's director to grant extensions of up to five years where a product is or will soon be an allowable organic input, and the director granted the compostable plastics industry an extension to June 30, 2027. Absent NOP approval, these products cannot be labeled compostable in California after that date.

Responsible end markets under SB 54. SB 54 (Allen) requires 65% of single-use plastic to be recyclable by 2032, achievable through source reduction, recycling, or compostable alternatives. Producers must ensure a "responsible end market" for recycled plastic — material that becomes new feedstock rather than being landfilled, exported, or downcycled — but bear no equivalent obligation for compostable alternatives. Compostable fiber has a genuine end market as recycled paper or compost; compostable plastic does not. A producer switching to compostable plastic can therefore satisfy SB 54 on paper even if the material is landfill-bound.

Why the California market doesn't work. Three obstacles stand in the way. First, contamination: composters cannot distinguish compostable from conventional plastic, so they remove all plastic from the waste stream, and fewer than half of U.S. composting facilities accept compostable plastics at all. Second, a mismatch between standard and practice: ASTM D6400 allows six months, but California composters, strained by SB 1383 volumes, run high-heat cycles of four months or less — Yolo County Central Landfill takes 90 days — leaving partially decomposed material that yields visible fragments or microplastics. CalRecycle's regulations under SB 1335 (Allen, Chapter 610, Statutes of 2018) already reflect this gap, requiring 90% biodegradation within 60 days in addition to ASTM D6400-19 or D6868-19. Third, farmers reject the material: fragments must be removed by hand and cannot decompose outside industrial conditions, and a 2022 review in Applied Soil Ecology found soil microplastics are absorbed into crop seeds, roots, and vascular systems, with microplastics detected in carrots, lettuce, and broccoli and in the root systems of tomatoes, apples, and onions. Compostable plastics add no nutrients to compost, making them high risk and no reward for growers.

Proposed Law: This bill would:

1. Prohibit, on and after June 30, 2027, a person from selling or offering for sale a product in this state that is labeled with the term "compostable" or "home compostable" that is made wholly or partially of plastic, as defined in Section 42041.

2. Revise 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. Authorize CalRecycle to adopt a standard for compostable fiber products.

3. Require CalRecycle, in determining whether food service packaging is compostable, to consider whether packaging made from plastic is certified to meet the ASTM standard 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."

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

5. Specify that a fiber product demonstrated not to incorporate any plastics or polymers, including, but not limited to, through lamination, extrusion, or mixing, would not be required to comply with specified labeling requirements, unless CalRecycle has adopted or approved a standard relevant to compostable fiber products. Provide that "polymer" for this purpose would not include natural rubber or naturally occurring polymers, including proteins and starches.

6. Amend the precheckout bag requirements to provide that a compostable precheckout bag be eligible for the "compostable" or "home compostable" label under Section 42357 and have a minimum 15-inch mouth width, in place of the reference to the repealed standards.

7. Repeal:

    a. 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.

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

    c. PRC §42358.5 (SB 567, Chapter 594, Statutes of 2011), an obsolete provision establishing January 1, 2013 as the operative date of the chapter.

8. State legislative findings and declarations relating to the scale and value of California's composting programs, including that California has the largest composting program in the country, that nearly two-thirds of the compost market is the agricultural sector, that California farmers rely on National Organic Program certification as a guarantee of compost quality, and that contaminants in the organic waste stream jeopardize organic status and raise processing costs that flow through to residential ratepayers.

Related Legislation:

SB 1031 (Blakespear, 2026) would update compostable plastic labelling requirements so compostable plastics are distinguishable in the solid waste stream.

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

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.

Staff Comments: Existing law authorizes a city, a county, or the state to impose specified civil penalties for violations of Chapter 5.7 of the PRC (which this bill amends). Current law authorizes the Attorney General to expend, upon appropriation by the Legislature, any civil penalties it collects to enforce existing law. The prohibitions in and requirements of this bill are subject to the same civil liability and enforcement mechanism.

Therefore, this bill may result in cost pressures (Trial Court Trust Fund) of an unknown amount to the courts to adjudicate enforcement actions. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately $1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions, totaling approximately $117.3 million in 2025-26.

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