

# AB 1201

## Better Composting Standards Act

Assemblymember  
**Phil Ting**  
19TH DISTRICT



### SUMMARY

Ensuring the production of high-quality compost is critical for meeting the state's goals for short-lived climate pollutant reduction, carbon sequestration, healthy soils, and waste diversion. However, many products labeled "compostable" are not compostable in municipal compost facilities. This threatens burgeoning compost programs due to the presence of materials, like PFAS, that are toxic or unsuitable for composting. This bill would require products to meet higher quality standards in order to be labeled as compostable.

### BACKGROUND

Businesses, government entities, and individuals across California seeking to conserve resources and reduce the environmental impacts associated with the landfilling of food scraps have promoted the use of compostable packaging.

Typically, the implementations of policies and practices which endorse compostable packaging have not been established in consultation with the commercial compost manufacturers who receive these materials or may have begun with no available composting capacity at all.

PFAS is a class of "forever" chemicals that is widely used and can cause many adverse health outcomes. When PFAS-treated food packaging is composted, the PFAS contaminates the compost, can be absorbed by plants and food crops grown in the compost-treated soil, and can ultimately make their way up the food chain, impacting humans.

### PROBLEM

Compostable packaging has issues which have negatively impacted compost manufacturers in the following areas:

**Identification:** It is difficult or impossible for consumers and composters to identify compostable packaging and

discern it from non-compostable products. Consumer confusion leads to higher contamination in organic waste bins.

### Organic Status and Chemical Contamination:

Compostable packaging is typically composed of synthetic materials, particularly compostable plastics like PLA, which are not approved for use as organic inputs. This means compost manufacturers are sacrificing the marketability of their compost product. Numerous compostable-fiber food service products have been identified as containing significant amounts of fluorine compounds, like PFAS or others used as a grease barrier, which persist through the composting process. Biodegradable Products Institute (BPI) has implemented a policy, whereby they will no longer certify these compostable fiber products if they contain intentionally added fluorine levels, beginning in January 2020. BPI, however, does not certify all products in the market.

### THIS BILL

AB 1201 would:

- Require products labeled "compostable" to meet established performance standards, meet California Department of Food and Agriculture's organic standards, and be certified by a third-party certification entity.
- Prohibit products containing PFAS from being labeled compostable.
- Allow CalRecycle to adopt regulations for labeling compostable products so consumers and composters can tell the difference between non-compostable and compostable products.

### SUPPORT

California Compost Coalition (Sponsor)

### STAFF CONTACT

Lillian Tu  
Lillian.Tu@asm.ca.gov  
(916) 319-2019