

SB 581 -1 STAFF MEASURE SUMMARY

Senate Committee On Energy and Environment

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Meeting Dates: 2/23, 2/25, 3/2, 4/8, 4/13

WHAT THE MEASURE DOES:

Prohibits sale of products that make deceptive or misleading claims about recyclability. Stipulates chasing arrows symbol, chasing arrow symbol surrounding a resin identification code or any other symbol or statement is deemed to be deceptive or misleading unless: it is accepted for collection by majority of recycling collection services; or it is labeled in accordance with standards established by the Environmental Quality Commission. Directs Environmental Quality Commission to adopt rules for products that make claims about recyclability. Permits Department of Environmental Quality or any other person to bring action enforcing prohibition on sale of deceptive or misleading products. Imposes civil penalty of up to \$25,000 per day of violation of prohibition. Applies to products sold on or after January 1, 2023. Takes effect on 91st day after adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces measure. Establishes 15-member Truth in Labeling Task Force (Task Force). Requires the Speaker of the House and the President of the Senate to each appoint one member from their chambers to serve as nonvoting member in an advisory capacity. Requires the Governor to appoint five members to represent producers of packaged items; three members to represent local governments of different population sizes and geographic locations; four members to represent recycling industry; and one member to represent environmental organization interests. Requires Task Force to study and evaluate misleading or confusing claims regarding recyclability of products made on a product. Requires study to include considerations of issues affecting accessibility for diverse audiences. Requires Task Force to submit final report and recommendations for legislation to the interim committees of the Legislative Assembly related to the environment no later than June 1, 2022. Requires DEQ to provide staff support. Sunsets Task Force December 31, 2022. Takes effect on 91st day following adjournment sine die.

- No Revenue Impact
- Fiscal Statement Issued

BACKGROUND:

In January 2018, the Chinese government banned the import of certain plastic and paper grades and set tighter contamination standards for paper. The loss of China's markets disrupted recycling systems worldwide. In Oregon, communities had to make changes to their recycling collection programs, which included: increased customer rates, suspending recycling, or removing items from programs. In some cases, materials that were collected for recycling were disposed.

In May 2018, the Department of Environmental Quality (DEQ) formed the Recycling Steering Committee (RSC) with the intention of working with stakeholders to modernize Oregon's recycling systems. The RSC met from May of 2018 through September 2020.

Senate Bill 581 prohibits the sale of products that make deceptive or misleading claims about recyclability and imposes civil penalty of up to \$25,000 per day of violation of prohibition.