

HOUSE BILL REPORT

HB 1720

As Reported By House Committee On:
Environmental Affairs

Title: An act relating to plastic containers.

Brief Description: Modifying labeling of rigid plastic containers.

Sponsors: Representatives J. Kohl, Horn, Rust, Flemming, Hansen, Foreman, Van Luven, Roland, L. Johnson, Edmondson, Bray and Cothorn.

Brief History:

Reported by House Committee on:
Environmental Affairs, January 31, 1994, DPS.

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Rust, Chair; Flemming, Vice Chair; Horn, Ranking Minority Member; Van Luven, Assistant Ranking Minority Member; Bray; Edmondson; Foreman; Hansen; Holm; L. Johnson; J. Kohl; Linville; Roland and Sheahan.

Staff: Rick Anderson (786-7114).

Background: In 1991 the Legislature passed a bill requiring plastic bottles to have a label. The mandatory label requirement was part of a national campaign by the Society of Plastics Industry (SPI) to facilitate plastics recycling. Thirty-nine states have adopted the SPI code as a mandatory labeling requirement for plastic bottles. The label must include a number describing the plastic resin used to make the bottle and a widely recognized "chasing arrows" logo.

The National Recycling Coalition (NRC) and SPI have formed a task force to address problems with the SPI code that have been raised by citizens and recyclers. The task force is recommending that the SPI code be phased out and replaced by a code developed by the International Organization for Standardization (ISO). The task force continues to deliberate as to whether the ISO code should be voluntary or mandatory for plastic bottles.

Summary of Substitute Bill: All plastic bottles and rigid plastic containers must have a label based on the ISO code. No plastic bottle may use the chasing arrows logo or the SPI code. These provisions take effect January 1, 1997.

Wholesalers and retailers have two years from May 21, 1997 to clear their inventory of plastic bottles that are not in compliance with the requirements of this legislation.

Making or selling bottles in violation of the bill's requirements is a civil penalty of \$50 to \$500 per shipment. The Department of Ecology must provide written notice prior to assessing monetary penalties.

Substitute Bill Compared to Original Bill: The original bill makes it optional to use the SPI code on plastic bottles. The original bill also established recycling criteria and prohibited the use of the chasing arrows logo if the criteria were not met.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed; except Section 3 which takes effect on January 1, 1997.

Testimony For: The current SPI code creates confusion among citizens and recycling companies. The public is often misled by the recycling logo. Many plastic containers marked with a "2" are recycled in this state; many others are not.

Testimony Against: The national task force has not decided on dates to implement its recommendations. State legislation determining implementation dates is premature.

Witnesses: Robin Appleford, Metro King County (pro); Jan Glick, Washington Citizens for Recycling (pro); Elizabeth Schrag, Washington Citizens for Recycling (pro); and Mark Greenberg, American Plastics Council (con).