



To: Plastic Trash Bag Manufacturers

Subject: Courtesy Reminder: **Annual Plastic Trash Bag Manufacturer Certification**

**Response Required on or before March 1. Failure to submit a certification, may result in your business being ineligible to contract with or provide service to the State of California.**

The Department of Resources Recycling and Recovery (CalRecycle) oversees compliance of the Recycled-Content Trash Bag law, Public Resources Code (PRC) sections 42290 through 42298. CalRecycle is providing this courtesy reminder to plastic trash bag/can-liner manufacturers regarding the Plastic Trash Bag Manufacturer Certification. CalRecycle has identified your company as a manufacturer of regulated plastic trash bags, of .70 mil or greater in thickness intended for sale in California. The required annual Certification form is enclosed.

#### **Annual Certification Requirements**

The certification requires data from the previous calendar year (January 1 to December 31). The law allows plastic trash bag manufacturers two methods to demonstrate compliance. Manufacturers are required to certify to CalRecycle that one of the following has been met (with the exception of companies claiming exemption per regulatory guidelines):

- Plastic trash bags, intended for sale in California, contain a quantity of recycled content (Actual Post-Consumer Material) equal to at least 10 percent of the weight of the regulated plastic trash bags, or
- At least 30 percent of the weight of the material used in all plastic products, intended for sale in California, is Actual Post-Consumer Material.

All plastic postconsumer material reported to CalRecycle, to satisfy either requirement, must have been used during the calendar year. The Certification form must be completed fully and accurately, signed by an owner, partner, corporate officer, or manager (see Section H on the form), and returned to CalRecycle **no later than March 1**.

## **Certification Form Submittals**

The Certification form may be submitted via mail, email, or fax to the following:

**Mail:** Department of Resources Recycling and Recovery (CalRecycle)  
Waste Permitting, Compliance and Mitigation Division  
Attn: Plastic Trash Bag Certification Program, MS 10A-17  
1001 I Street, P.O. Box 4025  
Sacramento, CA 95812-4025

**Email:** [PlasticBag@CalRecycle.ca.gov](mailto:PlasticBag@CalRecycle.ca.gov)

**Fax:** (916) 319-7694

## **Non-Compliance**

Nonsubmittal and Certification forms submitted late will result in a determination of non-compliance with the Plastic Trash Bag law for the compliance year. Additionally, incomplete or inaccurate Certifications may result in a determination non-compliance. CalRecycle publishes lists of non-complaint and compliant manufacturers for each compliance year cycle. These lists are transmitted to the Department of General Services as well as state and local procurement officers. If your company is non-compliant with any of the requirements, your company will be ineligible for the award of any state contract or subcontract, or for the renewal, extension or modification of an existing contract or subcontract with the State of California for the provision of any goods or services. Your company will remain ineligible until it submits a timely, complete, and accurate certification to CalRecycle for the next reporting cycle.

## **Statute and Regulations**

The laws governing the Program can be found in PRC sections 42290 through 42298 and Title 14 California Code of Regulations (14 CCR) sections 17975 through 17985. CalRecycle has the statutory authority to conduct audits to review the accuracy of Certifications. Companies who do not comply with these statutes or regulations may also be referred to the Attorney General for further action. For more information, definitions, and links to the statute and regulations, see our Recycled-Content Trash Bag Program website: <https://www.calrecycle.ca.gov/buyrecycled/trashbags>

## **Public Records and the Information Practices Acts**

CalRecycle is subject to the provisions of the Public Records and Information Practices Acts, 14 CCR sections 17041-17046 (<https://www2.calrecycle.ca.gov/Forms/ContactUs/PublicRecordsRequest/>). If any of the information being submitted is confidential, proprietary, or a trade secret, you must identify in writing the information that you believe should be maintained as confidential. In addition, you must provide the name, address, and telephone number of the individual to be contacted if CalRecycle receives a request for disclosure of, or seeks to disclose, confidential information. The regulations noted above provide details on the process to be followed and criteria to be used if there is a request for confidential information. The regulation requirements provide you with an opportunity to explain why the information should remain confidential, in the event a request is made.

## **Contacting Us**

If your company did not manufacture and/or sell regulated plastic trash bags to or within the state of California during the reporting period, submit the Certification form stating this

fact. If your company does not manufacture regulated plastic trash bags and will not in the future, notify us of this in writing by March 1. If the company's status changes in the future, and is subject to the requirements of the Plastic Trash Bag Program, notify CalRecycle and submit the required Certification.

If you feel your company received this letter in error, have questions, or need additional information, you can contact program staff at (916) 341-6407 or [PlasticBag@CalRecycle.ca.gov](mailto:PlasticBag@CalRecycle.ca.gov).

Sincerely,

Minimum Content Compliance Unit  
Jurisdiction and Product Enforcement Section  
Waste Evaluation and Enforcement Branch