

SB 1335 Application Completeness Checklist

Food service packaging manufacturers seeking to add one or more food service packaging items to CalRecycle's List of Approved Food Service Packaging must submit an application to the department in electronic format. The application must demonstrate that each item meets the applicable regulatory requirements detailed in Sections 17989.2 through 17989.5 of the [SB 1335 regulations](#).

The following checklist is intended to help manufacturers review the information that must be included in applications pursuant to various regulatory provisions. The checklist is provided as a courtesy only and is not a substitute for reviewing the SB 1335 regulations. The regulations, and not the checklist, governs CalRecycle's review of an application.

CalRecycle Completeness Review

CalRecycle staff will perform a completeness review to determine whether each application includes all required information. Staff will contact food service packaging manufacturers to notify them of any missing information or deficiencies in the application within 30 days of its submission. Applicants will then have an additional 30 days to submit the necessary information to update or correct deficiencies. After an application is deemed complete, CalRecycle will further evaluate it to determine whether a food service packaging item or group of items meets the applicable criteria. Upon approval of an application, the department will add the food service packaging item or group of items to the List and notify the food service packaging manufacturer.

All Items

Name and title of the person submitting the application [17989.6(a)(1)(A)]

[Complete/Incomplete]

Company or organization name [17989.6(a)(1)(B)]

[Complete/Incomplete]

Company or organization mailing and physical address [17989.6(a)(1)(C)]

[Complete/Incomplete]

Phone number [17989.6(a)(1)(D)]

[Complete/Incomplete]

Email address [17989.6(a)(1)(E)]

[Complete/Incomplete]

Name of the manufacturer of the food service packaging item or group of items [17989.6(a)(1)(F)]

[Complete/Incomplete]

SB 1335 Application Completeness Checklist

A statement that the application is being submitted to the department to be considered for determination of whether the food service packaging item or group of items is reusable, recyclable, or compostable. [17989.6(a)(2)]

[Complete/Incomplete] (If submitted through the SPARS, this statement is implied)

A description of the food service packaging item or group of items, including the food service packaging types, item names, and sizes (e.g., dimensions, diameter, volume). [17989.6(a)(3)]

- Item type [Yes/No]
- Item name [Yes/No]
- Item size/dimensions or volume [Yes/No]

[Complete/Incomplete] (“Complete” means all three items above answer “Yes”)

A description of the materials (e.g., PLA- lined paperboard), including identifying characteristics, used to manufacture the food service packaging item or group of items. [17989.6(a)(4)]

[Complete/Incomplete]

Documentation that a food service packaging item or group of items meets the requirements of subsection 17989.2(a)(1), as applicable. [17989.6(a)(5)]

17989.2(a)(1): A food service packaging item that is subject to the Toxics in Packaging Prevention Act (Health and Safety Code Sections 25214.11- through 25214.26) shall not contain lead, mercury, cadmium, or hexavalent chromium, or any other “regulated metal” as described in subsection 17989.1(f) in an amount that exceeds 100 parts per million by weight, as measured by the sum of the total concentration levels of all such metals.

[Complete/Incomplete]

The chemical names and Chemical Abstract Service Registry Numbers necessary to demonstrate compliance with subsection 17989.2(a)(2) and a disclosure whether a Proposition 65 warning is required due to the exposure to such chemicals from the use of the item or group of items. [17989.6(a)(6)]

17989.2(a)(2): The names of all chemicals included on the Proposition 65 list that are used in the manufacturing of the food service packaging item shall be disclosed to the department by the manufacturer seeking to add the item to the List.

- Chemical names and Chemical Abstract Service Registry Numbers [Yes/No]
- Disclosure whether a Proposition 65 warning is required [Yes/No]

[Complete/Incomplete] (“Complete” means both items above answer “Yes”)

SB 1335 Application Completeness Checklist

The accreditation numbers of the ISO/IEC 17025:2017 laboratories used to demonstrate compliance with the requirements of this Article, as applicable. [17989.6(a)(7)]

[Complete/Incomplete]

A declaration signed under penalty of perjury by the food service packaging manufacturer stating that all information and data submitted as part of the application is true and correct. [17989.6(a)(8)]

[Complete/Incomplete]

A food service packaging manufacturer shall label or identify all portions of the application that it requests the department maintain as confidential pursuant to subsection 17989.6(f)(3). [17989.6(b)]

[Complete/Incomplete]

Applications submitted to the department shall not contain redactions. [17989.6(b)]

[Complete/Incomplete]

Reusable Items

Reusable Option 1:

Test results from an ISO/IEC 17025:2017 accredited laboratory that demonstrate compliance with subsection 17989.3(a)(1). [17989.6(c)(1)]

17989.3(a)(1): The item maintains its shape, structure, and function after 780 cycles in a cleaning and sanitizing process as defined in California Health and Safety Code Section 114101 and 114099.7, respectively, as demonstrated by test results from an ISO/IEC 17025:2017 accredited laboratory.

Test results received? [Yes/No/NA]

Reusable Option 2

A copy of the manufacturer's express, written warranty, if any, pursuant to subsection 17989.3(a)(2). [17989.6(c)(2)].

17989.3(a)(2): The manufacturer of the food service packaging item provides an express, written warranty to purchasers of the item that it will remain reusable for its intended purpose for a minimum of one year or else the manufacturer will take back and replace the item at the manufacturer's expense.

Warranty received? [Yes/No/NA]

[Complete/Incomplete] (Applicant must submit one of the two forms of documentation above)

SB 1335 Application Completeness Checklist

Recyclable Items

The measurement of at least two dimensions, in inches, of the food service packaging item or each item in a group of items. [17989.6(d)(1)]

[Complete/Incomplete]

A statement that the food service packaging item, or each item in a group of items, does not contain additives to initiate or accelerate fragmentation. [17989.6(d)(2)]

[Complete/Incomplete]

Test results from an ISO/IEC 17025:2017 accredited laboratory that demonstrate compliance with subsection 17989.2(a)(3), as applicable. Tests shall be completed no more than six months prior to the application submittal date and shall specify the analytical method and instrumentation used to quantify the results. If an applicant submits test results for a group of food service packaging items, the applicant must explain how the test results are representative of the group of food service packaging items. [17989.6(d)(3)]

17989.2(a)(3): A food service packaging item made from plastic or fiber and that is recyclable or compostable shall not contain PFASs. A food service packaging item shall be deemed not to contain PFASs if its total fluorine concentration is not more than 100 parts per million, as determined by combustion ion chromatography, particle-induced gamma-ray emission spectroscopy, instrumental neutron activation analysis, or other technique utilized by an ISO/IEC 17025:2017 accredited laboratory.

- Test results demonstrating compliance with 17989.2(a)(3) [Yes/No]
- Test completed no more than six months prior to the application submittal date [Yes/No]
- If a group application, applicant explains how test results are representative [Yes/No/NA]

[Complete/Incomplete] ("Complete" means all items answer "yes" or "N/A")

Recyclable Option 1(a) (statewide thresholds – materials list)

Information demonstrating that each food service packaging item comprises materials that are on the Materials List published by the department pursuant to subsection 17989.1(a)

Information received? [Yes/No/NA]

Recyclable Option 1(b) (statewide thresholds – applicant data)

Information demonstrating that each food service packaging item is comprised of materials that are collected by at least 60 percent (75% starting January 1, 2026) of recycling programs statewide [17989.4(a)(3)]

SB 1335 Application Completeness Checklist

Information received? [Yes/No/NA]

Information demonstrating that each food service packaging item has sufficient commercial value to be marketed for recycling [17989.4(a)(3)]

Information received? [Yes/No/NA]

Information demonstrating that each food service packaging item is sorted and aggregated into defined streams (e.g., mixed paper, PET) by at least 60 percent (75% starting January 1, 2026) of large volume transfer/processing facilities in the state [17989.4(a)(3)]

Information received? [Yes/No/NA]

Recyclable Option 2 (takeback program)

The name and physical address for food service facilities dispensing food service packaging items in the takeback program or intended to be included in the takeback program. [17989.6(d)(4)(B)(i)]

Information received? [Yes/No/NA]

1a. For a program that has been operating for at least one year, the information submitted demonstrates that the program met the annual percentage recovery requirement specified in Section 17989.4(a)(3)(B) for at least one 12-month period during the five years immediately preceding the date of the application. [17989.6(d)(4)(B)(ii)]

Meets the annual percentage recovery requirement? [Yes/No/NA]

1b. For a program that has not been operating for at least one year, the information submitted includes the date the program began operating and demonstrates that the program's performance to date, extrapolated over an entire year, satisfies the annual percentage recovery requirement specified in Section 17989.4(a)(3)(B). [17989.6(d)(4)(B)(iii)]

Satisfies the annual percentage recovery requirement? [Yes/No/NA]

2. For a program that has not yet begun operating, the information submitted includes at least the following details concerning the program: description of the food service packaging item(s) and any other products that the program will recover; program locations and methods of recovering food service packaging item(s); the anticipated start date of the program; specific mechanisms for enabling and incentivizing customers to participate; plans to conduct educational outreach and marketing activities to raise awareness of the program; names of the entities that will operate or partner with the program, including recycling service providers; and performance information (e.g., recovery rates of food service packaging items and commercial values of materials), if available, concerning similar takeback programs under similar circumstances. [17989.6(d)(4)(B)(iv)]

SB 1335 Application Completeness Checklist

Information received? [Yes/No/NA]

[Complete/Incomplete] (Complete means “Yes” or “NA” to all the respective requirements of either Option 1a, 1b, or 2, above)

ADDITIONAL TAKEBACK PROGRAM REQUIREMENTS FOR MANUFACTURERS:

Inclusion of a food service packaging item on the List based in part on the information in Section 17989.6(d)(4)(B)(iv) shall not occur until the manufacturer informs the department that the takeback program has begun operating, and the inclusion on the List shall be conditional, such that the item shall be removed from the List unless the manufacturer supplements its application with information demonstrating that the program’s performance, extrapolated over an entire year, satisfies the annual percentage recovery requirement specified in Section 17989.4(a)(3)(B). Such supplemental information shall be provided no later than seven months after the program began operating.

For a takeback program that, at the time of the application, had not been in operation for at least one year or had not begun operations at the time of the application (i.e., included pursuant to Section 17989.6(d)(4)(B)(iii) or 17989.6(d)(4)(B)(iv)), inclusion of a food service packaging item on the List based in part on their inclusion in the takeback program shall be conditional, such that the item shall be removed from the List unless the manufacturer supplements its application with information demonstrating that the program satisfied the annual percentage recovery requirement specified in Section 17989.4(a)(3)(B) over a 12-month period. Such supplemental information shall be provided no later than 14 calendar months after the program began operating.

Compostable Items

For any food service packaging items that are plastic, plastic-coated or plastic-containing, documentation demonstrating that the items meet the requirements of ASTM D6400-19 or ASTM D6868-19, as applicable pursuant to subsection 17989.5(a)(2)(A), as shown by results from tests completed no more than five years prior to the application submittal date. If an applicant submits documentation for a group of food service packaging items, the applicant must explain how the documentation is representative of the group of food service packaging items. [17989.6(e)(2)]

- Items are plastic, plastic-coated or plastic-containing [Yes/No]
- Documentation demonstrating the items meeting ASTM D6400-19 or D6868-19 [Yes/No/NA]
- If a group application, demonstrates how documentation is representative of the group [Yes/No/NA]

[Complete/Incomplete/NA] (“Complete” means all the items above answer “Yes” or “NA”)

SB 1335 Application Completeness Checklist

For any food service packaging items that are plastic, plastic-coated or plastic-containing, a copy of the ASTM D6400-19 or ASTM D6868-19 test report, as applicable pursuant to subsection 17989.5(a)(2)(B), showing the percent biodegradation achieved at 60 days for the food service packaging item or group of items. If an applicant submits a test report for a group of food service packaging items, the applicant must explain how the test report is representative of the group of food service packaging items. [17989.6(e)(3)]

- Items are plastic, plastic-coated or plastic-containing [Yes/No]
- Copy of the ASTM D6400-19 or D6868-19 test report (if applicable) [Yes/No/NA]
- If a group application, explains how test report is representative of the group [Yes/No/NA]

[Complete/Incomplete/NA] (“Complete” means all the items above must answer “Yes” or “NA”)

Test results from an ISO/IEC 17025:2017 accredited laboratory that demonstrate compliance with subsection 17989.2(a)(3), as applicable. Tests shall be completed no more than six months prior to the application submittal date and shall specify the analytical method and instrumentation used to quantify the results. If an applicant submits test results for a group of food service packaging items, the applicant must explain how the test results are representative of the group of food service packaging items. [17989.6(e)(4)]

17989.2(a)(3): A food service packaging item made from plastic or fiber and that is recyclable or compostable shall not contain PFASs. A food service packaging item shall be deemed not to contain PFASs if its total fluorine concentration is not more than 100 parts per million, as determined by combustion ion chromatography, particle-induced gamma-ray emission spectroscopy, instrumental neutron activation analysis, or other technique utilized by an ISO/IEC 17025:2017 accredited laboratory.

- Test results demonstrating compliance with 17989.2(a)(3) [Yes/No]
- Test completed no more than six months prior to the application submittal date [Yes/No]
- If a group application, explains how test results are representative [Yes/No/NA]

[Complete/Incomplete] (“Complete” means all items above answer “Yes” or “NA”)

A statement that the food service packaging item or group of items satisfies the requirements of subsection 17989.5(a)(3). [17989.6(e)(5)]

17989.5(a)(3): The food service packaging item satisfies the legal requirements to be lawfully labeled “compostable,” including all applicable requirements specified

SB 1335 Application Completeness Checklist

in Chapter 5.7 (Sections 42355 through 42358.5), Part 3, Division 30 of the Public Resources Code and Section 17580.5(a) of the Business and Professions Code.

[Complete/Incomplete]

Compostable Option 1(a) (statewide thresholds – materials list)

Information demonstrating that each food service packaging item is comprised of materials that are on the Materials List published by the department pursuant to subsection 17989.1(a).

Information received? [Yes/No/NA]

Compostable Option 1(b) (statewide thresholds – applicant data)

Information demonstrating that each food service packaging item is comprised of materials that are regularly collected for composting by at least 50 percent (75% starting January 1, 2026) of organic waste recycling programs statewide [17989.5(a)(1)(A)]

Information received? [Yes/No/NA]

Information demonstrating that each food service packaging item is accepted by at least 50 percent (75% starting January 1, 2026) of the compost facilities in the state that accept mixed materials [17989.5(a)(1)(A)]

Information received? [Yes/No/NA]

Compostable Option 2 (takeback program)

The name and physical address for food service facilities dispensing food service packaging items in the takeback program or intended to be included in the takeback program. [17989.6(e)(1)(A)(i)]

Information received? [Yes/No/NA]

For a program that has been operating for at least one year, the information submitted demonstrates that the program met the annual percentage recovery requirement for at least one 12-month period during the five years immediately preceding the date of the application. [17989.6(e)(1)(A)(ii)]

Information received? [Yes/No/NA]

For a program that has not been operating for at least one year, the information submitted includes the date the program began operating and demonstrates that the program's performance to date, extrapolated over an entire year, satisfies the annual percentage recovery requirement. [17989.6(e)(1)(A)(iii)]

Information received? [Yes/No/NA]

For a program that has not yet begun operating, the information submitted includes at least the following details concerning the program: description of the food

SB 1335 Application Completeness Checklist

service packaging items and any other products that the program will recover; program locations and methods of recovering food service packaging items; the anticipated start date of the program; specific mechanisms for enabling and incentivizing customers to participate; plans to conduct educational outreach and marketing activities to raise awareness of the program; names of the entities that will operate or partner with the program, including recycling service providers; and performance information (e.g., recovery rates of food service packaging items and commercial values of materials), if available, concerning similar takeback programs under similar circumstances. [17989.6(e)(1)(A)(iv)]

Information received? [Yes/No/NA]

[Complete/Incomplete] (Complete means "Yes" or "NA" to all the respective requirements of either Option 1a, 1b, or 2, above)

ADDITIONAL TAKEBACK PROGRAM REQUIREMENTS FOR MANUFACTURERS:

Inclusion of a food service packaging item on the List based in part on the information in Section 17989.6(e)(1)(A)(iv) shall not occur until the manufacturer informs the department that the takeback program has begun operating, and the inclusion shall be conditional, such that the item shall be removed from the List unless the manufacturer supplements its application with information demonstrating that the program's performance, extrapolated over an entire year, satisfies the annual percentage recovery requirement specified in Section 17989.5(a)(1)(B). Such supplemental information shall be provided no later than seven months after the program began operating.

For a takeback program that, at the time of the application, had not been in operation for at least one year or had not begun operations at the time of the application (i.e., included pursuant to Section 17989.6(e)(1)(A)(iii) or 17989.6(e)(1)(A)(iv)), inclusion of a food service packaging item on the List based in part on their inclusion in the takeback program shall be conditional, such that the item shall be removed from the List unless the manufacturer supplements its application with information demonstrating that the program satisfied the annual percentage recovery requirement specified in Section 17989.5(a)(1)(B) over a 12-month period. Such supplemental information shall be provided no later than 14 calendar months after the program began operating.