

DEC 10 2021

**State of California  
Office of Administrative Law**

**In re:**  
**Department of Resources Recycling and  
Recovery**

**Regulatory Action:**

**Title 14, California Code of Regulations**

**Adopt sections:** 17989, 7989.1, 17989.2,  
17989.3, 1989.4, 17989.5,  
17989.6, 17989.7, 17989.8

**Amend sections:**

**Repeal sections:**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2021-0624-01**

**OAL Matter Type: Regular (S)**

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This action adopts processes and criteria to determine the types of food service packaging that are reusable, recyclable, or compostable as required by the Sustainable Packaging for the State of California Act (Chapter 610, Statutes of 2018 (Allen, Senate Bill 1335)). The Act requires the department to evaluate food service packaging items based on criteria unique to the state (such as existing infrastructure, material markets, material composition, and potential environmental impacts) to ensure that only reusable, recyclable, or compostable food service packaging is used by state facilities. The regulations establish a List of Approved Types of Food Service Packaging Items and standards for creating and maintaining that list.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 12/6/2021.



**Date:** December 6, 2021

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**Mark Storm  
Senior Attorney**

**For:** Kenneth J. Pogue  
Director

**Original:** Rachel Machi Wagoner, Director  
**Copy:** Daniel Zlatnik