

BEFORE THE
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
STATE OF CALIFORNIA

CERTIFIED COPY

TRANSCRIPTION OF PROCEEDINGS
Public Hearing on proposed
SB 1013 Beverage Containers Public Hearing
Tuesday, September 30, 2025

Reported by:

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CSR No. 14898

Job No.:
56849RCYCL

1 BEFORE THE
2 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
3 STATE OF CALIFORNIA
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12 TRANSCRIPT OF PROCEEDINGS, taken via
13 hybrid, commencing at 10:00 a.m. and concluding
14 at 11:00 a.m. on Tuesday, September 30, 2025,
15 reported by Christina L. Rodriguez, CSR No. 14898,
16 a Certified Shorthand Reporter in and for the
17 State of California.
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1 Hybrid Proceeding, Tuesday, September 30, 2025

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5 MR. JIMINEZ: Good morning everyone, and thank
6 you for joining us. My name is Luis Espinoza Jimenez
7 (phonetic). Today's public hearing is on SB1013
8 addition of new beverage containers permanent regulation
9 in response to Senate Bill SB-1013. Before we begin,
10 there are a couple of announcements that need to be
11 made. This hearing will be recorded. There's also a
12 court reporter to transcribe the proceedings of this
13 hearing.

14 CalRecycle has Spanish interpretation of this
15 hearing for those of you participating in person or
16 remotely. If you're in the room, we have Spanish
17 interpretation headsets available. If you're
18 participating on Zoom, just click on the interpretation
19 icon at the bottom of your Zoom window and select the
20 appropriate language.

21 Next, we have a required evacuation
22 announcement. Please look around you and identify two
23 exits closest to you. In some cases, an exit may be
24 behind you. In an event of a fire alarm, we are
25 required to evacuate this room immediately. Please take

1 your valuables with you and do not use the elevators.

2 While staff will endeavor to assist you to the
3 nearest exit, you should also know that you may find an
4 exit door by following the ceiling-mounted exit signs.
5 Evacuees will exit down the stairways and possibly to a
6 relocation site across the street. If you cannot use
7 stairs, you will be directed to a protective stairwell.
8 Should we have to relocate out of the building, please
9 obey all traffic signals and exercise caution while
10 crossing the street.

11 Next slide.

12 MR. CASTLETON: Good morning. My name is
13 Craig Castleton. I'm the supervisor in CalRecycle's
14 Regulations Unit. For the purpose of today's hearing is
15 to receive public comments on the proposed regulations
16 that were published by the Office of Administrative Law.
17 A notice to the public on August 15th, 2025.

18 The publishing of that notice started a 45-day
19 public comment period, and CalRecycle welcomes and will
20 respond to all comments received at today's hearing and
21 during the 45-day public comment period in the final
22 statement of reasons.

23 On today's agenda, we will have an overview of
24 the steps taken thus far and the current status of the
25 rulemaking followed by an opportunity to submit your

1 comments on the proposed regulations.

2 Present at the hearing today, we have Amy
3 Cameron, Deputy Director of the Beverage Container
4 Recycling program; Christine Beckley, Assistant Chief
5 Council of the Beverage Container Recycling program;
6 Janet Barnard, an attorney in the legal affairs office
7 in the Beverage Container Recycling program; and Amos
8 Serrantos, an attorney in the legal affairs office with
9 the regulations unit.

10 And we also have other staff from the Beverage
11 Container Recycling program and legal affairs office
12 joining us today.

13 As a brief overview of the steps taken thus
14 far for this rulemaking, the slide shows that public
15 workshops were held on December 18th, 2023, and October
16 29th, 2024, to solicit feedback on the proposed
17 regulatory concept and language.

18 Following those workshops, the concepts and
19 regulatory language were developed into formal
20 rulemaking documents that were published and noticed to
21 the public on August 15th, 2025, starting the 45-day
22 public comment day period.

23 Today is the date of the public hearing, and
24 CalRecycle welcomes your comments on the proposed
25 regulations. Following today's hearing, CalRecycle will

1 consider all comments received and respond to those
2 comments as part of final statements of reasons.

3 These final statements of reasons will be
4 submitted to the Office of Administrative Law as part of
5 the final and official rulemaking file for these
6 proposed regulations. And the Office of Administrative
7 Law will review the law making final. Once the Office
8 of Administrative Law approves the regulations, they
9 will become effective.

10 MR. JIMINEZ: CalRecycle welcomes comments
11 from the public on the proposed SB 1013 regulations.
12 And as a reminder, the 45-day comment period ends at the
13 conclusion of today's date public hearing.

14 Now, we would like to invite your comments on
15 the proposed regulatory changes to ensure that
16 CalRecycle can receive everyone's comments during
17 today's hearing. Please follow these rules when making
18 oral comments.

19 Please begin by giving your name and
20 affiliation, if any, and please limit your comments to
21 five minutes total. And if several people have spoken
22 on the same topic, try not to be repetitious. If there
23 are several speakers with the same comment, please
24 appoint a spokesperson.

25 If you make a comment in person, please line

1 up at the podium; to make a comment via Zoom, please
2 raise your hand, and the host will un-mute you. Please
3 submit written comments to the CalRecycle public comment
4 portal by the end of the comment period -- which is
5 today, September 30th, 2025. Comments will be taking
6 first in person, and, second, via Zoom audio.

7 I'm seeing no one in the room who is wishing
8 to make a comment. We'll now look at the Zoom and see
9 if anyone wishes to make a comment on there. As a
10 reminder, if you want to make an oral comment via Zoom,
11 please raise your hand, and the host will un-mute you.

12 All right. Tim, if you can un-mute so that
13 you can give us your comment.

14 TIM SCHMELZER: So this is Tim Schmelzer with
15 Wine Institute. I just had a quick question: Are you
16 going to be pausing for comments after each topic? Or
17 would you like us to give our comments kind of in one
18 full swoop?

19 MR. JIMINEZ: You're welcome to give your
20 comments all at once, and the purpose of today's hearing
21 is to receive comments on the overall rulemaking. So
22 you're welcome to give all your comments at the same
23 time. Thank you.

24 Okay. Looks like we have a hand raised for
25 Katie in the Zoom. If you can un-mute so that you can

1 give us your comment.

2 KATIE MACFEE: Sure. Thank you. My name is
3 Katie MacFee (phonetic), and I'm a general manager of a
4 can van -- the Can Van intake space -- a mobile
5 packaging company and a host facility. And I'm here
6 because -- well, I'd like to redo this letter that we
7 wrote and sent out to many people, if that's okay. I
8 think it will clarify.

9 I am the general manager of a beverage
10 co-packer and mobile beer and wine service in
11 Sacramento. We are a women-owned business, started in
12 2011, and employed 20 to 25 people at any given time.
13 Our primary business is packaging beverages in aluminum
14 cans for small and medium-sized beverage companies,
15 including many wineries.

16 SB 1013 requires CA CRV to be etched to the
17 end -- the pull-tab top of aluminum cans of
18 wine -- while wine previously was exempt from California
19 CRV.

20 Due to the market shifts in the past few
21 years, pandemic supply shortage in the previous round of
22 aluminum tariffs, the changes in how customers are
23 purchasing their cans and ends, we are currently holding
24 a very large inventory of ends in boxes with recycling
25 information for the two states, Maine and Iowa, which

1 were the two that we had to previously put on the lids.

2 So we've been using those for canned-wine
3 customers since 2015. And with the aluminum change to
4 requiring ends for wine cans this summer, we have been
5 trying to draw down the old inventory, but are having
6 trouble doing that, as customers are asking for this
7 three-state ends in advance of the July 2025 deadline.

8 The supply chain for aluminum cans is
9 dominated by a large national companies and has not yet
10 caught up to the state regulations. Many of these
11 suppliers who purchased the aluminum materials are still
12 not able to supply the three-state ends despite asking
13 the manufacturers to produce them since the beginning of
14 2024.

15 To date, the limited options available for
16 purchasing three-state ends require huge minimum
17 quantities -- over 300,000 ends per order. Having to
18 purchase the three-state ends now, while having to
19 dispose of the two-state and inventory we are sitting
20 on, would be a major financial blow to our business. We
21 are currently holding \$113,000 worth of inventory of the
22 previous complaint to state ends -- disposing of them
23 and all of that aluminum packaging material also seems
24 directly counterproductive to the environmental goals of
25 SB 1013.

1 The proposed solution of ink jet marking CA
2 CRV on the lid of the can is not feasible due to the
3 speed of the packaging line and a difficulty of hitting
4 the proper location on the can end, avoiding the pull
5 tab and opening while the can is spinning and moving at
6 200 cans per minute.

7 We also have had feedback from clients that
8 they do not want the blank ink marking on the tops of
9 their cans. Finally, if we purchase three state-ends in
10 the required minimum order quantities, we are concerned
11 that we will be stuck holding that inventory when the
12 next state inevitably changes their recycling laws.

13 Combined the risk with the 25% aluminate
14 import care that's on the horizon, our company will be
15 severely hampered in our ability to be nimble and adapt
16 to the shifting climate in raw materials needs.

17 We appreciate the intent of SB 1013 and agree
18 with the environmental goals. The primary reason why we
19 started the can van back in 2011 was to give small
20 California breweries access to a more recyclable and
21 environmental friendly packaging option. The way the
22 guidelines are written, however, is not taking the small
23 manufacturers into account and puts it at a further
24 disadvantage in large corporate beverage producers.

25 We have a few proposed solutions, and then I

1 will be finished. So we are requesting that your office
2 considers some of the following proposed solutions. Any
3 and all of which would be much of the financial burden
4 in issues our businesses, customers, and other
5 businesses, like us, are experiencing.

6 So we are asking that you allow CA CRV marking
7 on the label of the can like it is allowed on glass
8 bottle labels or allow beverage producers and co-packers
9 to file for a use-up for existing inventory. The TTB
10 has a process to file for use-ups if they have existing
11 labels or other materials that are not compliant for one
12 reason or another and which will produce a financial
13 hardship to dispose of.

14 Or the third option is to grant an extension
15 of two years on the enforcement of penalty period of
16 having CA CRV in sight on the end of the can. Perhaps
17 allowing printing on the label in the meantime so the
18 cans can still be included and recycling buyback
19 program.

20 Thank you for your time. That's pretty much
21 it. We are just looking for a positive environmentally
22 friendly financial way to deal with this \$113,000 of
23 ends, and we've been trying to -- I also want to point
24 out that we did not purchase any of these ends after
25 hearing about the changes coming with SB 13 (sic), these

1 were all bought in large quantities back before any of
2 this. So we've been sitting on them and trying to get
3 rid of them.

4 And that's all.

5 MR. CASTLETON: Thank you for your comment.

6 All right. We have a hand raised in Zoom. If
7 Tim can un-mute so that we may receive your comment.

8 TIM SCHMELZER: Sorry for jumping in a second
9 time, and this is probably my misunderstanding of how
10 we're running the show here.

11 Once again, Tim Schmelzer from Wine Institute.
12 Was staff going to review the regulatory package at all?
13 Or are we just waiting for comments from the public
14 right now?

15 MR. CASTLETON: So the purpose of the hearing
16 is to receive comments from the public. So if you have
17 any comments on the regulations, you are welcomed to
18 give them at this time.

19 TIM SCHMELZER:: I got you. Okay. Well,
20 then, I will do so now.

21 So this is Tim Schmelzer with Wine Institute.
22 I'll note we submitted written comments, so I will just
23 10,000 foot level our comments, but I would direct --
24 and I know staff is required to review the written
25 comments -- so please see those for further detail.

1 The elements that we commented on are
2 predominantly to do with the machine readable label
3 element of the regulations, and we have quite a few
4 detailed comments plus material to review to understand
5 where we're coming from in some of those. That being
6 said, I'll go through really quickly with some of what
7 our comments are.

8 First of all, this is about a minor of comment
9 as I can think to make today. A change where the labels
10 are required to be clearly and prominently labeled --
11 such that they may be read without effort -- I will
12 caution that using the word "effort," we understand that
13 they should not be read without difficulty, but I think
14 any action whatsoever by a human constitutes effort.

15 So just the use of that term struck us as odd,
16 but we certainly understand the intent, and it shouldn't
17 be difficult to read those labels. So we recommend a
18 very small change there.

19 In a couple of different places, this applies
20 both in the machine readable label and the regular CRV
21 label. It is noted that when CalRecycle requests a
22 label for review that the producers are required to
23 respond within a certain number of days of CalRecycle
24 requesting that the label be submitted. We propose that
25 you flip that so that the number of days allow for the

1 manufacturer is relative to when they receive that
2 request, just to account for the fact that, you know,
3 make sure that the manufacturer or whoever's going to
4 ask to submit the label is actually aware of the request
5 and at that point, the 10 day starts ticking. That
6 shows up in a couple different places.

7 Regarding labeling for glass containers, I
8 didn't see this in regulations in another spot, but to
9 my knowledge, this has been an frequently an option for
10 CRV labeling where a smaller font can be used in a --
11 without the contrasting colors. If the CRV messaging is
12 outlined, I didn't know if that's just no longer an
13 option, but we are just hoping for as many options as
14 possible. So we're hoping that that option will
15 continue. We note that for reasons that were not sure
16 we understand, the labeling for bag-in box is limited
17 only to the larger font size and not giving a smaller
18 font size with contracting colors as it's given for
19 other container types. We see no reason for a
20 difference there and would encourage that the same
21 options are available for that packaging. And then,
22 once again -- probably a repeating record on this one --
23 but we do wish CalRecycle would consider with regard to
24 bag and box redemption if the bag itself be the
25 redeemable product is easily recycled elsewhere, and

1 that has been our standard practice internationally and
2 other states, and we think it'd be an easiest manner in
3 which a customer should be able to retrieve their
4 deposit.

5 On to machine readable labeling. We have
6 extensive comments here, so I'm not going to do the best
7 job of describing them within the allotted time here.
8 In general, we are concerned that these regulations are
9 too prescriptive and do not align with the best
10 practices for permitting the use of QR Codes and food
11 and beverage labeling.

12 This is something that we had caution to give
13 in our comments back when we were were work shopping.
14 This issue -- this is a very fluid time for the adoption
15 of these sort of codes and being able to be flexible
16 enough to align with these involving national,
17 international standards.

18 While we realize it's difficult, we also think
19 it's necessary, or it substantially reduces any
20 incentive to use these QR Codes, which I think both
21 benefits the customer and the product manufacturer.

22 We do not think it should be required to add
23 the term "deposit" adjacent to the code. A big
24 advantage of using this code, of course, is to reduce
25 label clutter. The term "deposited" is actually a

1 larger use of space than just the CA CRV would be; and
2 could also potentially interfere with the
3 required -- around QR Codes to be able to be read well.

4 There's also some very specific requirements
5 about the use of the chasing arrows option. We
6 understand the 60% of the income of SB 343 issue that we
7 can't solve within the regulations, but we also think
8 that requiring these size requirements and contrasting
9 color requirements can interfere with the readability of
10 the QR Codes -- and would then have flexibility there --
11 again, we have more detail on that issue in our
12 comments.

13 We, once again, do not believe that it is
14 necessary that manufacturers carry a toll-free number
15 internet website for technical issues related to QR
16 Codes. These codes are being used all across earth at
17 this point in time. And the necessity of being able to
18 maintain a phone number for technical assistance for the
19 use of QR Codes is simply beyond the means of -- I mean,
20 I don't even know -- probably, like, 90% of California
21 wineries that are very small businesses, that are in no
22 way prepared to be offering technical IT-type of
23 assistance, and we also just do not believe that to be
24 necessary.

25 We have some concern about the requirement

1 that upon scanning the QR Code, that the message appears
2 separately and before all other information on the page.
3 We're concerned that this might potentially conflict
4 with other government uses for the QR Codes. So while
5 we would agree that government required messaging should
6 come first, this sort of race to the top could be
7 problematic when considering other government agencies
8 -- both within the state and within the nation and
9 without the world -- could create issues for compliance
10 for the use of these QR Codes.

11 We additionally have concerns with a very
12 specific reference to wet cott ted accessibility
13 guidelines. We want to caution that these are involving
14 guidelines. And while the guidelines referred to by
15 this regulatory package -- which is version 2.2 -- are
16 widely adopted and used, the version 3.0 is currently
17 being worked on right now.

18 So we would recommend not referencing
19 something that's a work-in-progress -- I guess you could
20 say -- and ever involving. And then the last comment
21 that I'd like to make is there's a proposed -- that it
22 is a violation of the act. If the information does not
23 appear when scanned, we recommend a small change here.
24 If there's no Internet connection available with the
25 scan, the QR Codes by definition cannot be scanned, we

1 think that small change should be added for
2 clarification.

3 And, once again, I would reference staff to
4 read the relatively of elements; the aluminous comments
5 we made on the subject. And I thank you very much for
6 your time today.

7 MR. CASTLETON: Thank you for your comment.

8 VERONICA PARDO: Hi. Good morning. Veronica
9 Pardo with the Resource Recovery Coalition. Thank you
10 for having us today. We've been following these
11 regulations but haven't been engaged we would like, and
12 acknowledge that we're in 45-day comment period, so it's
13 possible there'll be subsequent comment period, but it's
14 unclear at this point.

15 This is more of a general comment that the
16 industry is grappling with as we talk about these
17 material types and acknowledges well this is separate
18 and apart from SB 54, but we're still talking about the
19 similar material types when we talk about plastics,
20 right?

21 So at the end of the day, understand that a
22 consumer needs to get back -- in this case -- their five
23 cents, 10 cents, 25 cents -- and that's very important.
24 But for the circularity for this program, we really need
25 to make sure that, in particular, these bags -- like the

1 wine and the box scenario, or these paper board
2 materials -- are indeed ultimately ending and in a
3 response land market and being recycled.

4 I think that's just really important to make
5 sure that that's on top of mind for all of us. So just
6 curious to see long term -- the process of how we're
7 going to get feedback on the success of how those
8 materials are moving through.

9 And I assume that's going to be part of your
10 updates as you do those annually for other material
11 types, but it would just encourage us to come back to
12 this conversation as soon as possible to make sure that
13 we're really are getting those materials ultimately to
14 market.

15 Thank you so much for this opportunity.

16 MR. CASTLETON: Thank you for your comment.

17 If anyone else in this room would like to make
18 a comment, please come up to the podium.

19 And seeing no one in the room, we will also
20 check the Zoom and see if anyone has a hand raise.
21 Again, as a reminder, if you would like to make an oral
22 comment via Zoom, please raise your hand, and the host
23 will unmute you. Thank you.

24 Pending the receipt of any addition comments,
25 we will keep today's hearing open until 11 a.m. If you

1 are in person, please line up at podium to make a
2 comment. To make an oral comment via Zoom, please raise
3 your hand, and the host will un-mute you.

4 And as a reminder, please submit your written
5 comment, which is today September 30th, 2025. Thank
6 you.

7 (Pause.)

8 MR. CASTLETON: To make a comment in person,
9 please line up at the podium. To make an oral comment
10 via Zoom, please raise your hand, and the host will
11 un-mute you. Please submit written comments to the
12 CalRecycle public comment portal by the end of the
13 comment period, which is today September, 30th, 2025.
14 Comments will be taken first in-person, and, second, via
15 Zoom audio.

16 (Pause.)

17 MR. CASTLETON: So, once again, to make a
18 comment via Zoom, please raise your hand, and the host
19 will un-mute you. Submit written comments to the
20 CalRecycle public comment portal by the end of the
21 comment period, which is today, September 30th.

22 We will be ending this meeting in about five
23 minutes.

24 (Pause.)

25 MR. JIMINEZ: Thank you all for joining us

1 today. If you would like to stay informed on the status
2 of the SB 1013 addition of new beverage containers
3 proposed regulations, please subscribe to the list shown
4 in the presentation slide.

5 Thank you. That brings today's hearing to an
6 end.

7 (The proceeding concluded at 11:00 a.m.)
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1 REPORTER'S CERTIFICATION

2
3 I, the undersigned, a Certified Shorthand
4 Reporter of the State of California, do hereby certify:

5 That the foregoing proceedings were taken
6 before me at the time and place herein set forth; that
7 any witnesses in the foregoing proceedings, prior to
8 testifying, were duly sworn; that a record of the
9 proceedings was made by me using machine shorthand,
10 which was thereafter transcribed under my direction;
11 that the foregoing transcript is a true record of the
12 testimony given.

13 Further, that if the foregoing pertains to the
14 original transcript of a deposition in a federal case,
15 before completion of the proceedings, review of the
16 transcript [] was [] was not requested.

17 I further certify I am neither financially
18 interested in the action nor a relative or employee of
19 any attorney or party to this action.

20 IN WITNESS WHEREOF, I have this date subscribed
21 my name.

22 Dated: October 7, 2025



23
24 Certified Shorthand Reporter
25 For the State of California

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