

If you are a ...

- *Retailer*
- *Wholesaler*
- *Distributor*
- *Importer*
- *Manufacturer*

... you need to know the law.



Extended Producer Responsibility

Extended Producer Responsibility (EPR), also referred to as Product Stewardship, is a strategy to place a shared responsibility for end-of-life product management on producers. The Architectural Paint Recovery Act (Assembly Bill 1343, established in 2010) is an EPR requirement that paint manufacturers develop and implement a program to collect, transport, and process post-consumer paint to reduce costs and environmental impacts of its disposal in California.

– *Public Resources Code (PRC) 48700*

More details are posted on the CalRecycle website: www.calrecycle.ca.gov/paint

California Department of Resources
Recycling and Recovery
1001 I Street, P.O. Box 4025, MS10
Sacramento, CA 95812

Contact Paint Enforcement directly at:
Phone (916) 341-6079
Fax (916) 319-7818
paintenforcement@calrecycle.ca.gov

CalRecycle 

**California's
Architectural
Paint Recovery
Program**



**Enforcement
Overview**

 **CalRecycle**

Architectural Paint Recovery Program Overview

California has established an industry-run, statewide program to increase the education, recovery, and recycling of used paint. The program requires that a paint stewardship organization be formed to comply with the law. Currently, PaintCare, a 501(c)(3) organization created by the American Coatings Association, is the only recognized paint stewardship organization representing paint manufacturers in California.

Enforcement

CalRecycle provides enforcement oversight of the paint law. CalRecycle evaluates compliance through various means including, but not limited to, site inspections.

Failure to comply with requirements of the paint law, and/or submitting false or misleading information, may result in penalties of up to \$10,000 per day.

See details about the paint stewardship law and monitor CalRecycle's website for product compliance at: www.calrecycle.ca.gov/paint

Retailer and Manufacturer Requirements

Retailers and manufacturers are required to:

- Provide access to records, invoices, functionally equivalent billing documents, or other records to verify compliance with the paint law.
– *14 California Code of Regulations 18956*
- Collect an assessment when selling a program product. The assessment shall be included in the price of the product.
– *Public Resources Code (PRC) 48703(b)(3)*
- Sell paint that is covered under a plan approved by CalRecycle and listed as a compliant product on CalRecycle's website. – *PRC 48702(b)(1)*
- Monitor CalRecycle's website for manufacturer or brand product compliance. – *PRC 48702(d)*
- Submit a stewardship plan individually or through a stewardship organization to CalRecycle (manufacturers only).
– *PRC 48702(a) and 48703(a)*

Record Keeping

CalRecycle may ask a retailer or manufacturer to provide timely access to records to verify compliance with the paint law. Relevant records include invoices or functionally equivalent billing documents or other records showing the:

- Name of the paint manufacturer.
- Date the paint was purchased from the manufacturer.
- Date the paint was sold to the consumer or other buyer.

Monitor Website for Product Compliance

Retailers and distributors that sell or distribute paint in California are required to monitor CalRecycle's website to determine if the sale of a manufacturer's architectural paint is in compliance with the law. CalRecycle's website maintains a listing of compliant manufacturers and brands that are approved to sell architectural paint in California.

Assessment

The paint law requires paint manufacturers to add an assessment (referred to as a fee by PaintCare) on all purchases by a retailer, wholesaler, distributor, and importer. These businesses pass the assessment onto the consumer at time of purchase. The paint stewardship organization sets fees approved by CalRecycle.

PaintCare's website for assessment information is at www.PaintCare.org.