



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027
P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

To: Plastic Trash Bag Manufacturers

Subject: **Plastic Trash Bag Annual Manufacturer Certification**
Response Required by March 1

The Department of Resources Recycling and Recovery (CalRecycle) must ensure annually that plastic trash bag manufacturers are in compliance with California's Recycled-Content Trash Bag Program's (Program) statute and regulations. CalRecycle has identified your company as a manufacturer of regulated plastic trash bags and/or can liner bags, .70 mil or greater in thickness, intended for sale in California. The required annual certification form is attached. The form will provide information from your company to CalRecycle for use in determining compliance for the previous calendar year, January 1 to December 31.

Annual Certification Requirements

The Program allows plastic trash bag manufacturers two methods to demonstrate compliance with the Plastic Trash Bag Law. Manufacturers are required to certify to CalRecycle that one of the following has been met:

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

All plastic postconsumer material reported to CalRecycle to satisfy either requirement must have been used during the reporting period.

Forms and Information

It is important that certification forms are 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**. Late, incomplete or inaccurate certification forms may result in a determination by CalRecycle that your company is non-compliant with the Plastic Trash Bag Program for the reporting year. Manufacturers submitting late forms, will not have another chance to come into compliance until the next reporting cycle.

The laws governing the Program can be found in Title 14 California Code of Regulations (CCR) Sections 17975-17985 (CalRecycle.ca.gov/Laws/Regulations/Title14/ch4a5.htm), and California Public Resources Code Sections 42290-42298 (<http://leginfo.legislature.ca.gov>). For more information, links to our regulations and statute, definitions, and the certification form (CIWMB 57), see our Recycled-Content Trash Bag Program website: CalRecycle.ca.gov/buyrecycled/trashbags.

Form Submittals

The certification forms may be submitted via mail, email or fax to the following:



**Department of Resources Recycling and Recovery (CalRecycle)
Waste Permitting, Compliance and Mitigation Division
Attn: Plastic Trash Bag Certification Program, MS 10-17-A
1001 I Street, P.O. Box 4025
Sacramento, CA 95812-4025
E-mail: Plasticbag@calrecycle.ca.gov
FAX: (916) 319-7694**

Non-Compliance

Manufacturers who do not submit complete certifications to CalRecycle by March 1 are non-compliant. If your company is determined non-compliant with any of the requirements, your company will be prohibited by law from entering into any contract, or amending or renewing a contract with the State of California for the provision of any goods or services. Your company will remain ineligible until after it submits a timely, complete and accurate certification to CalRecycle for the next reporting year. Please also be advised that CalRecycle has the statutory authority to conduct audits to review the accuracy of manufacturer certifications.

Public Records and the Information Practices Acts

CalRecycle is subject to the provisions of the Public Records and Information Practices Acts, Title 14 CCR Sections 17041-17046 (www.calrecycle.ca.gov/Laws/Regulations/Title14/ch1.htm#ch1a4). If any of the information being submitted in this request 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, or 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.

Assistance

If your company did not manufacture or sell regulated plastic trash bags/can liners in the state of California, during the reporting period, please indicate this on the form and return it. If your company does not manufacture plastic trash bags now and will not in the future, and you feel your company received this letter in error, please notify us in writing to the address or email above by the submittal deadline. If your company's status changes in the future, and is subject to the requirements of the Plastic Trash Bag Program, you must notify CalRecycle and submit the required certification.

If you have any questions or need additional information, please contact the program staff via email at: plasticbag@calrecycle.ca.gov. Thank you for your cooperation.

Sincerely,

Minimum Content Compliance Unit
Waste Evaluation and Enforcement Branch