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LOS ANGELES COUNTY  
SOLID WASTE MANAGEMENT COMMITTEE/  
INTEGRATED WASTE MANAGEMENT TASK FORCE  
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April 29, 2021

The Honorable Lorena Gonzalez, Chair  
Assembly Committee on Appropriations  
1020 N Street, Room 2114  
Sacramento, CA 95814

Dear Assembly Member Lorena Gonzalez:

**SUPPORT AND AMEND – ASSEMBLY BILL 1371 (FRIEDMAN, LORENA GONZALEZ, AND TING) AS AMENDED ON APRIL 21, 2021 – RECYCLING: PLASTIC: PACKAGING AND CARRYOUT BAGS**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **Supports** Assembly Bill 1371 (AB 1371), as amended on April 21, 2021 and recommends that be **amended** as described below.

AB 1371 would prohibit an online retailer that sells or offers for sale and delivers purchased products in or into the state from using single-use plastic packaging that consists of shipping envelopes, cushioning, or void fill to package or transport the products, on and after January 1, 2023, for large online retailers, and on and after January 1, 2025, for small online retailers. The bill would prohibit a manufacturer, retailer, producer, or other distributors that sells or offers for sale and delivers purchased products in or into the state from using expanded polystyrene packaging to package or transport the products.

The bill would require an online retailer that has at least one physical location in the state to provide a take-back container for plastic packaging. The bill would also require an online retailer that provides lockers for the secure pickup of purchased products at a store to provide a collection bin at the store to collect plastic packaging. Additionally, the bill would require an online retailer to have an at-delivery recycling program that provides for the pickup at the time of delivery of packaging for products previously purchased from the online retailer, at no cost to the customer. The bill would further require retailers to maintain records describing the collection, transport, and recycling of plastic packaging for one year and to make the records available to the Department of Resources Recycling and Recovery (CalRecycle) and the local jurisdiction.

Additionally, AB 1371 would establish the At-Store Recycling Program to provide persons the opportunity to return clean plastic carryout bags and clean durable plastic bags to the store and require a plastic carryout bag provided by a store to have specified information displayed on the bag and would require the placement of a collection bin in each store that is easily accessible to the consumer. The bill would also require a store to maintain records describing the collection,

transport, and recycling of plastic bags pursuant to these provisions for 3 years and to make the records available to CalRecycle and the local jurisdiction.

The bill would make a violation of these requirements applicable to online retailers subject to civil penalties. Any civil penalties collected pursuant to this provision must be paid to the office of the Attorney General, county counsel, or city attorney, whichever office brought the action. The penalties collected pursuant to this provision by the Attorney General must be deposited into the Plastic Packaging Reduction Penalty Account, which is hereby created in the State Treasury. Moneys in the account may be expended by the Attorney General, upon appropriation by the Legislature, to enforce this chapter.

In regard to the At-Store Recycling Program, violation of the Program's requirements is subject to penalties collected by the Attorney General which is to must be deposited into the At-Store Recycling Program Penalty Account, which the bill would create. The bill would make these requirements, except for the records and civil penalty provisions, inoperative on January 1, 2030, and would repeal the provisions, including the records and civil penalty provisions, as of January 1, 2033.

The Task Force is in support of such a measure because it would help to source reduce single-use plastic waste, enhances the environmental protection-efforts, ensuring public health and safety while addressing the proposal's economic impacts by phasing out the use of most single-use plastic films and expanded polystyrene in e-commerce packaging for online retail purchases, and establishing an At-Store Recycling Program for clean plastic bags. However, the Task Force has concerns that some products such as medicine may require cold shipment which necessitate the use of specialized packaging that does not meet the new requirements established by AB 1371 (emphasis added). The Task Force strongly recommends that the bill be amended to allow medicine to be shipped using current methods until suitable alternative cold shipping methods are available.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated and cost-effective and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

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Based on the foregoing, the Task Force **Supports** AB 1371 and recommends it be **amended** to address the medicine issue as described above. If you have any questions, please contact Mr. Mike Mohajer, a member of the Task Force, at [MikeMohajer@yahoo.com](mailto:MikeMohajer@yahoo.com) or at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair  
Los Angeles County Solid Waste Management Committee/  
Integrated Waste Management Task Force and  
Mayor, City of Rosemead

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cc: Assembly Member Bloom  
Assembly Member Carrillo  
Assembly Member Friedman  
Assembly Member Kalra  
Assembly Member Luz Rivas  
Assembly Member Quirk  
Assembly Member Stone  
Assembly Member Ting  
Senator Allen  
Senator Stern  
Senator Wiener  
Each Member and staff of the Assembly Committee on Appropriations  
California State Association of Counties  
League of California Cities – Los Angeles County Division  
Each Member of the Los Angeles County Board of Supervisors  
Fesia A. Davenport, Los Angeles County Chief Executive Officer  
Gateway Cities Council of Governments  
San Gabriel Valley Council of Governments  
South Bay Cities Council of Governments  
Westside Cities Council of Governments  
Each City Mayor and City Manager in the County of Los Angeles  
Each City Recycling Coordinator in Los Angeles County  
Each Member of the Los Angeles County Solid Waste Management Committee/  
Integrated Waste Management Task Force