



Fact Sheet - AB 1343 (Huffman, 2010) Paint Producer Responsibility

Summary/Background

AB 1343 establishes a producer financed, designed and managed postconsumer paint recovery program. The law was based on legislation implemented in Oregon on July 1, 2010, who established the first paint stewardship in the nation.

Paint is the single largest waste stream managed by California local government household hazardous waste (HHW) programs, costing California taxpayers and garbage ratepayers approximately \$27 million annually to manage.

Adds Chapter 5 to Part 7 of Division 30 of the Public Resources Code.

Impacts on Producers

Paint producers, through a designated stewardship organization (SO) or individually, will be required to submit a stewardship plan to the Department of Resources, Recycling and Recovery (CalRecycle).

The plan is required to contain specified elements of an architectural paint stewardship program, including a paint stewardship fee, approved by CalRecycle, on each container of paint sold in this state.

The law prohibits paint producers from selling paint in California unless they are participating in the paint stewardship program as listed on CalRecycle's website.

Producers must also submit an annual report to CalRecycle describing its paint recovery efforts.

Impacts on Retailers

Retailers cannot sell or offer for sale in California paint unless the producer is in compliance with this law. A retailer may also

voluntarily participate as a paint collection point and post the educational materials provided.

Impacts on Consumers

California consumers will now have more locations to discard of their unwanted paint for recycling at no cost upon return. Program fees are paid at point of sale.

State Oversight (CalRecycle)

CalRecycle must review and approve submitted stewardship plans from producers within 90 days of receipt. CalRecycle must also list participating producers on their website and review the annual report required to be submitted by producers and adopt findings of compliance or noncompliance with their plan within 90 days of receipt.

Key Dates

- January 2011 – Effective date
- April 1, 2012 - Program plan submitted to CalRecycle by producers/SO
- July 1, 2012 – Paint program starts
- April 1, 2013 - CalRecycle posts a notice on web site listing producers in compliance.
- July 1, 2013 (and each year thereafter) – Producers submit a report to CalRecycle describing paint recovery efforts

Cost/Funding

The stewardship organization will pay CalRecycle annual administrative fees sufficient to cover the full costs of administering and enforcing the program

For More Information

- Sign up for CalRecycle's AB 1343 [listserv](#)