

# SB 1383 Paper Procurement Factsheet

Adapted from CalRecycle Website ([www.calrecycle.ca.gov/organics/slcp](http://www.calrecycle.ca.gov/organics/slcp))

Beginning January 1, 2022, SB 1383 requires jurisdictions (defined as: cities, counties, or special districts that provide solid waste collection services) to purchase paper products that are recyclable and contain at least 30% post-consumer recycled content when they are available in the marketplace at competitive costs and are equal in performance.

All paper products and printing and writing paper are covered, unless exempted. Below are examples of paper products commonly purchased by local governments.

## Printing & Writing Papers

- Copy paper
- Watermark
- Note pads
- Offset

## Paper Office Supplies

- File folders
- Envelopes
- Sticky notes
- Boxes & packaging

## Printed Materials

- Calendars
- Brochures
- Magazines
- Posters
- Newsprint

## Janitorial Papers

- Toilet paper
- Paper towels
- Facial tissues
- Toilet seat covers

## Recordkeeping

Your city will need to maintain records showing the post-consumer recycled content and recyclability of **all paper purchases**, including:

- Copies of all invoices, receipts, vendor reports, or other proof of purchase that describe the procurement of paper products by volume and type for all paper purchases.
- Written certification(s) of the recycled content of each paper product. These can come from:
  - Paper vendors, such as a usage report
  - Manufacturer or vendor websites
  - Product labels, invoice, receipts, etc.
- Written documentation from the product vendor certifying the products are recyclable.

## Why Focus on Paper?

When paper, food waste and other organic materials are buried in a landfill, they produce methane, a potent climate warming pollutant. The procurement requirements in this law set out to create demand for these materials to ensure they will have a useful second life, and not end up in the landfill.

Your local government can make an even bigger impact by minimizing use of paper products. Consider adopting digital workflow tools or reminding staff to only use one or two paper towels in the restroom.

Alameda County has compiled this information to support local government compliance efforts with SB 1383. The County makes no warranties and accepts no responsibility for compliance of other jurisdictions. Seek the advice of your legal counsel for questions regarding your jurisdiction's compliance efforts.  
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# How to Get Started

There are multiple ways your city can approach implementation and recordkeeping to achieve compliance with the SB 1383 paper procurement requirements. Below are two strategies to help get you started.

## Vendor Supported Implementation

Requiring city purchasing to happen through known vendors provides opportunities to put in place contract requirements to streamline compliance and documentation efforts.

Ask your vendor to provide the following support:

- Restrict purchases of paper products to a set list of contract products. Or have them create an SB 1383 compliant list of products easily accessible to employees.
- Conduct a market assessment for non-compliant products and propose pricing for your evaluation. Maintain this documentation as part of your compliance record to justify non-compliant purchases.
- Provide usage reports for all products sold with the information required for your compliance, including minimum recycled content levels, and if the product is recyclable.

## Decentralized Implementation

If your city allows purchasing through any vendor, you may need to rely on departmental purchasers to track and report their purchases of all paper products and to provide justification for non-compliant purchases.

To comply with the law, you might consider:

- 1) putting a centralized contract in place,
- 2) setting up a centralized reporting form to collect the required recordkeeping information, and/or
- 3) working with your finance department to tag relevant invoices or other documentation, such as with an SB 1383 project code, so they can be retrieved.

Consider requiring staff with spending authority to complete annual training on the SB 1383 paper procurement and reporting requirements relevant to your city's implementation strategy.

## Vendor report fields

Request reports in Excel format, sortable by the following fields (at minimum):

- Department name
- Product name
- Product SKU or OEM code
- Product description
- Unit of measure
- Quantity purchased
- Price per unit
- Post-consumer recycled content %
- Eligible to be recycled?

## Record Keeping Considerations

Documents supporting implementation are to be entered into the implementation record within 60 days of creation and be made available upon request within 10 business days.

It is advisable to maintain justification for non-compliant purchases as part of your implementation record.

# Questions, Answers and Ideas

**Q:** Are there other paper products that are subject to SB 1383 requirements, beyond what is highlighted in this factsheet?

**A:** Yes, these are just representative. SB 1383 requirements apply to “all paper products and printing and writing papers,” as described in [Section 12207](#) of the Public Contract Code.

**Q:** If compliant products with 30% post-consumer recycled (PCR) content do not perform adequately, or are more expensive, do we still need to purchase those to comply with SB 1383?

**A:** Not necessarily. [Section 22150](#) of the Public Contracting Code provides exemptions when these criteria are not met. Maintain documentation showing justification for purchasing non-compliant paper products in your implementation record.

**Idea:** When compliant products are price competitive, leverage your city policies on climate action or environmentally preferable purchasing to justify the higher costs in order to support market development for recycled content products.

**Q:** Do these requirements apply when the paper products are purchased and used by a vendor providing services to the city, for instance, the papers used when delivering janitorial services?

**A:** No. You will only need to maintain a compliance record for paper products purchased by your city, including printed materials specified and produced for use by your agency, such as mailers, bill inserts, flyers, brochures, etc.

**Idea:** Consider asking your vendors who use paper as part of primary services, such as janitorial service providers and bill mailing services, to also use recycled content paper.

**Q:** What does recyclable mean, and how should vendors verify this requirement?

**A:** Recyclable means that recycling facilities are available to at least 60% of consumers where the item is sold, as defined in [16 CFR Section 260.12](#). Options for vendor verification include providing a statement that products sold to the jurisdiction are recyclable, including information about recyclability as part of usage reports, or similar documentation.

**Idea:** As for janitorial papers that cannot be recycled, CalRecycle recognizes it is necessary for jurisdictions to purchase these products and would not enforce the mandate in circumstances where it is impossible to comply. It is advisable to maintain justification for non-compliant purchases (in this case, reason for lack of recyclability) in your records.

**Q:** What does “post-consumer” mean, and what are the benefits of purchasing post-consumer recycled (PCR) content products?

**A:** Post-consumer means the fibers used to make the paper products you buy comes from paper that is collected in recycling programs, and not from trees. Purchasing products made from these materials helps to build markets for recycled paper and reduces the demand for wood from forests. It is also less polluting to make paper from PCR content.

**Idea:** You can have an even bigger impact by reducing your paper use!

# Alameda County Case Study: Centralized Contract Strategy

## Overview

The County of Alameda incorporates SB 1383 requirements directly into their competitive bid solicitations, including:

- Setting minimum post-consumer recycled (PCR) content requirements in bids
- Asking vendors to help with identifying SB 1383 compliant products
- Requiring quarterly and annual usage reports for all products purchased by volume and type. Reports include vendor certification of the recycled content and recyclability of the products purchased to streamline recordkeeping.

## Finding compliant products

The County requires vendors to help with compliance by reviewing all non-recycled content products to see if an alternative with 30% PCR is available. When the price quoted for the 30% PCR alternative is cost competitive, we consider adding them to contract in place of the non-compliant product. We maintain the market analysis documentation as part of our compliance record.

## Quarterly and Annual Reporting

We require vendors to submit regular usage reports with information needed for SB 1383 recordkeeping requirements. This data also helps us track progress towards our paper reduction goals set out in our climate action and sustainable purchasing plans!

## Piggybacking on County Contracts

Cities interested in adopting the pricing, implementation strategies, and other terms of the County's paper contracts can reach out directly with the County's vendors to see if they are willing to negotiate a contract. Check out this [tip sheet](#) to more about piggybacking on public contracts.

## Resources

Find bid excerpts, implementation tools, and information on how to piggyback on County contracts at [www.acsustain.org](http://www.acsustain.org).

## Reduce Paper Use First

Between 2010 and 2019, County reduced its use of copy paper by 34% by implementing digital workflow tools like SharePoint and DocuSign, and engaging employees through behavior change campaigns. When combined with our switch to purchasing 100% post-consumer recycled content paper, our efforts have resulted in a greenhouse gas reduction equivalent to removing 340 cars off the road. Learn more about the County's paper reduction efforts in this 2015 case study:

<https://www.acgov.org/sustain/documents/casestudy-2015SPLC-copypaper.pdf>.



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