

# SB 1383 Paper Procurement Factsheet

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

As of 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. 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

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

- Copies of invoices, receipts, vendor reports, or other proof of purchase that detail the procurement of paper products by volume and type.
- 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.

As a vendor, your partnership is critical to the ability for cities to comply with this law. We encourage you to become familiar with the law so you can proactively help cities comply.

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.

Last updated March 2, 2022, for a vendor audience.



Alameda County  
**SUSTAINABILITY**  
*Local Action, Global Impact.*

# How Vendors Can Support City Compliance

Vendors play a big role in supporting city compliance with SB 1383. Each city is responsible for maintaining an implementation record, but many of those records must be provided by their vendors that supply them paper products.

## Highlight Your Ability to Help

Cities want to know that the vendors they are working with can help them by producing the necessary documents for their implementation record. Below are just a few questions a city might ask when soliciting bids for paper products:

- Do you have a reporting template to provide product tracking information required by SB 1383? Can you provide this report upon request within 10 days?
- Are you providing SB 1383 compliant tracking information for other buyers?
- Do you have an indication in your catalog for SB 1383 compliant products? What about non-compliant products?
- Can you provide a separate list of SB 1383 compliant and non-compliant products you have available?
- Please describe how buyers find SB 1383 compliant products while purchasing.
- If you don't currently carry compliant products, but they are available in the marketplace, are you willing to source from new suppliers?
- If compliant products are not available or are more costly, are you able to document this to help with record keeping requirements?
- Can you compare non-compliant and compliant products by price (e.g., conduct a market assessment)?
- Can you provide certification in writing that paper products sold are recyclable in local recycling programs?

### City Record Keeping Considerations

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

Cities must also maintain justification for non-compliant purchases as part of their implementation record.

### Sample Usage Report Fields

Reports shall be 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 %
- Recyclable? (y/n)

CalRecycle has provided a sample vendor certification form under recordkeeping here: <https://www.calrecycle.ca.gov/organics/slcp/procurement/RecycledPaper>

# Frequently Asked Questions

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

**A:** Yes, those listed are just representative of the types of products covered. 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 cities still need to purchase them to comply?

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

**Idea:** Vendors can help cities by conducting a market assessment of the non-compliant products they currently purchase to allow them to evaluate if the quality and cost are reasonable. That market assessment can serve as a basis for their justification, and it puts the marketplace on notice that there is demand for more products with recycled content.

**Q:** Do these requirements apply when the paper products are purchased and used by a vendor providing services to the city? For example, are paper towels and toilet paper covered when they are sourced by a vendor delivering janitorial services, and not directly by the city?

**A:** No, except for print services (see note below). Cities will only need to maintain a compliance record for paper products purchased directly by the city.

**Note:** Printed materials ordered by a city and produced by a print service vendor for use by the city are covered under the law. Cities will need to maintain compliance records for the paper used by vendors delivering these services.

**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](#). Vendors can certify recyclability by using the CalRecycle certification [form](#), or similar documentation as requested by the city they are serving.

**Note:** 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. Cities may want to maintain justification for non-compliant purchases (in this case, reason for lack of recyclability) in their 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 product consists of material discarded by end users rather than generated during a manufacturing process or sourced from virgin wood (trees). Purchasing products made from these materials helps to build markets for recycled paper collected at the curbside and reduces the demand for wood from forests. It is also less polluting to make paper from post-consumer recycled content.