

# Compostable Product Labeling and Declarations Updates to Washington's Plastic Product Degradability

#### **Overview**

Washington's Plastic Product Degradability (<a href="chapter">chapter</a>
<a href="Mailto:70A.455 Revised Code of Washington">70A.455 Revised Code of Washington</a> (RCW)) sets marketing standards for compostable products sold and distributed in the state. The law requires specific labeling practices for compostable products to reduce confusing and deceptive marketing claims ("greenwashing").

# THE LAW APPLIES TO ALL COMPOSTABLE PRODUCTS, WITH SPECIAL SECTIONS FOR

- Film bags
- Other film products
- Food service products

Products made from **wood** or at least **98% fiber with no plastic additives** (polymers, waxes, etc.) are exempt.

# NO PRODUCT CAN BE LABELED WITH THESE TERMS IN WASHINGTON

- "biodegradable"
- "degradable"
- "decomposable"
- "oxo-degradable"
- any similar term

# Things to Know

Products labeled as "compostable" that are sold, offered for sale, or distributed in Washington must:

- Be certified by a third-party that the product meets scientific standards for industrial composting.
- Follow the Federal Trade Commission's "Green Guides" requirements.
- Display the word "compostable."
- Use green, beige, or brown labeling, striping, or other patterns.
- Be listed on the producer's compliance

## **Important Dates**

#### **JANUARY 1, 2024**

- Products must meet labeling requirements.
- Producers submit declarations.

#### JUNE 6, 2024

Updates from 2024 legislative session take effect.

#### **JULY 2024**

Ecology's enforcement begins.

#### **Producer Declarations**

Compostable plastic producers must submit a declaration with a list of their products to <a href="Ecology's portal"><u>Ecology's portal.</u></a>. Submitting the declaration tells Ecology the product meets the labeling requirements. Producers must update declarations

- Before a new compostable product is sold or distributed into Washington.
- Before a product that has been materially changed is sold or distributed into Washington.

## **Non-compostable Products**

If a product is not certified for meeting the relevant scientific standards for composing in industrial settings, it is:

- PROHIBITED from using labeling and terms that are required for compostable products. (Includes tinting and color schemes for noncompostable film bags).
- DISCOURAGED from using coloration, labeling, images, and terms that confuse consumers about a product's compostability or environmental impacts.
- ENCOURAGED to use coloration, labeling, images, and terms that help consumers identify non-compostable items as recyclable or waste.

# Compostable labeling by product type

# Film Bags

- Meet scientific standard **ASTM D6400** for composting in industrial settings.
- Have a logo from third-party certifier.
- Have a green, beige, or brown color signal and the written word "compostable" (three options):
  - a) Colored or tinted completely and has the word "compostable" in 1-inch text on one side.
  - b) Labeled with the word "compostable" on both sides in at least 1-inch text, written in green, beige, or brown.
  - c) Labeled with a green, beige, or brown band on both sides at least 1-inch in height with the word "compostable" written within the band in a contrasting color and at least ½-inch text.

Film bags smaller than 14-inches by 14-inches may have smaller text and color bands, if they are in proportion to the bag's size.

- No use of the chasing arrow or other recycling symbols.
- Listed on a producer's declaration of compliance.

### Other film products

- Meet scientific standard **ASTM D6400** or **D6868** for composting in industrial settings.
- Have a logo from third-party certifier.
- Food contact films:
  - Be completely or partially tinted green, beige, or brown. At minimum, must have a green, beige, or brown stripe at least ¼-inch wide.
  - o Labeled with the word "compostable," where possible.
- Non-food contact films:
  - o Be completely or partially tinted green. At a minimum, must have a green stripe at least 0.25-inch wide.
  - Labeled with the word "compostable."
- Listed on a producer's declaration of compliance.

## Food service products

- Meet scientific standard ASTM D6400 or D6868 for composting in industrial settings.
- Have a logo from third-party certifier.
- Labeled with the word "compostable," where possible.
- Be completely or partially tinted green, beige, or brown. At minimum, must have a green, beige, or brown stripe at least ¼-inch wide.
- Listed on a producer's declaration of compliance.

# Other products

- Meet scientific standard ASTM D6400, D6868, D8410, ISO17088, EN13432 or another similar standard for composting in industrial settings.
- Have a logo from third-party certifier.
- Labeled with the word "compostable," where possible.
- Use green, beige, or brown labeling, striping, symbols, tinting, marks, or patterns.
- Listed on a producer's declaration of compliance.



