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DEFINE "RECYCLED PRODUCT"

House Bill 4115

Sponsor: Rep. Jessie Dalman

Committee: Conservation, Environment
and Great Lakes

Complete to 2-8-93

A SUMMARY OF HOUSE BILL 4115 AS INTRODUCED 2-2-93

The bill would create a new act to define "preconsumer" and "postconsumer" waste, to require one or both kinds of waste in any recycled product sold in the state that was advertised or labeled as "recycled," and to impose civil fines for violations of the bill.

The bill would define "preconsumer waste" as "residuals that [were] generated in-plant during the manufacture, finishing, or packaging of a product and prior to distribution to an ultimate consumer." It would define "postconsumer waste" to mean "waste that [had] served its originally intended purpose, that [was] recovered from a person, and that ha[d] been separated from the solid waste stream for the purpose of recycling."

The bill would prohibit selling (or offering for sale) any product advertised or labeled as "recycled" (or as having recycled content) unless it was made up of preconsumer waste or postconsumer waste. Products labeled or advertised as recycled would have to list the percentage of the product made from either type of waste and from virgin stock.

Finally, under the bill, anyone who violated the bill after having been notified by the attorney general of the violation would be responsible for a civil fine of \$1,000 a day for each day of the violation. The attorney general also could seek an injunction to stop the distribution of a product in violation of the bill's provisions.

House Bill 4115 (2-8-93)