



# HOUSE BILL No. 4115

February 2, 1993, Introduced by Reps. Dalman, Nye, Rhead, Gernaat, McNutt, Stille, Llewellyn, Jaye, London, Galloway, McManus, Bodem, Horton, Shugars, Rivers, Vorva, McBryde, Freeman, Gire, Bankes, Brown, Dolan, Pitoniak and Bullard and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to regulate the usage of terminology used to designate recycled content; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1     Sec. 1. As used in this act:

2     (a) "Person" means an individual, partnership, corporation,  
3 association, governmental entity, or other legal entity.

4     (b) "Preconsumer waste" means residuals that are generated  
5 in-plant during the manufacture, finishing, or packaging of a  
6 product and prior to distribution to an ultimate consumer.

7     (c) "Postconsumer waste" means waste that has served its  
8 originally intended purpose, that is recovered from a person, and  
9 that has been separated from the solid waste stream for the  
10 purpose of recycling.

1       Sec. 2. (1) A product shall not be sold or offered for sale  
2 in this state that represents in its labeling or advertising that  
3 it is recycled or has recycled content, unless it is composed of  
4 preconsumer waste or postconsumer waste.

5       (2) A product that represents that it is recycled or has  
6 recycled content shall contain a label that lists all of the  
7 following:

8       (a) The percentage of the product made from postconsumer  
9 waste.

10       (b) The percentage of the product made from preconsumer  
11 waste.

12       (c) The percentage of the product made from virgin stock.

13       Sec. 3. A person who violates this act after receiving  
14 notice from the attorney general that the person is in violation  
15 of this act is responsible for a civil fine of \$1,000.00 per day  
16 of violation. In addition, the attorney general may seek injunc-  
17 tive relief to prevent the distribution in this state of a prod-  
18 uct that is in violation of this act.