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Washington State Bill Creates Standards for Labeling of Compostable Food Packaging

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The Washington State legislature has passed a bill that restricts the use of “compostability” and “biodegradability” claims for plastic products, including food service ware, that do not meet uniform standards identified by the state. The bill, [HB 1569](#), was signed by the Speaker of the House on April 18 and by the President of the Senate on April 25. Governor Jay Inslee signed the bill on May 7 and will become effective on July 1, 2020.

HB 1569 specifies that products labeled as compostable must either be comprised only of wood or fiber-based substrate OR must meet the American Society of Testing and Materials (ASTM) composting standard D6400 or D6868. They must also meet Federal Trade Commission (FTC) green guide labeling requirements and be labeled with a logo indicating a third party has certified that the product complies with ASTM specifications. The bill also prohibits the labeling of most plastic products with the terms “biodegradable,” “degradable,” “decomposable,” or “oxo-degradable.”

Food service products—along with certain film products—that meet ASTM composting standards must be “readily and easily identifiable” as compostable. This includes the use of a logo indicating the product has met ASTM standards and the inclusion of the word “compostable” where possible. On the other hand, food service products and film products—including film bags—that do not meet ASTM standards are prohibited from using tinting, labeling, and terms required of products that meet ASTM standards. The bill specifies that manufacturers or suppliers are not required to comply with any of the product labeling requirements that conflict with the FTC green guides.

HB 1569 gives the state attorney general, cities, and counties concurrent authority to enforce the labeling and marketing requirements.

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