

**Subject** Labeling compostable products

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**Date** March 8, 2021

## Summary

House File 1165 modifies the requirements for labeling “covered products”—a bag, general packaging materials, and packaging for food and beverage products—as “biodegradable” or “compostable.”

The bill prohibits labeling a covered product as biodegradable unless a specification for the term has been developed by the American Society for Testing and Materials (ASTM) and approved by the legislature. A covered product meeting the applicable ASTM standard allowing it to be labeled “compostable” must be clearly and prominently labeled as such, with appropriate words, symbols, or colors. Beginning in January 2024, no covered product labeled as compostable may be sold in Minnesota unless it has been certified by a nonprofit third party as meeting the ASTM standard.

This bill’s provisions may be enforced by the Pollution Control Agency using a variety of enforcement actions, including criminal prosecution, recovery of civil penalties, injunction, and administrative penalties.