



2.1 (d) A person who immediately empties a plastic bag containing yard waste or  
2.2 source-separated compostable materials delivered to a transfer station or yard waste  
2.3 compost facility and removes the plastic bag from the transfer station or yard waste  
2.4 compost facility is exempt from paragraph (c).

2.5 (e) A city of the first class with an organized collection system for collecting solid  
2.6 waste is exempt from paragraph (c) until January 1, 2013.

2.7 **Sec. 2. [325E.046] STANDARDS FOR LABELING PLASTIC BAGS.**

2.8 Subdivision 1. **Biodegradable label.** A person may not offer for sale in this state  
2.9 a plastic bag labeled "biodegradable," "degradable," or any form of those terms, or in  
2.10 any way imply that the bag will chemically decompose into innocuous elements in a  
2.11 reasonably short period of time in a landfill, composting, or other terrestrial environment  
2.12 unless a scientifically based standard for biodegradability is developed and the bags are  
2.13 certified as meeting the standard.

2.14 Subd. 2. **Compostable label.** A person may not offer for sale in this state a plastic  
2.15 bag labeled "compostable" unless, at the time of sale, the bag meets the ASTM Standard  
2.16 Specification for Compostable Plastics (D6400). Each bag must be labeled to reflect that it  
2.17 meets the standard. For purposes of this subdivision, "ASTM" has the meaning given in  
2.18 section 296A.01, subdivision 6.

2.19 Subd. 3. **Enforcement; civil penalty; injunctive relief.** (a) A person who violates  
2.20 subdivision 1 is subject to a civil penalty of \$100 for each violation up to a maximum of  
2.21 \$5,000 and may be enjoined from such violations.

2.22 (b) The attorney general may bring an action in the name of the state in a court of  
2.23 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in  
2.24 this subdivision. The attorney general may accept an assurance of discontinuance of acts  
2.25 in violation of subdivision 1 in the manner provided in section 8.31, subdivision 2b.

2.26 **Sec. 3. EFFECTIVE DATE.**

2.27 Sections 1 and 2 are effective January 1, 2010.