



July 20, 2022

Rachel Machi Wagoner, Director  
California Department of Resources Recycling and Recovery  
P.O. Box 4025  
Sacramento, CA 95812-4025

**Re: CalRecycle's Interpretation of SB 212 re: Sharps Stewardship Program**

Dear Director Machi Wagoner:

The California Retailers Association (CRA) and California Pharmacists Association (CPhA) are writing to express our concerns regarding CalRecycle's interpretation of the sharps stewardship program point of sale requirements under the Pharmaceutical and Sharps Waste Stewardship Law as outlined in SB 212 (Chpt. 1004, 2018). It is our understanding that the Department is requiring all pharmacies to participate in distributing sharps take-back containers at point-of-sale. This requirement will have a detrimental impact on pharmacies' ability to effectively participate in the Sharps Waste Stewardship Program and was clearly not the intent of the legislation when it was passed and enacted in 2018.

Most if not all of our chain pharmacy members are participating or will be participating in some type of sharps take back program either through providing containers to consumers at point-of-sale, providing containers in the pharmacy or through a mail-back program. During the legislative process for SB 212, it was clearly determined that the intent of SB 212 was not to compel all pharmacies to participate in a sharps take-back program at point-of-sale and that an option for a sharps mail back program would be essential to ensure that there would not be a proliferation of containers and that there would be a number of options for consumers to dispose of their sharps without placing an overwhelming and expensive burden on pharmacies.

We encourage CalRecycle to approve Program Operators' Sharps Stewardship program plans that have been submitted and allow for them to move forward to complete sharps stewardship program implementation by September 5, 2022. These plans are providing numerous options for pharmacies and consumers that are workable and reasonable. It is important that the program get off the ground and resources and options become available as soon as possible for consumers.

CRA and CPhA look forward to working with CalRecycle on this important issue to get to implementation in the near term based on the original intent of SB 212. Please don't hesitate to reach out to Steve McCarthy with California Retailers Association ([steve@calretailers.com](mailto:steve@calretailers.com)) or Jennifer Snyder ([jsnyder@capitoladvocacy.com](mailto:jsnyder@capitoladvocacy.com)) with Capitol Advocacy if there are any questions or concerns.

Sincerely,

Rachel Michelin  
President

Michelle Rivas  
Executive Vice President, Government Relations