

# AB 403 (Stone/Eggman) Safe Sharps Collection Act

## **PROBLEM**

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The Environmental Protection Agency estimates that about 9 million people in the U.S. currently use disposable needles at home. These individuals use sharps to deliver medications to treat a variety of diseases and conditions, including diabetes, cancer, multiple sclerosis, migraines, and allergies. U.S. households use more than 3 billion disposable needles and syringes and 900 million lancets each year, collectively known as “sharps”. Once used, these sharps are regulated medical waste, and their proper disposal is governed by strict laws – they are not allowed to be thrown into regular trash cans or recycle bins. Unfortunately, most people who use sharps at home don’t know what to do with their used sharps, so they throw them in the trash or flush them down the toilet. As a result, thousands of pounds of illegally disposed sharps enter the municipal waste stream each year.

Sharps in the trash pose serious health risks to sanitation workers, water treatment facility operators and the general public. In addition to the immediate risk of a needle stick injury, sharps put individuals at risk of acquiring blood borne infectious diseases, such as hepatitis or HIV. Individuals who suffer a needle stick injury must receive immediate treatment and follow up care, including multiple lab tests and medications.

When sanitation workers encounter sharps, productivity suffers and costs increase. For instance, if a worker who sorts recyclables finds a loose sharp on the sorting line, they must stop the entire conveyor belt and take special precautions. And when workers sustain a needle stick injury, the costs of care are borne by the waste management company, the workers’ compensation insurer, and ultimately, taxpayers and ratepayers.

## **SUMMARY**

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AB 403 protects individuals from needle stick injuries and infectious diseases, and saves taxpayers money by reducing the amount of illegally dumped home-generated sharps. It allows those who are most able to figure out how to reduce sharps waste – those who manufacture sharps and injectable drugs– to develop a safe and convenient collection program statewide for used sharps.

Specifically, AB 403 requires all manufacturers of sharps and injectable pharmaceuticals, collectively known as “producers,” to design, fund and operate a collection program. Producers would be required to form a product stewardship organization that would develop a plan, subject to approval by CalRecycle, for the safe collection of home-generated sharps and meet certain collection rates and dates established in their plan. The sharps stewardship organization would be required to report annually on its waste recovery efforts and include stakeholder comments in their plan and annual reporting.

AB 403 ensures that producers provide a safe, convenient, and cost-effective method that is free at end of life to consumers to legally dispose of home-generated sharps. The measure protects anyone who could come into contact with home-generated sharps, and helps ensure that such sharps waste is diverted to appropriate waste facilities.

## **EXISTING LAW**

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Since 2008 it has been illegal in California for individuals to throw away home generated sharps but no statewide system for collection was ever developed to ensure proper management which is essence is a disposal ban without a plan.

In 2009, SB 486 was signed to require drug manufacturers to submit plans to CalRecycle outlining the measures they take, if any, to help

their customers safely dispose of home-generated sharps. Unfortunately, most manufacturers did not take any steps to help their customers safely dispose of sharps waste.

Private companies can sell legal sharps disposal containers for home use to sharps consumers. Legal sharps containers in the US must be certified by the FDA; some can hold up to several hundred sharps. Some can be mailed to a waste management program or the sharps manufacturer. Unfortunately, not all sharps consumers are aware of these programs or able to afford the containers.

Across the state, local governments have struggled to manage used sharps for many years, financing collection programs using public funds. In spite of these efforts, disposal options for consumers are extremely limited due to limited public funds and collection locations. People continue to get injured with needle sticks, and home-generated sharps continue to be thrown away illegally. AB 403 is needed to solve these problems.

## **STATUS**

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- Amended 3/XX/13

## **SUPPORT**

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- California Product Stewardship Council (sponsor)

## **OPPOSITION**

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- None received

## **FOR MORE INFORMATION**

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