

RCW 70A.208.900 Construction—2025 c 316. (1) Nothing in chapter 316, Laws of 2025 impacts an entity's eligibility for any state or local incentive or assistance program to which they are otherwise eligible. Nothing in chapter 316, Laws of 2025 limits the authority of private parties or government entities to enter into contracts.

(2) Nothing in this chapter authorizes the department or a producer responsibility organization to impose any requirement, in direct conflict with a federal law or regulation including, but not limited to:

(a) Laws or regulations covering tamper-evident packaging pursuant to 21 C.F.R. Sec. 211.132;

(b) Laws or regulations covering child-resistant packaging pursuant to 16 C.F.R. Sec. 1700.1, et seq.;

(c) Regulations, rules, or guidelines issued by the United States department of agriculture or the United States food and drug administration related to packaging agricultural commodities; and

(d) Requirements for microbial contamination, structural integrity, or safety of packaging, where no viable recyclable or compostable packaging that can meet the requirements exists, pursuant to:

(i) The federal food, drug, and cosmetic act (21 U.S.C. Sec. 301, et seq.);

(ii) 21 U.S.C. Sec. 2101, et seq.;

(iii) The federal food and drug administration food safety modernization act (21 U.S.C. Sec. 2201, et seq.);

(iv) The federal poultry products inspection act (21 U.S.C. Sec. 451, et seq.);

(v) The federal meat inspection act (21 U.S.C. Sec. 601, et seq.); or

(vi) The federal egg products inspection act (21 U.S.C. Sec. 1031, et seq.).

(3) No penalty may be assessed under this chapter on an individual or resident for the improper disposal of covered materials in a noncommercial or residential setting.

(4) Nothing in this chapter limits the authority of the utilities and transportation commission to regulate collection of solid waste, including curbside collection of residential recyclable materials, in accordance with chapter 81.77 RCW.

(5) Nothing in this chapter affects the authority or duties of the department of agriculture related to pest and noxious weed control and quarantine measures under chapter 17.24 RCW. [2025 c 316 s 128.]