



State Mandates on the Purchase of Recycled Content Paper

Overall, 48 out of 50 states have policies for recycled content copy paper. Alabama and Illinois are the only states that do not have a policy for purchasing recycled content copy paper by state agencies. Some states require the purchase of recycled paper while others may only have a policy encouraging its purchase.

Alaska

[Alaska Statute, Title 36 Public Contracts, Chapter 30, State Procurement Code, Section 333: Procurement of Paper](#) (1996) states that state agency purchases of paper shall be at least 25% recycled paper unless recycled paper is not available for the purchase or unless, after application of the procurement preference under AS 36.30.337, the recycled paper is more expensive.

[AS 36.30.337. Procurement Preference for Recycled Products](#), allows agencies to decrease the bid by five percent for recycled products. Departments establish the minimum percentage of recycled content.

Arizona

Passed in 1990, [Arizona Procurement Code §41-2568](#) and §41-2553(I) allows a 5% price preference for recycled paper products and states that specifications shall emphasize functional or performance criteria and not discriminate against the use of recycled materials. §41-2662: If a State agency purchases paper or causes the purchase of printing on recycled paper, it shall require that the printed material to include a printed statement or symbol which indicates that the document is printed on recycled paper. The director shall report to the governor each year on the purchase of recycled paper and other findings.

Arkansas

[Arkansas Title 19-11-260](#) (1991) requires the State Procurement Director to issue a recycled paper content specification for each type of paper product. The goal of state agencies for the percentage of paper products to be purchased that utilize recycled paper shall be sixty percent (60%) by calendar year 2000. The Office of State Procurement shall prepare a semiannual report on the state's progress in meeting the goals for the purchase of paper products with recycled content. Whenever a bid is required, a preference for recycled paper products shall be exercised if the use of the products is technically feasible and price is competitive. For the purpose of procurement of recycled paper products, "competitive" means the bid price does not exceed the lowest qualified bid of a vendor offering paper products manufactured or produced from virgin material by ten percent (10%). An additional one percent (1%) preference shall be allowed for products containing the largest amount of postconsumer materials recovered within the State of Arkansas.

California

Passed in the 1990's, the [State of California Public Contract Code 12200](#) requires State agencies and the Legislature to buy recycled for at least 50% of the reportable purchases for a specific target list of products, including copy paper, and to require all businesses to certify in writing the minimum percentage of postconsumer content. The State Agency Buy Recycled Campaign (SABRAC) applies to all "State agencies" which means every office, department, division, board, commission, or other agency of the State of California, including the California Community Colleges and the California State University. This does not

directly impact the University of California as noted below. The minimum recycled content requirements for printing and writing paper shall consist of at least 30 percent, by fiber weight, postconsumer fiber.

Section 10507.5. Encourages the University of California to purchase recycled content paper products. *It is the intent of the Legislature to encourage the procurement of recycled paper products by the University of California by developing guidelines to encourage the procurement of recycled paper products where suitable for the uses intended and where the quality is equal and the price is equal or less than non-recycled paper products.*

Section 12168. Allows agencies the option not to purchase when recycled paper costs more than non-recycled paper or use price preferences as needed.

Colorado

[Colorado Title 24 Government – State Procurement Code Article 103-207](#) authorizes state agencies to purchase recycled paper unless certain conditions exist: 1) the product is not available within a reasonable period of time, (2) the product fails to meet existing purchasing rules, including specification, or (3) the product fails to meet federal or state health or safety standards. In the [State of Colorado Environmentally Preferable Purchasing Policy, 2009](#), Colorado requires Buyers to procure at least 50% of total paper purchases utilizing 30% postconsumer materials and to purchase paper that is processed chlorine free or uses the least amount of chlorine or chlorine derivatives whenever possible.

Connecticut

Based on an Executive Order and under State Statute Chapter 58: Purchasing and Printing, [Section 4a-67f](#) are specifications for printing and writing paper requiring State procurement to be in line with the federal Executive Order 12873 (this 1993 EO has been updated twice; see Federal mandates description at the end of this report) and any guidelines from EPA (referring to EPA's Comprehensive Procurement Guidelines for over 50 products). Paper is to be composed entirely of materials manufactured using processes which (a) do not involve harvesting of trees or which are otherwise derived entirely from sources other than trees and (b) which can be categorized as having less adverse impact on the environment than conventional processes.

Delaware

[Executive Order 13](#), "Leading by Example Towards a Clean Energy Economy and Sustainable Natural Environment," 2010, directs specific agencies to develop an EPP policy for state executive branches, department and offices. According to [Contract Code 6938](#), the State shall meet or exceed the EPA's CPG guidelines as its goal. EPA's guidelines for copy paper are 30% postconsumer content. There are exclusions if cost and performance are an issue.

Florida

[Florida's Title XIX, Public Business, Chapter 283, Public Printing](#) (1983) states each agency shall purchase, when economical, recycled paper, if and when recycled paper can be obtained that is of adequate quality for the purposes of the agency. Agencies shall require vendors who submit bids for printing services to certify the recycled content of the material.

Georgia

According to the official code of Georgia, [OCGA 50-5-60.2](#), state agencies are required to purchase recycled printing and writing paper for most of their printing and office paper needs. State agencies are required to track and report their purchases. 95% of the dollars spent on printing and writing paper must go towards recycled content paper. Exceptions are allowed only if the documented bid price of the recycled paper is more than 8% higher than the documented bid price of the virgin paper or if certain recycled paper does not meet the quality level established by the Department of Administrative Services. Recycled content

paper must meet or exceed EPA guidelines. Agencies are encouraged to use the Certification of Product Content Form as an Attachment in bids. Recycled product purchasing reports are due on September 1st each year.

Hawaii

[Hawaii Procurement Code HRS 103D-1005 Recycled Products](#), requires the State and urges County purchasing agencies to purchase recycled content product consistent with the Federal Executive Orders. State purchasing agencies shall purchase recycled content paper except when statutory, regulatory, or contractual requirements preclude the purchase. A price preference may be used to procure recycled products. [Government Reporting HRS 342G-43](#) requires State agencies to submit progress reports on recycled goods purchased.

Idaho

[Title 67. State Government and State Affairs, Chapter 23, Miscellaneous Provisions](#) (1985) states that in the evaluation of paper product bids, those items that meet recycled content standards may be given a five percent purchasing preference when choosing the lowest responsible bidder.

Illinois

Illinois has a recyclable paper Statute (Act 500, Illinois Procurement Code, Article 45-25) which does not pertain to purchasing recycled paper.

Indiana

Indiana has passed several [Executive Orders](#) on Greening the Government. The guidance document "[Greening Indian's Government: Plan to Implement the original Executive Order 99-07](#)," is the only reference to specific actions regarding copy paper. All copy paper purchased the State or used by outside vendors for printing jobs will contain at least 30% postconsumer material. Agencies are encouraged to use the recycling symbol on all printed materials. Also, when feasible, the State should buy recycled paper that is processed chlorine free.

Iowa

[Executive Order 56](#) (1990's) requires all state agencies to purchase products made from recycled materials and meet the purchasing goal of 90% by January 2000 for recycled printing and writing paper. Recycled paper is defined as meeting EPA's Comprehensive Procurement Guidelines, currently 30% postconsumer for copy paper.

Kansas

[Statute 75-3740b](#): Purchase of recycled paper; requirements; price preference (1990) requires state to purchase paper with at least 50% recycled content if available. By 1995, not less than 25% of the total dollar amount shall be on recycled newsprint, writing and printing paper. A price preference of 5% shall be given to any bidder whose bid is for paper with not less than 50% recycled content. Purchasing reports are to be given annually to the legislature.

Kentucky

[Kentucky Title VI, Chapter 45A, Sections 500-540: Recycled Material Content Products](#) (1991) requires every state agency to use the minimum recycled content for products established by EPA's Comprehensive Procurement Guidelines, which for copy paper is 30% postconsumer, and to report on the purchase of materials, and to review and revise specifications that may prohibit the purchase of recycled products.

Louisiana

[Louisiana's Environmental Quality Act](#) (Title 30, Mineral, Oil and Gas and Environmental Quality, Subtitle II, Environmental Quality, Chapter 18, Solid Waste Recycling Reduction law § 2415), (1995) requires state agencies to purchase recycled goods to the maximum extent possible. Recycled paper content is defined by EPA's Comprehensive Procurement Guidelines. A five percent price preference is acceptable provided products are manufactured in Louisiana. Goals for procurement should be established with no less than five percent of total applicable purchases per year over a five-year period. Goals shall increase annually until such time as a minimum goal of fifty percent of the total purchasing is reached in ten years. A minimum of 20% of this total shall consist of high-grade white paper.

Maine

[Executive Order 15](#) (2008), "An Order Regarding Main State Government Purchasing of Paper Products from Certified Wood Sources" directs the Division of Purchases to purchase paper products either made from recycled fiber or from wood fiber certified as originating from well-managed forests. In 2010, 80% of the paper shall meet this requirement. Paper must be 100% certified or recycled content unless such products cannot be obtained within a 4% price preference, or unless considerations of product performance, availability or safety preclude certified or recycled products.

Maryland

[State Finance and Procurement Article, Title 14-402 and Code of Maryland Regulations \(COMAR\) 21.11.07.05](#), states that General Services shall buy recycled paper to the fullest extent practicable and at least 40% of the total volume of paper purchased shall be recycled paper. Paper must have at least 80% postconsumer content but when this paper is not available, shall meet EPA's guidelines. Each State unit shall report on its procurement of recycled materials on September 1st each year. A price preference not to exceed 5% is allowed for the purchase of recycled paper. The Department of General Services shall consult with other Departments and the University of Maryland to establish a list of acceptable recycled products.

Massachusetts

According to General law, Part I - [Administration of the Government, Title II, Chapter 7, Section 22: Purchase of supplies and equipment: rules and regulations](#), says only that the commissioner of the administration shall make rules and regulations regulating the method of purchasing and include the purchase of recycled paper products.

Michigan

According the [Management and Budget Act, Public Act 431, Section 18.1261a on Recycled supplies, materials and equipment](#) (1988), to the extent available, a portion of the paper products purchased by the state must contain recycled materials if the cost of such products does not exceed 110% (this link shows this percentage but a general link shows 10%) percent the cost of the virgin product. The statutory goals require that 20% of all supplies, materials and equipment must be made from recycled materials.

Minnesota

[Minnesota Statute, 16B.122 Purchase and Use of Paper Stock; Printing](#): All copy paper purchased by state agencies must contain at least 10% postconsumer recycled material. Whenever practical, a public entity shall purchase recycled content paper that is manufactured using little or no chlorine bleach or chlorine derivatives. A public entity may purchase recycled materials when the price of the recycled materials does not exceed the price of non-recycled materials by more than 10 percent.

Mississippi

[Mississippi Code Section 49-31-7\(d\)](#) requires all state agencies to aid and promote the establishment of policies for the procurement of good containing recycled materials.

Missouri

[Missouri Statute Chapter 34 Section 34.032, Recycled paper](#), (originally passed in late 1980's) each department and agency of state government including the general assembly, shall purchase and use recycled paper when recycled paper can be contained that is comparable to the quality presently used in the department or agency and if the price is competitive. Competitive means a price within ten percent of the price of items which are manufactured or produced from virgin materials. Attainment goals are 60% by the year 2000.

Montana

[Montana Code Title 75. Environmental Protection. Chapter 10. Part 806 State government procurement of recycled supplies and materials](#). Purchasing specifications shall be written for materials and supplies made from recycled materials and used when purchasing paper and paper products. The goal of the state is 95% of the paper and paper products used by state agencies contain postconsumer materials. Recycled material content should be consistent with nationwide standards for recycled paper. Agencies shall not discriminate against recycled products in specifications.

Nebraska

According to [law](#) (1990, LB 163 §1; 1992, LB 1257, §94) the State should give preference to purchase products, materials, and supplies which are manufactured or produced from recycled materials. Such preference shall not operate when it would result in the purchase of products which are of inadequate quality or substantially higher cost. [Executive Order](#) 07-03 passed in 2007 reaffirms that all state agencies shall continue using recycled paper, provided no substantially greater cost or inferior quality.

Nevada

[NRS 333.4609 Regulations to give preference to the purchase of recycled paper products](#)

The Chief of the Purchasing Division shall adopt regulations governing the bidding procedure and specifications for paper and paper products purchased by the Purchasing Division that encourage the maximum purchase of recycled paper products. The specifications must give preference to recycled paper products manufactured with the highest percentage of recycled material. Recycled paper product is defined as having at least 50% recycled content (postconsumer and preconsumer). When purchasing paper, the Chief shall purchase recycled paper products if the specific recycled paper product is:

- (a) Available at a price not more than that of paper products made from virgin material;
- (b) Of adequate quality; and
- (c) Available to the purchaser within a reasonable period.

When purchasing any paper or paper products for use by a using agency, the Chief may purchase recycled paper products if the specific recycled paper product is:

- (a) Available at a price not more than 10 percent higher than that of paper products made from virgin material;
- (b) Of adequate quality; and
- (c) Available to the purchaser within a reasonable period.

New Hampshire

[New Hampshire Statute Chapter 21-I:14a-Recycled Materials](#) was repealed in 2008 with the passage of a new law, [HB 877](#) passed in 2008 which requires uncoated printing and writing paper purchased for state agencies to contain not less than 30 percent postconsumer recycled materials. Annual reports shall be submitted on compliance with this Chapter ([Chapter 9-C: State Government Waste Reduction, Recycling and Recycled Products Purchase](#)).

New Jersey

[Executive Order 91](#), early 1990s: requires the purchase of recycled paper containing the highest percentage of postconsumer recycled content when such purchase is competitive. (Competitive means a price of no more than 10 percent about the price of the virgin content item.) No less than 65% of the total dollar amount spent on paper shall be recycled paper having at least 50% recycled content and 25% postconsumer content.

New Mexico

[New Mexico Title 74 Chapter 9-19, Specific program; procurement of recycled supplies and materials.](#)

(1990) The State purchasing agency and each central purchasing office shall establish specifications, policies and practices for purchased recycled materials that are equal in quality and are offered at a price not more than 5% higher than that of non-recycled products. Paper is a designated product.

New York

[New York State Executive Order No. 4: Establishing a State Green Procurement and Agency Sustainability Program, 2008:](#)

In April 2008, the Governor signed Executive Order 4 “Establishing a State Green Procurement and Agency Sustainable Program.” The EO mandates that all copy paper purchased by each State agency or authority shall be composed of 100% postconsumer recycled content to the maximum extent practicable, and all copy paper shall be process chlorine-free to the extent practicable unless products do not meet form, function or utility.

All State and authority publications shall be printed on 100% postconsumer recycled content paper. Non-recycled content shall be derived from a sustainability managed resource to the extent practicable, unless the cost of the product is not competitive.

North Carolina

[Executive Order 156](#), 1999, “State Government Environmental Sustainability, Reduction of Solid Waste and Procurement of Environmentally Preferable Products:” All state agencies are directed to use recycled paper when feasible and practicable. All machines shall have the ability to use paper having at least 50% recycled content and 30% postconsumer content. In 2000-2001, 100% of the total dollar value of expenditures for paper shall be towards paper with recycled content and with the highest recycled content.

[General Statutes 143-58.2:](#) (1993) All State departments, institutions, agencies, community colleges, and local school administrative units shall, to the extent economically practicable, purchase and use, or require the purchase and use of, products with recycled content. The Department of Administration and Dept of Environment shall develop guidelines for minimum content standards.

North Dakota

[Statute Title 54. State Government, Chapter 54-44-4. State Purchasing Practices](#) (2005) The office of management and budget, the institutions of higher education and any other state agency or institution has authority to purchase environmentally preferable products. In requesting bids for paper products the office of management and budget must request information on the recycled content of such products.

54-44.4-08. Purchase of recycled paper products. Any agency that has authority to purchase products shall ensure that at least twenty percent of the total volume of paper and paper products contain at least 25% recycled material (this term is not defined so could mean total recycled content or postconsumer content).

Ohio

[Ohio Code 125.082 Purchasing recycled products.](#) (1993) All state agencies may purchase recycled products when available and meet performance specifications of the procuring entities, The director may adopt rules establishing a maximum percentage by which the cost of recycled products may exceed and may establish a the minimum percentage of recycled materials to be consider “recycled.”

Oklahoma

[Title 580, Chapter 50, Section 50-1-4. Recycled Products Procurement.](#) Each state agency shall procure products which are manufactured with recycled materials and submit a report to the director each year. Vendors shall declare the minimum, if not exact, percentage of recycle materials in products. Vendors must certify recycled content claim. Preference may be given to the highest content of total recycled materials if performance and quality are the same. "Recycled paper" is defined as not containing less than ten percent postconsumer content.

Oregon

[Executive Order 98-07](#) (1998): State purchasing policies shall promote the use of high recycled content and give preference for paper products that have not been bleached with chlorine. State agencies should use recycled papers wherever feasible and avoid all colored papers. Prohibits the use of neon, ultra bright, goldenrod or dark hues.

[Statute Chapter 279A – Public contracting](#) (2003) No less than 35 percent of state agency procurements of paper products may be from recycled paper products. "Recycled paper" means a paper product with not less than fifty percent of its fiber weight consisting of secondary waste materials; or twenty-five percent of its fiber weight consisting of post-consumer waste.

Pennsylvania

In [Law 556, Act 1998-101, Section 1504](#), Pennsylvania requires agencies to review and revise their procurement procedures and specifications to encourage the use of recycled materials. The recycled content percentages shall not be less than those in EPA's Comprehensive Procurement Guidelines. The State allows a 5% preference for bids that certify the recycled content percentage of goods. Pennsylvania specifically states that [State-owned hospitals](#) shall waive this requirement for paper products.

Rhode Island

[Title 37, Chapter 37-2, Section 37-2-76 State purchase of recycled products](#) (1993). The state shall affirmatively promote the use of recycled products. At least 50% of the expenditure for office paper products shall be recycled paper products by 1995. The department of administration shall establish comprehensive specifications that will include minimum preconsumer and postconsumer content.

South Carolina

[Title 44 Chapter 96 South Carolina Solid Waste Management Act Article 1. Section 140. Recycling programs of state government; state procurement policy.](#) (1991) All State agencies shall submit a report on goods and service purchased and the percentage of recycled content using the content specifications established by the Office of Materials Management. The report must identify any regulations that discriminate against the use of recycled materials. The goal is to reflect a 25% goal in their procurement policies.

South Dakota

[Executive Order 08-01, 2008](#); This Executive Order requires State agencies to purchase recycled content paper product from the state contract or from Central Supply if available.

Tennessee

[Title 68, Chapter 211, Part 6. §68-211-606 Department of General Services, Purchase of paper or paper products.](#) The department of general services shall purchase or approve for purchase only paper or paper products manufactured from recycled paper. Of the total volume of paper purchased, recycled paper shall be at least 40% by 1994.

Texas

[Statute Title 10: General Government, Subtitle D. Chapter 2155 Section 446. Purchase and Use of Paper Containing Recycled Fibers.](#) The commission shall contract for paper containing the highest proportion of recycled fibers for all purposes for which paper with recycled fibers may be used and to the extent that the paper is available at a reasonable price through normal commercial sources to supply the state's needs. A state agency that purchases through the commission shall place orders for papers containing recycled fibers to the highest extent of its needs and to the extent that the paper is available through the commission's purchasing procedures.

Utah

[Utah Procurement Code 63-56-406. Preference for recycled paper and paper products.](#) (2006)A public procurement unit shall give preference to purchasing recycled paper and recycled paper products unless it costs more than 5% the lowest responsive bidder, no recycled paper is reasonably available that meets the criteria, or the minimum purchase requirement has been met. The minimum purchase requirement is 50%. Each public procurement unit shall report each year the dollars spent on paper. The recycled content is based on rules used by national procurement, such as EPA.

Vermont

[Executive Order 02-04: Vermont Clean State Program \(2004\).](#) Orders state agencies to advance strategies to reduce waste, etc. and including practices and procedures to require the use of chlorine-free recycled paper with the highest postconsumer content feasible.

[Title 29: Chapter 49 §903\(d\). Requisition of Supplies.](#) The commissioner of building and general services, with the assistance of state agencies, shall use recycled materials to maximize the state's use with a goal for the purchase of recycled materials shall be at least 40% by the end of the 2008. Recycled materials include recycled paper.

Virginia

Code § 2.2-4324 [Purchase programs for recycled goods.](#) The Department of General Services shall ensure the procurement guidelines for state agencies promote the use of recycled goods. All state agencies shall adhere to the guidelines for recycled products. DGS shall procure recycled paper so long as the bid price is not more than ten percent greater than the bid price for the low responsive and responsible bidder. If a tie, preference shall be given to the bidder whose goods contain the greatest amount of recycled content.

Washington

In 2009, Washington State Legislature passed House Bill 2287 requiring each state agency to use 100% recycled content white cut sheet bond paper ([RCW 43.19A.022](#)) by December 31, 2009 in office printers and copiers. An exception is made on recycled content percentage levels for high speed digital devices but to use the highest percentage possible. These requirements are also contained in the State's [Executive Order 05-01 on Sustainability](#), that at least 50% of the paper purchased should be recycled paper with a minimum of 50% postconsumer content. Specific requirements are:

Increase the percentage of environmentally preferable paper (EPP) purchased to at least 50%. Environmentally preferable paper is defined as 100% recycled content paper with a minimum of 50% post consumer waste.

Also, State agencies are encouraged to purchase from companies whose facilities generate energy from renewable energy sources. Here is a fact sheet on these requirements:

http://www.ofm.wa.gov/sustainability/resources/paper_conservation_act_guidance.pdf.

West Virginia

[§22-15A-21. Procurement of recycled products.](#) All agencies of the state to the maximum extent possible shall purchase recycled products. The Department of Administration will develop a comprehensive

procurement program. Recycled paper products shall be given a price preference of ten percent. A priority shall be given to paper products with the highest postconsumer content. Annual reports are to be submitted.

Wisconsin

[Chapter 16.72\(2\)\(e\)](#) Purchasing agents shall incorporate requirements for the purchase of products made from recycled materials and each Authority other than the University of Wisconsin Hospitals and Clinics Authority, shall incorporate requirements for the purchase of products made from recycled materials. Specifications should include the purchase of recycled paper. [Wisconsin's vendor site](#) states that state agencies use over 98% recycled paper and that purchasing virgin paper is no longer an option. They use the federal minimum content guidelines. [In municipal code](#) 66.0131(3), local agencies are required to purchase recycled.

Wyoming

[Executive Order 1990-7](#) requires state agencies to purchase products made from recycled materials when feasible, and specifically State agencies shall meet 30% of their paper needs by 1993 with recycled paper.

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