



Unpacking Extended Producer Responsibility (EPR) Rules

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Webinar Logistics

How can I ask questions?

- Please enter your questions in the Questions box.
- There will be a Q&A at the end.

Will I get a certificate of completion?

- Yes, all attendees will automatically be sent a certificate of completion later this afternoon.

Will I get a recording of the webinar?

- Yes, we will post a recording of the webinar and a copy of the slides on our website. A link will be emailed to all registrants tomorrow.



Overview

- ❑ What is EPR packaging?
- ❑ Who may be affected?
- ❑ Which states matter now?
- ❑ What are the current reporting deadlines?
- ❑ What should companies be doing now?



What is Packaging EPR?

Extended Producer Responsibility (EPR) is a policy framework that **shifts the responsibility for managing a product's end-of-life** (collection, recycling, disposal) **from governments and consumers to the producers** (brands, owners, and importers).

Why does it matter?



Reduce **landfill waste** and environmental impact



Drive **accountability and transparency** in supply chains



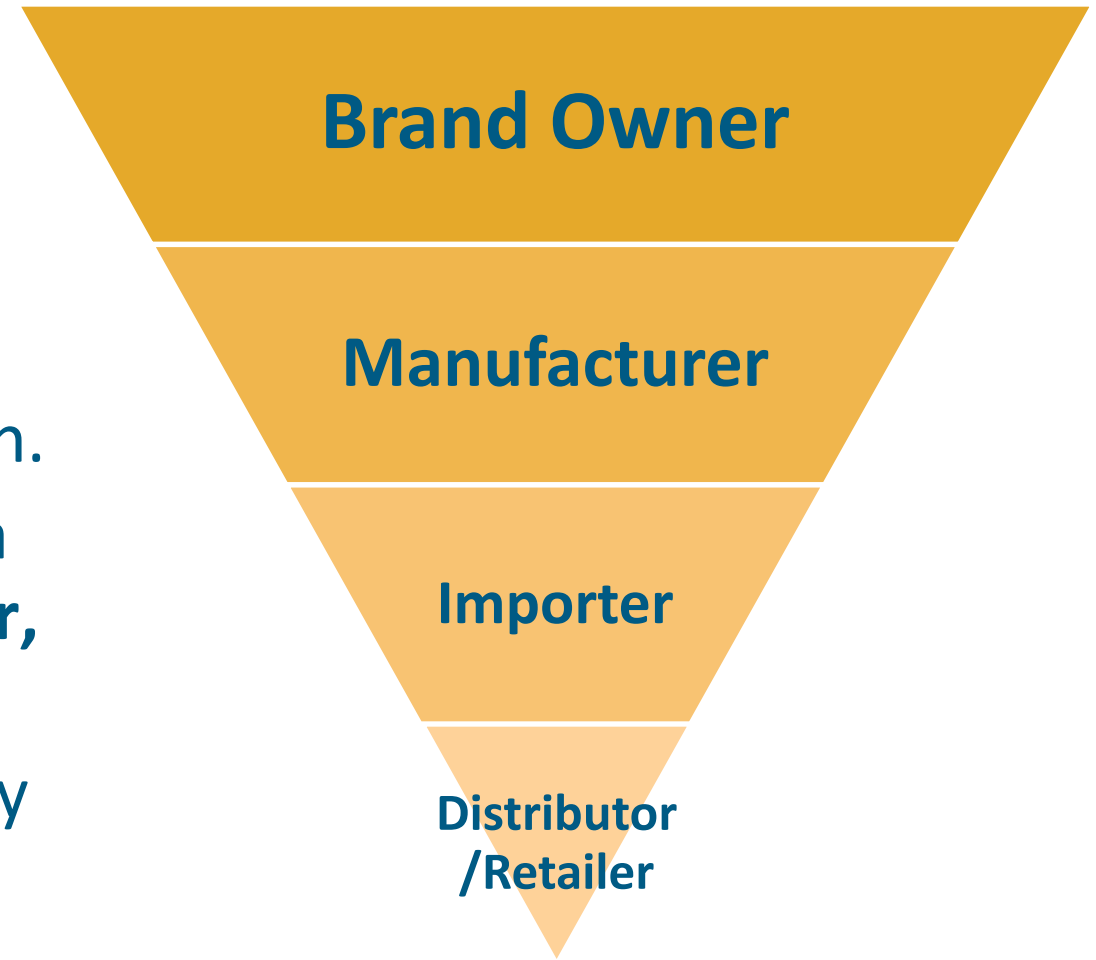
Ensure producers fund **recycling systems**, relieving local governments and consumers of the cost burden



Incentivize packaging design that is more **recyclable or reusable**, enabling **circularity** in the supply chain

Who is the “Producer” Under EPR?

- ❑ A **producer** is the company legally responsible for covered packaging or paper under an EPR law which is typically the brand owner.
- ❑ The producer does NOT need to be located in the state with the regulation.
- ❑ Depending on the state, that may be a **brand owner, manufacturer, importer, distributor, or retailer.**
- ❑ A company does **not** need to physically make the packaging to be considered the producer.





Two Key Questions for Applicability

1. Is the material associated with my products covered by the EPR laws?

2. Is my business the responsible producer for those materials?



Who May Be Exempt?

Small/
De Minimis
Producers

Non-Profits

Government
Entities

Example:
Under annual revenue
thresholds may apply

Example:
Tonnage thresholds may
apply

***Exemptions are not harmonized, so applicability may differ by state**

What are PROs and Why Do They Matter?

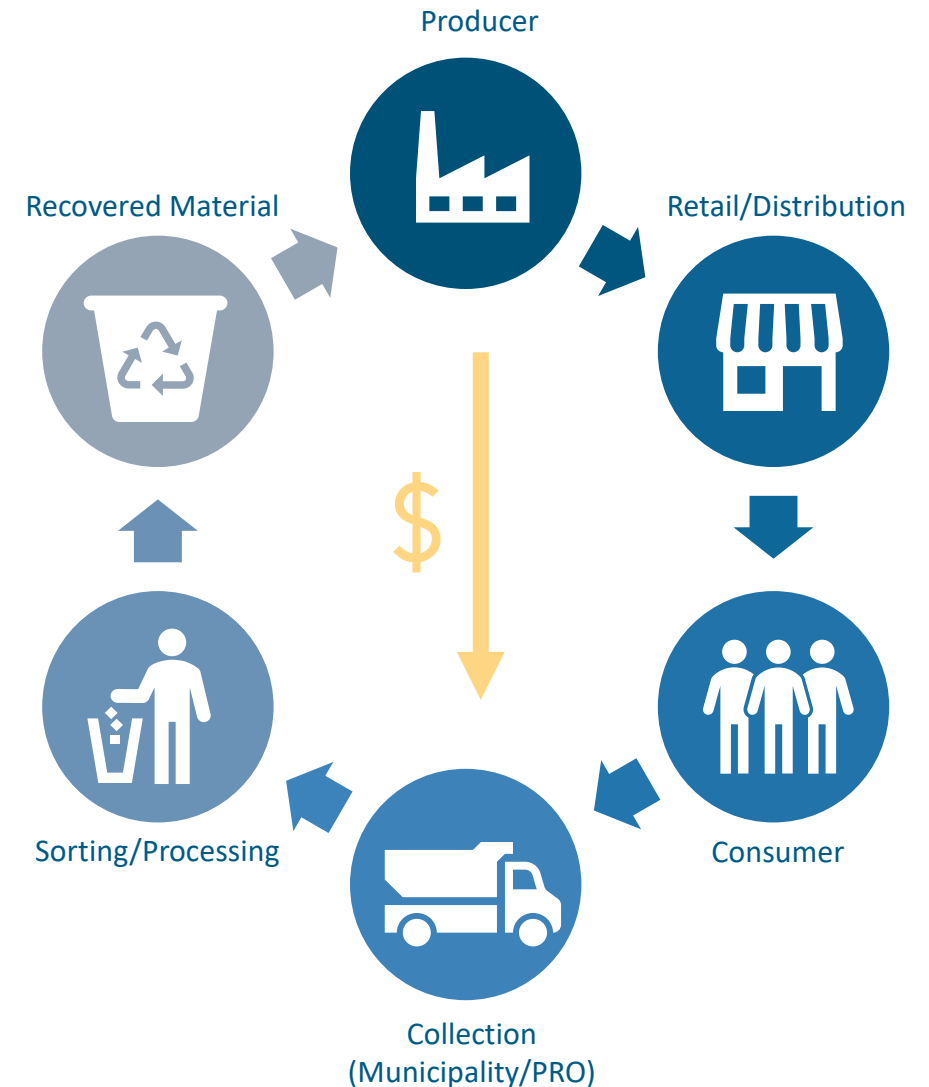
- ❑ Producer Responsibility Organizations (PRO) help run packaging EPR programs
- ❑ They often handle:
 - Producer registration and reporting
 - Program planning and implementation
 - Fee collection and fund distribution
 - Coordination with state requirements
- ❑ PRO requirements vary by state
- ❑ In many programs, the PRO must be a nonprofit
- ❑ Circular Action Alliance (CAA) is the PRO for several state packaging EPR programs
- ❑ Other EPR programs may use different PROs



**Circular
Action
Alliance™**

How Packaging EPR works

- ❑ Producers sell packaged consumer products in an EPR state either through retail or distributors
- ❑ Consumers then dispose of packaging in municipality either through reuse, recycling, or landfill.
- ❑ Producers report quantities of packaged products sold into the state to the PRO
- ❑ Producers or brands pay fees on covered packaging and printed paper to the PRO based on quantities reported.
 - The PRO then helps fund recycling collection, sorting, and system improvements
- ❑ The PRO develops a plan to meet recycling goals under the law.



Products Commonly Covered

Common covered materials often include packaging, paper products, and food service items.



Primary Packaging



Secondary Packaging



Shipping / Tertiary Packaging



Paper Products



Food Packaging



Food Service Ware

Examples of Covered Materials by State



California:

Single-use packaging and plastic food service ware



Maryland:

Packaging and some paper products, including consumer-market primary, secondary, and tertiary packaging



Minnesota:

General packaging, food packaging, and paper products



Oregon:

Packaging, food service ware, and printing and writing paper

Common Product Exclusions

Many packaging EPR laws exclude products that are already heavily regulated under separate health, safety, or industry-specific frameworks.



**Medical Products /
Devices**



**Drug-Related
Packaging**



**Infant Formula &
Medical Food**



**Pesticide / Hazardous
Product Packaging**



**Industrial / Commercial-
Only Packaging**

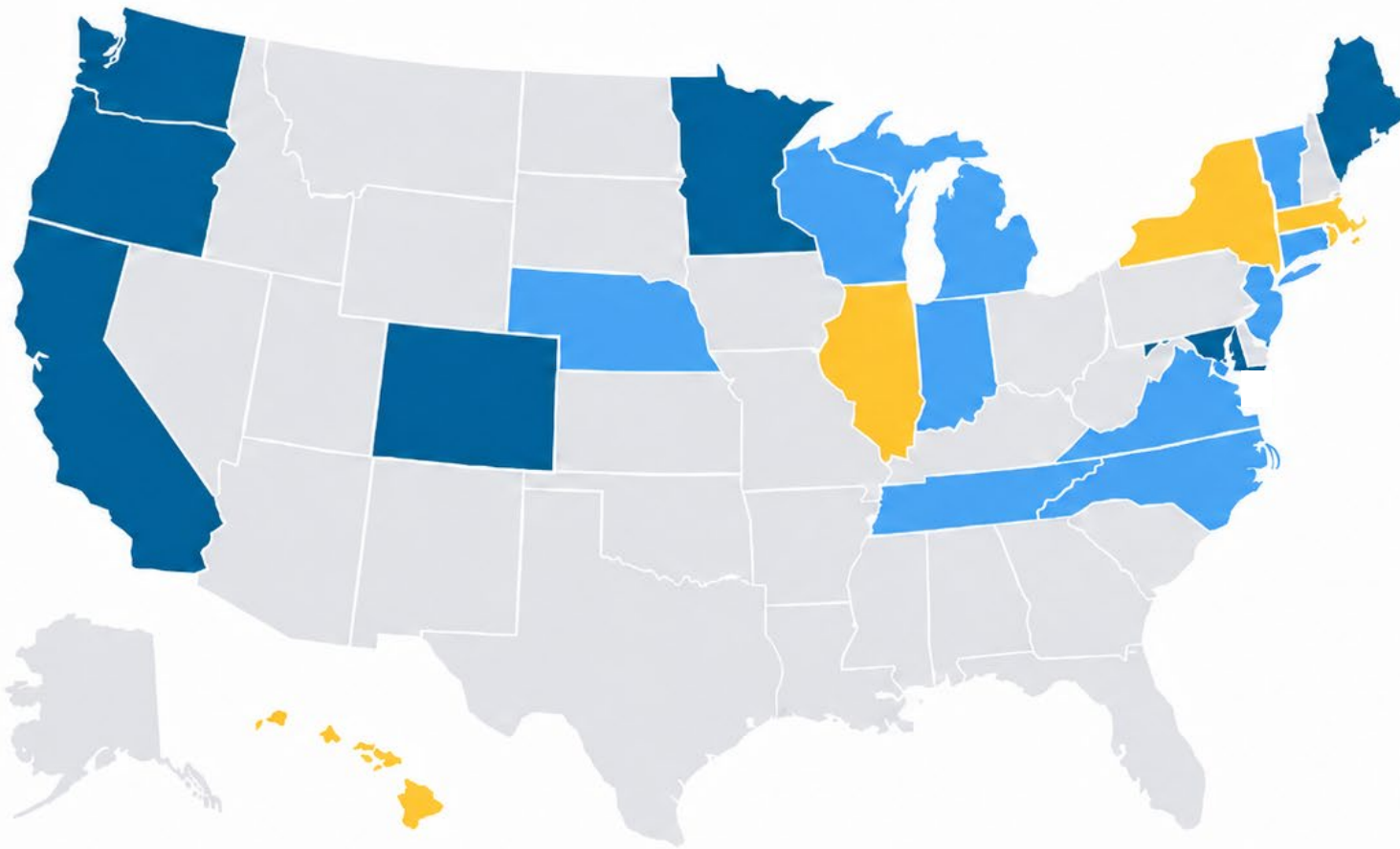


**Refillable Gas
Containers**



U.S. Packaging EPR Landscape

The U.S. Packaging EPR Landscape



-  EPR for Packaging Passed
-  EPR for Packaging Expected or Being Discussed
-  EPR for Packaging Needs Assessment or Study Bill Passed



Performance Targets: Why They Matter

- ❑ State packaging EPR programs are designed to improve recycling system performance over time
- ❑ Performance targets vary by state and may focus on recycling, source reduction, reuse, recyclability, compostability, or postconsumer recycled content
- ❑ Some states already set numeric targets in statute, while others are still developing targets through implementation
- ❑ The takeaway for producers is that success is not just about registering and reporting – it's also about helping programs meet long-term performance goals





Reporting Structure and Deadlines

How The Reporting Process Works



1

PRO Registration

Register with the applicable PRO to participate in the program.



2

Portal Opening / State Registration

Watch for portal openings and any separate state registration requirements.



3

Submit First Report

Submit the required annual or simplified supply data report by the deadline.



4

Ongoing Compliance

Track future reporting cycles, fees, and annual updates.

The exact timing varies by state, but the general process is registration → portal access → reporting → ongoing compliance.



Current Reporting Structure: Full vs. Simplified Reporting

Both reporting types are part of CAA's 2026 reporting cycle and were due **May 31, 2026** for 2025 data

Full Annual Supply Report

- States: CA, CO, OR
- More detailed, state-specific supply data
- Includes weights, brands, and affiliated/associated producers

Simplified Reporting

- States: MN, MD, WA
- Uses broader material categories
- Less detailed than full reporting

Maine is separate from this six-state CAA reporting framework



States with Active Producer Reporting Programs

Oregon

Colorado

California

Active Implementation

Full Reporting States reports were due May 31, 2026



Oregon: Recycling Modernization Act

Senate Bill:	Plastic Pollution and Recycling Modernization Act (SB 582)
Codified Rule:	ORS 459A.860-459A.975
Phase:	Active implementation; producer reporting and PRO participation are in effect
Key Past Deadline:	March 31, 2025 - producer registration and first 2024 supply data report
Reporting Deadline:	May 31, 2026 - full 2025 supply data reporting
Potential Penalties:	Up to \$25,000 per day for violations
Nuance:	• Oregon DEQ said late reporters are likely out of compliance and published a list of first-year non-submitters • NAW litigation affects only NAW members; the broader law remains in effect • Largest 25 producers by weight must conduct and disclose a life cycle impact evaluation.

Full Reporting State

Colorado: Producer Responsibility Program for Statewide Recycling

Senate Bill:	Producer Responsibility Program for Statewide Recycling Act (HB 22-1355)
Codified Rule:	C.R.S. §§ 25-17-701 through 25-17-716
Phase:	Active implementation; final program plan approved
Key Past Deadline:	July 31, 2025 – first supply report and participation steps
Reporting Deadline:	May 31, 2026 – 2025 data reporting
Potential Penalties:	Escalating penalties from \$5,000 + \$1,500/day up to \$20,000 + \$6,000/day
Nuance:	• Compliance is tied to market access • CDPHE says missed participation/reporting steps are out of compliance

Full Reporting State

California: SB 54 Packaging EPR Program

Senate Bill:	Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB 54)
Codified Rule:	CA Public Resources Code §§ 42040–42084
Phase:	Active implementation; permanent regulations effective May 1, 2026
Key Past Deadline:	November 15, 2025 – first producer supply data report (following September 5, 2025 registration)
Reporting Deadline:	May 31, 2026 – 2025 data reporting, baseline report using 2023 data, and annual source reduction plan
Potential Penalties:	Up to \$50,000/day/violation; \$25,000/day/violation for qualifying small producers
Nuance:	• 2025 deadlines were part of CAA onboarding • 2026 deadlines are tied to active implementation under final regulations • CA also requires Individual Source Reduction (ISR) plans; CAA indicated the deadline will be no later than August 1, 2026

Full Reporting State

California EPR Reduction Targets

Packaging Producer Responsibility Targets



**JANUARY 1
2027**

↓ 10% Less Single-Use Plastic



**JANUARY 1
2028**

♻️ 30% Single-Use Plastic
Recycled



**JANUARY 1
2030**

↓ 20% Less Single-Use Plastic
♻️ 40% Single-Use Plastic
Recycled



**JANUARY 1
2032**

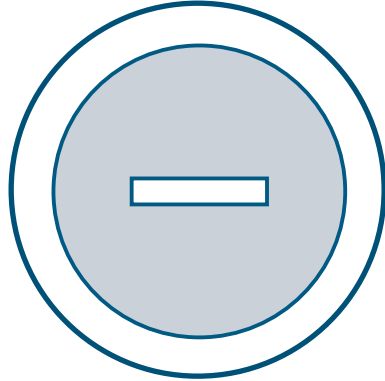
↓ 25% Less Single-Use Plastic
♻️ 65% Single-Use Plastic
Recycled
♻️ 100% Recyclable or
Compostable Packaging

Individual Source Reduction Plans are due August 1st

Source Reduction Options



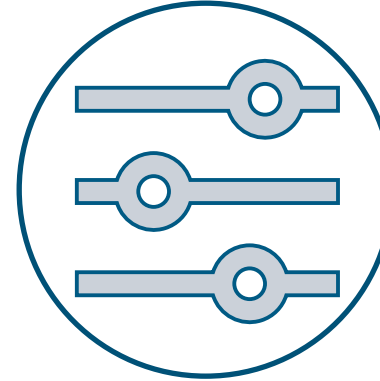
Reuse/Refill



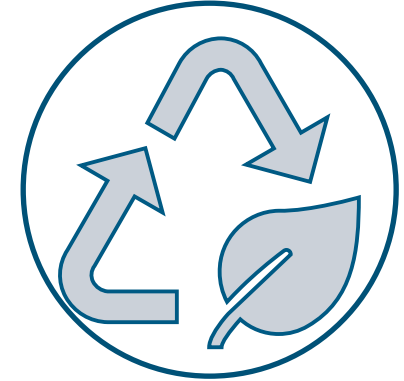
Elimination



**Non-Plastic
Alternatives**



**Adjusting
Packaging to
Right-Size,
Lightweight,
or Bulk.**



**Post
Consumer
Recycling
(Alternative
Pathway)**





Why Reporting Matters for Fees?

- ❑ Producers typically pay fees or dues through the PRO
- ❑ Fees are generally based on the amount and type of covered material sold into the state
- ❑ Reported supply data often informs future fee calculations
- ❑ Fee structures vary by state and continue to evolve
- ❑ Over time, fees may become a more significant budgeting and compliance issue for producers

Fees are based on quantity or weight of covered materials.

Fee Deadlines

The costs are set by the PRO and vary for each state.

Program	Report that informs 2026 Payment	Type of 2026 Payment	Program Year	Estimated Invoice Dates	What can I use to budget my 2026 fees/dues payments?
Oregon	March 31, 2025 CY2024 Data Annual Supply Report	Program Fees	2026	January 2026 (Two 50% installments)	• Company's CY2024 Supply Data in OR • CAA 2026 OR Producer Fee Rate Schedule (posted on Producer Portal on Oct 29, 2025)
Colorado	July 31, 2025 CY2024 Data Annual Supply Report	Program Dues	2026	January 2026 (Two 50% installments)	• Company's CY2024 Supply Data in CO • CAA 2026 CO Producer Due Rate Schedule (posted in Producer Portal on Oct 13, 2025)
California	May 31, 2026 CY2025 Data Annual Supply Report	Early Fees	Pre-Program	August 2026 (One installment)	• Company's CY2025 Supply Data in CA • CAA CA Producer Early Fee Rate Schedule – Estimated Ranges (posted in Producer Portal on Sep 23, 2025)



Early Implementation States: Upcoming 2026 Producer Deadlines

Washington

Minnesota

Maryland

Early implementation
Simplified reporting was due May 31, 2026

Washington: Recycling Reform Act

Senate Bill:	Recycling Reform Act (SB 5284)
Codified Rule:	Chapter 70A.208 RCW/Chapter 173-950 WAC
Phase:	Early implementation; CAA selected as PRO, rulemaking underway
Key Registration Deadline:	July 1, 2026
Reporting Deadline:	May 31, 2026 – simplified 2025 data reporting
Potential Penalties:	Up to \$1,000 per day, which can increase to \$10,000 per day for repeat violations
Nuance:	• Newest packaging EPR state • Program launch/rulemaking phase • Producers must register, report, and pay fees starting in 2026

**Simplified Reporting
State**

Minnesota: Packaging Waste and Cost Reduction Act

Senate Bill:	Packaging Waste and Cost Reduction Act (HF 3911)
Codified Rule:	Minn. Stat. §§ 115A.144-115A.1463
Phase:	Implementation/program-buildout; CAA confirmed as PRO
Key Past Deadline:	July 1, 2025 – producer registration/PRO membership
Reporting Deadline:	May 31, 2026 – simplified 2025 data reporting
Potential Penalties:	Up to \$25,000/day, increasing to \$50,000/day for a second violation and \$100,000/day for a third or subsequent violation
Nuance:	• Simplified reporting state • Broader scope: packaging, food packaging, and paper products

**Simplified Reporting
State**

Maryland: Packaging and Paper Products

Senate Bill:	Packaging and Paper Products – Producer Responsibility Plans Act (SB 901)
Codified Rule:	COMAR 26.04.14
Phase:	Early implementation; draft regulations and guidance in development
Key Registration Deadline:	July 1, 2026
Reporting Deadline:	May 31, 2026 – simplified 2025 data reporting
Potential Penalties:	Between \$5,000 – \$20,000
Nuance:	• Registration-first / buildout phase • Department fee due July 1, 2026

**Simplified Reporting
State**

Maine: Stewardship Program for Packaging

*Later-Timeline Packaging EPR Program

Senate Bill:	Stewardship Program for Packaging (LD 1541)
Codified Rule:	38 M.R.S. § 2146
Phase:	Pre-launch/stewardship-organization setup
Reporting Deadlines:	To be determined; estimated late 2026, but PRO is still being selected
Nuance:	• Maine is not part of CAA's six-state May 31, 2026 framework (yet) • Official Maine timeline is later than the other enacted states

Reporting Differences by State

State	Rule/Law Reference	Reporting Type	Key Deadline
Oregon	SB 582	Full Annual Supply Report	May 31, 2026
Colorado	HB 22-1355	Full Annual Supply Report	May 31, 2026
California	SB 54	Full Annual Supply Report	May 31, 2026
Washington	SB 5284	Simplified Reporting	May 31, 2026
Minnesota	HF 3911	Simplified Reporting	May 31, 2026
Maryland	SB 222	Simplified Reporting	May 31, 2026
Maine	LD 1541	Separate/later timeline	~May 2027



Compliance Considerations



Compliance Challenges for Producers

- ❑ Different state requirements, timelines, and due dates make compliance hard to manage
- ❑ Packaging data can be difficult to gather from suppliers and across the value chain
- ❑ Roles and responsibilities may be unclear across producers, retailers, distributors, and online sellers
- ❑ Reporting, traceability, and recordkeeping can be resource-intensive
- ❑ Requirements continue to evolve as more state programs move into implementation
- ❑ EPR obligations may overlap with other packaging-related requirements, such as recycled content and material restrictions





Questions Companies Should Be Asking Now

Do these laws apply to our products and packaging?

Which states matter for our footprint?

Who is the producer under each applicable law?

What packaging data do we need, and where will it come from?

What deadlines are coming up?

How do these requirements overlap with recycled content, material restrictions, and other packaging rules?



What Should Companies Be Doing Now?

1

Identify which enacted states may apply

2

Evaluate whether you may be the legally responsible producer

3

Confirm whether you fall into full reporting, simplified reporting, or a later-timeline state

4

Identify packaging data needed for reporting

5

Track registration, reporting, fee, and participation obligations by state



EPR Noncompliance and Penalties

Penalties for noncompliance can be significant and vary by state

Common triggers include failing to register, report data, join an approved PRO, or pay required fees

Enforcement is becoming more real as state programs move from framework laws into implementation

Some states may restrict the sale or distribution of covered products if a producer is not properly participating

Public noncompliance listings, enforcement actions, and regulator notices can also create business and reputational risk

What's Ahead for EPR?

- ❑ More states are likely to adopt packaging EPR laws
- ❑ Existing state programs are moving into active implementation
- ❑ Reporting guidance and producer expectations will keep evolving
- ❑ Better packaging data will be increasingly important for fees and compliance
- ❑ Producers should expect a continued state-by-state patchwork



Key Takeaways for Managing Packaging EPR



Packaging EPR is moving quickly from policy to active compliance. Companies should be prepared.



State requirements remain fragmented, creating complexity for producers.



Better packaging data and supply chain visibility will be essential going forward.

How ALL4 Can Help



- ❑ Applicability reviews
- ❑ Producer responsibility analysis
- ❑ Deadline tracking
- ❑ Packaging data/reporting support
- ❑ Broader packaging compliance strategy

Questions or Comments?

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