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August 2025

AT THE FEDERAL LEVEL...

UNITED STATES

There are no significant federal updates impacting foodservice packaging in the United States this month.

CANADA

Phase 1 reporting to the Federal Plastics Registry (FPR) is due by September 29, 2025, and applies to producers (including manufacturers, importers and retailers) who placed more than 1,000 kg of certain plastic items on the Canadian market in 2024, inclusive of plastic packaging (filled and unfilled) as well as single-use or disposable plastic products. The FPR is a mandatory initiative from

the Government of Canada to collect data on plastics across their lifecycle. Additional information and resources are available [here](#).

AT THE STATE/PROVINCIAL LEVEL...

FPI's report of bills that may impact foodservice packaging is available [here](#) in PDF and includes bills as of August 22, 2025.

Below are some highlights of recent and upcoming legislative and regulatory activity.

CALIFORNIA: On August 22, 2025, CalRecycle initiated the formal rulemaking process for permanent regulations under the SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB 54). The Notice of Proposed Action was published by the Office of Administrative Law, launching the 45-day public comment period that will close on October 7, 2025. CalRecycle will also host a hybrid public hearing on October 7, 2025, starting at 10:00 AM PDT. Complete information concerning this rulemaking, comment period and meeting details are accessible [here](#).

Next, on August 13, 2025, CalRecycle published [Frequently Asked Questions concerning SB 343](#).

Additionally, CalRecycle issued a notice to expanded polystyrene food service ware producers that the required recycling rate for expanded polystyrene (EPS) food service ware has not been met under SB 54. Please refer to the [notice](#) for more information.

CalRecycle has also released a Partially Recirculated Draft Program Environmental Impact Report (PEIR) for the proposed regulations under SB 54. The revised document includes only updated pages responding to public comments or regulatory changes, without altering the original environmental conclusions. A 45-day public comment period runs from August 26 to October 10, 2025, during which CalRecycle will accept feedback only on the revised text. Additional details [here](#).

The [SB 54 Advisory Board](#) met on August 15, 2025. The agenda included implementation updates from both CalRecycle and Circular Action Alliance (CAA),

as well as an overview of the source reduction and material design needs assessment study. Full meeting agenda and supporting documents are posted [here](#). The next meeting of the Advisory Board is expected to be September 19, 2025. When available, the meeting agenda and supporting documents will be accessible under “Upcoming Advisory Board Meetings” [here](#).

In August, CAA issued the following updates and communications relating to California’s EPR program:

- **California Registration:** Producers can now complete their California registration through the CAA Producer Portal. Registration is requested by September 5, 2025.
- **Guidance for Determining Definition of a Producer in California:** To help determine producer obligations in California, CAA has developed the [Definition of Producer: California](#) guidance. It is intended to help assess whether a business qualifies as a producer

California's [SB 14](#), which seeks to address solid waste diversion and single-use plastic reduction by state agencies, continues to advance through the California Legislature. Most recently the Assembly Appropriations Committee held the proposal for consideration then placed it on the suspense file and scheduled it for a hearing August 29, 2025. As currently drafted, state agency integrated waste management plans shall include actions to achieve 50 percent reusable foodware options and reduce single-use plastics. This language maintains the shift from the original proposal, which sought to eliminate single-use plastic foodware by January 1, 2030.

COLORADO: The Colorado Department of Public Health & Environment (CDPHE) is currently undertaking two public consultations related to the state’s EPR program as follows:

1. **CAA’s Colorado Program Plan** - comments due to CDPHE by September 14, 2025: Following [endorsement](#) from Colorado’s Producer Responsibility Advisory Board, the public comment period is now open for [CAA’s amended Colorado EPR program plan](#). More details and supporting documents are available [here](#) under “Program Plan approval
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recommendation memo submitted to CDPHE - public comment period now open”.

2. **Proposed Eco-Modulation Rulemaking** - comments due to CDPHE by September 15, 2025: Colorado’s Solid Waste and Materials Management Program has released their proposed [Draft 1 Producer Responsibility Regulations: Section 18.9 Eco-Modulation](#) for review. The proposed rules outline eligibility criteria for eco-modulation bonuses and incentives. Full details, including access to stakeholder meetings can be found [here](#).

The next Colorado Producer Responsibility Advisory Board meeting is scheduled for September 10, 2025, with registration available [here](#). You may also review past meeting materials via the same link.

MAINE: The Maine Department of Environmental Protection (DEP) held a virtual stakeholder meeting on August 5, 2025, to discuss the second draft of the Packaging Material Types List under the state’s Packaging Stewardship Program. The updated draft reflected prior stakeholder input and made efforts to align more closely with Colorado’s reporting categories. Stakeholders were invited to share feedback during the meeting and had the opportunity to submit written comments through August 11, 2025. More information can be reviewed [here](#).

MARYLAND: The Maryland EPR Advisory Council continues to meet monthly to discuss areas where regulatory language may be needed to implement [SB 901](#). At their most recent meeting on August 14, 2025, the council heard from CAA concerning reporting categories for consideration in Maryland. A recording of the meeting will be posted [here](#) once available. The next meeting of the Advisory Council is scheduled for September 11, 2025, with meeting details to be provided [here](#).

MASSACHUSETTS: In Massachusetts, EPR proposal [H. 926](#) (originally filed as HD 3349) was reported favorably from the Environment and Natural Resources Committee on August 11, 2025. The bill would establish a Producer Responsibility Organization (PRO) to oversee a packaging reduction program. As drafted, the bill would create unworkable targets for recycling and reduction rates to be achieved by 2030. The bill has been referred to the House Ways and Means Committee.

Also in Massachusetts, [H. 2394](#) which proposes restrictions on the use of certain foam polystyrene containers in food and retail establishments by August 1, 2026, was reported favorably by the Public Health Committee and referred to the committee on House Ways and Means. A related bill, H. 2521, was “attached” to H. 2394, which means while H. 2394 has advanced, H. 2521 will not move forward.

A second meeting of the Massachusetts EPR Commission’s Plastics and Packaging Advisory Group was held on August 28, 2025. The meeting agenda included a review of data provided since the group’s July meeting, an assessment of missing data and a preliminary discussion of the pros and cons of a packaging EPR approach. Information will be available [here](#) once posted.

MINNESOTA: The Minnesota EPR Advisory Board met on August 22, 2025, with the meeting packet including the agenda and topics discussed available [here](#). The advisory board heard from CAA with respect to reporting category development and from the Minnesota Pollution Control Agency with respect to statutory requirements related to recyclability, compostability and reusability as well as information regarding their annual material characterization studies. The advisory board will meet again in September, with details available [here](#) once posted.

NEW JERSEY: The New Jersey Department of Environmental Protection (NJDEP) has released a new version of the *Regulated Containers and Packaging Products Spreadsheet* that must be uploaded as part of each manufacturer’s 2025 registration as required under New Jerseys recycled content [law](#). The new version of the spreadsheet is available on the [Manufacturer Registration webpage](#), noting that older versions of the spreadsheet from previous years will not be accepted.

Further, each manufacturer will be required to complete the *Recycled Content Manufacturer Compliance Reporting Form Spreadsheet* and upload it to their 2025 registration. Please visit the [Compliance Certification Reporting webpage](#) for more information about compliance certification reporting and to access the compliance reporting spreadsheet.

Registration will open on September 2, 2025, and remain open until December 31, 2025. If you have questions regarding registration or compliance certification reporting requirements, please email NJDEP at recycledcontent@dep.nj.gov.

OREGON: The Oregon Department of Environmental Quality (DEQ) released a [preliminary list](#) identifying the top 25 “large” producers in the state based on interim market share. Once finalized by April 2026, large producers will be subject to additional requirements under the state’s EPR program, including conducting annual life cycle assessments on 1% of their products.

Additionally in Oregon, the CAA proposed a [plan amendment](#) regarding responsible end markets. The amendment is open to public comment until October 15, 2025. After considering public comments, DEQ will respond to the CAA. Comments should be submitted to rethink.recycling@deq.oregon.gov.

The Oregon Recycling System Advisory Council did not meet in August and is scheduled to meet next on September 17, 2025, and November 19, 2025. Interested participants may join the meeting from the council’s [webpage](#).

WASHINGTON: The Department of Ecology will be hosting a webinar about the state’s new EPR law, the Recycling Reform Act, on September 9, 2025. The webinar is set to include an overview of the law, roles and responsibilities, as well as how to remain informed. Please use this [link](#) to register. You may also sign up for the Recycling Reform Act newsletter [here](#).

PRODUCER RESPONSIBILITY ORGANIZATION (PRO) UPDATE

In addition to the CAA updates provided above, please find below select information from [Circular Action Alliance](#).

Updated “Directing the Manufacturing” Guidance for Oregon and Colorado

- [Determining the party who directs the manufacturing under EPR Law in Oregon](#)
- [Determining the party who directs the manufacturing under EPR Law in Colorado](#)

Upcoming Webinars

- [301 Compliance Update - California Registration with Circular Action Alliance](#) – September 2, 2025
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- [101 Producer Onboarding with Circular Action Alliance](#) – September 8, 2025

Please also refer to [CAA's Producer Resource Center](#) and [CAA's Upcoming Events webpage](#) to stay informed.

AT THE LOCAL LEVEL...

Under Consideration

STAMFORD, CT: The Stamford Board of Representatives unanimously approved an [ordinance](#) restricting certain single-use plastics in food service establishments. For takeout, biodegradable packaging would be required, and plastic-lined containers would be prohibited except for liquids in containers labeled with resin codes #1, #2, or #5. Accessories like straws and stirrers would need to be PFAS-free, compostable, and only provided upon request. Whereas dine-in restaurants and grocery stores would need to primarily use reusable foodware, with exceptions for napkins and customer-requested single-use items. The ordinance would further ban plastic-lined and black-colored foodware in dine-in settings.

The ordinance would take effect nine months after enactment, with phased exceptions for certain containers and local public schools. It is currently awaiting the mayor's signature to become law.

FPI Enacted Legislation and Ordinance/Bylaw Tracker

[FPI's enacted legislation and ordinance/bylaw tracker](#) provides information on known enacted legislation and local mandates relating to foodservice packaging. Any changes from the previous month will be highlighted.

Please note that the contents of this file have been developed for general informational purposes and should not be considered as professional advice, including legal opinion, or as a substitute for seeking professional guidance. Further, this confidential guidance is for FPI members only. Please do not

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Please contact [Carol Patterson](#) with any feedback or questions. Thank you.



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