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September 2025

AT THE FEDERAL LEVEL...

UNITED STATES

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

CANADA

There are no significant federal updates impacting foodservice packaging in Canada this month.

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 September 19, 2025.

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

CALIFORNIA: On September 2, 2025, CalRecycle released an update to the Covered Materials (CMC) List along with two new SB 54 producer reporting guidance documents—one focused on the CMC list and the other on source reduction. Notably, the updated CMC list includes one new CMC: 25 PF17P (Paper and Fiber / Multi-Material Laminate / Paperboard with a Plastic Coating or Lining). A subsequent revision to the CMC reporting guidance was published on September 8, 2025, to correct typographical errors. All CalRecycle publications, including the updated CMC list and guidance documents, are available on the [SB 54 webpage](#) and/or the [CMC List webpage](#).

A reminder that CalRecycle initiated the formal rulemaking process for permanent regulations under the SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB 54) in August. 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](#).

The [SB 54 Advisory Board](#) met on September 19, 2025. HF&H Consultants presented preliminary findings from CalRecycle's needs assessment, highlighting data on collection, processing, end markets, tonnages, and costs for SB 54 covered materials. Board members discussed the proposed SB 54 regulations and received an update from Circular Action Alliance (CAA) on Producer Responsibility Organization (PRO) activities supporting implementation. The meeting also included an overview of the SB 54 Plastic Pollution Mitigation Fund and a discussion of the Advisory Board's role in guiding next steps. Full meeting agenda and supporting documents are posted [here](#). The next meeting of the Advisory Board is expected to be October 17, 2025. When available, the meeting agenda

and supporting documents will be accessible under “Upcoming Advisory Board Meetings” [here](#).

CAA has announced a series of topic-based consultation webinars to seek stakeholder feedback to inform the developments of their initial California program plan. Each webinar will be followed by a participant survey to gather further information. The first webinar on October 6, 2025, will focus on compostable packaging and single-use service ware. For a full list of topics, dates and registration information use this [link](#).

Additionally, CAA is hosting the following webinars to support registered producers with reporting requirements:

- September 24 and 30, 2025: [302 Reporting Workshop and Q&A](#)
- September 25, 2025: [201 Producer Portal Training](#) – focused on California portal

COLORADO: The Colorado Department of Public Health & Environment (CDPHE) has extended their eco-modulation rulemaking comment period until September 28, 2025. The third draft of the proposed amendments and details for submitting comments are available on the [proposed rulemaking website](#). Additionally, a final stakeholder meeting concerning the proposed rules is scheduled for September 24, 2025.

The Colorado Producer Responsibility Advisory Board met on September 10, 2025, with a focus on providing feedback to CDPHE on the proposed eco-modulation rulemaking. CAA also provided an update on education and outreach initiatives. The board is set to meet again on October 8, 2025, with registration available [here](#). You may also review past meeting materials at the same link.

ILLINOIS: The Illinois Statewide Recycling Needs Assessment Advisory Council met on September 8, 2025. The meeting agenda included updates on the needs assessment and areas where the council may be able to assist with the provision of data. The complete agenda and meeting recording may be accessed [here](#). The next council meeting is scheduled for November 10, 2025.

MAINE: On September 9, 2025, the Maine Department of Environmental

Protection (DEP) provided a status update on Appendix A – The Packaging Material Types List under the state’s Packaging Stewardship Program. On September 18, 2025, the Board of Environmental Protection reviewed the proposed appendix and proposed a public hearing on the matter for October 16, 2025.

Information relating to Appendix A and Maine’s Stewardship Program for Packaging may be accessed [here](#). Once available, information relating to the BEP hearing will be posted [here](#).

MARYLAND: The Maryland EPR Advisory Council continues to meet monthly to discuss areas where regulatory language may be needed to implement [SB 901](#). The council’s most recent meeting on September 11, 2025, focused on reviewing regulatory input and the covered materials list. They also discussed a survey designed to gather feedback on regulatory definitions and material categories.

A recording of the meeting is posted [here](#). The next meeting of the Advisory Council is scheduled for September 30, 2025, with meeting details available [here](#).

MASSACHUSETTS: In Massachusetts, EPR proposal [S. 571](#) (originally filed as SD 1774) was reported favorably from the Environment and Natural Resources Committee on September 18, 2025. The bill would establish a Packaging Reduction Organization 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 Senate Ways and Means Committee.

Also in Massachusetts, a hearing has been scheduled in the committee on Consumer Protection and Professional Licensure for October 1, 2025, regarding [H. 457](#). Entitled “*An Act Relative to Greenwashing in Recycling*”, the act seeks to regulate deceptive or misleading claims about the recyclability of products or packaging.

As part of their overall review of EPR approaches for products and packaging categories, the Massachusetts EPR Commission will meet to discuss the “Plastics and Packaging” category on October 29, 2025. You may register for this meeting [here](#) and the agenda and overview will be accessible at the same link once it is available.

MINNESOTA: The Minnesota EPR Advisory Board is scheduled to meet on September 25, 2025, with the meeting packet available [here](#). The agenda includes updates from the Minnesota Pollution Control Agency and CAA, as well as discussions concerning proposed covered material categories and responsible end markets.

OREGON: The Oregon Recycling System Advisory Council (ORSAC) met on September 17, 2025, to discuss CAA's proposed [plan amendment](#) regarding responsible end markets, [CAA's 2025 Financial Report](#) (covering 2023-2024), and a study on practicability of recycling pressurized and hazardous aerosol cylinders. The next ORSAC meeting is scheduled for November 19, 2025. Interested participants may join the meeting from the link on the council's [webpage](#).

A reminder that the CAA proposed [plan amendment](#) regarding responsible end markets is open to public comment until October 15, 2025. Additionally, public comment is open until October 17, 2025, on [CAA's financial report](#) for the start-up period of 2023-2024. Comments on both consultations may be submitted to rethink.recycling@deq.oregon.gov by the dates noted.

Further in Oregon, the Department of Environmental Quality has announced that they are starting a third rulemaking for the Plastic Pollution and Recycling Modernization Act, which is expected to take place between September 2025 and early 2027. More details concerning this rulemaking, including stakeholder sessions, are available [here](#).

WASHINGTON: The Department of Ecology will be hosting a second webinar about the state's new EPR law, the Recycling Reform Act, on October 7, 2025. The webinar will include an overview of the law, roles and responsibilities, as well as how to remain informed. Please use this [link](#) to register. A recording and FAQs from the first webinar will be posted to the [Recycling Reform Act webpage](#). You may also sign up for the Recycling Reform Act newsletter [here](#).

The application period for the [Recycling Reform Act Advisory Council](#) is open through to October 6, 2025. This council will advise the Department of Ecology and the PRO concerning the implementation of the EPR program. You may download an application for submission [here](#).

ONTARIO: On September 4, 2025, the Government of Ontario published the final amendments to the province's Blue Box Regulations. [Ontario Regulation 210/25](#) defers enforceable recovery targets for core materials until 2028, with increases postponed to 2032, and introduce phased targets for flexible plastics starting at 10% in 2026. Expanded collection requirements for multi-residential buildings, care homes, and schools are delayed until 2031. Also, energy recovery can now count toward up to 15% of recovery targets if it's the only practical use.

PRODUCER RESPONSIBILITY ORGANIZATION (PRO) UPDATE

In addition to the CAA updates provided above, please also refer to [CAA's Producer Resource Center](#) and [CAA's Upcoming Events webpage](#) to stay informed.

AT THE LOCAL LEVEL...

Approved

CHELTENHAM, MD: On September 17, 2025, Cheltenham Township's Board of Commissioners approved amendments to its existing Single-Use Plastic Ordinance. Effective December 16, 2025, the updated ordinance will prohibit retail establishments from providing expanded polystyrene food service products. Additionally, single-use plastic straws and utensils may only be provided upon customer request. Access the full ordinance [here](#).

Under Consideration

BETHEL, AK: The Bethel City Council is reviewing [Ordinance 25-13](#) which would ban foam polystyrene food containers and "nonbiodegradable" plastic carry-out bags. If passed the ordinance would take effect January 1, 2026.

VAIL, CO: At its September 2, 2025, work session, the Vail Town Council reviewed a proposed ordinance to phase out single-use plastics, including takeout containers, cutlery, straws, and cups with lids. The council discussed a compliance timeline of up to a year for Phase 1 and a financial support

package to assist businesses and residents with the transition. No formal vote was taken at the meeting. Staff will return later this year with a finalized ordinance and implementation plan based on council feedback. Article with more information [here](#).

HAWAII COUNTY, HI: Hawaii County Council is reviewing [Bill 83](#), which would prohibit food providers and county facilities from distributing non-compostable plastic or polystyrene foodware and only allow for the provision of serviceware (such as utensils and straws) upon customer request. Businesses would be required to use certified compostable alternatives. The bill includes exemptions for packaging raw meat, seafood, and eggs, as well as products packaged outside the county. Temporary hardship exemptions may also be granted. The bill is scheduled for further discussion on October 7, 2025.

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 distribute outside of your organization.

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



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