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November 2025

AT THE FEDERAL LEVEL...

UNITED STATES

The Strategies to Eliminate Waste and Accelerate Recycling Development (STEWARD) Act ([S.351](#)) was passed by the Senate and sent to the House for concurrence on November 20, 2025. Under the STEWARD Act, the United States Environmental Protection Agency would establish the Recycling Infrastructure and Accessibility Program to improve recycling access in underserved communities through a pilot grant initiative. In addition, the EPA would assess national composting potential by evaluating infrastructure, regulatory barriers, costs, and industry trends.

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 November 21, 2025.

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

CALIFORNIA: The [SB 54 Advisory Board](#) convened on November 21, 2025, to review several implementation developments. The agenda featured updates from CalRecycle and Circular Action Alliance (CAA) on their respective progress under SB 54, along with an overview of the source reduction and material design needs assessment study. The meeting also included a presentation highlighting the environmental justice perspective on the SB 54 Plastic Pollution Mitigation Fund. Full meeting agenda is posted [here](#).

Additionally in California, the feedback questionnaires for CAA's state consultation sessions will remain open until December 6, 2025. Please use this [link](#) for a complete list of topics and corresponding surveys.

CalRecycle has completed its first five-year review of the List of Approved Food Service Packaging under SB 1335. Most items remain on the approved list. However, some products no longer available are expected to be removed from the list in spring 2026 following a 180-day application window for manufacturers to submit new requests. CalRecycle will announce any changes after the application deadline and continue to provide updates through its SB 1335 webpage and listserv. More details are available [here](#).

COLORADO: The Colorado Producer Responsibility Advisory Board met on November 12, 2025, focusing on the proposed eco-modulation rulemaking and CAA updates. During the meeting, CAA outlined its strategy for education and

outreach and provided details on reimbursements for compostable service contracts and service providers. The Board is scheduled to meet again on December 10, 2025; registration and past meeting materials are available [here](#).

Next, on November 18, 2025, the Solid and Hazardous Waste Commission adopted new EPR regulations, primarily addressing eco-modulation, as proposed by the Colorado Department of Public Health & Environment (CDPHE). Additional information can be found [here](#), currently listed under “Proposed producer responsibility primary regulations.”

CAA’s revised Colorado Program Plan Proposal is now available on the state’s producer responsibility program [webpage](#). The revisions are intended to address [changes requested by CDPHE](#) on October 20, 2025. CDPHE’s Executive Director must approve or reject the plan by December 12, 2025.

FLORIDA: Florida [SB 240](#), prefiled for the 2026 session, would create statewide rules for “auxiliary containers” like cups, bags and other packaging. It directs the Department of Environmental Protection to develop a uniform ordinance by October 2027, preempts most new local regulations and bans single-use polystyrene in state parks and beaches. Existing local ordinances before 2026 would remain valid. The bill advanced from the Environment and Natural Resources Committee with an amendment to eliminate these containers “to the greatest extent possible” and is now in the Appropriations Committee on Agriculture, Environment, and General Government.

ILLINOIS: The Illinois Statewide Recycling Needs Assessment Advisory Council’s meeting on November 10, 2025, featured an update on the ongoing environmental justice and language access needs assessment and a presentation outlining packaging industry EPR policy positions. The Council’s next meeting is scheduled for January 12, 2026. Additional details and supporting documents are available [here](#).

MARYLAND: The Maryland EPR Advisory Council is scheduled to meet on December 2, 2025, to continue discussing areas where regulatory language may be necessary to implement the state’s EPR law. Details concerning the meeting will be posted [here](#) when they become available.

MASSACHUSETTS: The Massachusetts EPR Commission will meet December 9, 2025, to begin drafting its report to the legislature. As previously shared, the Commission is tasked with developing policy recommendations on extended producer responsibility approaches and related strategies for a range of product and packaging categories, including paint, mattresses, electronics, lithium-ion batteries, plastics, and other packaging, by January 15, 2026. Registration for this meeting is available [here](#), as well as documents and information relating to previous meetings and topics.

MINNESOTA: The Minnesota EPR Advisory Board meeting on November 19, 2025, included an overview of the recently published draft preliminary assessment along with EPR law other updates (full agenda available [here](#)). The draft assessment sets out to summarize covered materials sold or distributed in the state and evaluate infrastructure, processing capacity, facility capabilities and pricing details for organized collection and service costs.

The Minnesota Pollution Control Agency will host information sessions on the [draft preliminary assessment](#) on December 16 and December 18, 2025, and the draft is open to public comment until December 22, 2025. Additional details on the draft assessment and registration for the information sessions are available at this [link](#).

NEW JERSEY: The New Jersey Department of Environmental Protection (NJDEP) has introduced a Plastic Conversion Technology Evaluation Form as part of its implementation of the state's [postconsumer recycled content law](#). The form is designed for companies using plastic-to-plastic conversion technologies (excluding plastics-to-fuel) to document and present their processes for review. NJDEP will evaluate these submissions to determine whether the technologies qualify as “recycling” under the law. The form is available [here](#) and completed submissions should be sent to recycledcontent@dep.nj.gov. Any questions concerning the evaluation process may also be sent to the same email address.

NJDEP has also provided the following guidance on how post-consumer recycled content calculations apply to different container types:

- *Labels, caps, closures, or other items affixed to the container are not required to be included in the calculation of PCR for plastic beverage*
-

containers because they are excluded from the definition of plastic beverage container. However, a rigid plastic container is defined as "a container made of plastic that has a relatively inflexible finite shape or form, has a minimum capacity of eight fluid ounces or its equivalent volume and a maximum capacity of five fluid gallons or its equivalent volume, and is capable of maintaining its shape while empty or while holding other products."

- *Unlike the definition of plastic beverage container which specifically excludes labels, caps, closures, or other items affixed to the container, they are not addressed in the definition of rigid plastic container. As such, any plastic component of a rigid plastic container is considered part of the container and should be factored into compliance calculations for reporting purposes.*

OREGON: The Department of Environmental Quality (DEQ) held the first meeting of the Rulemaking Advisory Committee for the [Recycling Modernization Act Rulemaking 3](#) on November 13, 2025. Topics for the meeting and discussion included draft amendments relating to exemptions for privately recycled materials and producer definitions. The meeting agenda and supporting documents are accessible [here](#) under “meeting schedule”. DEQ is accepting informal feedback on these draft concepts until December 1, 2025, at RMARulemaking3@Deq.Oregon.gov. Please note that this is the informal part of the third rulemaking process and there will be an opportunity to submit formal comments at a later date in 2026.

Next, on November 17, 2025, an informational hearing was held by the legislative House Interim Committee on Climate, Energy, and Environment which included an update on the implementation of the Recycling Modernization Act (state’s EPR law). The session featured perspectives from DEQ, CAA and industry representatives. Please see full agenda [here](#) and meeting recording [here](#).

The [Oregon Recycling System Advisory Council](#) met on November 19, 2025, to review key developments in the state’s recycling program. The council received brief updates on EPR implementation, an overview of CAA’s 2025 Financial and Annual Report, and engaged in a presentation and discussion on covered product exemptions and the proposed program plan amendment addressing responsible

end markets.

VIRGINIA: In Virginia, [SB 11](#) was introduced on November 17, 2025, for consideration in the 2026 legislative session. The bill proposes overturning the state's current prohibition on food vendors and certain restaurants using foam polystyrene containers for prepared meals. The measure has been assigned to the Senate Committee on Agriculture, Conservation and Natural Resources for review.

WASHINGTON: Under Washington's [Recycling Reform Act](#), producers must appoint a Producer Responsibility Organization (PRO) by January 1, 2026, to manage their covered materials. Producers wishing to designate CAA as their PRO should register through the CAA Producer Portal under "State Registration" by December 15, 2025. CAA will register with the Washington Department of Ecology by March 1, 2026, on behalf of all producers who meet the deadline. Guidance from CAA on the definition of a producer in Washington is available [here](#).

PRODUCER RESPONSIBILITY ORGANIZATION (PRO) UPDATE

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

AT THE LOCAL LEVEL...

Approved

YORK, VA: On November 21, 2025, the York County Board of Supervisors voted to ban the use of foam polystyrene food containers by restaurants and food vendors. The county's action aligns with Virginia's statewide ban on polystyrene food service containers, which fully takes effect July 1, 2026. York County's [ordinance](#) will follow the same timeline with more details in the article [here](#).

Under Consideration

HAWAII COUNTY, HI: In November, the Hawai'i County Council passed the first reading of [Bill 83 \(Draft 2\)](#). The bill would ban disposable plastic and polystyrene

foodware and serviceware at food providers, county facilities and county-funded events, requiring reusable or certified compostable alternatives. Feedback from the Department of Environmental Management is due by November 29, 2025, and the second reading is scheduled for December 3, 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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