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AT THE FEDERAL LEVEL...

UNITED STATES

Introduced on February 11, 2026, the Recycled Materials Attribution Act ([H.R. 7502](#)) would prohibit misleading recycled content claims in the marketing and sale of consumer products. The bill seeks to establish a consistent national approach to recycled content labeling and would support advanced recycling through third-party certification and mass balance accounting.

CANADA

On January 30, 2026, the Federal Court of Appeal upheld the federal government's

2021 decision to list “plastic manufactured items” as toxic under the Canadian Environmental Protection Act. As a result, the [Single-Use Plastics Prohibition Regulations](#) covering certain single-use plastic items remain in effect. A plain-language summary of the Court’s decision is available [here](#), and the full reasons for judgment 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 February 27, 2026.

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

CALIFORNIA: CalRecycle held a 15-day public comment period on newly proposed revisions to the SB 54 *Plastic Pollution Prevention and Packaging Producer Responsibility Act* (SB 54) Permanent Regulations, which closed on February 13, 2026. The most significant revisions were proposed to Section 18980.2, *Categorically Excluded Materials*, updating both the criteria and the process used for determining categorical exclusions. Additional information on SB 54 rulemaking and supporting documents are posted [here](#).

Circular Action Alliance (CAA) hosted a California Program Update webinar on February 19, 2026. The session outlined CAA’s work to implement SB 54, including updates on key program elements, CAA’s roles and responsibilities and next steps and timelines for producers while final regulations remain pending. A recording and slides from the webinar are available [here](#).

As of February 20, 2026, CalRecycle has released all components of the SB 54 statewide needs assessment. The materials include reports on consumer education and access, the current state of source reduction strategies, collection, processing, and end markets, as well as analyses of the actions needed to achieve source reduction and the *Needed State of Collection, Processing, and End Markets* study. An overall summary report is also available. Links to the various reports and their appendices may be reviewed [here](#).

The next [SB 54 Advisory Board](#) meeting is scheduled for March 20, 2026.

Registration is available [here](#) under “Upcoming Advisory Board Meetings” and the meeting agenda will be posted there once available.

CalRecycle is currently seeking applicants to fill eight Advisory Board seats, with three-year terms commencing July 1, 2026. Open positions include a recycling service provider or representative of a recycling service provider association, a representative from the California composting industry, and two representatives from manufacturers of covered materials representing different material types that use postconsumer recycled content. Interested parties may submit an online application [here](#) by April 2, 2026, at 5:00 p.m. PT.

On February 19, 2026, [AB 2253](#) was introduced and would expand existing requirements for substantiating recycled content claims from plastic food container products to all products. The bill would require manufacturers and suppliers making recycled content claims to maintain documentation demonstrating compliance with the Federal Trade Commission’s Guides for the Use of Environmental Marketing Claims. It would also require recycled content claims to be based on actual physical recycled content, prohibit the use of certain accounting methods, define “postconsumer” recycled content, and retain civil penalty authority for violations.

Further, [SB 1180](#) was introduced by Senator Allen on February 18, 2026. The proposal would clarify how funds collected under the SB 54 are allocated through the California Plastic Pollution Mitigation Fund. The bill would require mitigation funds to prioritize environmental justice, public health, and environmental impact reduction, establish standards for grant administration and reimbursement of indirect costs, and limit use of funds to specified plastic pollution mitigation purposes.

Also in February, several spot bills were introduced in California that could have implications for foodservice packaging. Notably, [SB 1010](#) (Plastic Pollution Prevention and Packaging Producer Responsibility), [AB 1812](#) (compostable products: regulations), and [SB 1031](#) (compostable products) may be relevant to the industry. The deadline for spot bill language is March 16, 2026. To date, only SB 1010 has been scheduled for a hearing, which is set for March 18, 2026, in the Senate Environmental Quality Committee.

COLORADO: The Colorado Producer Responsibility Advisory Board met on February 11, 2026. The meeting agenda included updates from CAA concerning education and outreach efforts as well as various administrative updates from the department. The Board is scheduled to meet again on April 8, 2026, with registration and past meeting materials available [here](#).

CONNECTICUT: On February 11, 2026, [HB 5151](#) was raised in Connecticut, directing the Department of Energy and Environmental Protection to study and develop recommendations based on the state's most recent waste characterization study. The bill would require consideration of extended producer responsibility programs for components of the waste stream, including consumer packaging and products. The legislation was referred to the Joint Environment Committee, which held a public hearing on February 20, 2026. No further committee action has been reported to date.

GEORGIA: In early February, [HB 1237](#) was introduced in Georgia, proposing a statewide extended producer responsibility program for packaging materials and most paper products. The bill would require producers of covered packaging and paper products to participate in a producer responsibility organization, with the state selecting a single packaging producer responsibility organization (PRO) to administer the program. HB 1237 also includes provisions to establish a beverage container deposit return program, to be administered by a separate, state-selected beverage PRO. The proposal is in the House Committee on Natural Resources & Environment.

HAWAII: Hawaii's HB 644 has been amended to narrow its scope to PFAS restrictions only, rather than a broad ban on single-use plastics. As amended ([HB 644 HD2](#)) would prohibit businesses from using, selling, or distributing single-use plastic food ware that contains regulated PFAS, beginning January 1, 2028. The measure was heard and passed by the House Committee on Finance on March 2, 2026.

ILLINOIS: The Illinois Statewide Recycling Needs Assessment Advisory Council met on February 9, 2026. The meeting included updates from the state's needs assessment contractors concerning local government data collection efforts. The

next meeting of the advisory council is scheduled for March 9, 2026. Details and supporting documents for past and future meetings are available [here](#).

Also in Illinois, [SB 1531](#) was approved by the Senate Rules Committee for further consideration in 2026. Originally introduced in 2025, the bill would prohibit the sale and distribution of foam polystyrene foodservice containers statewide beginning January 1, 2030.

KANSAS: Kansas [HB 2674](#) was introduced on February 3, 2026, and would prohibit the sale, distribution, or offering for sale of products containing intentionally added PFAS and would require disclosure and testing of PFAS-containing products sold in the state. The bill has been referred to the Committee on House Health and Human Services.

MAINE: At their meeting on February 19, 2026, the Maine Department of Environmental Protection adopted the *Chapter 428, Stewardship Program for Packaging* rules as proposed by the Department of Environmental Protection. Links to the adopted rules and accompanying documents may be accessed from the meeting agenda [here](#).

MARYLAND: On February 6, 2026, the Maryland Department of the Environment released a Notice of Regulatory Proposal for the state's Extended Producer Responsibility program for packaging and paper products. The proposed regulations outline requirements for producer responsibility plans, define covered materials and producers, identify exemptions and exclusions and establish program implementation timelines. They also set registration and reporting requirements for producers and PROs, minimum standards for alternative collection programs and the structure and voting requirements of the Advisory Council. The public comment period is open through March 9, 2026. The full proposal was published in [Volume 53, Issue 3 of the Maryland Register](#), and a [compliance guide](#) has also been drafted by the Department.

The [Maryland EPR Advisory Council](#) is set to meet on March 3, 2026, with the agenda primarily focused on reuse and refill. Details about the council and meetings may be accessed [here](#).

MASSACHUSETTS: On February 27, 2026, the Massachusetts Joint Committee on Environment and Natural Resources placed a number of legislative proposals “in study”, which may limit their movement this session. A list of the relevant proposals placed “in study” as follows:

- [HB 910](#) (originally filed as HD 2168) would ban black plastics while defining “Black Plastic” shall mean any plastic with any plastic resin codes #1-#7.
 - [HB 911](#) (originally filed as HD 2380) would establish standards for compostable products, limiting use of the “chasing arrows” symbol, and requiring specific labeling for compostable items.
 - [HB 912](#) (originally HD 2792) would ban the sale and distribution of polystyrene food service ware, including foam and rigid forms.
 - [HB 914](#) (originally HD 2924) would impose a \$0.01 per-container fee on disposable food containers used by food service providers and require newly licensed full-service restaurants to use reusable foodservice ware for on-premise dining, with an exception for takeout orders.
 - [HB 917](#) (originally HD 638) would establish the Sustainable Food Service Ware Act, requiring retail food establishments to use only reusable, recyclable, or compostable foodservice ware and setting standards for what qualifies as compostable or recyclable.
 - [HB 908](#) (originally filed as HD 1585) would limit the default provision of single-use foodservice ware and condiments by requiring them to be provided only when requested by customers, with food service providers permitted to charge a \$0.75 fee per transaction.
 - [HB 916](#) (originally files as HD 3845) includes multiple foodservice-related provisions, including bans or restrictions on polystyrene foodservice ware, black plastic items, plastic straws and accessories (unless requested), single-use foodservice packaging, and requirements affecting beverage containers sold in foodservice settings.
 - [HB 1034](#) (originally HD 278) would restrict the distribution of single-use plastic straws, generally limiting their provision by foodservice establishments unless requested by a customer or needed for accessibility purposes.
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MINNESOTA: The [Minnesota Packaging EPR Advisory Board](#) met on February 18, 2026. The meeting included updates from both the Minnesota Pollution Control Agency (MPCA) and CAA, followed by an overview of the rulemaking process in the state. There was also an overview of definitions and key components of the law for consideration going into the Needs Assessment as well as a discussion related to subcommittee development. The full meeting packet may be accessed [here](#). The advisory council is scheduled to meet again on March 18, 2026, with more information [here](#).

Additionally in February, MPCA released the [Minnesota Preliminary Assessment](#) for packaging and paper products. A summary of comments and responses from the MPCA regarding the draft preliminary assessment is available [here](#).

In February, [HF 3620](#) and [SF 3941](#) were introduced in Minnesota and would prohibit state procurement of single-use plastic food service ware and bottles. The House version has been referred to the State Government Finance and Policy Committee and the Senate version to the State and Local Government Committee.

MISSOURI: [HB 3504](#), introduced in Missouri on February 26, 2026, would establish an extended producer responsibility program for packaging materials and paper products. The proposal outlines a phased implementation timeline, including completion of a third-party needs assessment by September 1, 2027, creation of an advisory board by December 31, 2027, designation of a nonprofit PRO by June 1, 2028, and submission of a proposed EPR plan by February 1, 2030.

NEW HAMPSHIRE: In New Hampshire, [HB 1789](#) was reported as inexpedient to legislate. The bill would have established a broad packaging EPR program requiring all producers to join a state-selected nonprofit PRO and meet unworkable reduction and recycling targets. The bill also included restrictions on certain toxic substances and a ban on polystyrene.

NEW MEXICO: On February 16, 2026, the New Mexico Environment Department released a rebuttal draft of the proposed PFAS rule under New Mexico's PFAS consumer product law ([HB 212](#)), revising labeling requirements, including the required symbol and label content. [Redlined](#) and [clean](#) drafts of the drafts linked.

The Environmental Improvement Board held a formal hearing on February 23, 2026, to consider the rule and receive testimony and public comment.

NEW YORK: On February 4, 2026, [S 420](#) concerning recyclability labeling was referred by the Environmental Conservation Committee to the Finance Committee. The bill would prohibit misleading recyclability claims by allowing products or packaging to be marketed as recyclable only if they can be collected and processed through an established recycling program. It directs the Department of Environmental Conservation to develop regulations specifying which plastic products and packaging may carry recyclability claims.

Separately, [S 5447](#) in New York advanced to third reading on February 9, 2026. The proposal directs the Department of Environmental Conservation to establish a composting symbol to identify materials that are acceptable for composting.

OKLAHOMA: The “Oklahoma Truth in Environmental Marketing Act” ([HB 4068](#)) was introduced in early February and was referred to the House Commerce & Economic Development Oversight Committee and the House Business Committee.

Further in Oklahoma, [SB 1471](#) would expand municipal authority over solid waste management by allowing cities and towns to adopt ordinances establishing solid waste mitigation fees related to retail delivery, single-use products and plastic or auxiliary containers, with fee revenues limited to waste-related costs.

OREGON: CAA has submitted a revised [draft program plan amendment](#) on responsible end markets to the Oregon Department of Environmental Quality (DEQ) for review. Public comments on the revised draft may be submitted to rethinkrecycling@deq.oregon.gov through March 27, 2026, and DEQ is required to act on the draft by April 10, 2026.

The Recycling Modernization Act Rulemaking #3 [Recycling Acceptance Lists Technical Workgroup](#) met on February 19, 2026, to discuss exclusions related to “automotive fluid” packaging and rule concepts related to aerosol containers. Full agenda available [here](#).

The “Effectively Composted” definition technical workgroup met on February 11, 2026. The meeting focused on a DEQ facilitated discussion to review the revised draft definition of “effectively composted” and accompanying draft rule language. The meeting agenda [here](#) under “Technical Workgroups”.

In March, the [Oregon Recycling System Advisory Council \(ORSAC\)](#) and its subcommittees will hold several meetings as detailed below.

The ORSAC Responsible End Markets Subcommittee will meet on March 3 and March 11, 2026, to review CAA’s second draft responsible end markets program plan amendment. Links to attend the meetings are available [here](#) under “Upcoming Meetings”.

The ORSAC Equity & Outreach subcommittee will meet on March 9 and March 10, 2026, to consult on potential updates to recycling material acceptance lists currently under consideration through the rulemaking process. Links to attend the meetings are available [here](#) under “Upcoming Meetings”.

The full ORSAC will convene on March 18, 2026, to discuss DEQ’s Covered Product Leakage Study, potential updates to recycling material acceptance lists, recommendations related to CAA’s second draft responsible end markets program plan amendment and updates to Specifically Identified Material designations. The link to attend the meeting is available [here](#) under “Upcoming Meetings”.

Next, the Rulemaking Advisory Committee for Oregon’s third rulemaking will meet on March 30, 2026. The meeting agenda and link to access the meeting will be posted [here](#) under “Meeting schedule” once available.

RHODE ISLAND: On February 27, 2026, Rhode Island lawmakers introduced [HB 7910](#), [HB 7911](#), and [SB 2656](#), each proposing the establishment of a statewide extended producer responsibility program for paper and packaging. The House bills were referred to the House Environment and Natural Resources Committee and the Senate bill was referred to the Senate Environment and Agriculture Committee.

Also introduced on February 27, 2026, [HB 7913](#) and [SB 2639](#) would restrict the

provision of plastic straws unless requested or directly taken by the consumer. The House bill has been referred to the House Environment and Natural Resources Committee, while the Senate companion was referred to the Senate Commerce Committee.

WASHINGTON: The first meeting of the [Recycling Reform Act Advisory Council](#) was held on February 5, 2026. The agenda included member introductions, the election of a chair and co-chair, presentations on the Recycling Reform Act and an overview of upcoming work and timelines. Meeting materials may be reviewed [here](#). The next meeting of the advisory council is scheduled for March 13, 2026, from 10am to 12pm PT. Interested participants may join the zoom meeting [here](#) and the agenda will be posted [here](#) in advance of the meeting.

In March, the Department of Ecology will convene a rule advisory committee as part of the Recycling Reform Act rulemaking. The committee will consist of external subject matter experts who will support the development of draft rule language throughout the rulemaking process. All committee meetings will be open to the public and public comment opportunities will be provided on all proposed language.

PRODUCER RESPONSIBILITY ORGANIZATION (PRO) UPDATE

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

AT THE LOCAL LEVEL...

Approved

SANTA BARBARA, CA: On February 10, 2026, the Santa Barbara City Council adopted a new [ordinance](#) expanding the city's restrictions on single-use plastics and related materials. The ordinance extends the existing foam polystyrene ban to include rigid polystyrene foodware, requires all to-go foodware to be locally compostable and mandates reusable foodware for on-site dining (with limited hardship exemptions). The effective date was not immediately available, rather

the ordinance refers to supporting implementation through business outreach, grants, and phased enforcement.

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.

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