



CALIFORNIA 2023

Packaging Legislative Analysis

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LEGISLATION - CALIFORNIA

Overarching Packaging Requirements

The most recent state to introduce extended producer responsibility legislation was California, signing the Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB54) into law on 30th June 2022. California's Bill has been dubbed the most ambitious of US EPR Frameworks to date. The law applies not only to manufacturers but to sellers of all goods sold in California (with responsibility sitting with the owner or licensee of the brand or trademark under which the product is sold by distributors/retailers). The Bill establishes EPR for single-use packaging, plastic and foodservice ware and will implement eco-modulated fees designed to incentivize producers to use recyclable, reusable or more sustainable materials.

EPR

EPR Scheme Description

To deliver EPR under the A Producer Responsibility Organization (PRO) will be created, implementing methods of source reduction, collection, processing, and recovering of the covered materials via registration, reporting, record keeping, and auditing requirements. Plastic packaging producers (via the PRO) will also be mandated to pay \$500 million per year from 2027, for at least 10 years to the California Plastic Pollution Mitigation Fund to finance environmental programs. PROs are also required to pay a California circular economy administrative fee to the California Department of Tax and Fee Administration (CDTFA). The charge will be set at an amount adequate to cover the department's costs of implementing and enforcing the scheme. The fee will be paid into the California Circular economy Fund¹.

The Bill also introduces several additional requirements and targets as detailed in the following table²:

¹ https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202120220SB54

² <https://www.forbes.com/sites/jamiehailstone/2022/06/23/can-california-turn-the-tide-against-single-use-plastic/>



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Primary Target	Implementation Date
EPS Foam Foodservice ware must hit 25% recycling rate or it will be banned from sale	1 January 2025
PRO shall source-reduce by a minimum of 10% for plastic covered materials (eg, refilling, concentrating materials, rightsizing)	1 January 2027
30% of plastic packaging must be recycled.	1 January 2028
40% of plastic packaging must be recycled 20% must be source-reduced, with no less than 4% being reused or refilled.	1 January 2030
65% of plastic packaging must be recycled. All packaging must be recyclable or compostable (with California Department of Resources Recycling (CalRecycle) determining what is deemed recyclable or compostable). Plastic packaging sold must be reduced by 25% from source.	1 January 2032

Failure to meet the reduction rates will result in the material being banned entirely, and failure to comply to the regulations could result in fines of up to \$50,000 per day, per violation.

A supporting Regulation is set to be published by 1st January 2025.

Appendix



Introducing aura

About Us

At the heart of our business is a sheer fascination with packaging and the impact it has on our world. Packaging's relationship with the environment is complex and we work with true ethical partners to educate, unite like-minded thinkers and share knowledge.

A global business, the reference point for packaging sustainability, utilising knowledge and data to provide the justification required to drive positive change.

Services

Our expertise falls into three categories designed to deliver a strategic programme focused on the sustainability goals of our clients. These services are supported by a multi-disciplinary team made up of packaging, sustainability, technology and retail experts committed to making a measurable difference every day.

Consulting – Pioneering Packaging Strategy

We are packaging sustainability pioneers committed to true partnerships, focused on the delivery of mutual goals.

Our breadth of packaging sustainability knowledge across substrates, design, technical packaging, legislation, and recyclability allows us to evolve strategies to make a measurable difference both now and in the future.

Our Consultants build road maps for global change, our Technical Engineers develop specifications to refine the impact of your packaging and our Supplier Success Managers are on hand to assist with client education, communications and engagement.

As a result, we will deliver a robust strategy compliant with your sustainability goals aligned to current and future legislation.





Technology – Managing Sustainability Everyday

We provide live data and control to deliver the accurate information you require to make real time decisions that impact your business and our planet.

e-halo is an unrivalled packaging sustainability platform combining state-of-the-art technology with consulting services, designed to manage the changing landscape of global packaging legislation, compliance, and sustainability commitments.

e-halo provides packaging component data at a granular level, making sustainable packaging part of everyday decision making.

e-halo manages compliance to evolving legislation and recyclability requirements with a comprehensive reporting suite allowing for real-time measurement against your business and sustainability targets.



Insights – Data Driven Decisions

We utilise knowledge and data to provide the justification required to drive positive change.

Data Management – We interact with digital information every day. We gather, check, manage and translate data into valuable insights that our clients can use to measure and motivate positive change.

Horizon Futures – We offer horizon scanning services for global packaging legislation across 54 countries and for this we are unique. We interpret legislation rather than just quoting a legal directive, to help you understand the current and future packaging landscape. We then consider how emerging trends might potentially affect current policy and practice, enabling our clients to take a longer-term strategic approach to packaging sustainability.

Our Management Team

We are packaging sustainability pioneers committed to true partnership, which means to us a relationship focused on the delivery of the mutual goals of our business and that of our clients.

Visionary

Pioneering strategies which educate, unite and influence change

Responsible

Real-time data drives the changes needed to positively impact our planet

Honest

Decisions are informed, and our communications are authentic

Collaborative

Ethical Partnerships unify our mutual goals to create a vision fit for the future



Greg Lawson
Managing Director



Gillian Garside-Wight
Consulting Director



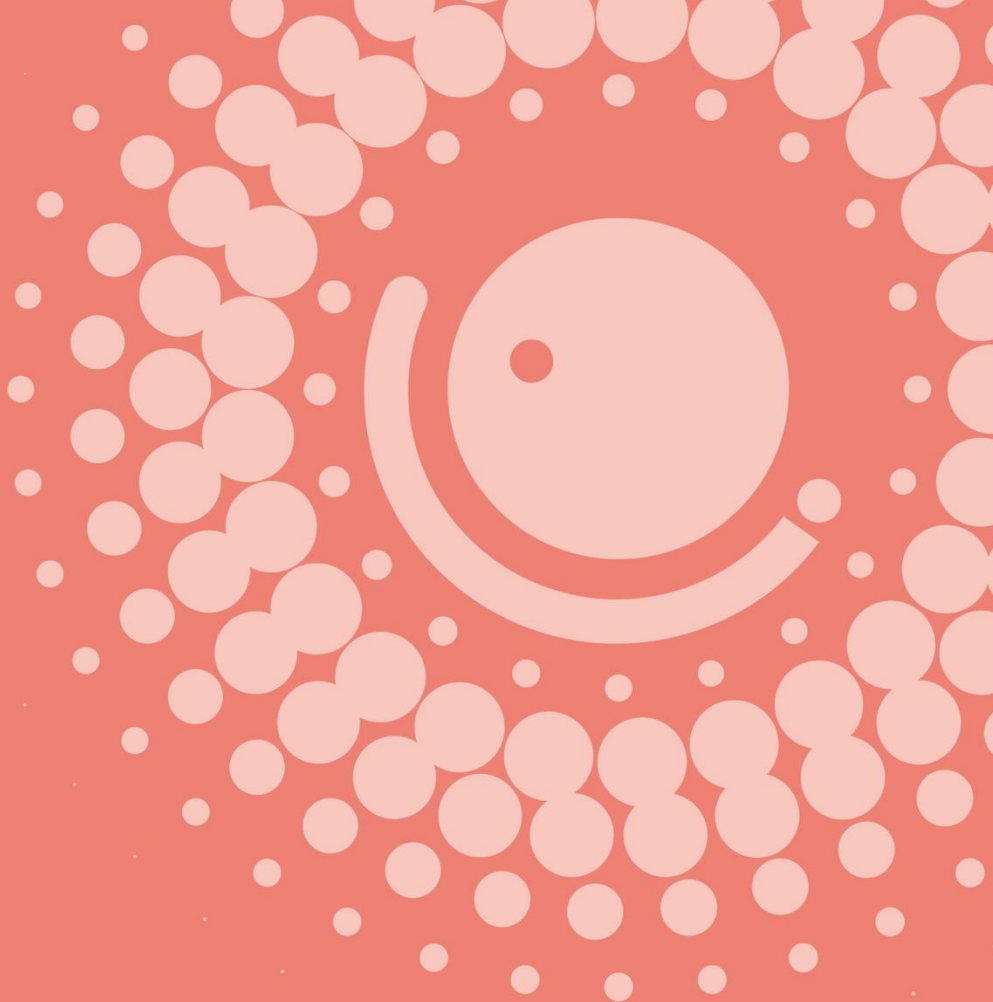
Harriet Young
Marketing Director



Sarah Kroon
Operations Director



Trevor Yong
Business Development Director



Thank you from Team Aura