



Horizon
Futures

CALIFORNIA 2025

Packaging Legislative Analysis

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Truth in Labelling

There are multiple laws in California to protect consumers from false and misleading marketing claims regarding the positive environmental impact of products and packaging.

A recent amendment was made to California's Act on Environmental Labelling of Plastic Products Senate Bill 567. SB 343 Environmental advertising: recycling symbol: recyclability: products and packaging, also known as the Truth-In-Labelling law. This aims to ensure that recycling labels accurately reflect the recyclability of products and their packaging. Although past laws prohibited the use of deceptive labelling on products, SB343 specifically relies on objective data to validate recycling claims.

SB343 entered into force on 1st January 2022, preventing mixed plastic exports from being labelled as recyclable. This Bill also tightens the requirements around the use of the "chasing arrows/mobius loop" symbol and when claims regarding recyclability can be made.

Under Law SB343, the following conditions must be met before the chasing arrows symbol or any indication of recyclability appears on product packaging:

- Materials must be both:
 - Collected for recycling by jurisdiction programs covering at least 60% of the state's population
 - Sorted into defined streams for recycling processing by large volume transfer/processing facilities serving at least 60% of recycling programs statewide.

The Bill also requires CalRecycle (California's Department of Resources Recycling and Recovery) to publish the types and pack formats of recyclable products and packaging. The Bill adds criteria for recyclability (detailed below), changes the process for which recyclability of material types is determined, makes exceptions for existing state recycling and waste collection programs and changes the process for which products and packaging may be labelled as recyclable.

The Bill sets out the criteria for recyclability claims / labelling in the State, outlining that a product or packaging shall not be considered recyclable in the State unless the product or packaging meets all of the following criteria:

- For plastic packaging, the packaging is designed to not include any components, inks, adhesives, or labels that prevent the recyclability of the packaging according to the APR Design® Guide published by the Association of Plastics Recyclers
- For plastic products and non-plastic products and packaging, the product or packaging is designed to ensure recyclability and does not include any components, inks, adhesives, or labels that prevent the recyclability of the product or packaging
- The product or packaging does not contain any intentionally added chemicals
- The product or packaging is not made from plastic or fiber that contains perfluorinated or polyfluorinated substances (PFAS) that meets either of the following criteria



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- **PFAS that a manufacturer has intentionally added to a product or packaging and that have a functional or technical effect in the product or packaging, including the PFAS components of intentionally added chemicals and PFAS that are intentional breakdown products of an added chemical that also have a functional or technical effect in the product.**
- **The presence of PFAS in a product or product component or packaging or packaging component at or above 100 parts per million, as measured in total organic fluorine.**
- **The Bill also states that, except as specified, a product or packaging is considered recyclable in the state if, based on the criteria listed above, the product or packaging is of a material type and form collected for recycling by recycling programs for jurisdictions that collectively encompass at least 60% of the population of the state.**
- **The law also stipulates that the Department of Resources Recycling and Recovery (CalRecycle) conducts regular statewide analysis at material recovery facilities across California with the aim of identifying which materials are commonly collected, sorted, sold, or transferred for recycling in California. This analysis began in 2023 and will continue with ongoing updates to the analysis, with the second study due to be completed by 2027 and further studies conducted every five years following that.**
- **SB 343 will provide information to businesses to ensure they accurately label their products to help consumers identify what is and what is not recyclable in California. Manufacturers are given eighteen months from the publication of each study to ensure the updated information supports their use of the chasing arrows symbol on their products**
- **Compostable Bags**
- **The Labeling of Compostable Plastic Bags Act, Senate Bill 223 stipulates that from 1st July 2011:**
- **Compostable bags must be labeled with a certification logo indicating the bag is certified to ASTM D6400-19**
- **Manufacturers of compostable plastic bags (that meets the American Society for Testing and Materials D6400 standard specification) must ensure that the bag is easily identifiable from other plastic bags.**
- **Compostable bags sold or distributed in this state are prohibited from displaying the chasing arrow identification code or any other symbol.**
- **Compostable bags must be labeled in accordance with one of the following:**

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



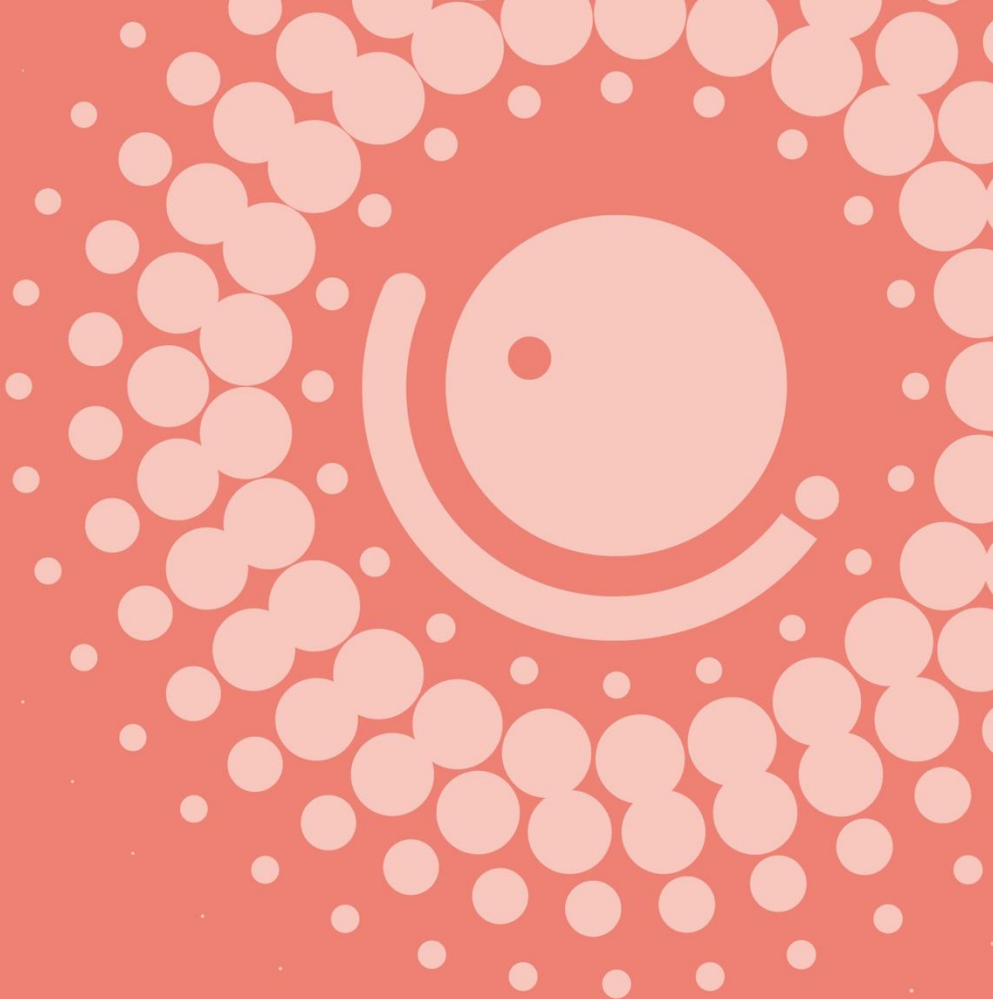
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Thank you from Team Aura