

The logo for Horizon Futures, featuring a stylized yellow and white arc above the text "Horizon Futures" in a bold, sans-serif font. The logo is set within a white circular graphic that is partially obscured by a large white circle on the left side of the page.

Horizon
Futures

COLORADO 2025

Packaging Legislative Analysis

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Overarching Packaging Requirements

Colorado House Bill 22-1355 on a Producer Responsibility Program for state-wide Recycling entered into force on 10th August 2022 and requires producers of packaging, paper products, and some food service items to pay for and manage the recycling of their covered products statewide. The aim of the regulation is to reduce landfill waste and increase recycling rates. The executive director of the Colorado Department of Public Health and Environment designated a non-profit organization to implement and manage a state-wide program that provides recycling services to covered entities in the state (defined as residences, businesses, schools, government buildings, and public places). The program is funded by producers of packaging materials and paper products that are sold, offered for sale, or distributed in the state.

The regulation comes into effect on 25th July when, after this date, a producer is prohibited from selling or distributing any products that use covered materials in the state unless the producer is participating in the EPR Program.

EPR

EPR Scheme Description

The definition of a producer under this regulation includes entities that manufacture, license, or import packaging or paper products sold or distributed in Colorado, including products sold online. This also applies to publishers of specific paper products such as magazines and newspapers.

Producers must participate in the EPR program if they generate \$5.32 million or more in annual revenue or use one tonne or more of packaging materials in Colorado.

Entities exempt from this regulation include:

- State and local governments
- Nonprofits
- Individual businesses operating licensed retail food establishments in Denver
- Agricultural employers with less than \$5 million in gross revenue
- Construction-related companies

Materials exempt from this regulation include:

- Packaging for long-term storage
- Certain paper products that could be unsafe to handle
- Specific FDA-regulated packaging

The Colorado proposed House Bill introduces the EPR scheme and states that producers can comply either individually, or through a PRO. The Bill calls for a single PRO, however, from 1st

January 2029, other non-profit PROs can request to be a part of the program. The appointed PRO for this scheme is Circular Action Alliance (CAA) and its first task is to conduct a needs assessment and use the findings to develop three cost scenarios for reaching state-wide recycling goals. The PRO in Colorado will have decision-making authority and will contract directly with recycling service providers, haulers, processors, and local governments that provide recycling services. The PRO will also be responsible for determining readily recyclable parameters, and will set minimum recycling collection and minimum recycled content rates.

The Bill proposes to **create the producer responsibility program for state-wide recycling advisory board. This will consist of members who have expertise in recycling programs and are knowledgeable about recycling services in the different geographic regions of the state. Prior to the implementation of the program, the organization must complete a series of tasks, with the most recent task due to be completed on or before 1st February 2025. This task requires the organization to, submit a plan proposal for the program (plan proposal) to the advisory board and executive director after receiving input from the advisory board and other key stakeholders.**

The plan proposal will initially cover recycling services for residential covered entities only and include the following:

How the organization will meet certain convenience standards and state-wide recycling, collection, and post-consumer recycled content rates.

Establish a funding mechanism through the collection of producer responsibility dues that covers the organization's costs in implementing the program and the costs of the department in overseeing the program.

Establish an objective formula to reimburse 100% of the net recycling services costs of public and private recycling service providers performing services under the program.

Provide a list of covered materials (minimum recyclable list) that providers performing services under the program must collect to be eligible for reimbursement under the program.

Set minimum recycling rate targets that the state will strive to meet by 1st January 2030 and 1st January 2035, and describe how the state can meet increased rates after 2035.

Describe a process and timeline, beginning no later than 2025, to expand recycling services to applicable non-residential covered entities.

The Bill establishes the following deadlines for producers:

By 1st October 2024, producers are required to register with CAA

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



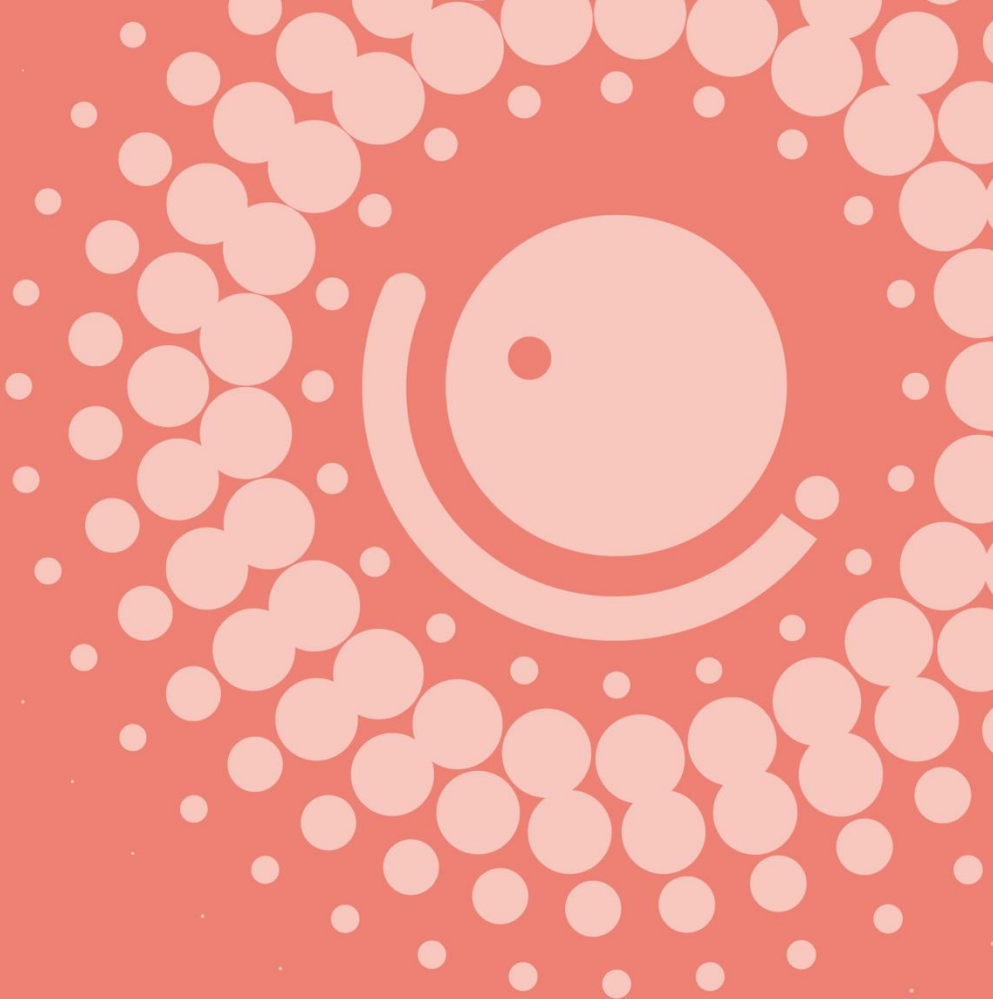
Harriet Young
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Trevor Yong
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Thank you from Team Aura