



Extended Producer Responsibility (EPR) for Packaging: Navigating Compliance

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States with Adopted EPR Schemes: Implementation Status



State	Year	Rulemaking	Registration	Reporting
California	2022	Complete	Y	Y
Colorado	2022	Complete	Y	Y
Oregon	2021	Complete	Y	Y
Maine	2021 (Amended 2025)	Complete	May 2026 target delayed	May 2026 target delayed
Maryland	2025	Complete	July 2026*	TBA**
Minnesota	2024	In progress	Y	TBA**
Washington	2025	Not yet started	July 2026*	TBA**

*CAA already asking producers to register

**CAA set May 31, 2026 deadline for simplified supply report

EPR in a Nutshell



Assess producer obligations

Register with Producer



Responsibility Organization
(PRO)



Report appropriate data to
PRO for each state



Pay dues for each state



Meet performance targets

◆ What is Covered Material?

◆ Packaging

- All states, but definition varies
- Generally refer to materials used to contain or protect products

◆ Food Service Ware

- Excluding ME; CA is plastic only

◆ Paper Products

- CO, MD, MN, OR, WA

What is Exempt?

- ◆ Varies significantly from state to state; exemptions may be more limited than they appear
- ◆ Some exemptions include:
 - ◇ Packaging for a product regulated as a dietary supplement by the U.S. FDA (CO, WA)
 - ◇ Packaging used in business-to-business transactions (CO, MD, MN, WA) – but review carefully for scope
 - ◇ Packaging used in industrial/manufacturing processes (CO)

Packaging material used to contain a product that is regulated as a...dietary supplement..., or any equipment and materials used to manufacture such products

Colo. Rev. Stat. § 25-17-703(13)(b)(VII)

Packaging for a product regulated as a...dietary supplement..., including associated components...

Wash. Rev. Code § 70A.208.020(19)(d)

Who is Considered a Producer?

- ◆ Definition varies by state (hierarchical)
- ◆ In the case of packaging, the producer is typically the company that **manufactures** the packaged product and **owns or licenses the brand or trademark** of the product
 - ◆ But could be licensees, importers, distributors, and manufacturers
- ◆ Regulators may provide clarifying details as rulemaking proceeds
- ◆ Small producer exemptions exist in all states:
 - ◆ Packaging volume based
 - ◆ Sales volume based

CAA Producer Report Planning 2026

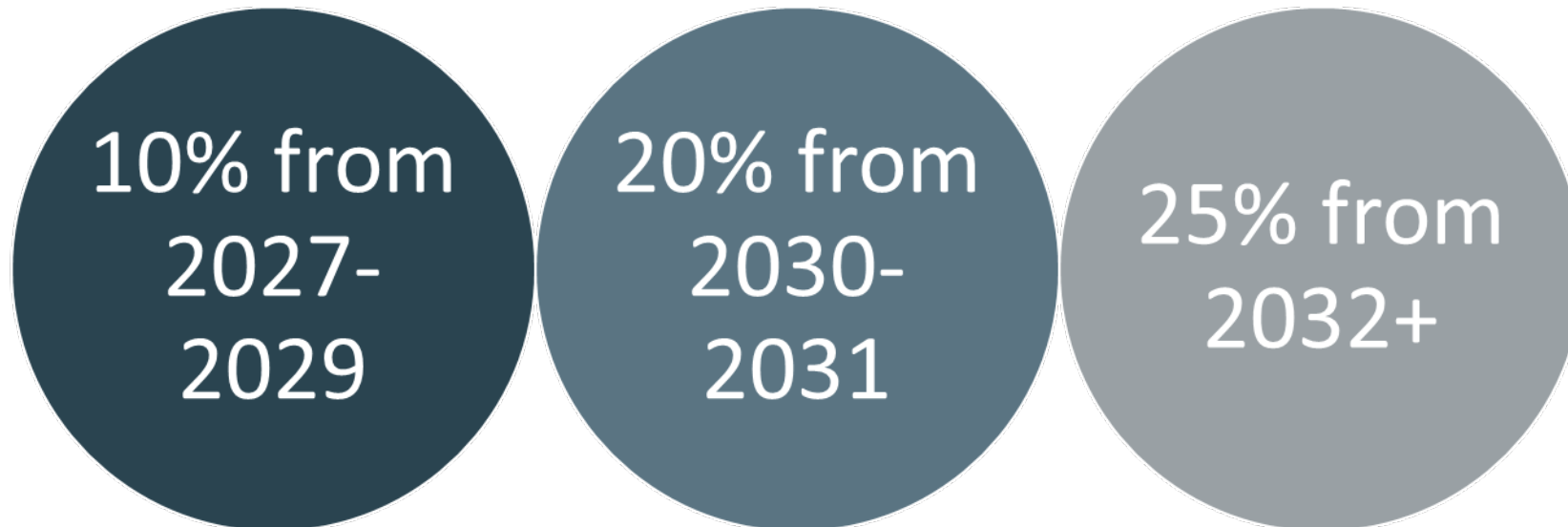


Program	2026 Report Date	Data Year	Type of 2026 Report	Program Period Covered by the Report
Oregon	May 31, 2026	CY 2025	Annual Supply Report	2027 Program
Colorado	May 31, 2026	CY 2025	Annual Supply Report	2027 Program
California	May 31, 2026	CY 2023	2026 Baseline Producer Report	Source Reduction
	Aug. 1, 2026	N/A	Individual Source Reduction Plan	Source Reduction
	May 31, 2026	CY 2025	Annual Supply Report	2027 Program (& Early Fees)
	May 31, 2026	CY 2025	Annual Source Reduction Report	By 2026
Minnesota	May 31, 2026	CY 2025	Interim Producer Report: Simplified Reporting Categories	Pre-Program
Maryland	May 31, 2026	CY 2025	Interim Producer Report: Simplified Reporting Categories	Pre-Program
Washington	May 31, 2026	CY 2025	Interim Producer Report: Simplified Reporting Categories	Pre-Program

CA Source Reduction Requirements



- ◆ Applies to plastic covered material sold/distributed in California
- ◆ The Producer Responsibility Organization (PRO) must develop and implement a plan to achieve, by 2032, a 25% reduction by weight and 25% reduction by plastic component for covered material sold in the state



California Source Reduction Plan



Producers must submit Individual Source Reduction Plans by August 1, 2026

Producers must forecast their expected net source reduction and source reduction activities over the course of the program years

Source Reduction Plans must include the following information:

- Amount of covered material, by number of plastic components and weight, the producer source reduced since **January 1, 2013**, and
- The amount of plastic covered material, by weight and number of plastic components, the producer plans to source reduce by **January 1 of 2027, 2030, and 2032**, via each of the identified source reduction pathways.

EPR Fees

- ◆ Fee schedules are set by CAA; methodology is not public
- ◆ Producers must submit reports on **type** and **weight** of covered materials for each state
 - ◇ Very challenging + resource intensive to gather this information
- ◆ EPR fees cover base material category fees (in cents per pound) and eco-modulated fee adjustments

Producer fee = (producer's amount in each category × that category's rate) ± adjustments (eco-modulation bonuses & maluses)

Best Practices for Compliance



- ◆ **Conduct state-by-state regulatory analysis**

- ◇ EPR schemes are fact-specific and vary across jurisdiction
- ◇ No one-size-fits-all approach

- ◆ **Engage and identify key players within your organization**

- ◇ Involve finance, compliance, legal, and operation teams to manage the significant reporting and financial obligations of EPR programs
- ◇ Determine who has access to supply chain data and create central repository

- ◆ **Assign regulatory monitoring**

- ◇ Designate a responsible team to track deadlines, reporting obligations, and updates from CAA and state regulatory bodies
- ◇ Identify and track new state EPR programs on the horizon

- ◆ ***Packaging changes may be needed to meet performance targets and reduce fees***

Thank You

Any questions?

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