

CA to Require Minimum Recycled Content in Plastic Bottles

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California became the first state in the U.S. to require a minimum post-consumer recycled resin in plastic bottles when Governor Gavin Newsom signed [Assembly Bill 793](#) on September 24. The bill passed by the state Senate and Assembly on August 30 (see [PackagingLaw.com](#), [CA Legislature Passes First-in-the-Country Requirement for Recycled Content in Plastic Bottles](#)) and the enrolled version was sent to the governor on September 8.

Beginning in 2022, AB 793 requires all plastic bottles covered by the state's container redemption program to average at least 15% post-consumer recycled resin. The amount of required post-consumer recycled resin increases to 25% in 2025 and 50% in 2030. However, beginning January 1, 2025, the minimum post-consumer recycled content percentage required may be adjusted based on a number of factors, including changes in market conditions, recycling rates, and the capacity of recycling or processing infrastructure.

Beverage manufacturers that do not meet the minimum requirement will be subject to a penalty of 20 cents for each pound of postconsumer resin short of the target amount. Refillable plastic beverage containers are exempted from the minimum post-consumer recycled resin requirement.

The new law also imposes reporting requirements for manufacturers of postconsumer recycled plastic. Effective March 1, 2024, manufacturers of postconsumer recycled plastic will be required to annually report to the California Department of Resources Recycling and Recovery (CalRecycle) the amount of food-grade flake, pellet, sheet, fines, or other forms of postconsumer recycled plastic sold in the previous calendar year and their capacity to produce "food-grade" material. Additionally, the report must specify the amount of material that meets beverage manufacturer specifications for 'bottle grade' material, as defined by the bill.

California has previously established minimum recycled content requirements for glass containers, rigid plastic packaging containers, and other products. (See [PackagingLaw.com](#), [The California Rigid Plastic Packaging Container Law](#), for background information.)

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