

California Sues ExxonMobil, Claiming It Deceives the Public on Recyclability of Plastic Products

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On September 22, 2024, the State of California Department of Justice [announced](#) that it filed a lawsuit in the San Francisco County Superior Court against ExxonMobil “for allegedly engaging in a decades-long campaign of deception that caused and exacerbated the global plastics pollution crisis.” California “seeks to compel ExxonMobil, which promotes and produces the largest amount of polymers — essentially the building blocks used to make single-use plastic — that become plastic waste in California, to end its deceptive practices that threaten the environment and the public.” California also seeks to secure an abatement fund, disgorgement, and civil penalties for the harm inflicted by plastics pollution upon California’s communities and the environment.

The press release states that ExxonMobil’s “deception” includes “touting ‘advanced recycling’ as the solution to the plastic waste and pollution crisis.” According to the press release, advanced recycling “is an umbrella term used by the plastics industry to describe a variety of heat or solvent-based technologies that can theoretically convert certain types of plastic waste into petrochemical feedstock, which can be used to make new plastic.” California claims that ExxonMobil hides truths about the technical limitations of advanced recycling, including that:

- The vast majority — 92 percent — of plastic waste processed through ExxonMobil’s advanced recycling technology does not become recycled plastic, but rather primarily fuels;
- The plastics that are produced contain so little plastic waste that they are effectively virgin plastics deceptively marketed as “circular” (co-opting a term that, according to California, is typically understood as a full circle of sustainable reuse, where waste becomes raw material) and sold at a premium;
- ExxonMobil’s advanced recycling process cannot handle large amounts of post-consumer plastic waste such as potato chip bags without risking the safety and performance of its equipment; and
- In ExxonMobil’s best-case scenario, plastics produced through the advanced recycling program will only account for less than one percent of ExxonMobil’s total virgin plastic production capacity, which continues to grow.

According to California, “ExxonMobil’s decades-long campaign of deception violated state nuisance,

natural resources, water pollution, false advertisement, and unfair competition laws.” The California Attorney General seeks nuisance abatement, disgorgement, civil penalties, and injunctive relief to “protect California’s natural resources from further pollution, impairment, and destruction, as well as to prevent ExxonMobil from making any further false or misleading statements about plastics recycling and its plastics operations.”

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