





FOODSERVICE PACKAGING POLICY LANDSCAPE

Thermoformed Molded Fiber Symposium
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AGENDA

- About FPI
- 2026 Policy Overview
- Deeper Dive: EPR
- FPI Special Interest Groups
- What’s Next



ABOUT FPI

WHO WE ARE

The Foodservice Packaging Institute (FPI), the leading authority for the North American foodservice packaging industry, encourages the responsible use of all foodservice packaging through promotion of its benefits and members' products. Serving as the voice of the industry to educate and influence stakeholders, FPI provides a legal forum to address the challenges and opportunities facing the foodservice packaging industry.

90%

of converters and suppliers in the foodservice packaging industry are FPI members

200+

operators / distributors / educational institutions are FPI members



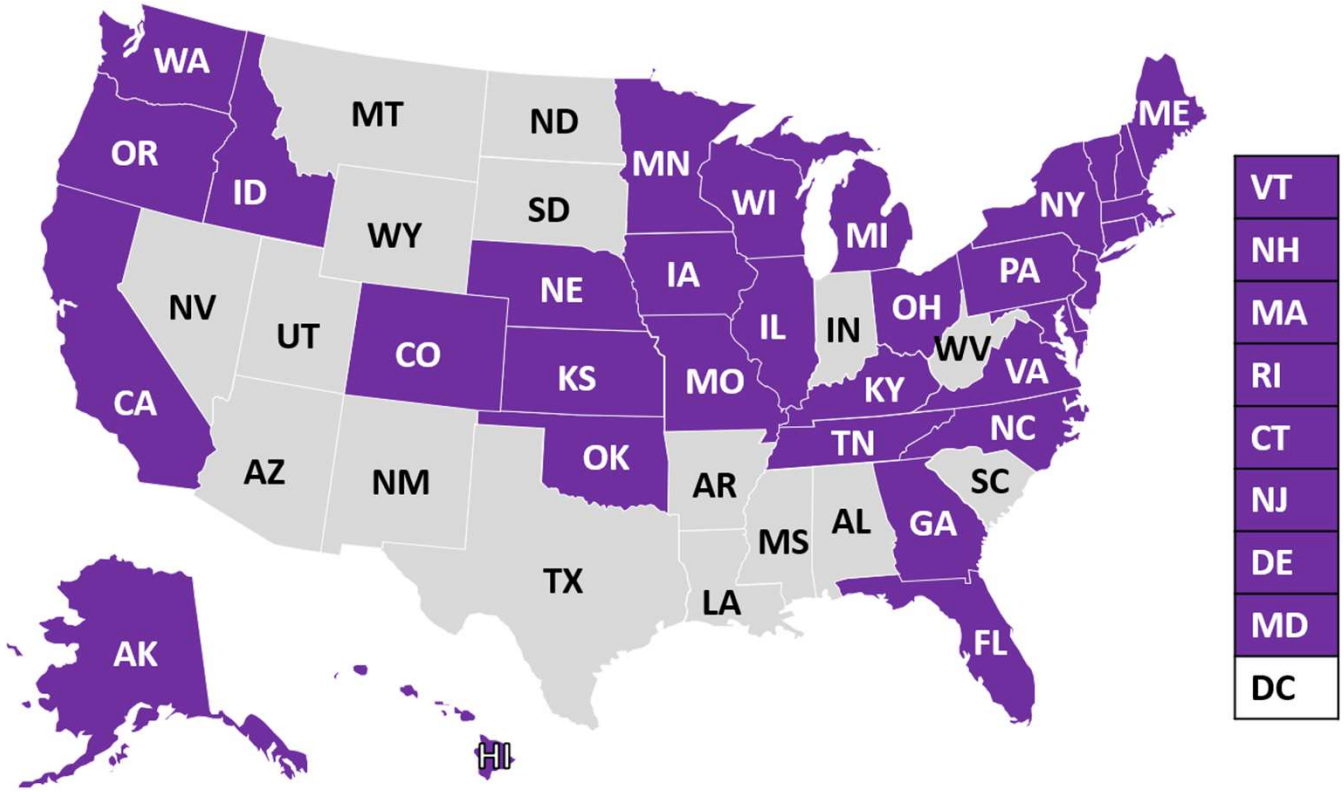
2026 POLICY OVERVIEW

2026 POLICY ACTIVITY



- Federal landscape shifting
- State activity remains central
- Short legislative sessions constrained complex proposals
- Policy issues are increasingly interconnected
- Extended Producer Responsibility (EPR) moves further into rulemaking and implementation

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As of October 2026

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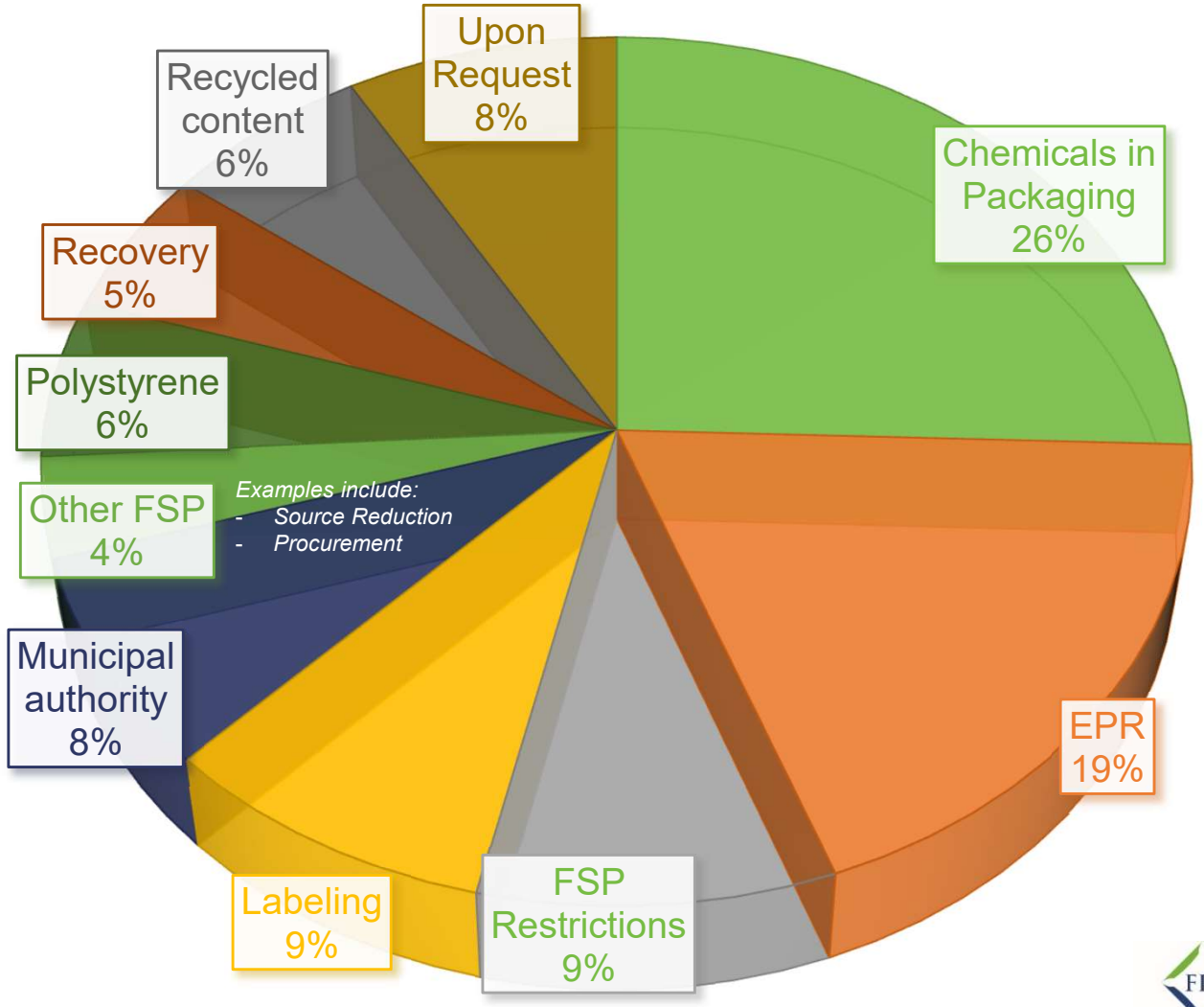
2026 STATE LEGISLATIVE LANDSCAPE

~300 proposed pieces of legislation relating to FSP in **34** states.



2026 STATE ACTIVITY POLICY AREAS

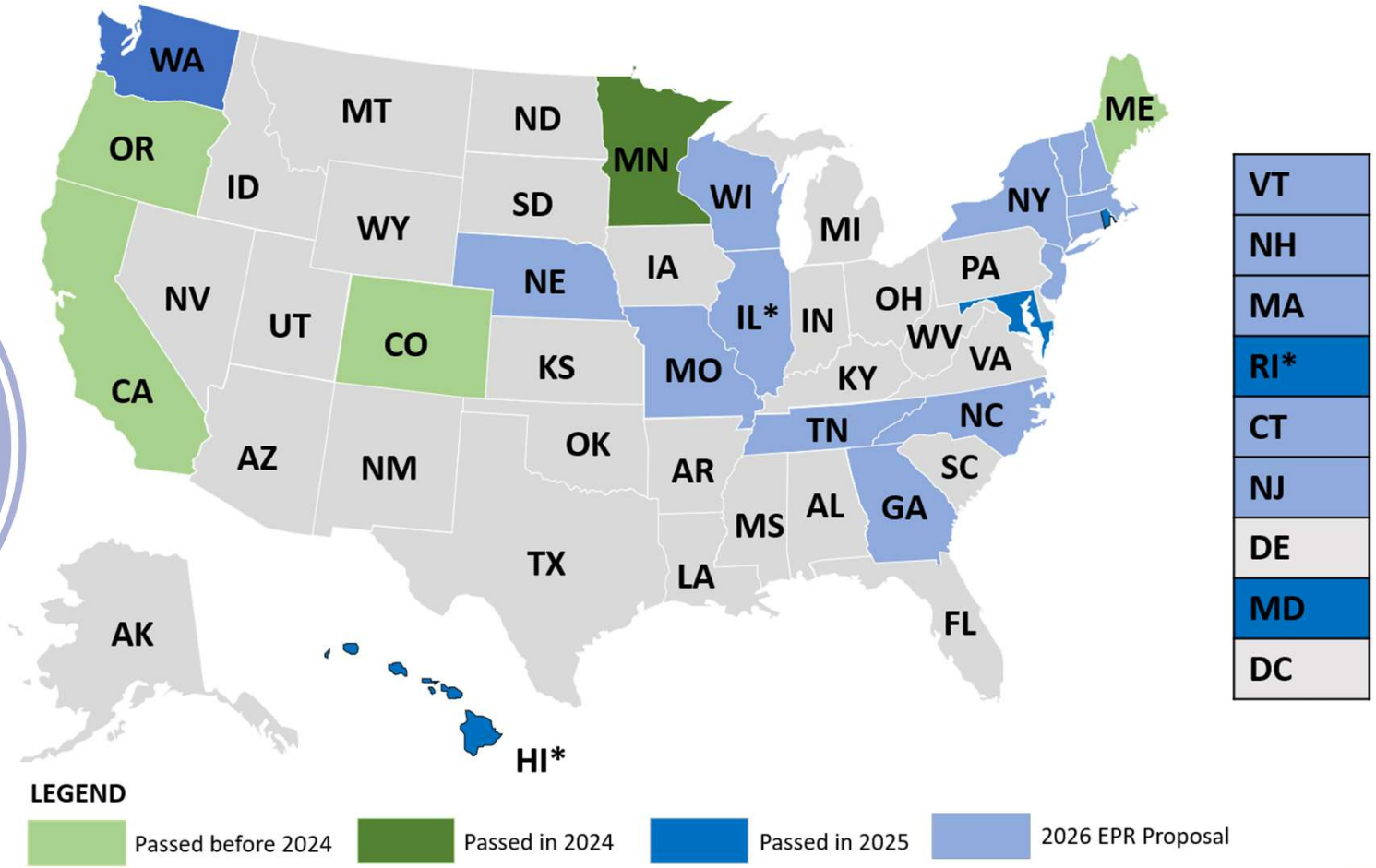






DEEPER DIVE: EPR

STATE ACTIVITY: EPR



CURRENT STATE OF PACKAGING EPR PROGRAMS

Programs are moving through different stages of operation, implementation and rulemaking

OPERATING

Programs launched

OREGON

Implementation began July 2025

Third rulemaking underway

COLORADO

Implementation began June 2026

Two rulemakings adopted

APPROACHING IMPLEMENTATION

Preparing to launch

CALIFORNIA

Implementation begins January 2027

Program plan expected December 2026

PROGRAM DEVELOPMENT

Rules and systems taking shape

MAINE: Rules adopted February 2026

MARYLAND: Rulemaking ongoing

MINNESOTA: Rulemaking ongoing

WASHINGTON: Rulemaking ongoing

Circular Action Alliance (CAA) serves as the producer responsibility organization in Oregon, Colorado, California, Maryland, Minnesota and Washington.
There is currently no Stewardship Organization in Maine

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EPR IS A VEHICLE FOR OTHER POLICIES & TARGETS



Plastic Pollution Prevention and Packaging Producer Responsibility Act

SB 54

By 2032:

Cut By	Recycle	Ensure
25%	**65%**	**100%**
Single-use plastic:	**Of single-use plastic:**	**Of single-use:**
• Packaging and • Food service ware	• Packaging and • Food service ware	• Packaging • Plastic food service ware Is recyclable or compostable

Source: Here

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THE 2032 QUALIFICATION QUESTION

From “Is the material covered?” to “Can the material qualify?”

CALIFORNIA + MINNESOTA

By 2032, 100% of covered materials must be recyclable or compostable.

That makes material definitions, category decisions and collection-list placement increasingly consequential.

COVERED MATERIALS AND COLLECTION LISTS

Universe of all Packaging and Paper Products

Excluded and Exempted Materials

These materials are excluded from the EPR program.
Producers of these materials do NOT pay fees on them.
These materials MAY still be included in the universal collection list as “free riders”.

Covered Materials

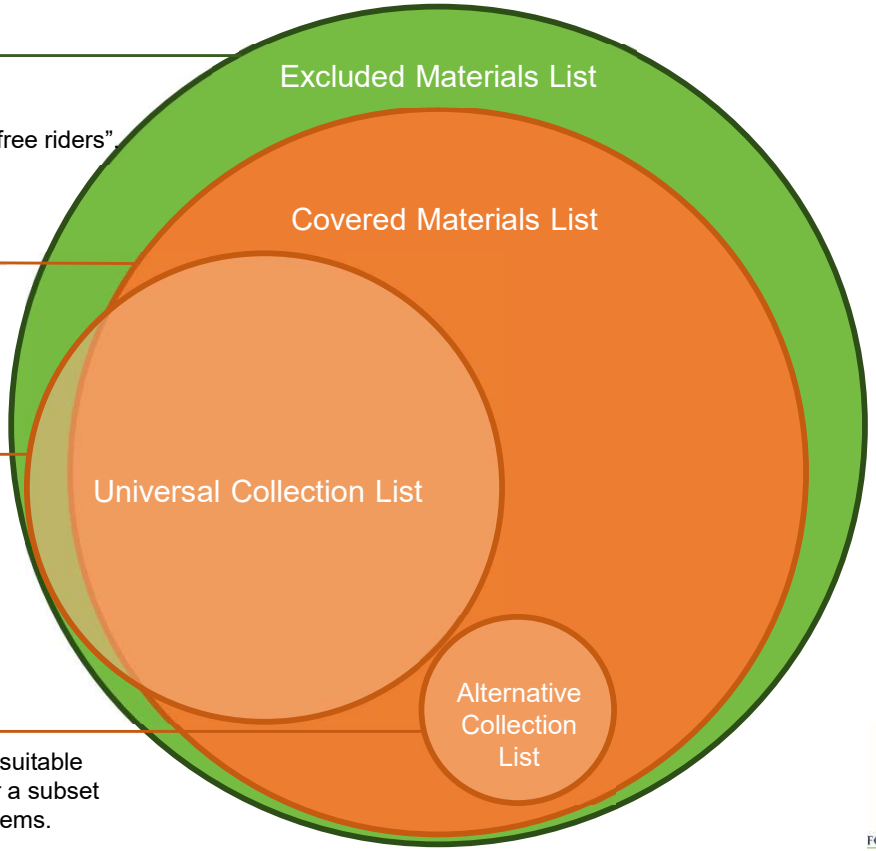
These materials obligated under the EPR program.
Producers of ALL these materials pay into the system regardless of whether they are collected for recycling and/or composting.

Universal Collection

These materials make up the *minimum* curbside collection list across the state. The PRO or State Agency, in consultation with the Advisory Board, local governments, and other stakeholders like MRFs and processors, develop this list. It is updated regularly to reflect system improvements.

Alternative Collection

The PRO, State Agency and Advisory Board may all weigh in on items suitable for alternative collection through depots or other methods. The PRO, or a subset of producers, are responsible for establishing alternative collection systems.



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HOW MOLDED FIBER IS CURRENTLY ASSESSED UNDER STATE EPR PROGRAMS

The assessment changes by composition, coating, foodservice use and state material-list structure

CALIFORNIA

Plastic component?

Without plastic

RECYCLABLE* + COMPOSTABLE*

With plastic

COMPOSTABLE**

**Category-level eligibility; not a product-specific compostability determination.*
*** A compostable determination for these CMCs does not imply that all covered material within the CMC is compostable.*

COLORADO

Foodservice use?

Non-foodservice ware

MINIMUM RECYCLABLES LIST

Foodservice ware

ADDITIONAL RECYCLABLES LIST

Foodservice ware may use curbside, drop-off or other collection.

OREGON

Eligible end use?

Non-Foodservice ware packaging

UNIVERSAL STATEWIDE COLLECTION LIST

Foodservice ware

EXCLUDED

Listed USCL example includes egg cartons; flowerpots are also excluded.

MAINE

Paper content + coating?

Uncoated ≥90% paper

READILY RECYCLABLE

Coated ≥90% paper

READILY RECYCLABLE

Both categories may also qualify as compostable when certified.

KEY TAKEAWAY: There is no uniform EPR treatment of molded fiber. Classification depends on the state's approach and criteria.

Disclaimer: *For summary purposes only. For more detail, see legislation, regulations and producer guidance.*

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Covered Material Categories Reporting Guidance

Plastic Pollution Prevention and Packaging Producer Responsibility Act (the Act)
Department of Resources Recycling and Recovery
September 8*, 2025

Category ID	Material Class	Material Type	Form	Description and Examples
25_PF14P	Paper and Fiber	Molded Fiber	All Forms w/ plastic component	Means paper fiber molded to shape and designed with a plastic component. This category excludes polycoated or other plastic-coated molded fiber items, which should go into 25_PF7P. This category includes polycoated or other plastic-coated molded fiber items that are only coated on a single side. This category excludes molded fiber that is plastic-coated on two sides, which should go into 25_PF7P. Examples include takeout containers and bowls, molded egg cartons, shipping trays, and packaging inserts.
25_PF14N	Paper and Fiber	Molded Fiber	All Forms w/o plastic component	Means paper fiber molded to shape and designed without a plastic component. Examples include molded egg cartons, shipping trays, and packaging inserts.
25_PF7P	Paper and Fiber	Multi-Material Laminate	Other Forms w/ plastic component	Means paper laminated with plastic and/or other materials that do not fit into any other category. This includes paper items with a plastic coating, except for paperboard with a plastic coating and kraft paper with a single-sided plastic coating. Examples include double-sided polycoated paper, including food and snack containers, plastic-coated butcher paper, and kraft paper dunnage bags.

Source: https://calrecycle.ca.gov/packaging/packaging-epr/producerguidance/

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FPI ENGAGEMENT ACROSS THE EPR POLICY LIFECYCLE

Representing foodservice packaging from policy development through implementation

LEGISLATION

Shape the Framework

- Analyze proposals
- Advance policy priorities
- Provide technical input
- Industry advocacy

RULEMAKING & PROGRAM DESIGN

Inform the Details

- Submit agency comments
- Engage in consultations
- Participate in advisory processes
- Review definitions and requirements

IMPLEMENTATION

Support Practical Outcomes

- Review program plans
- Analyze fees and reporting
- Inform and assess collection lists
- Identify compliance impacts

KEY TAKEAWAY: FPI engagement continues beyond bill passage, helping translate policy into workable programs for foodservice packaging.

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FPI SPECIAL INTEREST GROUPS

FPI RECOVERY WORK

Building practical pathways to recover more foodservice packaging

FPI supports recovery by connecting the partners, markets, infrastructure and communications needed to move materials from use to their next productive life.

01	**ALIGN THE VALUE CHAIN**	Bring communities, MRFs, composters, end markets and packaging partners together around practical recovery solutions.
02	**BUILD RECOVERY PATHWAYS**	Support research, market development, sorting and processing, community access and composting pathways.
03	**EDUCATE & SCALE**	Equip communities and residents with tools, lessons learned and outreach resources that can expand successful programs.

RECYCLEFSP.ORG



IMPACT ON FOODSERVICE PACKAGING RECOVERY

Research, markets, community access and shared resources are expanding recovery pathways

8M+

ADDITIONAL HOUSEHOLDS

Foodservice packaging can be recycled by more than 8 million additional households.

35

INDENTIFIED PAPER CUP END MARKETS

FPI resources identify 35 end markets for paper cups.

75%+

MIXED PAPER DEMAND

Paper cups are accepted by mills representing more than 75% by quantity consumed of U.S. and Canadian mixed-paper demand.

WHAT ENABLED THE IMPACT

AUTHORITATIVE RESEARCH

MRF surveys, flow and bale studies, food-residue research, and analysis of compostable-packaging programs clarify opportunities and barriers.

END-MARKET DEVELOPMENT

FPI engages stakeholders to expand markets for recovered foodservice packaging, including continued growth in paper-cup markets.

RESOURCES & LEADERSHIP

Education toolkits, best practices, articles, panels and webinars help communities and stakeholders act on the findings.

PUBLIC IMPACT STORY

Evidence builds confidence. Markets create outlets. Community partnerships and resources expand access.

Source www.recyclefsp.org

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HELP SHAPE THE COMPOSTABLE DESIGN GUIDE

FPI's special interest groups are developing practical design guidance for compostable foodservice packaging.

THE GOAL

Translate compostability standards, testing insights and real-world system constraints into clear, practical design considerations that meet the operating needs of composters.

INTERESTED IN CONTRIBUTING?

We welcome technical experts and practical input from FPI members and external stakeholders. Let us know if you would like to participate.





WHAT'S NEXT

WHAT'S NEXT

2026

NEAR TERM

- New Jersey remains a key state to watch
- Continued regulatory and implementation activity

2027

LOOKING TO 2027

- Fiscal constraints may shape policy priorities
- Reintroduced and new state EPR proposals
- Longer sessions may create more opportunity for complex bills

ONGOING

POLICY AREAS

- FSP & Material restrictions
- Chemicals in packaging
- Recycled-content requirements
- Labeling requirements

Stand-alone measures and EPR integration

FPI will continue tracking policy development, implementation and practical impacts for foodservice packaging.

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