

AMENDED IN SENATE JULY 2, 2026

AMENDED IN SENATE JUNE 25, 2026

AMENDED IN ASSEMBLY APRIL 8, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 2253

Introduced by Assembly Member Boerner

February 19, 2026

An act to amend Section 42357.6 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL’S DIGEST

AB 2253, as amended, Boerner. Solid waste: products: ~~environmental marketing~~ *recycled content* claims.

Existing law requires a manufacturer or supplier making an environmental marketing claim relating to the recycled content of a plastic food container product to maintain specified information and documentation in written form in its records in support of that claim. Existing law requires the maintained information to include that the recycled content for materials has been diverted from the solid waste stream either during the manufacturing process (preconsumer) or after consumer use (postconsumer) and that the recycled content claim conforms to the uniform standards for recycled content contained in the Federal Trade Commission Guides for the Use of Environmental Marketing Claims. Existing law provides for the imposition of a civil penalty by a city, county, or the state for a violation of these provisions.

This bill would expand the application of those provisions from plastic food container products to all ~~products~~. *products making recycled content claims*. The bill would revise the reference to the Federal Trade

Commission Guides for the Use of Environmental Marketing Claims to specifically refer to those guides as they read on January 1, 2026. The bill would additionally require documentation in written form that the recycled content claim is based on the actual physical recycled content used in the production of the product, calculated as specified, without the use of certain types of accounting. The bill would define “postconsumer” for purposes of these provisions: *material claimed does not exceed the amount of third-party certified recycled content introduced into the manufacturer’s or supplier’s overall supply stream for the material used in that product line. The bill would require the recycled content claim to be based on the actual recycled content used in the production of the material used in the product line using specified methods.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 42357.6 of the Public Resources Code
- 2 is amended to read:
- 3 ~~42357.6. (a) For purposes of this section, “postconsumer”~~
- 4 ~~means a material that would otherwise be destined for disposal,~~
- 5 ~~having completed its intended end use and product life cycle.~~
- 6 ~~“Postconsumer” does not include materials or byproducts generated~~
- 7 ~~from, and commonly reused within, an original manufacturing and~~
- 8 ~~fabrication process.~~
- 9 ~~(b)~~
- 10 42357.6. (a) A manufacturer or supplier making ~~an~~
- 11 ~~environmental marketing claim~~ *a voluntary recycled content claim*
- 12 *on a physical product label or on digital product labeling for*
- 13 *products sold online* relating to the recycled content of a product
- 14 shall maintain information and documentation, which shall be in
- 15 written form in its records, of all of the following in support of
- 16 that claim:
- 17 (1) The recycled content for materials has been recovered or
- 18 otherwise diverted from the solid waste stream either during the
- 19 manufacturing process (preconsumer) or after consumer use
- 20 (postconsumer).
- 21 (2) The recycled content claim conforms to the uniform
- 22 standards for recycled content contained in the Federal Trade

Commission Guides for the Use of Environmental Marketing Claims (16 C.F.R. Part 260), as it read on January 1, 2026.

~~(3) (A) The recycled content claim is based on the actual physical recycled content used in the production of the product, as calculated by methods including segregated model, controlled blending model, and rolling average percentage, without the use of credit-based mass balance accounting, including proportional credit and nonproportional credit allocation, “book-and-claim” accounting, or similar approaches that are not based on the actual physical recycled content used in the production of the product.~~

(3) (A) The amount of recycled content material claimed on the label or labeling does not exceed the amount of third-party certified recycled content introduced into the manufacturer’s or supplier’s overall supply stream for the material used in that product line. Individual products within that product line may contain recycled content levels that are higher or lower than that claimed amount due to normal variations in supply chain operations or manufacturing processes.

(B) In complying with subparagraph (A), the recycled content claim shall be based on the actual recycled content used in the production of the material used in the product line, as determined using any of the following chain of custody models: segregated model, controlled blending model, or rolling average percentage method, as described in International Organization for Standardization (ISO) standard 22095:2020(E).

~~(B)~~

(C) For a plastic beverage container subject to Section 14549.3, compliance with the reporting requirements established pursuant to subdivision (a) of Section 14549.3 shall be deemed to satisfy the requirements of ~~subparagraph (A)~~; subparagraphs (A) and (B).

~~(c)~~

(b) A manufacturer or supplier shall furnish the information and documentation that it is required to maintain pursuant to this section to any member of the public upon request or provide the information and documentation by furnishing a link to a document on its internet website containing the information and documentation.

~~(d)~~

(c) Unless otherwise required by law, nothing in this section shall be interpreted to mean that an environmental marketing claim

1 includes a regulatory filing in compliance with any state or federal
2 law, including, but not limited to, filings with or under any of the
3 following: a voluntary recycled content claim on a physical product
4 label or on digital product labeling for products sold online
5 includes a regulatory filing or statement that is required to verify
6 compliance with a recycled content goal or mandate, including
7 filings, plans, or statements submitted by a producer responsibility
8 organization.

9 ~~(1) The United States Securities and Exchange Commission.~~

10 ~~(2) The Climate Corporate Data Accountability Act (Section~~
11 ~~38532 of the Health and Safety Code).~~

12 ~~(3) The Climate Related Financial Risk Disclosure Program~~
13 ~~established under Section 38533 of the Health and Safety Code.~~

14 ~~(4) The Plastic Pollution Prevention and Packaging Producer~~
15 ~~Responsibility Act (Chapter 3 (commencing with Section 42040)).~~

16 ~~(5) The Responsible Textile Recovery Act of 2024 (Chapter~~
17 ~~20.5 (commencing with Section 42984)).~~

18 ~~(6) The rigid plastic packaging container law established under~~
19 ~~Chapter 5.5 (commencing with Section 42300).~~

20 ~~(7) The plastic trash bag law established under Chapter 5.4~~
21 ~~(commencing with Section 42290).~~

22 ~~(e)~~

23 ~~(d) This section does not limit the requirements of this chapter~~
24 ~~or any other law.~~