



AMERIPEN® EXTENDED PRODUCER RESPONSIBILITY (EPR)

Understanding the Landscape of Packaging EPR in the U.S.



What Is EPR for Packaging?

Extended Producer Responsibility (EPR) is a policy approach that shifts some of the financial—and, in some cases, operational—responsibility for managing products at their end of life from state and local governments to producers.

While EPR programs covering hard-to-recycle products like tires, paint, and mattresses have existed in some form for decades, an increasing number of U.S. states are considering or have already enacted EPR legislation for packaging.

Why This Matters

EPR represents a fundamental shift in how consumer recycling, composting, and reuse programs are funded and managed.

This policy momentum is being driven by:

- Challenges in funding existing waste and recycling systems
- Desire to improve recycling options for a wider variety of packaging formats
- Broader efforts to reduce waste and the use of raw materials

Complicating matters is that EPR programs are being developed differently across states, creating a complex and evolving landscape for companies operating nationally.

How EPR Works

While program structures vary, EPR laws generally include:

- Identification of the “producer” which is most often deemed to be the brand name on a package
- Producer registration and reporting to a Producer Responsibility Organization (PRO) for the packaging they sell in a state. Fees paid by the producers based on their packaging materials to fund the collection, sortation, processing, and ultimate disposition of consumer packaging
- Packaging performance requirements that encourage recyclable, compostable, and reusable packaging through targets and incentives
- State-defined timelines, requirements, and oversight



How It May Impact Your Business

EPR may influence how organizations approach packaging, operations, and long-term planning, including:

- Pricing, supplier decisions, and investments in packaging innovation
- Adjusting sourcing, operations, and reporting to meet differences in compliance requirements across states
- Packaging design, sourcing, and material selection
- Improving internal systems and coordination of packaging data and reporting requirements

What Organizations Are Evaluating

As EPR programs continue to develop, organizations may need to evaluate:

- How “producer” is defined across different states
- What packaging materials and products are covered
- How fee structures may vary based on packaging choices
- How timelines and implementation requirements differ

These considerations can vary significantly across states, contributing to a fragmented policy environment for the packaging value chain.

Where Are EPR Laws Today?

Packaging EPR laws have been enacted in seven states. Implementation of these laws is ongoing with varying timelines. Numerous additional states are actively exploring similar policies, indicating continued momentum.



The map highlights where packaging EPR laws are currently in effect. Other states are expected in the future, reinforcing the fragmented nature of the policy landscape.

■ Today

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Go Deeper on EPR

Learn more about AMERIPEN membership and gain access to more in-depth resources at ameripen.org.

Understanding how EPR programs differ across states—and how they continue to evolve—requires deeper visibility into policy and implementation details.

AMERIPEN members have access to:

- State-by-state comparisons of enacted EPR laws
- State-by-state tracking of proposed EPR legislation
- Ongoing updates as legislation and regulations develop
- Insights into, and potential influence on, policy development