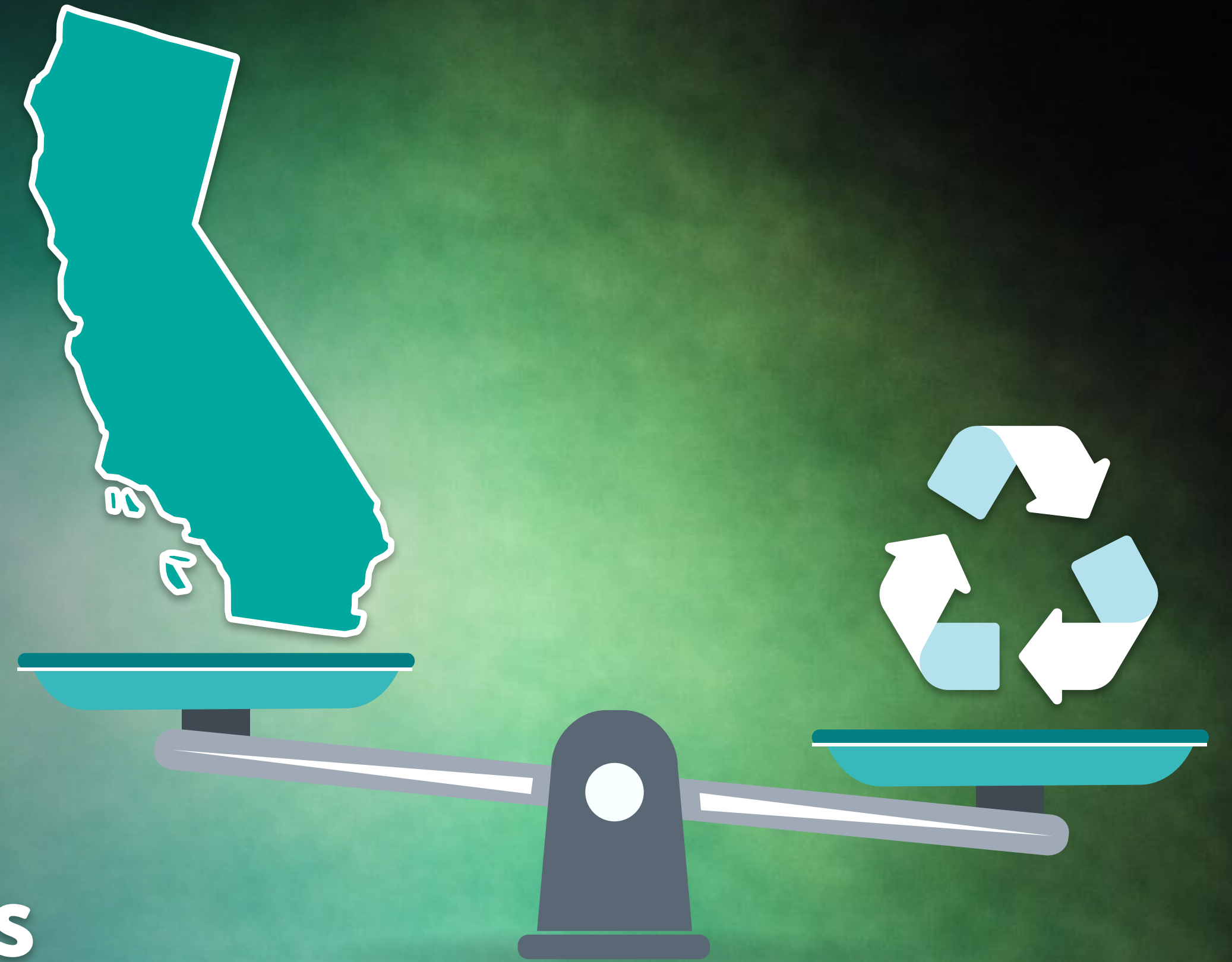


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HANDBOOK

California SB 343: Practical Guide for Recyclability Claims



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The legal status and interpretation of SB 343 remain subject to ongoing litigation and may change. Companies should review their specific products, packaging, claims, distribution practices, and supporting evidence with qualified legal and technical professionals.

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What **SB 343** Is About

California SB 343, known as the “**Truth in Recycling**” law, sets stricter rules for recyclability claims on products and packaging sold in California.

Its core principle is straightforward:

A product or package should not be presented as recyclable unless it is actually collected, sorted, and recycled at scale in California¹.

SB 343 aims to reduce misleading environmental claims and consumer confusion around recycling symbols and instructions. It shifts the focus from theoretical recyclability to real-world recycling outcomes.

This guide explains what the law was designed to require, which claims and packaging elements should be reviewed, and how companies can prepare while enforcement remains subject to ongoing litigation.

WHO IS AFFECTED?

Any company selling products or packaging in California.

WHAT IS CHANGING?

Recyclability symbols, statements, and instructions may no longer be used if the packaging does not meet California’s real-world recycling criteria.

WHAT SHOULD YOU DO?

Review your packaging, recycling symbols, claims, and supporting documentation before products are placed on the market.

DO YOU NEED TO ACT NOW?

Yes. Although enforcement of SB 343 is currently paused due to ongoing litigation, packaging and artwork changes can take several months to implement. Companies should use this time to assess potential exposure and prepare for possible future enforcement.

KEY TAKEAWAY:

Under SB 343, technical recyclability is not enough. What matters is whether the specific packaging format is actually collected, sorted, and recycled at scale in California.



1. <https://calrecycle.ca.gov/wcs/recyclinglabels>

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB343

What Claims Are Affected

SB 343 applies to more than the word “recyclable.”

This is an important distinction: recycled content versus recyclability.

Companies should review **any symbol, statement, or instruction that could suggest** a product or package can or should be recycled.



Type of content	Example	Allowed under SB 343
Symbol or icon	Chasing arrows or graphics implying recyclability	NO
Symbol or icon	Resin ID codes	YES
Text	Recyclable	NO
Text	100% Recyclable	NO
Instruction	Please recycle	NO
Instruction	Recycle where facilities exist	NO
Recycled-content claim	Made with 30% recycled plastic	YES

Although different requirements may apply to these statements, companies should ensure that each claim is accurate, properly supported, and not presented in a way that could mislead consumers.

The Key Test: Real-World Recyclability

SB 343 focuses on whether a specific material type and form is recycled in practice.

This is often summarized as the “60/60 threshold.”

To support a recyclability claim, the material type and form must generally be:

1. Collected for recycling by programs serving jurisdictions that collectively represent at least 60% of California’s population; and
2. Sorted into defined recycling streams by large-volume facilities that collectively serve at least 60% of California’s recycling programs.

Both parts matter.

A material may be accepted in some community collection programs but still fail the sorting requirement. Similarly, a material may be sortable in certain facilities without being collected widely enough across the state.

The presence of a local drop-off program, specialty recycler, mail-back program, or limited pilot project does not necessarily demonstrate compliance with the statewide 60/60 thresholds.

Collection alone is not enough. Companies should also consider whether the material is processed into feedstock used to manufacture new products.



Why Material Form **Matters**

A material is not automatically recyclable because of its resin or material category.

For example, two packages may both be made from polyethylene, but they may have very different recycling outcomes:



A rigid HDPE bottle **may be** widely collected and sorted.



A flexible pouch or film **may not meet** California's collection and sorting thresholds.

Companies should assess the actual package format, not only the material name.

Flexible plastic packaging, multilayer structures, pouches, films, sachets, and store drop-off formats require particular attention.



MYTH

If my packaging is technically recyclable, I can use the symbol.



REALITY

Not essential. It must also be effectively collected and recycled on a large scale in California.



MYTH

The resin number in the symbol means the packaging is recyclable.



REALITY

No. This number only identifies the type of plastic.

Timing and Products Manufactured **Before October 4, 2026**

CalRecycle published its final material characterization findings on April 4, 2025.

SB 343 included an 18-month transition period, which set the expected **application date on October 4, 2026, for products and packaging manufactured after that date.**

Products and packaging manufactured before that date were not intended to be subject to the new SB 343 restrictions, regardless of when they were later sold.

The relevant date is therefore the manufacturing date, not necessarily:

- The date the artwork was approved
- The date the product was shipped
- The date it entered California
- The date it reached a retailer
- The date it was purchased by a consumer

Companies preparing for implementation should be able to distinguish inventory manufactured before and after the applicable date.



Key Takeaways for Producers

SB 343, or “Truth in Recycling”, is about **what is actually recycled in California**, not what is theoretically recyclable.

The chasing arrows symbol, recyclability claims, and recycling instructions should all be reviewed.

The 60/60 threshold is central to the analysis.

Material form matters. Flexible plastics and multilayer packaging are higher-risk categories.

The complete package must be assessed, including labels, adhesives, closures, inks, and coatings.

Companies should maintain documentation supporting their claims.



Companies selling products in California should:

1. Identify all products and packaging sold in California.
2. Inventory all recyclability symbols, claims, and instructions.
3. Document the complete packaging composition.
4. Assess whether the material type and form meet the 60/60 thresholds.
5. Review whether the package is actually processed into feedstock.
6. Evaluate whether components interfere with recycling.
7. Decide whether to keep, modify, or remove the claim.
8. Keep records supporting the decision.

Evidence should be specific to the actual package, not only to a broad material category or supplier statement.

Packaging Review Checklist

For each product sold in California, confirm the following:

Claims and artwork

- Does the product or package display chasing arrows?
- Does it use the word “recyclable”?
- Does it direct consumers to recycle the item?
- Could any symbol or statement imply recyclability?
- Are the same claims repeated online or in marketing materials?

Packaging data

- Is every component identified?
- Are material types and forms documented?
- Are component weights available?
- Are labels, inks, adhesives, coatings, and barriers documented?
- Has the current packaging specification been confirmed?

Recycling-system evidence

- Is the material collected by qualifying California programs?
- Does collection coverage appear to meet the 60% population threshold?
- Is the material sorted into a defined recycling stream?
- Does sorting coverage appear to meet the 60% program threshold?
- Is the material sent to a reclaimer?
- Does it routinely become feedstock for new products or packaging?

Design considerations

- Do any components interfere with sorting?
- Do labels or sleeves interfere with optical identification?
- Are adhesives compatible with recycling?
- Are attached components separable?
- Are consumer preparation instructions realistic?
- Has the complete package been assessed against relevant design guidance?

Governance

- Is the supporting evidence retained?
- Is the assessment linked to a specific artwork and specification version?
- Has the claim received internal approval?
- Is a review date established?
- Is alternative artwork available if the claim must be changed?

Recyclability Claims Are Becoming a **Business Risk**

SB 343 is one example of why EPR can no longer be treated as a once-a-year reporting exercise. Producers need to understand how regulatory requirements, packaging decisions, data quality, and financial exposure connect across their organization.

The best time to identify an EPR risk is before it becomes a compliance issue.

That is the purpose of Evnia's EPR Risk Shield: to help identify areas of exposure early and shield your organization from avoidable compliance, financial, and operational risks.

Whether you are reviewing packaging data, preparing for new EPR requirements, or evaluating your broader exposure, our team can help you understand where the risks are and what actions to prioritize.

