September 4, 2026

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: AB 2253 (Boerner) – Solid waste: products: recycled content claims. REQUEST FOR VETO

Dear Governor Newsom:

The California Chamber of Commerce and the following listed organizations write to respectfully request that you veto **AB 2253 (Boerner)**, which passed the Legislature on August 30, 2026, and is now before you for signature. The bill as drafted creates a costly, California-only compliance regime that layers on top of the state's existing extended producer responsibility programs (EPR) and pulls California out of step with the international standards the rest of the world, and much of producer community, already relies on. In doing so, **AB 2253** undermines ongoing implementation of SB 54 (Allen), SB 707 (Newman) and other EPR programs and the innovative technologies necessary to recycle the different types of substrates, including paper, glass, plastics, textiles, and more.

AB 2253 Increases Significant EPR Compliance Costs Across Sectors and Programs

California businesses are in the middle of standing up compliance with SB 54 (Allen), the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which already imposes substantial source-reduction, recycling-rate, and eco-modulated fee obligations on producers of all substrates that will be in the tens of billions of dollars.[1] California businesses are also in the middle of standing up compliance with SB 707 (Newman), the extended producer responsibility program for all textiles, including

[1] CalRecycle estimates a minimum of $21 billion in the latest SRIA, 2025.

clothing, that is expected to also be expensive. These are just a few of the EPR programs in California that rely on mass balance accounting.

AB 2253 adds another parallel verification and substantiation regime for recycled-content claims, with its own chain-of-custody methodology requirements that producers must build and maintain specifically for California, which is inconsistent with international standards. For companies operating nationally or internationally, this means maintaining a California-specific compliance track distinct from every other state and country they sell into, at a time when SB 54 implementation costs are already straining the same producers this bill regulates in the tens of billions of dollars. Furthermore, by rejecting the internationally recognized accounting methodology in favor of a narrow, identity-preserved standard, **AB 2253** undermines the very investment needed to scale recycled-content supply and new recycling technologies to make circularity implementable and more cost-effective.

AB 2253 isolates California from the international standard the rest of the world uses.

ISO 14021:2026, "Environmental statements and programmes for products — Self-declared environmental claims," is the globally recognized framework that governs how companies substantiate and label environmental claims, including recycled content, for markets around the world, including the European Union and other major trading partners. Rather than aligning California's requirements with this internationally accepted standard, as the opposition coalition offered, **AB 2253** adopts its own narrower, state-specific definitions and methodology, referencing only cherry-picked ISO chain-of-custody standards (parts of ISO 22095 and ISO 22095-2) while departing from the broader ISO 14021 framework that governs the claims themselves. The result is a product that may be fully compliant with the international standard the rest of the world uses and still fail to meet California's **AB 2253** bespoke standard, thereby forcing manufacturers to choose between serving the California market and maintaining a single, globally consistent compliance program. This adds tremendous costs and confusion.

AB 2253 is unnecessary: California law already prohibits the conduct it targets.

California's Unfair Competition Law, Business and Professions Code section 17200, broadly prohibits "any unlawful, unfair or fraudulent business act or practice" and any "unfair, deceptive, untrue or misleading advertising." The False Advertising Law, section 17500, independently prohibits any statement a business knows or should know to be untrue or misleading. Together, these statutes already reach false or unsubstantiated recycled-content claims, and they are enforceable not only by the Attorney General and local prosecutors, but through a private right of action available to competitors and consumers alike, thereby giving California one of the most robust false-advertising enforcement regimes in the country without the need for a new, California-specific substantiation methodology.

For these reasons, we respectfully urge you to veto **AB 2253.** California already has existing laws that could be used to address any alleged false recycled-content claims.

Creating a third, state-specific compliance regime that diverges from the international standards that producers, retailers, and trading partners already rely on will substantially increase costs for all extended producer compliance programs like SB 54 (Allen) and SB 707 (Newman).

Respectfully,

Corianna Miller
California Chamber of Commerce

On behalf of the following organizations:

African American Farmers of California
Agricultural Council of California
Alliance for Automotive Innovation
Alliance for Chemical Distribution (ACD)
American Apparel & Footwear Association
American Beverage Association
American Chemistry Council
American Cleaning Institute
American Composites Manufacturers Association
American Institute for Packaging and the Environment (AMERIPEN)
Association of Home Appliance Manufacturers
Brea Chamber of Commerce
CalAsian Chamber of Commerce
California Cotton Ginners and Growers Association
California Fresh Fruit Association
California Grocers Association
California League of Food Producers
California Manufacturers & Technology Association
California Retailers Association
California Rice
California Strawberry Commission
Can Manufacturers Institute
Carpet America Recovery Effort (CARE)
Communications Cable & Connectivity Association
Consumer Brands Association
Consumer Healthcare Products Association
Corona Chamber of Commerce
Dairy Institute of California
Danville Area Chamber of Commerce
EPS Industry Alliance
Flexible Packaging Association
Fontana Chamber of Commerce
Foodservice Packaging Institute
Gateway Chamber Alliance

Greater Bakersfield Chamber of Commerce
Greater San Fernando Valley Chamber
Grower Shipper Association of Central California
Household & Commercial Products Association
International Bottled Water Association
International Sleep Products Association
La Cañada Flintridge Chamber of Commerce
Lodi District Chamber of Commerce
Long Beach Area Chamber of Commerce
Meat Institute
Mission Viejo Chamber of Commerce
Napa Chamber of Commerce
National Association of Printing Ink Manufacturers
National Confectioners Association
National Lubricant Container Recycling Coalition
Nisei Farmers League
Norwalk Chamber of Commerce
Palm Desert Area Chamber of Commerce
Personal Care Products Council
Pet Food Institute
Plastics Industry Association
Plastics Pipe Institute
Polyisocyanurate Insulation Manufacturers Association
Power Tool Institute (PTI)
PRINTING United Alliance
San Juan Capistrano Chamber of Commerce
Santa Ana Chamber of Commerce
SNAC International
Spray Polyurethane Foam Alliance
The Adhesive and Sealant Council
The Carpet and Rug Institute
The Vinyl Institute
Torrance Area Chamber of Commerce
Tulare Chamber of Commerce
Western Growers Association
Western Plastics Association
Western Tree Nut Association
Wine Institute
Yorba Linda Chamber of Commerce

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