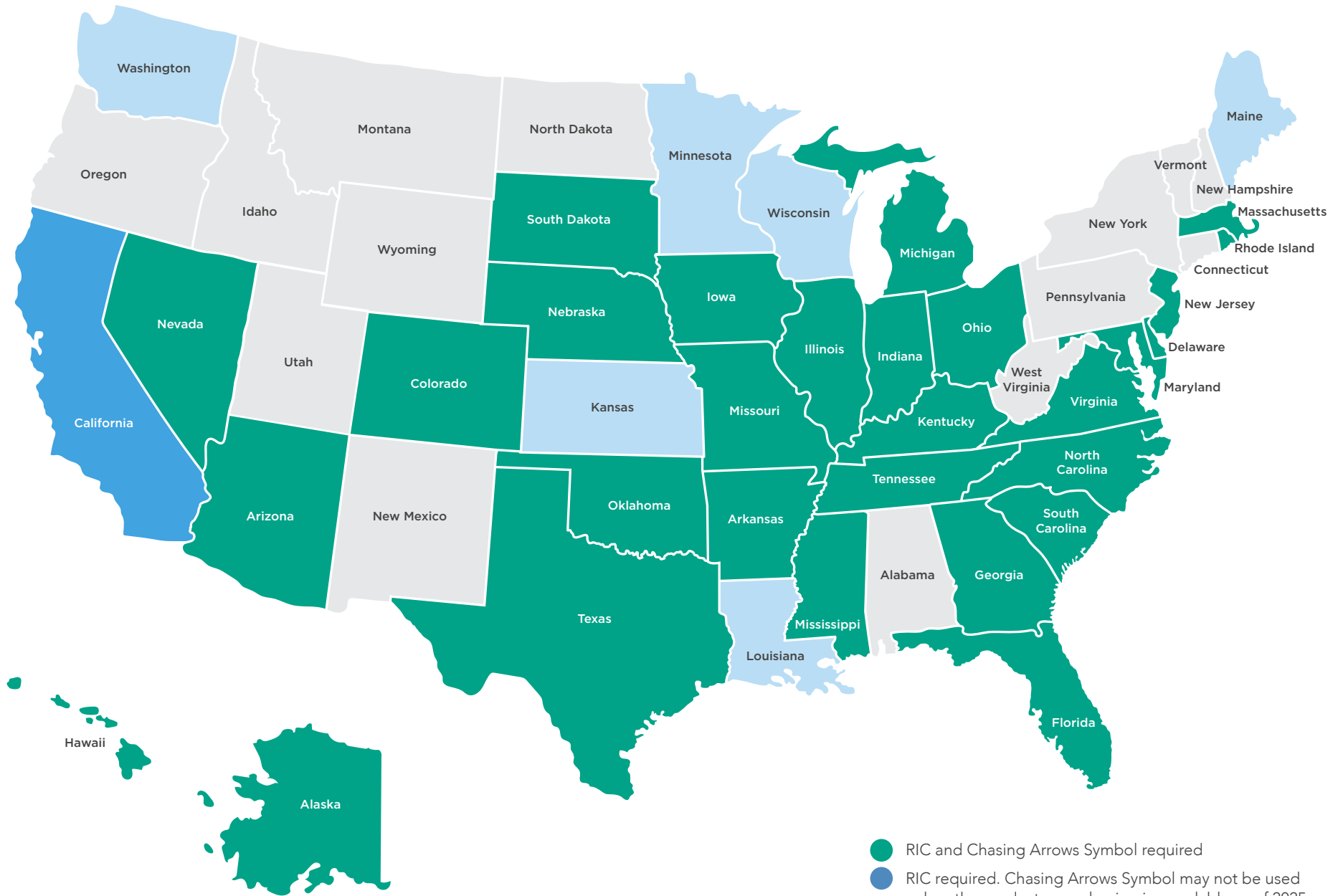




Recycling Labels Legislation

The “chasing arrows” symbol on packaging is iconic—and widely misunderstood. Initially designed in 1970 by a student entering a contest sponsored by a box manufacturer for the first Earth Day, it was intended to promote the recycling of paper. However, over the decades consumers began to view the symbol across all package formats as a sign of general recyclability, which is not the case, it’s actually a resin identification code (RIC). To help address this confusion, the American Society for Testing and Materials ([ASTM](#)) [revised its RIC standards](#) to call for use of a solid equilateral triangle with the RIC number inside. This standard has been adopted by some states, but not all.



[36 states have laws on the books](#) requiring a resin identification code on plastic bottles, rigid containers, or both. And [29 states](#) still require the use of the chasing arrows symbol. Meanwhile, the Federal Trade Commission announced in 2022 that they were updating their [Guides for the Use of Environmental Marketing Claims](#), or “Green Guides”, to provide new clarity. The new guides, if and when they are released, are likely to include information on recycling labeling. All of which means a lot of confusion right now for consumer packaged goods (CPG) companies looking to sell their products in various states across the US.



- RIC and Chasing Arrows Symbol required
- RIC required. Chasing Arrows Symbol may not be used unless the product or packaging is recyclable as of 2025.
- Only RIC is required
- No requirement

Current as of March 2024

RIC Requirements by State

36 STATES REQUIRE THE RIC	SYMBOL
<p>29 states require the RIC and the chasing arrows symbol: Alaska, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Jersey, North Carolina, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, and Virginia</p>	<p>Symbol = chasing arrows</p> 
<p>1 state requires the RIC, but the chasing arrows logo may not be used unless the product or packaging is recyclable as of 2025 in accordance with state regulations in California.</p>	<p>Option for RIC Symbol (if packaging is not recyclable): solid equilateral triangle</p> 
<p>6 states require only the RIC: Kansas, Louisiana, Maine, Minnesota, Washington, and Wisconsin</p>	<p>Symbol = numbers 1-7, can use either chasing arrows or equilateral triangle</p>
<p>14 STATES HAVE NO REQUIREMENTS</p>	
<p>Alabama, Connecticut, Idaho, Montana, New Hampshire, New Mexico, New York, North Dakota, Oregon, Pennsylvania, Utah, Vermont, West Virginia, Wyoming</p>	<p>No symbol required, but if RIC used, can be used with <u>either</u> the chasing arrows or the solid equilateral triangle</p>

WHERE ELSE WE'RE WATCHING

We're watching California closely, because what happens there will likely impact CPG brands doing business across the US—and because California [SB343](#) prohibits the use of the chasing arrows symbol for non-recyclable items as of 2025. The state does, however, still require the Resin Identification Code (with an option to use the solid triangle) on rigid plastic containers.

But what is recyclable material under California law? CalRecycle released its [preliminary findings](#) for the characterization of material types in late 2023. Starting in Fall 2025, products not deemed recyclable in the state and inaccurately labeled will be prohibited from being sold in California. The state also has strict regulations requiring that [products labeled as compostable or biodegradable](#) must be backed up by clear and reliable scientific evidence.

We're also watching Maine, which is slated to begin implementation of its new [Extended Producer Responsibility \(EPR\)](#) program in 2025—and will include new labeling rules designed to decrease consumer confusion in the state. And we're watching Canada, where proposed federal regulations would prohibit use of the chasing arrow symbol unless 80% or more of the packaging can be recycled in Canada's recycling facilities *and* there are viable markets for the recycled materials. We're also keeping an eye on the European Union, which currently requires use of the chasing arrows symbol with the RIC code inside.

Please consult with your legal team to understand the implications outlined in each state's legislation and to assess how specific legislative mandates impact your brand.



Packaging Implications & Recommendations for Impacted Brands

If this patchwork of conflicting requirements seems confusing, it is. All of which means that CPG brands selling in the the US, Canada, and the EU will need to continue navigating potentially conflicting requirements across markets.

The bottom line: We are monitoring all of this—and you should too. Companies going forward may be required to build multiple molds to meet the product labeling requirements in different jurisdictions. Staying up to date on the requirements for your specific product/packaging will help to keep you ahead of the changing environment.

If you're looking to move to recyclable or other sustainable packaging, TricorBraun can help. Our knowledgeable Supply Chain and Design and Engineering experts will work with you to implement or custom design packaging to meet your unique brand requirements. Our deep relationships with suppliers mean that we can work with multiple partners to secure and incorporate sustainable materials and solutions into your packaging strategy. In addition, our dedicated team of in-house quality professionals takes packaging through a range of qualification and functional testing to ensure that your sustainable packaging will perform as required. Let us partner with you to create packaging that reduces your environmental footprint—and your jurisdictional headaches—and wows your customers.