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The July 1 Deadline Approaches for Participation in the Colorado Extended Producer Responsibility (EPR) Program

Insight — June 27, 2025

Beginning July 1, 2025, producers of a wide range of packaging and paper materials, as well as products that use such materials, are prohibited from selling or distributing such products in the state of Colorado, unless they are participating in the Colorado Extended Producer Responsibility (EPR) program.[1]

Colorado enacted the EPR law in 2022 to require producers to pay for the recycling of such “covered materials.” Colorado is among a handful of states that have passed EPR legislation—including Maine, Oregon, California, and Minnesota—in an effort to dramatically increase the rate of recycling within their borders.

Producers were required to register by October 1, 2024,[2] with the Circular Action Alliance (CAA), a nonprofit organization which is implementing the EPR program in Colorado and other states. CAA will collect dues from producers subject to the EPR program to fund the new statewide recycling program. Producers must also begin reporting data to CAA on their use of covered materials on August 31, 2025, and begin paying dues to CAA on January 1, 2026.[3]

However, producers of certain packaging materials for petroleum and automotive products may instead register with, as well as report data and pay dues to, the Lubricant Packaging Management Association (LPMA).

The Colorado Department of Public Health and Environment (CDPHE) provides useful guidance on the Colorado EPR program, including which types of companies are regulated as “producers” under the program.

Pursuant to the EPR law, CAA's and LPMA's proposals for implementation of the program are currently under review by an Advisory Board and CDPHE. For CAA's proposal—which will manage the majority of the program—CDPHE is required to provide a public comment period, likely beginning in August 2025. CDPHE is likely to finalize approval or rejection of the proposal in December 2025.

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[1] Colo. Rev. Stat. 25-17-708(1).

[2] 6 CCR 1007-2.18.2.4(A).

[3] 6 CCR 1007-2.18.2.4(C); Colorado Producer Responsibility Program Timeline, Colorado Department of Public Health & Environment, https://cdphe.colorado.gov/hm/epr-program (last visited June 26, 2025).

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