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The Association of Plastic Recyclers (APR) Statement on New Jersey's Recycled Content Delay

APR is deeply disappointed by New Jersey's September 2 decision to delay recycled content requirements for food packaging and containers. The decision discounts the proven use and availability of postconsumer recycled content, as well as the environmental and economic benefits of using recycled plastic. We are also concerned that such a consequential change was made without an opportunity for public comment or meaningful stakeholder engagement.

Recycled plastic has been safely used in food-contact applications for more than 30 years. New Jersey's Recycled Content Law, enacted in 2022, gave companies five years to prepare for food-contact requirements, and established a waiver process to address specific circumstances in which compliance may not be feasible.

That targeted waiver process makes a blanket delay unnecessary. Companies facing legitimate challenges already have a path to seek relief without postponing requirements for those that are prepared to comply. Delaying the requirements across the board will instead prolong reliance on new plastic and contradict the underlying goals of the law: to build sustained demand for recycled materials and reduce plastic waste.

The decision also creates real economic consequences for U.S. recyclers that have invested in equipment, capacity, and operations in anticipation of growing demand for recycled content. Those investments depend on predictable markets. Changing the timeline risks leaving recyclers with stranded assets while packaging companies continue using new plastic instead of recycled materials collected from local communities. Some recyclers have spent years on packaging innovations and testing to bring new recycled products to the marketplace, only to see that market demand disappear overnight because of New Jersey's delay.

APR calls on New Jersey to reverse course and maintain the original implementation date. We do not believe there is reasonable cause for a broad extension when the law already provides a mechanism for addressing specific compliance challenges. APR also calls on the state to strengthen enforcement and transparency under the existing law, including publishing an updated list of manufacturers and their compliance status, enforcing penalties for noncompliance, and providing greater transparency around the basis for approved waivers.

Recycled content requirements work by creating the market demand necessary to sustain and grow recycling. Delaying recycled content requirements sends exactly the wrong signal to companies that have prepared to comply, to recyclers that have invested, and to communities that expect the materials they recycle to be put back to productive use.

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The Association of Plastic Recyclers (APR) is an international non-profit and the largest North American organization focused exclusively on improving recycling for plastics. APR's tools and resources help companies design packaging that can be recycled, support innovations that overcome existing recycling challenges, and encourage stable and reliable markets for post-consumer recycled content. Visit plasticsrecycling.org for more information.