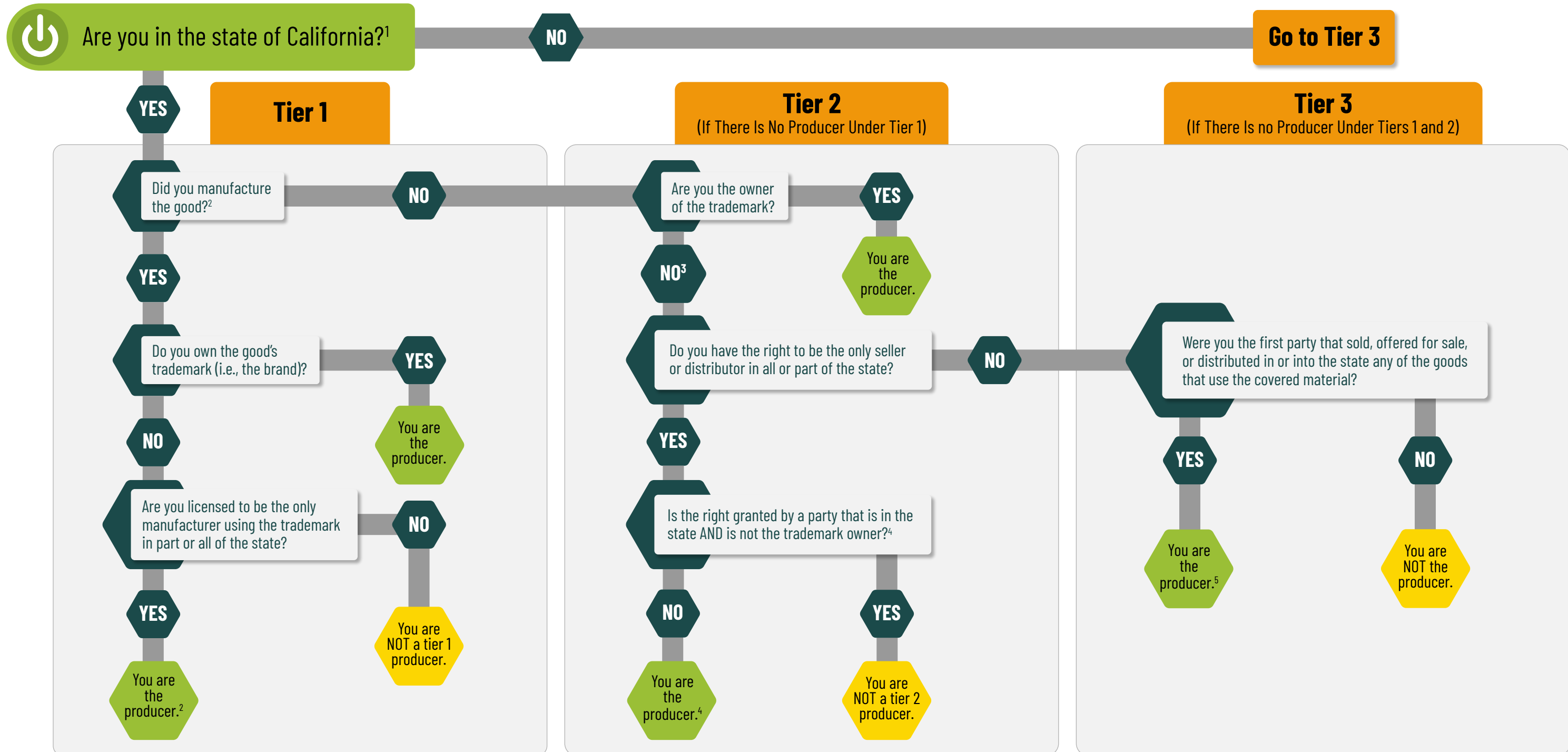


# Are You a Producer?

A situational screening tool for California's packaging law



**Footnotes:**

1. To determine whether you are in the state, see 14 CCR Section 18980.1.1(a). See, also, Public Resources Code Sections 42041(w)(4) (regarding agricultural commodities" and 42060(a)(5) (small businesses) for exceptions to who may be a producer.
2. In this flowchart, the "good" that "uses the covered material" is either (i) the good packaged in covered material or (ii) the single-use plastic food service ware. A tier 1 producer is only the producer of covered material used by the goods it manufactured.
3. If the trademark owner is in the state, it is the producer under this tier, not you.
4. You are only the producer with respect to goods sold, offered for sale, or distributed in or into the state pursuant to your license. If your license was issued by another party in the state, however, that party is the producer, not you, even if that party does not own the trademark (i.e., is a sublicensee).
5. A tier 3 producer is only the producer of covered material used by the goods it sold, offered for sale, or distributed in or into the state.

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