

February 24, 2026

SB 1013 Addition of New Beverage Containers Permanent Regulations

NOTICE OF 15-DAY CHANGES TO PROPOSED RULEMAKING

The Department of Resources Recycling and Recovery (CalRecycle) proposes to revise regulations relative to the SB 1013 Addition of New Beverage Containers Permanent Regulations. The proposed regulations establish and clarify requirements related to participating in the Beverage Container Recycling Program. CalRecycle intends to adopt the proposed regulations described herein after considering all recommendations, alternatives, comments, and objections regarding the proposed action.

On February 24, 2026, CalRecycle will initiate a 15-day written comment period for the proposed revisions to the SB 1013 Addition of New Beverage Containers permanent regulations. This 15-day written comment period follows an initial 45-day public comment period that began on August 15, 2025, and ended on September 30, 2025. On September 30, 2025, CalRecycle held a public hearing to receive public comments. After considering the comments received from interested parties, CalRecycle has decided to make revisions to the proposed regulatory language and add documents to the rulemaking file.

AVAILABILITY OF UPDATED DOCUMENTS AND TEXT OF PROPOSED REGULATIONS

A copy of the proposed revised regulations is available on [SB 1013 Addition of New Beverage Containers Permanent Regulations - CalRecycle Home Page](#) and attached to this notice. A summary of the proposed changes is also included within this notice. Additionally, these documents are available for public inspection during normal business hours at CalRecycle, 1001 "I" Street, 24th Floor, Sacramento, CA 95814 To schedule a time to inspect these documents, please contact Claire Derksen at regulations@calrecycle.ca.gov or (916) 327-0089.

15-DAY WRITTEN COMMENT PERIOD

The 15-day written comment period permits any interested person, or their authorized representative, to submit written comments to CalRecycle, addressing the changes to the proposed regulations compared to the draft circulated with the 45-day comment period. These changes have been clearly demarcated. Written comments, which offer a recommendation and/or objection, or support the proposed change, should reference a

section of the proposed action to which the comment or comments are directed, and be limited to the noted changes.

CalRecycle will only consider written comments sent to CalRecycle and received during the **15-day written comment period which begins on February 24, 2026, and ends on March 11, 2026**. Written comments received by CalRecycle after the close of the 15-day public comment period will not be responded to in the rulemaking file. Further, CalRecycle is only required to respond to comments that are related to the changes to the proposed regulations.

Comments submitted in writing must be addressed to one of the following:

Postal mail:

Claire Derksen
SB 1013 Addition of New Beverage Containers Permanent Regulations
Department of Resources Recycling and Recovery, Regulations Unit
1001 "I" St., MS-24B, Sacramento, CA 95814

Electronic submittal: [SB 1013 Addition of New Beverage Containers Permanent Rulemaking \(15-Day Comment Period\)](#)

Please note that under the California Public Records Act (Government Code section 7920.000 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone number, email address, etc.) become part of the public record and can be released to the public upon request.

SUMMARY OF PROPOSED REVISIONS

As stated above, a copy of the proposed revised regulations is available on the [SB 1013 Addition of New Beverage Containers Permanent Regulations - CalRecycle Home Page](#) and attached to this notice.

The originally proposed regulatory language that was made available during the initial 45-day comment period is shown in plain, clean text because it is not being made available for public comment by this notice.

The originally proposed regulatory text has been modified to incorporate revisions to Title 14 of the California Code of Regulations from the AB 1311 Bag Drop Emergency Regulations, effective August 11, 2025, and these revisions are shown in plain, clean text because they are not being made available for public comment by this notice. Those revisions to Title 14 of the California Code of Regulations occurred subsequent to CalRecycle submitting the originally proposed regulatory language for the SB 1013 Addition of New Beverage Containers Permanent Regulations to the Office of Administrative Law on August 5, 2025.

The newly revised regulatory language that is being made available for comment by this Notice is shown in ~~strikeout~~ to indicate deletions and underline to indicate additions.

This summary does not contain all modifications made to correct typographical or grammatical errors, changes in numbering or formatting, nor does it contain all the non-substantive revisions made to improve the clarity of the proposed regulatory language. The specific changes to the originally proposed regulatory language are thus:

TITLE 14. NATURAL RESOURCES
DIVISION 2. DEPARTMENT OF CONSERVATION
CHAPTER 5. DIVISION OF RECYCLING
SUBCHAPTER 1. DEFINITIONS

SECTION 2000. DEFINITIONS.

Subsection (a)(9)

The regulatory language has been changed to require the redemption message to be displayed so that it is found and read by consumers and recyclers without difficulty.

The purpose of this amendment is to remove reference to “without effort” in response to public comment that stated any act requires “effort,” and therefore the language was unclear. Additionally, the purpose is to remove the word “easily” as this promotes clarity in the language and reduces redundancy with the requirement of “without difficulty”.

SUBCHAPTER 3. MANUFACTURERS

SECTION 2200. LABELING REQUIRED.

Subsection (b)

The regulatory language has been changed to add etching as an allowable method to mark the California redemption message on a beverage container.

The purpose of this amendment is to incorporate changes made to Public Resources Code section 14561(a) by Assembly Bill 720 (Chapter 562 of the Statutes of 2025).

Subsection (b)(2)(A)(ii)

The regulatory language has been changed to add two additional options for marking the California redemption message a minimum size of 3.18 millimeters in height on a beverage container: written in bold font which is distinct from surrounding text or surrounded by a text box which separates the California redemption message from other state deposit messages.

The purpose of this amendment is to accept the changes suggested by a public comment to provide more flexibility in using the smaller allowable font size while still making the California redemption message visible on a beverage container.

Subsection (b)(4)

The regulatory language has been changed from “Metal bottle” to “A metal bottle.”

The purpose of this amendment is to ensure grammatical correctness because the noun “Metal bottle” required the preceding word “A.”

SECTION 2205. MACHINE-READABLE LABELING.

Subsection (a)

The regulatory language has been changed to use the phrase “has” instead of “shall have.”

The purpose of this amendment is to clarify that the machine-readable labeling option is voluntary for beverage manufacturers.

The regulatory language has additionally been changed to add etching as an allowable method to mark the California redemption message on a beverage container.

The purpose of this amendment is to incorporate changes made to Public Resources Code section 14561(a) by Assembly Bill 720 (Chapter 562 of the Statutes of 2025).

Subsection (b)(1)(B)(i)

The regulatory language has been changed to delete the requirement that the chasing arrows symbol within the machine-readable indicia be in contrasting colors to the machine-readable indicia in a size that is at least half the height and width of the machine-readable indicia.

The purpose of this amendment is to revise the size and contrasting colors requirements, which have been moved to subsection (b)(2).

The regulatory language has additionally been changed to only allow the chasing arrows symbol to be used within the machine-readable indicia to indicate eligibility for the California Redemption Value (CRV) for beverage containers that comply with the requirements of section 42355.51 of the Public Resources Code.

The purpose of this amendment is to incorporate changes made to Public Resources Code section 14561(d) by Assembly Bill 720 (Chapter 562 of the Statutes of 2025).

Subsection (b)(1)(B)(ii)

The regulatory language has been changed to deem beverage containers that had a 60 percent or higher average recycling rate in the past five calendar years. CalRecycle will publish the material type percentages for each material type in biannual reports that are published pursuant to Public Resources Code section 14551. CalRecycle will specify which beverage containers achieve an average of 60% for the five calendar years preceding the report so that the public will know which container types will be considered to comply with the requirements of Public Resources Code section 42355.51.

The purpose of this amendment is to allow beverage containers with that 60 percent recycling rate to forgo providing evidence that they comply with the requirements of Public Resources Code section 42355.51 for purposes of using the chasing arrows symbol within the machine-readable indicia because that 60 percent recycling rate is a good indication that those containers meet the 60 percent threshold in Public Resources Code section 42355.51. This promotes administrative efficiency because CalRecycle does not have enough staffing to evaluate evidence for every single beverage container

product to determine whether the beverage container product complies with the requirements of Public Resources Code section 42355.51.

Subsection (b)(1)(B)(iii)

The regulatory language has been changed to provide the option for beverage manufacturers to use the chasing arrows symbol within the machine-readable indicia if the beverage manufacturer maintains the recyclability records described in Section 17580(a) of the Business and Professions Code and furnishes those records to the public as described in Section 17580(b) of the Business and Professions Code. The regulatory language specifically requires the records to include evidence that demonstrates that the particular beverage container product complies with the recyclability requirements of Senate Bill 343 (Chapter 507 of the Statutes of 2021) in Section 42355.51 of the Public Resources Code.

The purpose of this amendment is to provide a method through which beverage containers that do not meet the 60-percent threshold established in section 2205(b)(1)(B)(ii) of the proposed regulations, yet do comply with the requirements of section 42355.51 of the Public Resources Code, may use the chasing arrows symbol within the machine-readable indicia. The purpose is also to subject this use of the chasing arrows symbol within the machine-readable indicia, as authorized by Assembly Bill 720 (Chapter 562 of the Statutes of 2025), to the recordkeeping and public disclosure requirements of Senate Bill 343 (Chapter 507 of the Statutes of 2021). Senate Bill 343 (Chapter 507 of the Statutes of 2021) is referenced in Assembly Bill 720 (Chapter 562 of the Statutes of 2025) with the citation to Section 42355.51 of the Public Resources Code in Section 14561(d) of the Public Resources Code.

Additionally, the regulatory language provides that those records are subject to audit, investigation, inspection, and enforcement by CalRecycle under existing law and shall be furnished to CalRecycle by a beverage manufacturer within 10 days of CalRecycle's written request.

The purpose of this amendment is to clarify that these records are subject to the existing audit, investigation, inspection, and enforcement provisions available to CalRecycle. The purpose is also to require beverage manufacturers to furnish those records to CalRecycle within 10 days of CalRecycle's request. Ten days provides an adequate amount of time to furnish those records to CalRecycle, while ensuring CalRecycle receives the records in a timely manner. The timeline for this requirement also mirrors the timeline for providing other information to CalRecycle in these regulations (see Section 2380(f)(2) of this Chapter).

Subsection (b)(1)(B)(iv)

The regulatory language has been changed to clarify that exemption from Public Resources Code section 42355.51 pursuant to Business and Professions Code section 17580(e)(2) does not constitute compliance with the requirements of Public Resources Code section 42355.51.

The purpose of this amendment is to clarify the revisions to Public Resources Code section 14561(d) by Assembly Bill 720 (Chapter 562 of the Statutes of 2025) because

the statute is ambiguous regarding what it means to comply with a provision of law when otherwise exempted from that provision of law.

Subsection (b)(2)

The regulatory language has been changed to move the size and contrasting colors requirements previously in subsection (b)(1)(B)(i) to subsection (b)(2).

The purpose of this amendment is to more clearly organize this subsection.

Subsection (b)(2)(A)

The regulatory language has been changed to revise the size and contrasting colors requirements to allow the “DEPOSIT” message or chasing arrows symbol to be 3.18 millimeters in height if in contrasting colors to the machine-readable indicia.

The purpose of this amendment is to make the size and contrasting color requirements for the “DEPOSIT” message or chasing arrows symbol consistent with the size and contrasting color requirements for traditional CRV labeling.

Subsection (b)(2)(B)

The regulatory language has been changed to revise the size and contrasting colors requirements to require the “DEPOSIT” message or chasing arrows symbol to be the larger size of 4.76 millimeters in height if it is not in contrasting colors to the machine-readable indicia.

The purpose of this amendment is to make the size and contrasting color requirements for the “DEPOSIT” message or chasing arrows symbol consistent with the size and contrasting color requirements for traditional CRV labeling.

Subsection (c)(1)

The regulatory language has been changed to reduce from 19.05 millimeters to 12.7 millimeters the allowable size for the machine-readable indicia.

The purpose of this amendment is to incorporate the revisions to Public Resources Code section 14561(d) by Assembly Bill 720 (Chapter 562 of the Statutes of 2025), which states the machine-readable indicia must be at least half an inch in size. The purpose is also to convert half an inch to its equivalent metric measurement, 12.7 millimeters, in order to be consistent with traditional CRV labeling measurements in section 2200 of the proposed regulations.

Subsection (c)(2)

The regulatory language has been changed to add etching as an allowable method to mark the machine-readable indicia on a beverage container.

The purpose of this amendment is to incorporate changes made to Public Resources Code section 14561(a) by Assembly Bill 720 (Chapter 562 of the Statutes of 2025).

SUBCHAPTER 4. DISTRIBUTORS

SECTION 2310. REPORTING.

Subsection (b)(1)

The regulatory language has been changed to add “contain all of the following information.”

The purpose of this amendment is to improve the grammar between the introductory sentence in subsection (b)(1) and the following sentence in subsection (b)(1)(C). This revision also makes this language consistent with the parallel language in sections 2240(a)(3)(A) and 2240(a)(3)(A)(iii) of the proposed regulations.

ADDITIONAL DOCUMENTS RELIED UPON

Subsequent to the 45-day public comment period, which ended on September 30, 2025, additional documents are now included in the rulemaking record.

Attachment 11 – SB 343 Material Characterization Study Final Findings 2023/2024

All Documents Relied Upon will be included in the final rulemaking record once it is finalized and approved by the Office of Administrative Law (OAL).

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

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