

Producer Responsibility Guidance

Approved by National Sierra Club Zero Waste Team 2025.05.14

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Background

In a world of finite resources, the linear approach to resource use, from the extraction of raw materials to the processing of those raw materials, manufacture, use, and disposal, is wasteful, inefficient, and unsustainable (Figure 1). Furthermore, the extraction, processing, and disposal phases often inflict environmental and social injustice. Producers have burdened communities (predominantly disadvantaged communities), polluted the environment, and inefficiently used natural resources without paying for the full costs of extracting those resources from the earth, protecting neighbors and communities from hazardous materials during extracting and/or processing, the recovery of the material, nor the impacts of disposal. All these costs have been externalized so that taxpayers and ratepayers have had to pay for the reuse, recycling, and/or disposal of products; cleaning up after these industries. These practices have also adversely affected health and increased healthcare costs. This has resulted in reduced life expectancy for those directly impacted by pollution.¹

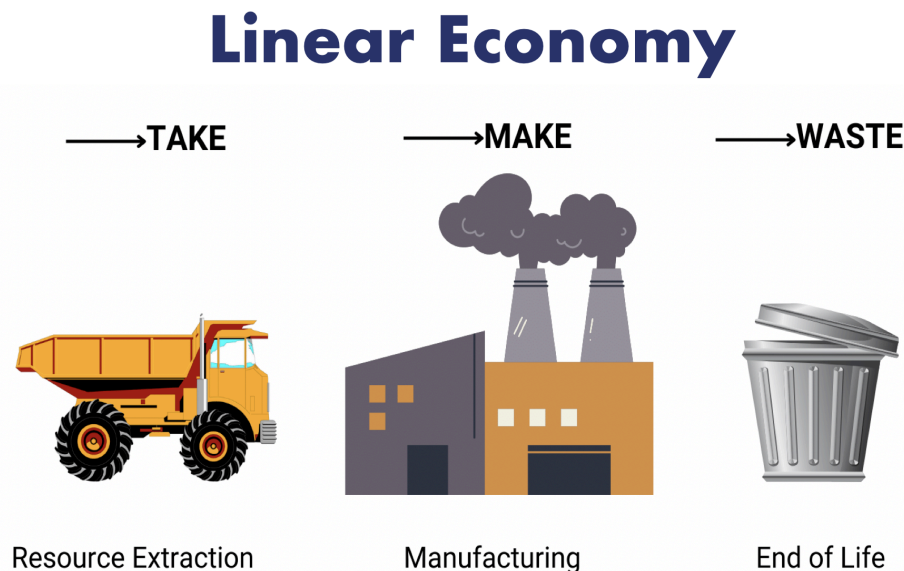


Figure 1

A more circular economy would promote the redesign, recovery, and reuse of products and their materials; eliminating wasteful practices and significantly reducing extraction and disposal (Figure 2). One approach used by federal, state, and local governments is to make producers responsible for redesigning their products to minimize waste and make them reusable, recyclable, and/or compostable. In a circular economy, producers are held accountable to minimize or remove the problems that they have created; engaging them as part of the solution instead of being part of the problem.

¹ For example, in Baltimore, MD, residents who live near the trash incinerator have lower life expectancy due to increased health problems. The cost of the reduction in life expectancy has been estimated at \$55 million per year. (George D. Thurston, "Regarding the Public Health Impacts of Air Emissions from the Wheelabrator Facility," page 15 (2017) <https://www.cbf.org/document-library/cbf-reports/thurston-wheelabrator-health-impacts-2017.pdf>

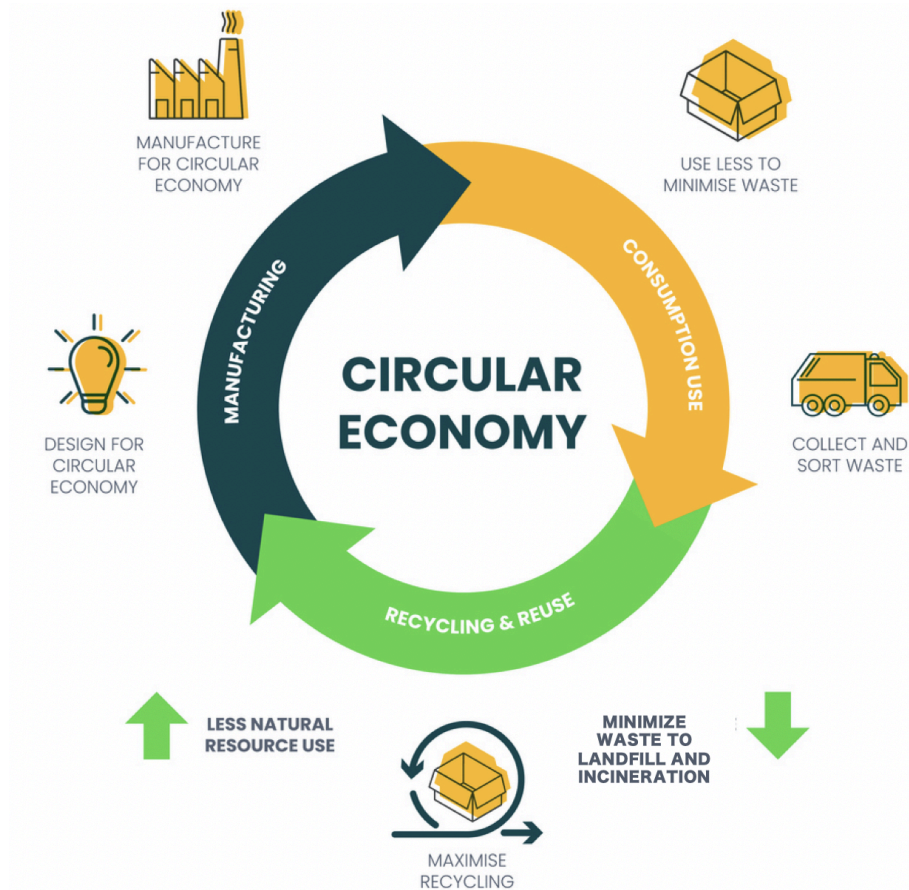


Figure 2

In December 2019, the Sierra Club adopted its current Zero Waste Policy. The Sierra Club prioritizes policies and programs that reduce waste and adopt reuse systems. Club policy aims to ensure that material is actually recovered, not buried or burned. Within this policy, the Club addresses Producer Responsibility:

“Producer responsibility” (or “product stewardship”) means whoever designs or produces a product takes responsibility for minimizing the product’s environmental and social impacts throughout all stages of the product’s life cycle. The greatest responsibility lies with producers (brand owners) because they make critical design and marketing decisions. Products and services put into commerce should be designed to make the return of discarded products for reuse, repair, refill, and, at the end of its life, recycling, as easy as purchasing new products. This behavior needs to be guided by a system of government standards, enforcement and transparent management of costs and revenues of the system. There needs to be fiscal responsibility, but not necessarily physical responsibility. Producer responsibility needs to focus upstream on reducing and reuse, and the use of recycled content products. Producers should help finance, promote and incentivize collection, marketing, reuse, refill, and recovery operations and infrastructure, be it direct return or local recovery operations.”²

There are many ways for governments to address the negative impacts of products and packaging, reduce waste, increase the reuse of products, and recover materials (e.g., product bans, fees, refundable deposits, enforceable targets, mandates, content requirements, and Producer Responsibility programs). The first part of this document provides guidelines for structuring mandatory Producer Responsibility programs (that may include different

² <https://www.sierraclub.org/sites/default/files/Sierra%20Club%20Zero%20Waste%20Policy%20December%202019.pdf>

product policies as part of those programs). The second part highlights the range of other policy options, some of which have been included as part of some proposed and adopted legislation called “Extended Producer Responsibility (EPR)” or “Product Stewardship.” Some Producer Responsibility programs have been operating successfully for difficult-to-recover products for many years in the United States.³

Producer Responsibility shifts the costs of material recovery from the government and taxpayers to private industry, requiring producers, importers, and/or sellers to internalize the costs in their product prices and redesign their products to be recyclable or reusable. The public is paying to deal with products and packaging that are not reusable or recyclable. Policies need to internalize those costs to producers, so consumers see the true costs to the community.

In recent years, Producer Responsibility laws for packaging have been adopted in several states, but there are no results yet from fully implemented programs (other than beverage container laws) to evaluate and identify best practices. The following principles and guidelines are based on analysis of similar programs operating for years in other countries, and experience in the U.S. with Producer Responsibility programs for difficult-to-recover products.

Mandatory Producer Responsibility Systems

Mandatory Producer Responsibility requirements result in the systemic changes needed for entire sectors of the economy. Such Producer Responsibility systems use regulations to require manufacturers to reflect environmental concerns and priorities for redesign, reuse, recycling, and composting. These incentives or regulations can also hold producers financially responsible for the recovery of the material used in the products and the packaging used to ship and market them. Mandatory producer responsibility systems are needed to get all stakeholders to clearly understand their roles and to be held accountable. Voluntary initiatives do not achieve the systemic change that is needed to shift to a circular economy.

Beverage container deposit programs (aka “Bottle Bills”) should not be included as part of Producer Responsibility systems. Beverage container deposit programs are more effective at increasing recycling and recovery of materials and reducing litter than are conventional recycling programs financed through EPR for packaging programs.⁴ Laws and regulations should support, coordinate with, but not interfere with the functioning or financing of Beverage Container Deposit-Return Systems (see Sierra Club Beverage Container Guidance for additional guidance).⁵

Producer Responsibility requirements should be managed in a system of transparency that clearly communicates goals, targets, and performance with accurate reporting and accountability with public transparency.⁶ Many Producer Responsibility programs have been managed by laws establishing clear policies and program direction (e.g., bans and mandatory recycled content standards) without setting up new public or private organizations to implement those laws.

³ For example, batteries, paint, and mattresses.

⁴ For more details, see Sierra Club Beverage Container Guidance, pp. 8-9.

⁵ <https://www.sierraclub.org/sites/default/files/Sierra-Club-Beverage-Container-Guidance.pdf>

⁶ For example, California requires plans to be resubmitted and approved by the Product Stewardship Board every 4 years, with a process for ongoing operations and interim adjustments as technology and systems change.

Guidelines for Producer Responsibility

There are many ways to make producers responsible, but not all of them are effective in clearly stating their objectives and the outcomes they seek. There are three key roles to be played:

Role #1: Government Oversight. Oversight includes approval of Producer Responsibility Organizations (PROs), plans, and annual reports; setting enforceable program targets; program evaluation; and setting the parameters for financial assessments. Oversight should be the responsibility of a government agency provided with sufficient staff and consulting resources to perform its responsibilities. Agency leaders and staff in this body should be experts in this field that have no conflict of interest with the industry they oversee, hiring consultants as needed to provide the expertise to run the system. The setting of program goals, enforceable targets, a statement of intent, and implementation responsibilities should be included in the legislation establishing the program (preferably), or by government regulations. Including a statement of intent and robust definitions (e.g., of “reuse”, “recycling”, and “composting” at a minimum) gives staff more direction to provide more clear authority on how to interpret the law. Specific language is needed to ensure that “chemical recycling” or “advanced recycling” technologies are not used to meet the recycling requirements of this program.⁷

Oversight and enforcement expenses should be paid for by the producers, directly or through a Producer Responsibility Organization (PRO, see Box 1). Financial assessments of the producers by the government or PRO should be based on the impacts of the product and the costs of recovery. The recovery costs should be based on the time, energy, and equipment needed to recover material for reuse, recycling, and/or composting (see Box 1). Regulations may include targets for recovery by year, reporting, and penalties for not meeting such targets. The revenues from these assessments should be placed in a “lock-box” that can only be used for the purposes for which the fund is created, not redirected to the general fund for other uses. The assessments should be structured to provide a financial incentive to redesign products and packaging to be more reusable and recyclable.

Producer Responsibility systems should:

- Be Mandatory
- Be Transparent
- Clearly state objectives and outcomes
- Have government oversight and decision-making
- Consult with all stakeholders
- Build on existing public and private investments
- Not use “chemical recycling” technologies
- Follow the Zero Waste Hierarchy (zwia.org/zwih)
- Define key terms, such as “Reuse”, “Recycling”, “Composting” and “Circular Economy.”

Oversight agencies should conduct or contract a Needs Assessment (consulting with private, nonprofit, and/or local government reuse, recycling, and composting service providers), funded by producers, to determine the costs that need to be recovered for redesign, source reduction, reuse, recycling and composting programs, as well as the costs of enforcing accountability of Producer Responsibility systems. Laws and regulations should detail under what circumstances a PRO should be decommissioned if it doesn’t perform correctly, and how stranded assets resulting from that process would be distributed.

Role #2: Governing Boards or Councils.

Before decisions are made, the oversight agency should hold public meetings and hearings and solicit input from existing public, private, or non-profit reuse, recycling, and composting service providers (for hauling and processing), local governments, environmental organizations, nonprofit organizations, research institutions, small businesses, and local citizens. It would be useful to have experts in the environment to flag potential environmental problems products or packaging may pose before they occur.

⁷ The Sierra Club [Zero Waste Policy](#) does not consider incineration (including “waste to energy” and “plastic to fuel” mislabeled as “chemical recycling”) as “recycling.” The Sierra Club [Zero Waste Guidance on Destructive Disposal](#) provides additional information on this subject.

These Governing Boards or Councils should not include producers or representatives of producer organizations that are being regulated. That said, regulated producers should be in dialog with the Boards/Councils. Such dialog has the potential to help producers understand the challenges their products pose to effective and efficient material recovery and, ideally, lead to better product and packaging design where the material involved could be more efficiently recovered. This could lower the fees charged to producers. By the same token, producers may have insights useful in facilitating material recovery efforts.

Role #3: Producers.

The Producer's role is to fund material recovery programs, redesign products and packaging to make them easier to recover, reuse, or recycle, and pay for new closed-loop or reuse systems where existing programs do not meet recovery goals. If they so choose, they may form Producer Responsibility Organizations (PROs) representing multiple producers and contribute to local material recovery programs through their PRO.

In some instances, producers just need to comply with a mandate (e.g., bans, reduction targets, or minimum recycled content). If the product is not reusable or the material of which it is made is not recyclable, producers need to redesign the product to be reused or its material readily recycled, and if not, be financially responsible for the deconstruction of the product at the end of its useful life along with the recovery of its material.

Producer Responsibility Plans, submitted for approval by the oversight agency, should address how producers will work to redesign covered products and packaging to minimize waste and facilitate material recovery (increasing efficiency), what specific data they will report publicly on their progress, and the targets to be achieved, by when. The oversight agency should determine how frequently these Plans should be updated based on the evaluation of the Program. Plans should ensure that the handling of covered products and packaging follow the Zero Waste Hierarchy of Highest and Best Use,⁸ in particular, not to use facilities that operate over 212° F. Plans must allow for independent third-party vendors to be able to repair, refill, reuse/repurpose and recycle products and packaging. Plans should also:

- Support, help fund, and supplement small, local businesses, nonprofits, and local government's existing roles, not supplant or replace them.
- Ensure existing local private, nonprofit, and public recyclers are offered the opportunity to join the program, with room to negotiate specific terms and conditions.
- Support existing local and state reuse, recycling, and composting policies.
- Support, coordinate with, but not interfere with the functioning or financing of Beverage Container Deposit-Return Systems (see Sierra Club Beverage Container Guidance for additional guidance).⁹ Allow agencies to update deposit rates and add more containers without having to pass a new law.

Producer Responsibility Organization (PRO)

A non-profit organization representing two or more product producers whose mission is to devise product or packaging design protocols to facilitate the recovery of the materials used by the product or packaging. They may also be used to design more environmentally friendly products or packaging. PROs may elect to advise and work with material recovery operators to develop more efficient and cost-effective material recovery methods.

Producer Responsibility Plans should address:

- How producers will work to redesign covered products and packaging
- What data will be reported publicly
- How they will follow the Zero Waste Hierarchy of Highest and Best Use
- How they will support existing local and state reuse, recycling, and composting policies, programs, and infrastructure

⁸ <https://zwia.org/zwih/>

⁹ <https://www.sierraclub.org/sites/default/files/Sierra-Club-Beverage-Container-Guidance.pdf>

- Ensure that producers offer enough incentives to consumers to ensure proper recovery and eliminate illegal dumping. Most people will participate if reuse, recycling, and composting are as convenient or more convenient than throwing things away.
- Discourage retailers' policies of "free-return" as they incentivize overbuying, resulting in the disposal of high-valued products and additional shipping.¹⁰
- Include Eco-Modulated Fees to incentivize redesign.
- Don't export harm - Producer Responsibility programs should follow the Basel Convention to require that plastic waste that is not sorted and cleaned to single polymers without significant contamination will only be allowed for export to other countries that are part of this agreement when there are assurances of environmentally sound management, and if the recipient is first notified by the exporting country and receives their consent.¹¹
- Center Equity: Support the efforts of disadvantaged communities to create a just and inclusive system resulting in a sustainable and regenerative future. Producer Responsibility policies, programs, and infrastructure should ensure human safety, and equitable access to resources and opportunities, eliminate toxins and pollution that negatively impact ecological and human health, and support community-based organizations to help plan, implement, and evaluate the success of policies, programs, and infrastructure.
- Producer Responsibility policies and programs should focus first on the most pervasive and/or difficult-to-recover and recycle materials, products, and packaging (e.g., single-use packaging, non-recyclable plastics, batteries, mattresses, paint, and e-waste).

Eco-modulated Fees

Eco-modulated fees charged to producers provide an incentive for producers to reduce environmental impacts and encourage better design. They are assessed on producers based on the effort required to recover the material, products, or packaging.

Example: German Green Dot system, a producer of a product with packaging that is easily recycled or light-weighted would pay a lower fee than one that produces harder to recycle or heavier packaging. This is an incentive for the latter producer to redesign their product to be more recyclable.

Eco-modulated fees are part of a broader movement to encourage Design for the Environment

Eco-modulated fees paid by producers are not taxes: they shift costs that have traditionally been borne by the taxpayer and properly assign them to the product or package itself. They are part of the cost of producing and using the product and should not be externalized.

Eco-modulated fees inform consumers of the impacts of their purchasing choice.

¹⁰ "There and Back Again", The New Yorker magazine, August 21st, 2023.

¹¹ Congress should ratify the Basel Convention and plastics policy needs to be stronger than Basel in the future, recommending no export of plastic at all. It would be more equitable and socially responsible for each country to manage their own waste. Transporting waste outside of a country's borders is not efficient or climate friendly. Even if it was sorted and cleaned it's difficult to ensure it is recycled responsibly in another country.

Here are three examples of Producer Responsibility programs for such products:

Paint

Manufacturers selling architectural paint operate a management system for collection, re-use, recycling, and proper disposal of leftover architectural paint financed by an assessment added to the price per container, depending on its size. Paint manufacturers or an organization representing them submit a plan for approval to a designated state agency to include: convenient paint collection and acceptance locations; environmentally responsible paint management; goals for reuse, recycling, and proper disposal; an education and outreach plan; and a budget and paint assessment rate to fund the program. Programs report annually to the state agency in a process that is accessible to the public. Paint stewardship programs are already operating in twelve states and Washington, D.C.¹²

Mattresses

More than 75 percent of a mattress can be recycled when it is broken down into its components, but as of 2022, only 5 percent of used mattresses in the United States were recycled. In mattress stewardship programs manufacturers of mattresses and box springs sold in the state take responsibility for the collection, processing, renovation, recycling, and ultimate disposal of all used mattresses, in conformance with a plan approved by a designated state agency. Programs have been funded by a fee added to the price of mattresses and box springs paid at the time of purchase that can only be used to finance the program. Legislation also often bans the landfilling and incineration of mattresses and box springs. Four states have adopted mattress stewardship programs (CA, CT, OR, RI). The 2021 annual reports for these programs, run by the nonprofit Mattress Recycling Council in each state, report a mattress recycling rate of 60% in Rhode Island, 76.9% in California, and 73% in Connecticut.

Carryout bags

There have been three main approaches by local governments and states to reduce the use of single-use plastic carryout bags: (1) Ban plastic carryout bags; (2) Tax plastic carryout bags; and (3) A “hybrid” approach that bans plastic carryout bags and taxes paper bags or requires retailers to charge and retain a minimum amount (e.g., at least 10 cents) for paper and other carryout bags. This creates an incentive for shoppers to bring their own bag or not use a bag at all. The charge is retained by the retailer to finance the bags that are purchased. Of the three approaches, the most effective in reducing plastic pollution and increasing reusable bag use or use of no bag is the hybrid bill. In jurisdictions that have banned plastic carryout bags without a charge (or tax) for paper other bags, paper bag use skyrockets. Paper bags are also single-use waste with large environmental impacts in their production, so should not be encouraged.

Other Product Policy Tools

Other Product Policies that could be used to address the negative impacts of products and packaging, reduce waste, and increase the recovery of materials include:

- Material and Product Bans
- Retailer Voluntary Take-back
- Retailer Mandatory Take-back
- Advanced Recycling Fees
- Fees on single-use items (e.g. bags)
- Mandatory rebates (e.g. auto batteries)
- Government-run Beverage Container Deposit-Return Systems (Bottle bills)

¹² For a list of states with paint stewardship programs, see the Product Stewardship Institute (PSI) website: <https://productstewardship.us/products/paint/>

- Cradle-to-cradle product design, recognition, and certification¹³
- Clean Production
- Recycled Content Requirements¹⁴

Producer Responsibility laws include several of these legislative strategies. However, the narrower the focus of proposed Producer Responsibility laws, the fewer opponents they will attract. Advocating for such strategies as separate legislative initiatives may be strategically beneficial. It is very important that Producer Responsibility laws should complement, not restrict, these other vital strategies.

The following are descriptions of some of these different tools for getting producers to be more responsible and contribute to a circular economy. Most of these descriptions and examples are from the EPA website Managing and Transforming Waste Streams¹⁵.

1. Material and Product Bans (sale, collection, disposal) – “Adopt ordinances that limit or ban sales of toxic or hard-to-recover products and product packaging.”

Examples

[San Francisco, CA – San Francisco International Airport](#)

San Francisco International Airport (SFO) adopted food service requirements to advance its zero waste goals. The Airport prohibits the provision or sale (except on-aircraft) of single-use bottled water in plastic or aseptic paper packaging, establishes criteria and approved vendors for acceptable single-use food service ware (e.g., certified compostable, made entirely of Natural Fiber and Fluorinated Chemical free), provides guidance on Single-Use Food Service Ware, and requires reusable beverage cups be provided to no less than 10% of attendees at events on Airport property.

(Source: [EPA Managing and Transforming Waste website, #24](#))

2. Retailer Mandatory Take-back

“Require businesses that sell items that must be collected as HHW or are not currently reusable, recyclable, or compostable locally to take those items back for proper reuse, recycling, or disposal.”

Example:

[Alameda County, CA](#)

The County's Safe Drug Disposal Ordinance requires prescription drug producers that sell, offer for sale, or distribute drugs in the County that are covered under the ordinance to participate in a Product Stewardship Program for the collection of unwanted products.

(Source: [EPA website, #23](#))

3. Advanced Recycling Fees

“Adopt point-of-sale fees for products that are toxic and/or hard to reuse recycle or compost.”

Example:

Hartford, CT

The City played a leadership role in getting a state law passed for a [Mattress Recycling Program](#), funded by a \$9 recycling fee on all mattresses and box springs sold in the state.

[Connecticut programs](#), Mattress Recycling Council

(Source: [EPA website, #21](#))

4. Fees on single-use items (e.g. bags)

¹³ Cradle to Cradle: Remaking the Way We Make Things, by William McDonough and Michael Braungart, 2002

¹⁴ Minimum recycled content requirements are a good example of changing the existing system to one that focuses on the use of recycled content before virgin materials. Incentives like these should be used to redesign products to be less toxic and easier to reuse, recycle or compost.

¹⁵ <https://www.epa.gov/transforming-waste-tool>

“Adopt an ordinance that places a fee on the sale of certain disposable items, such as disposable shopping bags, to incentivize customer reuse.”

Example:

[Berkeley, CA](#)

The [Berkeley Single-Use Foodware and Litter Reduction Ordinance](#) was adopted in 2019 to reduce the use of disposable foodware, including cups, utensils, lids, straws, and others that contribute to marine pollution, street litter, and waste in landfills. This ordinance applies to all prepared food vendors and implements a consumer fee on disposable foodware. It aligns with the City of Berkeley’s [Zero Waste Goal](#). (Source: [EPA Website #25](#))

5. Mandatory rebates (e.g., auto batteries)

Adopt an ordinance that requires point-of-sale fees for products that are toxic and/or hard to reuse, recycle, or compost that are returned to customers once they return the item for rebates.

Examples:

Automobile batteries – as part of efforts to eliminate lead in the environment, automobile lead-acid batteries were required by many state laws in the 1960s to establish a “core fee” to encourage customers who purchase batteries to return them to stores that sell them. The reported return rate on such rebates is 97%. It’s the most successful product policy that also accomplished its primary goal of keeping lead out of the environment.

Propane Cylinders - There’s a campaign for refillable propane cylinders called [Re Fuel Your Fun & Save](#), started by the California Product Stewardship Council. Some 200 businesses in California now carry refillables and the website provides a national map to show where they are available in all states.

Source: [Re Fuel Your Fun & Save](#) website, [California Product Stewardship Council](#) and Sierra Club [Mr. Green 2017 article](#))

6. Beverage container deposit systems

Beverage container deposit programs (also known as “bottle bills”) add a small deposit to the purchase of beverages in containers. The deposit is refunded when the containers are returned for refilling or recycling. The visible deposit creates a financial incentive for consumers to return the containers instead of littering or throwing them in the trash. The refundable deposit also incentivizes the public to collect littered beverage containers for redemption. Ten US states have longstanding, successful beverage container deposit systems.¹⁶ For more details, see the separate Beverage Containers Guidance document. (Source: [Sierra Club Beverage Container Guidance](#), August 2021)

7. Cradle-to-cradle product design, recognition, and certification

“Product designers, manufacturers, and brands around the world rely on the [Cradle to Cradle Certified Product Standard](#) as a transformative pathway for designing and making products with a positive impact on people and the planet. From fragrances to flooring, t-shirts and jeans to water bottles and window treatments, thousands of products are Cradle to Cradle Certified. What’s more, a growing number of [brands, organizations, and standards also recognize Cradle to Cradle Certified](#) as a preferred product standard for responsible purchasing decisions. To receive [certification](#), products are assessed for environmental and social performance across five critical sustainability categories: material health, material reuse, renewable energy and carbon management, water stewardship, and social fairness.” Communities could encourage local businesses to get their products certified in this way.

(Source: [C2Certified.org](#))

8. Clean Production

This is a systems-based vision to advance green chemicals, sustainable materials, and environmentally preferable products. Communities and NGOs could encourage local businesses to implement Clean Production systems. Focusing on Clean Production provides tools to make more informed substitution choices and engage in safe dialogues to implement these things in supply chains. Clean Production

¹⁶ California, Connecticut, Hawaii, Iowa, Maine, Massachusetts, Michigan, New York, Oregon, and Vermont.

establishes clear steps for building a meaningful program for developing and adopting better materials and communicating across the supply chain how to implement a green chemistry program.

(Source: [Clean Production Action](#))

10. Mandatory Recycled Content

This legislation requires the use of recycled content in products which creates a stable demand for recycled products, stimulates the recycling market, creates incentives for producers to redesign their products to be more recyclable, and reduces reliance on virgin materials. The California bag law specifies minimum post-consumer content for paper bags. The European Union's 2019 Single-Use Plastics Directive requires all PET plastic beverage bottles from 2025 to contain at least 25% recycled plastic, and from 2030, at least 30%. California, Connecticut, Maine, New Jersey, and Washington State enacted legislation to mandate recycled content for plastic containers. However, plastic examples are more problematic.

11. Right to Repair

Legislation ensures that consumers can repair or hire someone to repair their own products instead of being required to send them to the producer to repair. Some legislation addresses specific products (like electronics or appliances in California). Other legislation targets broad categories such as medical, digital or agricultural equipment. Language often addresses what tools, parts, software or instructions producers should provide for such repairs.¹⁷

Voluntary Initiatives

Producers can adopt their own policies, programs and implement Zero Waste infrastructure to experiment and before regulations are adopted to meet these needs. Voluntary programs also provide the marketing edge for doing the right thing compared to competitors that continue to externalize their costs. Sometimes these are done to pre-empt government regulation. Voluntary programs have an important role in demonstrating the effectiveness of new or alternative policies even though they cannot accomplish the systemic changes that are needed. Producer Responsibility can be implemented through:

- **Industry Associations**, such as
 - **Carton Council** - Provides grants and technical assistance to install infrastructure for enhanced food and beverage carton recycling, including providing equipment for material recovery facilities¹⁸
 - **Closed Loop Fund** - Provides grants to improve the sorting, processing, reuse and recycling of paper, metal, glass, plastics, organics, textiles, and electronics for U.S. markets.¹⁹
 - **The Recycling Partnership** - Provides grants technical assistance, and policy recommendations to enhance residential recycling systems²⁰
- **Retailer Voluntary Take-back** - Encourage businesses to take back products and associated packaging, especially items that are toxic in their manufacture, use, or disposal that are not currently reusable, recyclable, or compostable locally.²¹
- **Certification Programs**, such as

¹⁷ <https://www.ncsl.org/technology-and-communication/right-to-repair-2023-legislation>

¹⁸ <https://recyclecartons.com/about/>

¹⁹ <https://www.closedlooppartners.com/circular-services/>

²⁰ <https://recyclingpartnership.org/about/>

²¹ New York, NY encourages businesses to partner with a vendor that takes back empty ink and toner cartridges for recycling and provides a website with a list of vendors

[Take It Back NYC: What retailers and service providers in NYC need to know about mandated and voluntary take-back programs \(PDF\)](#) (20 pp, 4.4 K, [About PDF](#)) (see pg. 14)

The Ottawa, Ontario [Take It Back! Program](#), a voluntary product stewardship program, enables residents to return household items to over 800 participating local retailers and charitable organizations for reuse, recycling, or proper disposal; the program addresses more than 130 products across 5 categories (automotive, garden supplies, health, electronics, household products), (Source: [EPA website, #22](#))

- **TRUE Zero Waste rating system** - TRUE certifies facilities that voluntarily divert over 90% of their discarded materials from landfills, incinerators, and the environment.
- **Labeling Programs**, such as
 - **Green Dot** (German: Der Grüne Punkt) - the financing symbol of a European network of industry-funded systems for recycling the packaging materials of consumer goods. More than 130,000 participating companies and 460 billion packages have been labeled with the Green Dot® logo and some 14.7 million tons of used packaging waste was recovered and recycled by these European organizations.²²
 - **Federal Trade Commission Green Marketing Guides** - These Guides are designed to help marketers avoid making environmental claims that mislead consumers. They include: 1) general principles; 2) how consumers are likely to interpret claims; 3) how marketers can substantiate these claims; and 4) how marketers can qualify their claims to avoid deceiving consumers.²³

Voluntary initiatives are great ways for businesses, governments, and environmental groups to pilot or demonstrate how best to implement programs and to demonstrate their commitment to the triple bottom line of people, planet, and profit. However, voluntary initiatives do not achieve the systemic change that is needed to shift to a circular economy. Mandatory producer responsibility systems are needed to get all stakeholders to clearly understand their roles and to be held accountable.

²² <https://www.gd-europe.com/greendot/about-green-dot/>

²³ <https://www.ftc.gov/news-events/topics/truth-advertising/green-guides>