



**THE EPR WAKE-UP CALL:**

**If You Sell into Retail, This  
Now Affects You**

# The Shift No One Is Talking About

**There's a quiet but massive shift happening in CPG right now — one that most operators aren't talking about yet.**

It's not TikTok.

It's not GLP-1.

It's not even retail media.

**It's packaging**



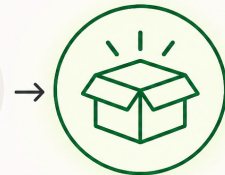
TikTok



GLP-1



Retail Media



Packaging

More specifically: the new regulatory and financial obligations tied to it.

If you sell physical product into retail — this applies to you.

This is no longer optional reading. This is now part of running a CPG business.

## WHAT IS EPR (And Why Should You Care)?

EPR stands for **Extended Producer Responsibility**

EPR has the potential to materially impact your margins, your operations, and your compliance risk if you're not preparing for it now.

If your company puts packaging into the market, you are now responsible — financially and operationally — for what happens to that packaging after the consumer is done with it.

This is not a sustainability initiative.

This is not a marketing opportunity.

This is **regulation**, with real fees, real reporting, and real consequences for non compliance.

States including **California, Colorado, Oregon, Maryland, Minnesota, Washington, and Maine** have already passed packaging EPR laws. Several more are in legislative pipelines.

If you sell product into those states — even if you're headquartered elsewhere — you are likely on the hook.



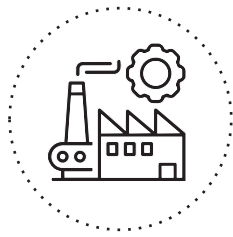
# Who is Responsible?

## Who Is Considered the “Producer”?

Under most EPR frameworks, the “producer” is defined as:

- The **brand owner** whose name appears on the packaging
- The **manufacturer** selling under its own brand
- The **importer** bringing goods into the U.S.
- In some cases, the **first entity selling into the state**

If your brand name is on the package, assume the responsibility is yours and act accordingly.



## What Size Companies are Affected?

If you are:

- Doing **\$5M+** in annual revenue
- Selling **nationally**
- Distributed in **mass retail, grocery, drug, club, or Amazon at scale**

You are almost certainly impacted in at least one state.

Most states include small business exemptions — typically under ~\$2M–\$5M in revenue or extremely low packaging tonnage — but these thresholds exclude the vast majority of serious CPG companies.

If you’re building a real brand, this applies to you.

# What Does Compliance Actually Involve?

EPR compliance isn't a one time form. It's an ongoing operational requirement that touches finance, supply chain, packaging, and legal.

You'll be responsible for:

1. **Registering** with the state's Producer Responsibility Organization (PRO)
2. **Reporting** detailed packaging data (materials, weights, formats, and volumes by state)
3. **Paying fees** based on packaging type, recyclability, and environmental impact
4. **Meeting performance targets** over time as states tighten recycling and recovery goals

This is operational, financial, and it requires systems, documentation, and cross functional coordination.



# What To Do Next

## If You're Not Doing Anything Yet — Start Here

### Steps:



This is not something to scramble on at the last minute. Retailers will eventually require proof of compliance, and states will enforce it.

# Final Thought

## **This Is Either a Burden — Or an Advantage**

You can treat this as a burden, or you can treat it like every other CPG constraint — a system to master and a competitive advantage to exploit.

Brands that move early will:

- Protect margin
- Strengthen retailer relationships
- Avoid penalties
- Future proof their packaging and supply chain

Brands that wait will get surprised — and the surprise will be expensive.

**At Jekyll + Hyde Labs, we can work with you, supporting packaging redesign, supplier coordination, and compliance readiness. We can also connect you with compliance attorneys who specialize in EPR and can help you navigate the legal side.**

**Doing nothing is technically an option — but it's not a smart one, and it may be the costliest choice you make.**

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