



**CIRCULAR
BUSINESS
CONSULTING**

EPR and the Retail Perspective

June 2, 2026

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Agenda

- ❑ Purpose of Retail
- ❑ Retail Packaging History *(abridged)*
- ❑ Rise of EPR
- ❑ Retail Challenges
- ❑ What's Next?

What is the purpose of retail?

- Retail is where supply chains meet consumers.
- The purpose of retail is to provide products to consumers at a profit.
- Retailers maximize profits by meeting consumer needs better than their competitors.
- Telling consumers what they want or what they should want is rarely a winning strategy.

Agenda



Purpose of Retail



Retail Packaging History *(abridged)*



Rise of EPR



Retail Challenges



What's Next?

What is the purpose of packaging?

- The purpose of packaging is to **increase sales** by:
 - Promoting the product *and/or*
 - Protecting the product

Six Pack Rings – 1970s/1980s



McDonald's Packaging - 1990



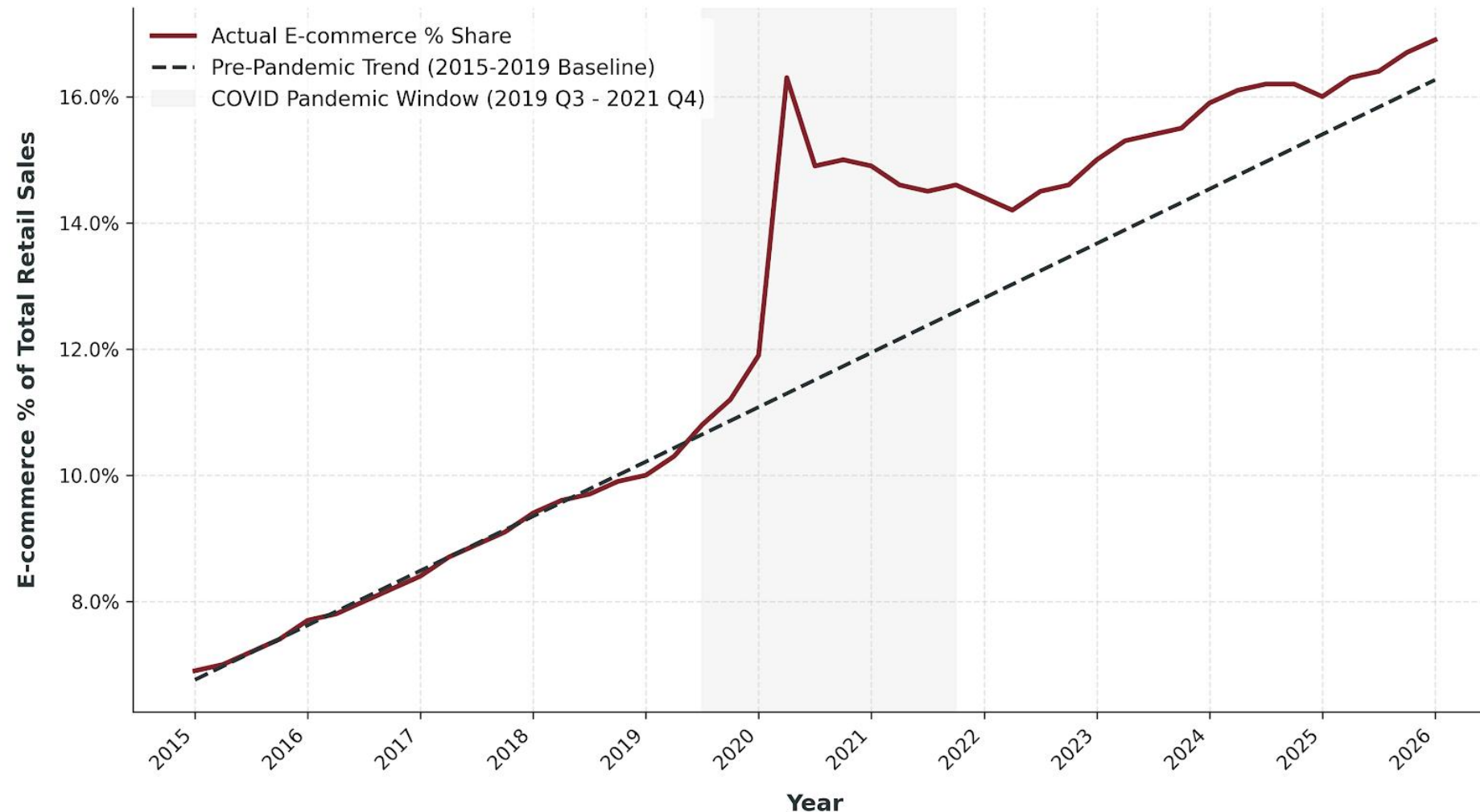
Plastic Packaging – 2010s



Plastic Packaging – 2010s



Pandemic Packaging Driver



Source: US Census Bureau, "Advance Monthly Sales for Retail and Food Services," May 14, 2026, accessed 5/27/26,
<https://www.census.gov/retail/sales.html>

Pandemic Packaging – 2020



Pandemic Packaging – 2020



Agenda



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Rise of EPR



Retail Challenges



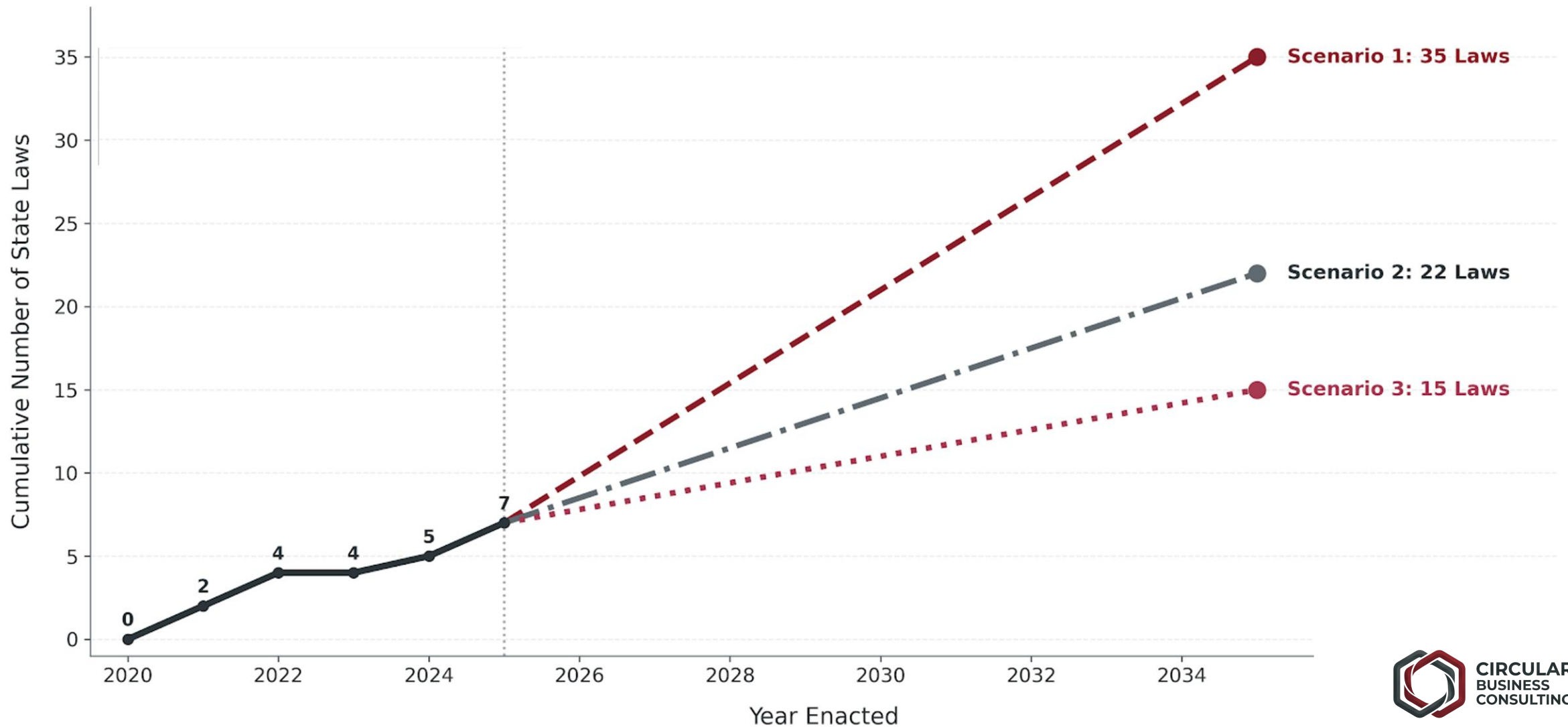
What's Next?

Rise of State EPR Laws



Source: Mel Brooks, Young Frankenstein, 1974 (Gene Wilder)

Rise of State Packaging EPR Laws



Rise of State Packaging EPR Laws

Current Packaging EPR Laws

- | | |
|--|---|
| <ul style="list-style-type: none">• California• Colorado• Maine• Maryland | <ul style="list-style-type: none">• Minnesota• Oregon• Washington |
|--|---|

Current Packaging EPR Bills

- | | |
|---|---|
| <ul style="list-style-type: none">• Hawaii• Illinois• Massachusetts• Missouri• New Hampshire• New Jersey | <ul style="list-style-type: none">• New York• Rhode Island• Tennessee• Vermont• Wisconsin |
|---|---|

Key EPR Components:

1. Shifts financial and management responsibility upstream to the producer and away from the public sector; and
2. Provides incentives to producers to include environmental considerations into product and packaging design (e.g., ecomodulation).

EPR Implementation

Legislation & Government Oversight

Needs
Assessment

Producer Responsibility Organization (PRO)

Educate

Report

Collect

Sort

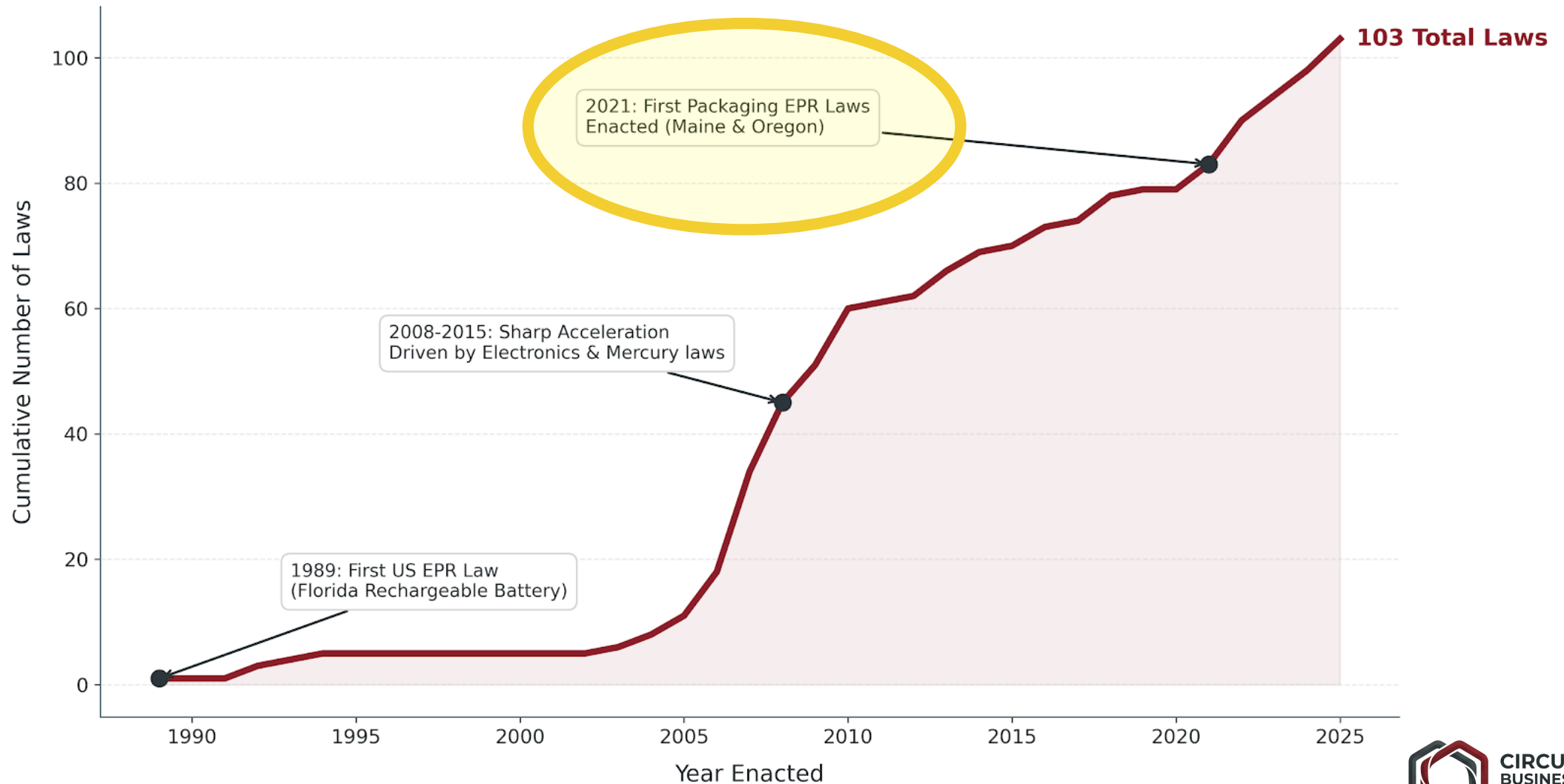
Repair/
Refurbish

Resale

Recycle

Dispose
Properly

Rise of State EPR Laws



The map displays the following color-coded regions:

- Dark Purple (Highest Percentage):** CA, NY, MA.
- Dark Blue:** WA, OR, MN, IL.
- Medium Blue:** IA, CO, NJ, DE.
- Light Blue:** PA, VA, NC, SC.
- Light Green (Lowest Percentage):** MT, ND, SD, WY, UT, NE, KS, OK, TX, FL, HI.
- Gray:** AK, HI.

Number of State EPR Laws



State EPR Laws

Product Category	States
Batteries	CA, CO, CT, FL, IL, IA, ME, MD, MN, NE, NY, VT, WA
Carpet	CA, NY
Electronics	CA, CT, HI, IL, IN, ME, MD, MI, MN, MO, NY, NC, OK, OR, PA, RI, SC, TX, VT, VA, WA, WI
Gas Cylinders	CT
Household Hazardous Waste	VT
Lighting	RI, ME, MA, VT, WA
Mattresses	CA, CT, OR, RI
Medical Sharps	CA
Mercury Auto Switches	AR, IL, IA, IN, LA, ME, MA, NJ, NC, RI, SC, UT, VT, VA
Mercury Thermostats	CA, CT, IL, IA, ME, MA, MN, MT, NY, PA, RI

State EPR Laws (cont.)

Product Category	States
Paint	CA, CO, IL, ME, MD, MN, NY, OR, RI, VT, WA
Packaging	CA, CO, ME, MD, MN, OR, WA
Pharmaceuticals	CA, IL, ME, MA, NY, OR, VT, WA
Solar Panels	WA
Textiles	CA
Tires	CT

US Producer Responsibility Organizations



**Circular
Action
Alliance®**



Interchange 360



**Landbell
USA**

A Landbell Group Company



Rise of State EPR Laws



Source: Mel Brooks, Young Frankenstein, 1974 (Gene Wilder)

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Retail Challenges



What's Next?

Is EPR a Retailer's Friend or Foe?



Source: Mel Brooks, Young Frankenstein, 1974 (Peter Boyle)

Early Walmart Packaging Efforts



2005/2006 Pilot with 277 SKUs:

- Remove Packaging
- Reduce Packaging
- Reuse Packaging
- Renew (able) Packaging
- Recycle (able) Packaging

Early Walmart Packaging Efforts



- Used 727 less shipping containers.
- Saved \$3.5 million on transportation costs.



- Saved 5,100 trees.



- Prevented 1,300 barrels of oil from being used.

Walmart Product Packaging Scorecard, 2006

Wal-Mart Environmental Sustainability Scorecard Results

Modeling allows you to experiment with different materials to see how they can improve your score as well as help the environment. You may test out new product packages or model existing product packages below. Click if you are interested in learning more about new alternative packaging materials.

Save Modeling
To save and calculate the scores for this model, enter a name and change any values you wish and click the "Save & Calculate Model" button.

Diet Cola 5

Save & Calculate Model

Product Models

☒ Diet Cola 4 (Testing Manufacturer)

☒ Diet Cola 5 (Testing Manufacturer)

Metric	Original Score			Model Score		
	Raw Score	% Rank	% Weight	Raw Score	% Rank	% Weight
Greenhouse Gas Emissions from Package Production	2.5014	35%	100%	0.0314	33%	100%
Evaluation of Material Type	2.5013	15%	100%	2.4536	12%	100%
Average Distance to Transport Materials	-2.1120	80%	100%	-0.1276	86%	100%
Product to Package Ratio	1.5200	30%	100%	1.0200	88%	100%
Cube Utilization	0.5700	50%	100%	0.9700	90%	100%
Recycled Content	0.2300	35%	100%	0.2580	92%	100%
Recyclability	0.3000	30%	100%	0.0900	50%	100%
Renewable Energy to Power End Facility	2.1000	30%	100%	0.1000	80%	100%
Innovation Different from Energy Standard	2.5500	85%	100%	0.0500	88%	100%
Total Normalized Score (out of 10)				4.9722		5.6035

Background & Product Info.

Question	Model Answer
1. Supplier Name?	Test Manufacturer

- UPC, Item Number, and SKU
- Primary and secondary packaging
- Distance traveled
- Packaging materials
- Units per package
- Weight
- Recycled content
- Cube utilization

Walmart Perspective



Sustainable Packaging Playbook

A guidebook for suppliers to improve packaging sustainability



Walmart Sandwich Bale



- Collect
- Consolidate
- Contract



Founding Members





Pathway to Circularity for Packaging

THE RECYCLING PARTNERSHIP

The Recycling Partnership thanks the 35 inaugural Circularity Council members, leaders from across the recycling value chain whose input and expertise were pivotal to setting thresholds, definitions and protocols that address industry challenges and remove barriers to recyclability.

Steve Alexander
President & CEO
APR

Sara Axelrod
Director of Sustainability
Ball Corporation

Anne Bedarf
Packaging Sustainability
Manager
Colgate-Palmolive

Brent Bell
VP Recycling
Waste Management

Derric Brown
VP of Sustainability
Carton Council

Jonathan Butcher
VP Commercial
Tri-Arrows Aluminum

Bob Cappadona
VP
Casella

Richard Chesley
Manager SW & Recycling
South Carolina

Michael Chung
Senior Manager of Product
Stewardship
Johnson & Johnson

Cheryl Coleman
Vice President Sustainability
ISRI

Craig Cookson
Senior Director Recycling &
Recovery
ACC

Kate Davenport
Co-President
Eureka

Scott DeFife
President at Glass Packaging
Institute
Glass Recycling Coalition

Cathy Foley
VP Industry Relations and
Supply Chain
Pratt

Byron Geiger
COO
Indorama

Nina Goodrich
Director
SPC

Aimee Greg
VP Recycling and Recovered
Fiber
International Paper

Ashley C. Hall
Senior Director
Sustainability
Walmart

Keefe Harrison
CEO
The Recycling Partnership

Brian Hawkinson
Executive Director
AF&PA

Pete Keller
VP Recycling and
Sustainability
Republic

Terese Kietzer
Senior Manager
Sustainability
Amazon

Joaquin Mariel
VP of Operations
Balsanes

Chris MacFarlane
Project Manager
Starbucks

Jim Nordmeyer
VP Global Sustainability
Owens-Illinois

Tom Outerbridge
Manager
Sims Municipal Recycling

Jon Powell
Executive Director
Closed Loop Partners

Lynn Rubinstein
Executive Director
NERC

Steve Sargent
Director of Recycling
Rumpke

Scott Saunders
General Manager
KW Plastics

Paul Schutes
Executive Director
Recycled Paperboard
Alliance

Ed Socci
Director Advanced Research
PepsiCo

Ginger Spencer
Public Works Director
City of Phoenix

Carolyn Takata
Marketing Director
Silgan Containers

Robin Wiener
President
ISRI



EPR – Retailer Friend or Foe?



Source: Mel Brooks, Young Frankenstein, 1974

EPR – Retailer Friend or Foe?



Source: Mel Brooks, Young Frankenstein, 1974

Active Lawsuits:

- American Apparel & Footwear Association vs CalRecycle
- National Association of Wholesaler-Distributors vs Oregon DEQ
- Independent Lubricant Manufacturers Association (ILMA) vs Colorado Department of Public Health and Environment

Comments from Retailers

- We hate this too.
- We're all in this together trying to figure it out.
- The FMCG people “caved” and don't care about the rest of us (i.e., bulky items).
- Why can't we get credit when we take back the packaging after delivering a bulky item?
- Why doesn't CAA answer our questions?

Comments from Retailers

- Can we get an exemption for EPS? Why aren't the exemption rules clear?
- What's actual goal of EPR – reducing adverse environmental impacts or funding municipal trash?
- Beware product-level EPR
- What can we do together?

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What's Next?

Retailer Questions

- **Consumer** – How does this affect consumers?
- **Compliance** – What do the regulations require? Where do they conflict with one another and with sustainability goals?
- **Cost** – How much of this cost can we control?
- **Contracts** – What can we require of our suppliers?
- **Competitors** – How are we positioned against our competitors?
- **Collaboration** – How can we collaborate with suppliers and competitors legally and ethically without violating any anti-trust?

A Happy Ending?



Source: Mel Brooks, Young Frankenstein, 1974 (Gene Wilder & Peter Boyle)

A Happy Ending?



Source: Mel Brooks, Young Frankenstein, 1974 (Gene Wilder & Peter Boyle)



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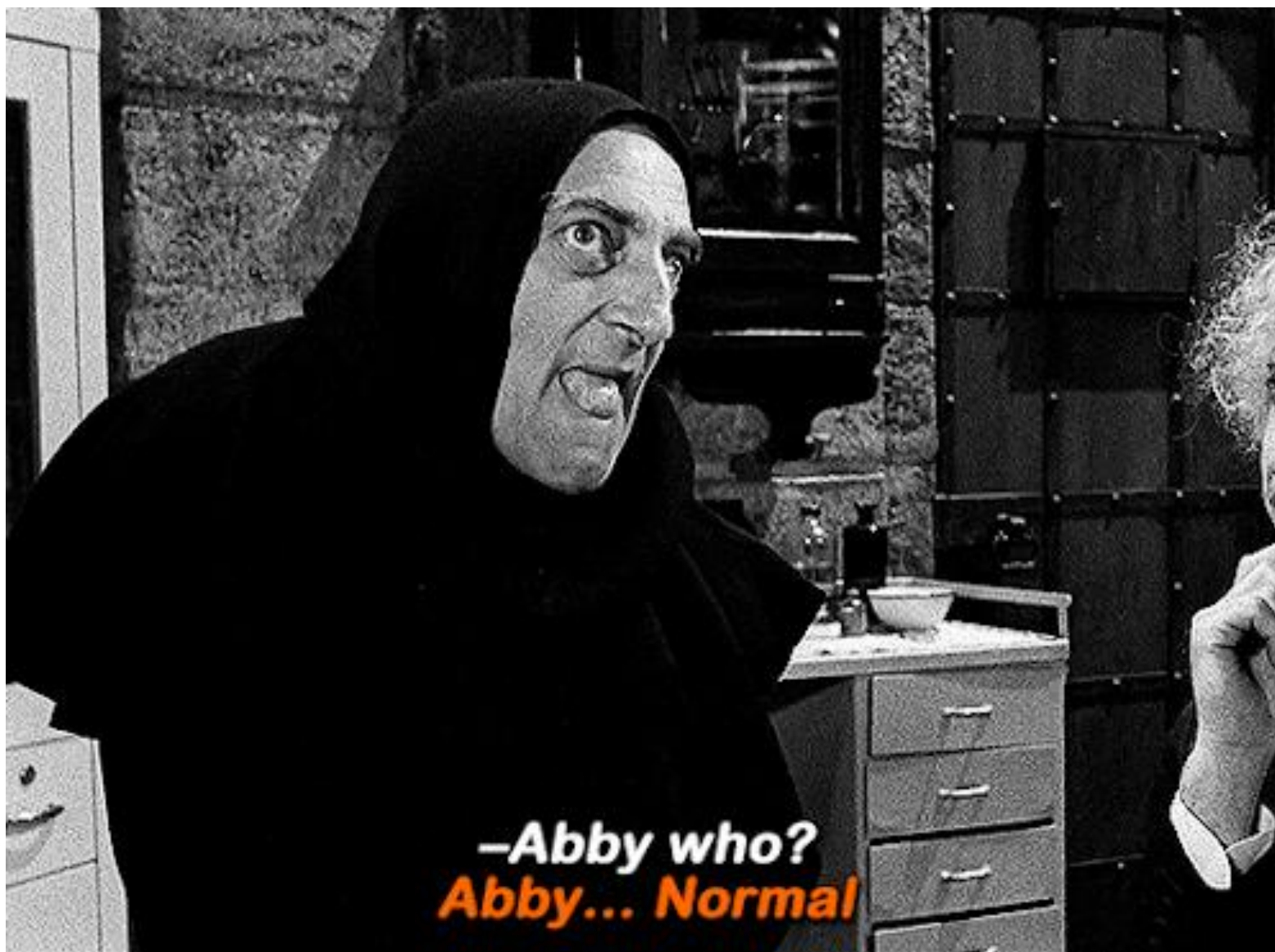
Questions? Comments?

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Source: Mel Brooks, Young Frankenstein, 1974 (Marty Feldman)