



California's Textile EPR Program Is Active: Key Compliance Deadlines and What Producers Should Do Now

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California's Responsible Textile Recovery Act of 2024 has moved from enactment into implementation. The Act requires producers that sell covered products into California to fund and participate in a statewide system for collecting, sorting, repairing, reusing, and recycling postconsumer textiles — diverting those materials from landfills.

On February 27, 2026, CalRecycle approved Landbell USA as the producer responsibility organization, or PRO, for California's first textile extended producer responsibility program, and Landbell will develop and operate the stewardship plan on behalf of covered producers. All producers of covered apparel and textile articles must join Landbell by July 1, 2026. CalRecycle has also scheduled an April 7, 2026 Textile Needs Assessment Informational Workshop, confirming that plan development is underway.

The program is active, but the full regulatory architecture will come later. CalRecycle's implementing regulations take effect no earlier than July 1, 2028. Landbell must submit a complete stewardship plan within 12 months after those regulations, and full plan implementation follows within 12 months after plan approval. That gap between program activation and program maturity creates a short strategic window — one that producers should use now.

Who Is the "Producer" Under the Act?

The threshold compliance question is not cost. It is whether a company qualifies as the statutory producer at all.

The Act uses a cascading definition. Responsibility begins with the person that manufactures the covered product and owns or licenses the brand under which it is sold. If no such person is in California, responsibility shifts to the in-state brand owner or exclusive licensee, then to the importer, and then to the distributor,

retailer, or wholesaler selling the product in or into California. Sellers of only secondhand products and sellers below the annual aggregate global turnover threshold are excluded.

For companies with foreign manufacturing, marketplace sales, mixed distribution models, or layered brand ownership, this classification issue determines whether they bear the legal duty to join Landbell and fund compliance. The answer is not always obvious. Companies should identify the legally responsible entity now, document that conclusion, and align internal contracts and reporting around it. Beginning July 1, 2030 — or when a plan is approved, whichever comes first — a producer that is not participating in the PRO faces civil penalties. Ambiguity that goes unresolved now becomes liability later.

Data Readiness

EPR programs run on product, brand, and sales data. Many businesses do not collect that data in a regulator-ready form, and the Act's requirements make that a problem.

Within 30 days after the effective date of implementing regulations, producers or the PRO must provide CalRecycle a list of brands of covered products sold, distributed, imported, or offered for sale in or into California, updated annually or on request. Future fees will be eco-modulated — meaning they will reflect California sales volumes, existing recovery programs, and the cost of managing covered products. A producer that cannot map its covered products, California sales channels, and brand architecture will enter the program without the data needed to challenge cost-allocation assumptions once they are embedded in Landbell's plan.

The needs-assessment process — now underway — will shape how the plan is designed, what data Landbell seeks from producers, and how future costs are distributed. Engaging after those decisions are made means accepting someone else's baseline.

Commercial Agreements Need Review Now

The Act expressly allows a person that manufactures, distributes, imports, or sells a covered product to assume some or all of the

statutory producer's duties and liabilities — and to relieve another person of those duties. That provision has immediate implications for brand-license agreements, importer agreements, distribution contracts, marketplace terms, and California sales arrangements.

Most of those agreements were not drafted with textile EPR in mind. They likely do not address who holds Landbell membership obligations, who supplies product and sales data, who pays future eco-modulated fees, or who bears the consequences if a product loses compliant status. Companies that address these issues now can allocate responsibility deliberately. Those that wait will negotiate under pressure, often after fee notices or compliance demands have already arrived.

Fee Exposure, Distribution Risk, and Enforcement

Fee exposure is a present planning issue. The stewardship plan must establish a per-unit eco-modulated fee supported by a five-year budget covering administrative, operational, capital, and reserve costs. This points to a meaningful cost-allocation exercise, not a nominal membership fee. Producers should begin modeling how California sales volumes, product mix, and data quality could affect future charges and examine whether current commercial agreements permit those costs to be passed through.

Distribution risk follows. After plan approval, a retailer, importer, distributor, or online marketplace generally may not sell a covered product in or into California unless the producer is listed as in compliance for that brand and product. A producer that loses compliant status faces not only a regulatory problem — it may trigger commercial disruption across the California distribution chain.

CalRecycle may impose administrative civil penalties of up to \$10,000 per day, or \$50,000 per day for knowing or intentional violations. Records must be maintained for five years and produced within 14 days on request, under penalty of perjury. These enforcement tools are available now, not only after full program implementation.

Key Takeaways

California's textile EPR program is not a future obligation to monitor. It is an active regulatory build-out with near-term deadlines and enforcement authority already in place. Producers that use the current development phase to resolve producer-status questions, build data readiness, revise commercial agreements, and model fee exposure will be better positioned — with more leverage and fewer surprises — when the stewardship architecture becomes concrete.

FBT Gibbons can assist businesses in navigating the myriad legal issues and risk considerations arising from this regulatory framework, including determining "producer" status under the Act, reviewing, and drafting commercial agreements to appropriately allocate responsibilities and compliance risk, and otherwise advising on compliance obligations and implementation.

For more information, please contact the author or any attorney with the firm's [Environmental Practice Group](#) or [Manufacturing Industry Team](#).

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