



NEWS RELEASE

Attorney General Mike Hilgers

FOR IMMEDIATE RELEASE

June 22, 2026

California's Plastics Act Prompts Lawsuit over State Sovereignty and Economic Impacts

Today, Attorney General Mike Hilgers is leading a coalition of 17 state attorneys general and the National Association of Wholesaler-Distributors (NAW) in challenging California's Plastics Act to defend the interests of producers and consumers across the United States. The lawsuit intends to stop the impacts of costs that will be passed on to consumers, making basic necessities more expensive for everyone.

In what can be described as an unprecedented overreach, California has enacted the Plastic Pollution Prevention and Packaging Producer Responsibility Act ("the Plastics Act"), imposing extensive requirements on manufacturers, distributors, and companies that package or ship products in plastic containers or use other types of packaging materials that merely incorporate plastics. This law impacts all packaging and goes well beyond regulating plastic; it regulates aluminum, cardboard, paper, glass, and even wood.

The Act conditions access to California's markets on radical changes to packaging design, production, and waste disposal—forcing businesses across the country to comply with California's contrived environmental preferences.

The Plastics Act's mandates reach far beyond California, impacting virtually every business that uses plastic packaging, regardless of their state. The economic ramifications are significant. The Plastics Act's onerous requirements are expected to drive up prices on everyday goods, disproportionately affecting low-income and vulnerable populations.

"Once again, California is trying to enact a policy that negatively impacts the rest of the country. If California goes unchecked, consumers will be forced to pay more for basic necessities. Nebraska is continuing to fight for consumers against California's overreach," stated Attorney General Mike Hilgers.

"California is not entitled to pronounce nationwide policies," said Eric Hoplin, President and CEO of NAW, "Because the Act extends California's regulatory reach far beyond its borders and brings within its sweep conduct wholly unconnected to California, the Act violates principles of federalism, the horizontal separation of powers, and due process."

Concerned States also highlight the Act's delegation of regulatory and enforcement powers to the unelected Circular Action Alliance, an unaccountable private organization. With minimal oversight from California, the Alliance is empowered to collect up to \$500 million annually from businesses seeking access to California's market, raising concerns about transparency and accountability.

The lawsuit seeks to stop the enforcement of the Act with a declaratory judgment that it violates both the United States Constitution and the California Constitution. Joining Attorney General Mike Hilgers in the lawsuit are the Attorneys General of Alabama, Florida, Georgia, Idaho, Indiana, Iowa, Louisiana, Missouri, Montana, North Dakota, Oklahoma, South Carolina, South Dakota, Texas, Utah, and West Virginia.

###

Court Filing Attached

Suzanne Gage
Director of Communications
Nebraska Attorney General's Office
Office: 402-471-2656
Mobile: 402-560-3518
Suzanne.gage@nebraska.gov