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THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA, *EX REL*. KRIS MAYES, ATTORNEY GENERAL, Plaintiff, VS. REYNOLDS CONSUMER PRODUCTS, INC and REYNOLDS CONSUMER PRODUCTS, LLC, Defendants.	Case No.: CV2025-029649 **COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF**

Plaintiff, the State of Arizona *ex rel.* Kristin K. Mayes, Attorney General (the "State"), for its Complaint against Defendants Reynolds Consumer Products, Inc. and Reynolds Consumer Products, LLC (collectively, "Reynolds"), alleges as follows.

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INTRODUCTION

1. Recycling offers substantial benefits to Arizonans by reducing the amount of waste that ends up in Arizona landfills. Waste in landfills degrades and pollutes natural environments, including soil, water, and air.

2. Recycling saves natural resources and energy, and can add value to local economies.

3. Plastic waste is an increasingly dire international problem. Plastics can breakdown into micro- and nano-plastics, which have been found in air, clouds, water, soil, sea life, and almost every human organ.[1]

4. Plastic recycling is a near myth. The U.S. recycling rate for plastic is only five to six percent, and the only known viable markets for plastic recycling are for plastics marked on the bottom as #1 and #2 – mostly plastic bottles and milk jugs – and not soft plastics, like plastic bags.[2]

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[1] Stephanie Dutchen, *Microplastics Everywhere: The Tiny Particles Are Even in Our Bodies. What Might this Mean for Our Health?*, Harvard Med. (Spring 2023), https://magazine.hms.harvard.edu/articles/microplastics-everywhere; *see also Making Plastic Polluters Pay: How Cities and States Can Recoup the Rising Costs of Plastic Pollution,* Cent. for Int'l Env't Law (June 2024), https://www.ciel.org/wp-content/uploads/2024/06/make_polluters_pay_cities_states_recoup_costs_plastic_pollution_report.pdf.

[2] *The Fraud of Plastic Recycling: How Big Oil and the Plastics Industry Deceived the Public for Decades and Caused the Plastic Waste Crisis*, Cent. for Climate Integrity 2 (Feb. 2024); *What's the Right Way to Recycle Plastic Bags and Bubble Wrap (AKA Plastic Film Packaging)?* America's Plastic Makers, https://plasticmakers.org/whats-the-right-way-to-recycle-plastic-bags-and-wraps/ (last visited Aug. 6, 2025).

5. Globally, the majority of consumers believe that the most important step they can personally take to reduce greenhouse gas emissions is to recycle as much as possible.[3]

6. Annually, Arizona diverts approximately twenty percent of its waste through recycling, and in 2022, its citizens recycled at least 841,000 tons of waste.[4]

7. Consumers have become increasingly aware of the problems associated with pollution and plastic waste, and many consumers actively seek to purchase products that are recyclable to help divert waste from landfills, waterways, oceans, communities, and incinerators.

8. Many items marketed as recyclable cost more money than the more traditional, non-recyclable products, and many consumers are willing to pay a premium to purchase products that are recyclable.

9. Consumers often rely on industry representations to determine which materials can and cannot be recycled.

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[3] *Perils of Perception: Environmental Perils April 2021,* IPSOS (Apr. 2021), https://www.ipsos.com/sites/default/files/ct/news/documents/2021-04/Environmental%20Perils%20of%20Perception%202021_0.pdf?utm_campaign=website&utm_medium=email&utm_source=one5c-newsletter.

[4] *Major Arizona Municipalities Are Below the National Recycling Rate,* Arizona PIRG Education Fund (Nov. 15, 2018), https://pirg.org/arizona/edfund/media-center/major-arizona-municipalities-are-below-the-national-recycling-rate/; *2022 Arizona Municipal Recycling Data Report*, Ariz. Dep't Env't Quality ("ADEQ"), https://static.azdeq.gov/wqd/recy/2022_recycling_data.pdf; *Arizona Recycling Dashboard*, ADEQ, https://experience.arcgis.com/experience/6ab7b53043e64f4f917d76169e303ec6/page/Recycling-Dashboard/.

10. Defendant Reynolds knew that consumers were producing less trash and buying fewer kitchen garbage bags, in part due to higher levels of recycling, and between 2010 and 2020 created their "Recycling" line of products in response.

11. Defendant Reynolds deceptively marketed its "Recycling," "Clear," and "Blue" bags as both recyclable and for use when bagging recyclables for curbside programs, knowing that the bags were not recyclable and would likely render the contents un-recyclable due to the plastic bag's adverse effects for recycling centers—promoting a feature that the products are incapable of possessing.

12. Defendant Reynolds thereby capitalized on a larger recycling movement by deceptively marketing specific products as recyclable and appropriate to use when disposing of recyclable material, when in reality Defendant Reynolds knew that the products it marketed were not recyclable and knew that using them to dispose of other recyclable material, as advertised by Defendant Reynolds, actually decreased the likelihood that their contents would be recycled.

JURISDICTION AND VENUE

13. The State brings this action pursuant to the Arizona Consumer Fraud Act, Arizona Revised Statutes ("A.R.S.") §§ 44-1521 to -1534 to obtain injunctive relief to permanently enjoin and prevent the unlawful acts and practices alleged in this Complaint, and to obtain other relief, including restitution, disgorgement of profits, gains, gross receipts, or other benefits, civil penalties, and costs and attorneys' fees.

14. This Court has subject-matter jurisdiction.

15. This Court has personal jurisdiction over Defendant Reynolds.

16. Reynolds transacts business in Arizona, maintains substantial contacts in Arizona, and causes harm by committing violations of Arizona statutes alleged herein, in whole or part, within the State of Arizona.

17. Defendant Reynolds purposefully availed itself of the privilege of doing business within this state and derived financial gain from doing so.

18. This Court may issue appropriate orders both prior to and following a determination of liability pursuant to A.R.S. § 44-1528.

19. Defendant Reynolds made false and deceptive representations in connection with the advertisement and sale of its products in Arizona, and the claims that are the subject of this Complaint arose from that conduct.

20. Venue is proper in Maricopa County pursuant to A.R.S. § 12-401(17).

PARTIES

21. Plaintiff is the State of Arizona *ex rel.* Kristin K. Mayes, the Attorney General of Arizona, who is authorized to bring this action under the Arizona Consumer Fraud Act (the "ACFA"), A.R.S. §§ 44-1521 to -1534.

22. Defendant Reynolds Consumer Products, Inc. is a publicly traded Delaware corporation with its principal place of business in Lake Forrest, Illinois.

23. Defendant Reynolds Consumer Products, LLC is a company organized and

existing under the laws of Delaware, with its principal place of business in Lake Forrest, Illinois. It is a wholly-owned subsidiary of Reynolds Consumer Products, Inc. and owns the "Hefty" trademark.

24. Whenever reference is made in this Complaint to any act or practice of the Defendants Reynolds Consumer Products Inc. or Reynolds Consumer Products LLC (collectively, "Reynolds"), such allegation shall be deemed to mean that the principals, officers, directors, employees, consultants, agents, and representatives of said Defendants did, or authorized, such act or practice, on behalf of said Defendants while actively engaged in the scope of their duties.

ALLEGATIONS

25. At all times relevant to this Complaint, Defendant Reynolds was engaged in trade or commerce in the state of Arizona by advertising and selling consumer products, including Hefty "Recycling" bags and later, "Blue" and "Clear" bags, to Arizona consumers through online commerce, big box retailers, and grocery stores located in Arizona.

ORIGINAL RECYCLING BAG PACKAGING

26. Since at least 2019, Defendant Reynolds sold Hefty "Recycling" bags in 13- and 30-gallon, transparent blue and clear varieties, prominently labeled "RECYCLING" in white text. The box of all "Recycling" varieties and sizes included an image of either a transparent blue or clear bag filled with items such as plastic bottles and paper bags, which are clearly recognizable as recyclables to consumers. *See* Exhibit A.

27. The back of the packaging stated in prominent green graphics: "HEFTY RECYCLING BAGS ARE PERFECT FOR ALL YOUR RECYCLING NEEDS."

28. The back label also stated: "DESIGNED TO HANDLE ALL TYPES OF RECYCLABLES" and "TRANSPARENT FOR QUICK SORTING AND CURBSIDE IDENTIFICATION." A graphic of a blue recycling truck was included, with the "chasing arrows" recycling symbol prominently displayed on the side of the truck.

29. Defendant Reynolds' website provided additional representations about the

suitability of the Hefty "Recycling" trash bags for recycling, stating that the bags "[r]educe your environmental impact," are "designed to handle your heaviest recycling jobs," and "[t]hese transparent bags make it easy to sort your recyclables and avoid the landfill."

30. Defendant Reynolds sold the Hefty "Recycling," "Clear," and "Blue" bags on their website with images demonstrating how to use the bags for recycling.

31. On June 13, 2022, the State of Connecticut filed a Complaint against Reynolds seeking injunctive, equitable, and civil relief to "redress injury to consumers resulting from [Reynolds'] unfair and deceptive acts and practices which violate [the Connecticut Unfair Trade Practices Act]."[5] All alleged acts in the Connecticut Complaint concern Defendant Reynolds' line of "Recycling" bags.

SECOND DESIGN: 2022 RECYCLING BAG PACKAGING

32. Following the Connecticut Complaint, Defendant Reynolds adopted new packaging in late 2022. Defendant continued to sell Hefty "Recycling" bags in 13- and 30-

[5] Complaint, State of Connecticut v. Reynolds Consumer Products, Inc. & Reynolds Consumer Products, LLC, Dckt. Entry No. 100.31 (Conn. Super. Ct., Jud. Dist. Hartford June 13, 2022), https://civilinquiry.jud.ct.gov/DocumentInquiry/DocumentInquiry.aspx?DocumentNo=22953967.

gallon, transparent blue and clear varieties, prominently labeled in white text "RECYCLING," albeit with redesigned packaging. *See* Exhibit B.

33. The box included an image of either a blue or clear bag filled with items such as plastic bottles and paper bags, clearly recognizable to consumers as items that are regularly recycled.

34. On information and belief, that the image of the bagged recyclable materials is the same image Defendant Reynolds used on its earlier packaging.

35. The front and sides of the redesigned packing included language in a significantly smaller and more difficult to read font stating that the bags were "developed for use in municipal recycling programs where applicable" and "contact your local municipality or recycling center to confirm."

36. The back of the updated packaging included checked bullet-points under "HEFTY. RECYCLING BAGS" that identified the benefits of using the bags to dispose of recyclable waste, including "Developed for Use in Municipal Recycling Programs Where Applicable; "Designed to Handle All Types of Recyclables; and "Transparent for Quick Sorting and Curbside Identification."

37. Following its claims that the bags were developed for use in recycling programs and designed to handle all types of recyclables, at the bottom of the bullet-pointed list, Defendant Reynolds disclosed that "These bags are not recyclable."

38. The size, location, and context of this disclosure was inadequate to notify consumers that the so-called "recycling" bags were not recyclable.

39. The back of the updated packaging also contained a green rectangle with "Hefty" in a green arrowed circle that stated "Hefty is committed to advancing sustainable, end-of-life solutions for plastic waste" and directed users to a website to learn more.

40. The green arrow is similar to the green "chasing arrows" symbol often used to signify recyclable or sustainable products.

41. The symbol, also known as the Möbius loop, is often used as a symbol for recycling.

42. According to the Federal Trade Commission Green Guides, the symbol by itself "likely conveys that the packaging is both recyclable and made entirely from recycled material."[6]

43. Using a green arrow to suggest environmental benefits for products that are not actually recyclable is a form of deceptive conduct called "greenwashing," which involves intentionally applying misleading labels to give the deceptive impression that products are more environmentally conscious or recyclable.[7]

44. On June 6, 2023, the State of Minnesota filed a Complaint against Reynolds and Walmart for violations of the Minnesota Consumer Fraud Act "by using fraud, false

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[6] *Green Guides,* 16 C.F.R. § 260.13(d)(Example 8) (2025).

[7] *Greenwashing – The Deceptive Tactics Behind Environmental Claims*, United Nations: Climate Action, https://www.un.org/en/climatechange/science/climate-issues/greenwashing (last visited Aug. 7, 2025).

pretense, false promise, misrepresentation, misleading statements, or deceptive practices in connection with the sale of their 'Recycling'" bags.[8]

45. On July 11, 2024, Reynolds and Minnesota entered into a Consent Judgment. In the Consent Judgment, Defendant Reynolds was permanently enjoined from marking or selling the products in Minnesota, entered into a thirty-month moratorium on the semitransparent blue bags, was required to establish anti-greenwashing training to its marketing teams and following FTC Green Guide practice manuals, and agreed to pay $132,670 in monetary relief to Minnesota.[9]

THIRD DESIGN: 2024 BLUE/CLEAR BAG PACKAGING

46. Defendant Reynolds once again redesigned the bags in 2024 to be called "Clear" bags or "Blue" bags with "CLEAR" or "BLUE" replacing the lettering which stated "RECYCLING" on previous versions. *See* Exhibit C.

47. The front of the third version of the packaging includes the same illustrations of the bags filled with recyclable materials used in previous packaging, but without any disclaimer on the front or sides such as developed for use in municipal recycling programs where applicable" and "contact your local municipality or recycling center to confirm."

[8] Complaint, State of Minnesota v. Reynolds Consumer Products, Inc., et al., Ct. File No. 62-cv-23-31074 (Minn. Dist. Ct., 2d Jud. Dist. June 6, 2023).

[9] Consent Judgment for Reynolds Consumer Products, Inc., and Reynolds Consumer Products, LLC, State of Minnesota v. Reynolds Consumer Products, Inc., et al., Ct. File No. 62-cv-23-31074 (Minn. Dist. Ct., 2d Jud. Dist. July 11, 2024).

48. The back of the packaging now includes language in three checked bullet-points "Developed for use in participating municipal programs only;" "Transparent for quick and easy sorting;" and "These bags are not recyclable."

49. The back also contains a green rectangle with "Hefty" in a green arrowed circle that states "Hefty is committed to advancing sustainable, end-of-life solutions for plastic waste" and directed users to a website to learn more.

50. Defendant Reynolds has the "Clear" and "Blue" bags listed under "Sustainable Solutions" on their website.

51. Defendant Reynolds markets their "Clear" and "Blue" bags as "Clear Plastic Bags" under a "recycling" subpage on its website, which advertises the products as bags that "make it easier to sort and organize your recycling with maximum efficiency."

Hefty® Clear Plastic Bags

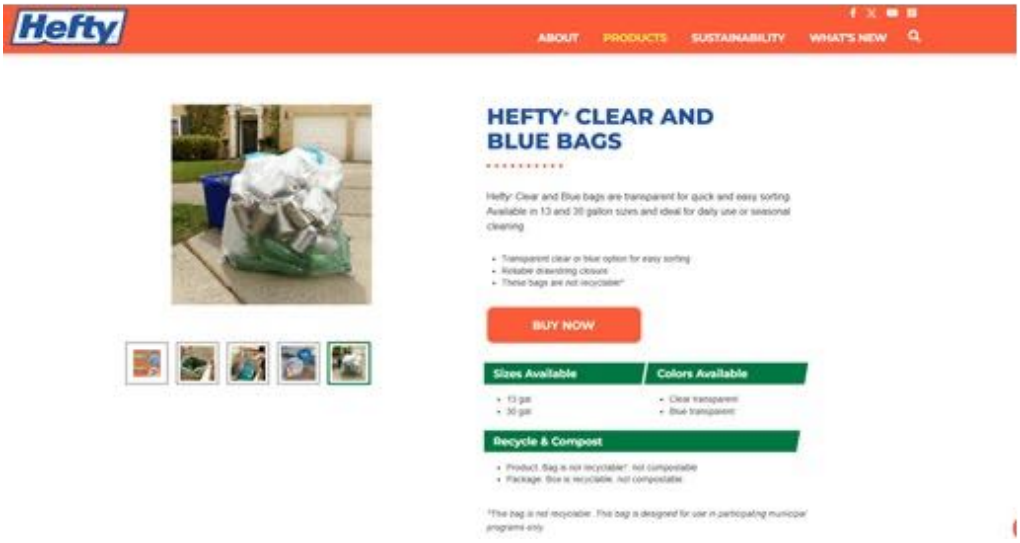
Clear Plastic Bags

These strong and reliable clear trash bags make it easier to sort and organize your recycling with maximum efficiency.

52. Defendant Reynolds' website depicts the "Clear" and "Blue" bags as being used to hold recyclable materials and as for use in curbside recycling collection.

53. The webpage for the "Clear" and "Blue" bags shows a consumer with a bag full of empty plastic bottles, tying up the bag of the recyclable materials, and then placing the bag on the curb next to a collection bin—once again, the images used on the Hefty

website appear identical to those used for the original "Recycling" bag packaging.



54. Defendant Reynolds knew or should have known that Arizona consumers would make no new inferences about the bags when the only change from the front design of the package was the removal of the word "RECYCLING."

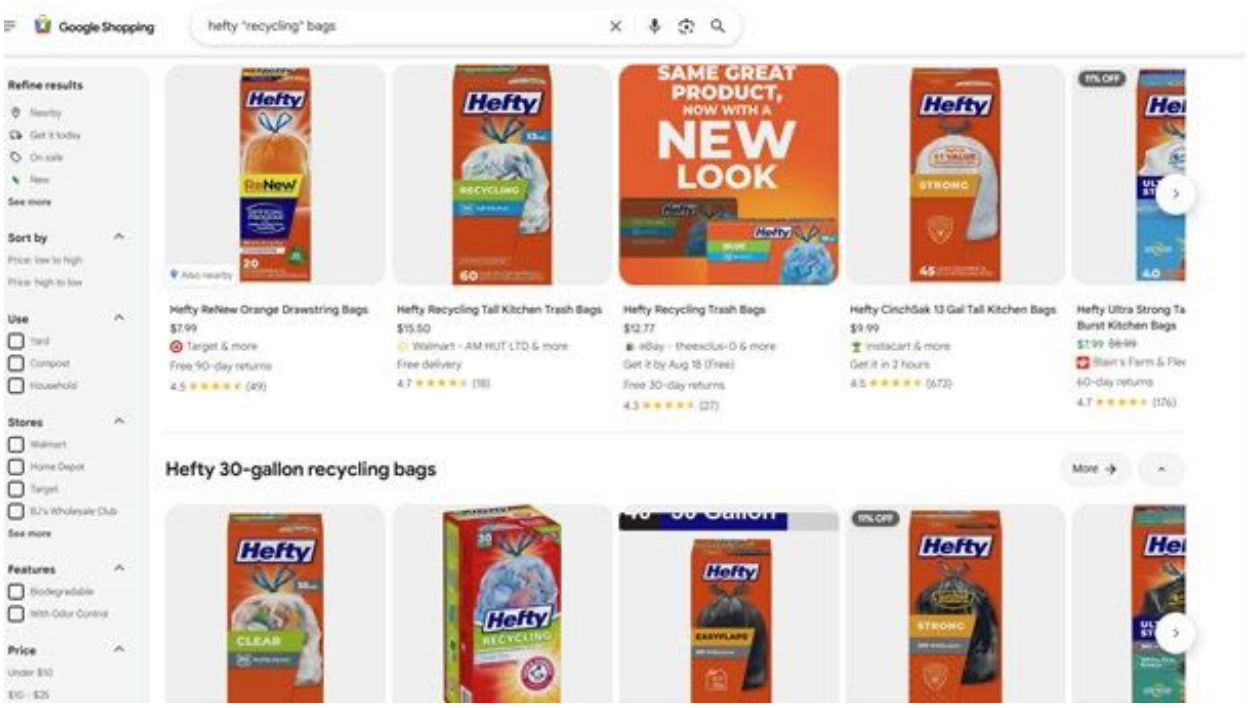
55. Defendant Reynolds knew or should have known that Arizona consumers would believe that the bags could be used for recycling pickup when the packaging displays an illustration of the product being used to bag recyclables—the same image used in the two previous packaging versions.

56. While Defendant Reynolds may have twice changed the label, it did not recall all former versions of the product.

57. All three versions of labeling, including the original "Recycling" bag still return in internet search results, and are still available for purchase through online retailers.

58. The image below shows an example of a Google search conducted August 6,

2025, with all three packaging versions appearing.



DEFENDANT REYNOLDS BAGS ARE NOT RECYCLABLE IN ARIZONA

59. Despite Defendant Reynold's representations, Hefty "Recycling" bags, "Clear" bags, and "Blue" bags are not recyclable in Arizona's municipal recycling programs or material recovery facilities ("MRFs").

60. Hefty "Recycling," "Clear," or "Blue" bags are "plastic bags" and not recyclable in municipal programs.

61. Currently, upon information and belief, no MRF in Arizona recycles plastic bags or accepts bagged recyclable items like those depicted in Defendant Reynolds' packaging and website, and many MRFs maintain that plastic bags result in damage to their equipment.

62. Soft plastics, like Defendant Reynolds' bags, interfere with the recycling process at Arizona MRFs.

63. Any bagged recyclables or soft plastic that makes it to the MRF process must be removed manually.

64. Any plastic that makes it through this fallible system can become entangled in the sorting equipment, forcing the MRF to shut down.

65. Indeed, one local MRF in Phoenix must shut down several times a day to disentangle plastic bags, costing the city hundreds of thousands of dollars annually, and endangering the workers who must do the disentanglements.[10]

66. Hefty "Clear" and "Blue" bags are advertised as "Developed for use in participating municipal programs only," but no Arizona MRF allows for the sort of recyclables Defendant Reynolds includes in its image of bagged recycling (i.e., milk bottles, cans, paper bags), and only a small handful of MRFs in Arizona allow shredded paper to be bagged in clear bags.

67. Defendant Reynolds does not advertise, market, or sell the products described in this Complaint specifically or exclusively for use in recycling shredded paper.

68. When Hefty "Recycling," "Clear," or "Blue" bags end up in Arizona recycling facilities, they can damage the equipment, lead to unsafe conditions for workers, and are

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[10] *See, e.g.*, *Recycling Best Practices,* City of Surprise, Ariz., https://surpriseaz.gov/1398/Recycling-Best-Practices (last visited Aug. 7, 2025); Erin L. Murphy, et al. *Policy Recommendations to Reinvigorate Recycling in Arizona,* 17 Journal of Science Policy & Governance Issue 1 (Sept 2020).

never recycled – often causing the otherwise-recyclable materials inside to be diverted to the landfill instead of recycled.

69. Defendant Reynolds profits tens of thousands of dollars every year off of Arizona consumers buying bags that Defendant Reynolds deceptively advertised to consumers as recyclable or for use in recycling.

70. Defendant Reynolds knew that few programs in the United States allow bags to be included in recycling programs and that the number of communities that allow bags is declining.

71. Defendant Reynolds uses a Municipal Trash, Recycling, and Composting ("mTRAC") program to help identify recycling programs that accept recycling in plastic bags.

72. Defendant Reynolds knew or should have known that bagged recyclables are not allowed in Arizona MRFs.

73. Defendant Reynolds knew or should have known that consumers are often confused about whether or not they are allowed to bag their recycling.

74. Defendant Reynolds knew or should have known that labeling their products as "for use in recycling" and packaging them with messages that promote their use in recycling was deceptive, and knew or should have known that Arizona consumers would believe that the products were recyclable and could be used to bag recyclable items for curbside pickup.

75. Defendant Reynolds knowingly deceived Arizona consumers by purposefully marketing their products to appeal to consumers motivated to buy more expensive, environmentally friendly products through false and deceptive statements on its packaging about the manner in which Defendant Reynolds' products could be used to recycle other recyclable material.

CLAIM FOR RELIEF

COUNT I

VIOLATIONS OF THE ARIZONA CONSUMER FRAUD ACT

A.R.S. § 44-1521 through § 44-1534

(Deceptive Practices – Defendant Reynolds)

76. The State realleges and incorporates by reference all prior allegations of this Complaint as though fully set forth herein.

77. Defendant Reynolds is a "person" engaged in "the sale or advertisement of any merchandise" in the State within the meaning of the ACFA. A.R.S. § 44-1521(5)-(6).

78. The conduct described in the preceding paragraphs of this Complaint constitutes deception, deceptive or unfair acts or practices, fraud, false pretenses, false promises, misrepresentations, or concealment, suppression or omission of material facts with intent that others rely on such concealment, suppression or omission, in connection with the sale or advertisement of merchandise in violation of A.R.S. §§ 44-1522.

79. From 2019 to Present, Defendant Reynolds violated the ACFA by intentionally

engaging in a deceptive practice of advertising to Arizona consumers on its product packaging that its products were recyclable.

80. From 2019 to Present, Defendant Reynolds violated the ACFA by intentionally engaging in a deceptive practice of advertising to Arizona consumers on its product packaging and website that its products were ideal for collecting recyclable materials.

81. From 2019 to Present, Defendant Reynolds violated the ACFA by intentionally engaging in a deceptive practice of advertising to Arizona consumers on its product packaging and website that any recyclable waste contents placed in its "Recycling" bags would be recycled.

82. From 2019 to 2024, Defendant Reynolds violated the ACFA by intentionally engaging in a the deceptive practice of advertising its product of clear and transparent blue plastic bags as "recycling bags" or bags intended to be used with recycling when it knew the bags were not recyclable and knew or should have known that the format, manner, and location of these representations created a deceptive net impression that the bags were recyclable or, at a minimum, would not interfere with the recycling of their contents.

83. At all relevant times, Defendant Reynolds knew or should have known that its conduct was deceptive, and Defendant Reynolds's conduct was willful pursuant to A.R.S. § 44-1531.

COUNT II

VIOLATIONS OF THE ARIZONA CONSUMER FRAUD ACT

A.R.S. § 44-1521 through § 44-1534

(Unfair Practices – Defendant Reynolds)

84. The State realleges and incorporates by reference all prior allegations of this Complaint as though fully set forth herein.

85. The ACFA prohibits the use of "unfair" acts and practices in connection with the sale or advertisement of merchandise.

86. Unfair acts and practices are those that are harmful to consumers, not reasonably avoidable by consumers, and not outweighed by countervailing benefit to consumers or to competition.

87. From 2019 to Present, Defendant Reynolds intentionally engaged in unfair acts and practices by marketing its products in such a manner that falsely implied the products were recyclable.

88. From 2019 to Present, Defendant Reynolds intentionally engaged in unfair acts and practices by marketing its products in such a manner that falsely implied the products were appropriately used in Arizona to dispose of recyclable materials in a manner that would ensure the products and the materials were recycled.

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89. In fact, Defendant Reynolds' products interfered with the recycling process, decreasing the likelihood that the contents of Defendant Reynolds' bags and the materials within them would actually be recycled.

90. These acts and practices were harmful to consumers who paid a premium to buy bags that either could be recycled or could be used to properly dispose of recyclable materials.

91. In light of other statements and indicia on its packaging, Defendant Reynolds did not adequately disclose that its bags were not recyclable or that its bags could interfere with the recycling process.

92. Thus, the harm caused by Defendant Reynolds' acts and practices was not reasonably avoidable by consumers.

93. Defendant Reynolds' acts and practices were not outweighed by any benefit to consumers or competition.

94. At all times, Defendant Reynolds' knew or should have known that its conduct was unfair, and its conduct was willful pursuant to A.R.S. § 44-1531.

COUNT III

VIOLATIONS OF THE ARIZONA CONSUMER FRAUD ACT

A.R.S. § 44-1521 through § 44-1534

(Omission/Deceptive Practices – Defendant Reynolds)

95. The State realleges and incorporates by reference all prior allegations of this

Complaint as though fully set forth herein.

96. Concealment, suppression, or omission of material facts with intent that others rely on such concealment, suppression, or omission, in connection with the sale or advertisement of merchandise is a violation of the ACFA, A.R.S. §§ 44-1521 to 44-1534.

97. Pursuant to Arizona law, a practice of omitting information in connection with the sale and advertisement of merchandise may be a deceptive practice in violation of the ACFA. *State ex rel. Horne v. AutoZone, Inc.*, 229 Ariz. 358, 361 (2012).

98. From 2019 to Present, Defendant Reynolds omitted the material fact that the products at issue were not recyclable in Arizona with the intent that Arizona consumers rely on this omission when purchasing its merchandise.

99. These omissions were consistent, pervasive, and had the tendency and capacity to mislead consumers, and their use was, therefore, a deceptive practice in violation of A.R.S. § 44-1522.

100. From 2019 to Present, Defendant Reynolds omitted the material fact that otherwise recyclable items placed into "Recycling" bags will not be recycled with the intent that Arizona consumers rely on this omission when purchasing its merchandise.

101. These omissions were consistent, pervasive, and had the tendency and capacity to mislead consumers, and their use was also a deceptive practice in violation of A.R.S. § 44-1522.

102. From 2019 to Present, Defendant Reynolds omitted the material fact that the

bags themselves are not recyclable anywhere if contaminated by waste residue with the intent that Arizona consumers rely on this omission when purchasing its merchandise.

103. These omissions were consistent, pervasive, and had the tendency and capacity to mislead consumers, and their use was also a deceptive practice in violation of A.R.S. § 44-1522.

104. From 2019 to Present, Defendant Reynolds omitted the material fact that the bags interfere with the recycling processes at Arizona MRFs with the intent that Arizona consumers rely on this omission when purchasing its merchandise.

105. These omissions were consistent, pervasive, and had the tendency and capacity to mislead consumers, and their use was also a deceptive practice in violation of A.R.S. § 44-1522.

106. Defendant Reynolds knew or should have known that its omissions and deceptive practices described herein were of the nature prohibited by A.R.S. § 44-1522, and were therefore willful, subjecting Defendant Reynolds to civil penalties as provided in A.R.S. § 44-1531.

107. Defendant Reynolds committed a separate and independent violation of the ACFA through each and every unfair, deceptive, false, or misleading representation, or omission of material information for each package sold in Arizona.

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PRAYER FOR RELIEF

WHEREFORE, the State respectfully requests that the Court:

108. Pursuant to A.R.S. § 44-1528(A)(1), issue a permanent injunction enjoining and restraining Defendant Reynolds, its officers, agents, servants, employees, attorneys, and all persons in active concert or participation with the same from:

a. directly or indirectly, engaging in deceptive, misleading, or unfair acts or practices, or concealments, suppressions, or omissions, that violate the ACFA, A.R.S. § 44-1522(A); and

b. selling non-recyclable products in Arizona through packaging that references "recycling," "recyclable," the Möbius loop, or similar language or indicia of recycling.

109. Pursuant to A.R.S. § 44-1528(A)(2), order Defendant Reynolds pay restitution in the amount of all monies paid by Arizona consumers for the bags at issue.

110. Pursuant to A.R.S. § 44-1528(A)(3), order Defendant Reynolds to disgorge all profits, gains, gross receipts, or other benefits obtained as a result of its unlawful acts alleged herein;

111. Pursuant to A.R.S. § 44-1531, order Defendant Reynolds to pay to the State of Arizona a civil penalty of up to $10,000 for each willful violation of A.R.S. § 44-1522;

112. Pursuant to A.R.S. § 44-1534, order Defendant Reynolds to reimburse the State for its costs and attorneys' fees incurred in the investigation and prosecution of

Defendant Reynolds' activities alleged in this Complaint;

113. Pursuant to A.R.S. § 44-1201, require Defendant Reynolds to pay pre-judgment and post-judgment interest to the State and all affected consumers;

114. Award the State such further relief the Court deems just and proper under the circumstances.

JURY DEMAND

115. The State demands trial by jury on all issues so triable.

RESPECTFULLY SUBMITTED this 20th day of August, 2025.

KRISTIN K. MAYES
ATTORNEY GENERAL

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