

1 H.451

2 Introduced by Representatives White of Hartford, Anthony of Barre City,
3 Birong of Vergennes, Campbell of St. Johnsbury, Carroll of
4 Bennington, Durfee of Shaftsbury, Elder of Starksboro, Hooper
5 of Burlington, James of Manchester, McCullough of Williston,
6 and Scheu of Middlebury

7 Referred to Committee on

8 Date:

9 Subject: Conservation and development; beverage container redemption;
10 expansion

11 Statement of purpose of bill as introduced: This bill proposes to expand the
12 beverage container deposit-redemption system to include water bottles, wine
13 bottles, and containers for all noncarbonated and carbonated drinks, except for
14 milk, rice milk, soy milk, almond milk, hemp seed milk, and dairy products.

15 The bill also would increase the deposit on all beverage containers, except
16 those containing liquor, from five cents to ten cents.

17 An act relating to expanding the scope of the beverage container redemption
18 system

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 10 V.S.A. § 1521 is amended to read:

3 § 1521. DEFINITIONS

4 ~~For the purpose of~~ As used in this chapter:

5 (1) “Beverage” means beer or other malt beverages ~~and~~₂ mineral waters,
6 mixed wine ~~drink~~ drinks, wine, soda water and₂ carbonated and noncarbonated
7 soft drinks, carbonated and noncarbonated water, and all other nonalcoholic
8 carbonated and noncarbonated drinks in liquid form and intended for human
9 consumption, except for milk, rice milk, soy milk, almond milk, hemp seed
10 milk, and dairy products. As of January 1, 1990₂, “beverage” also shall mean
11 liquor.

12 (2) “Biodegradable material” means material that is capable of being
13 broken down by bacteria into basic elements.

14 (3) “Container” means the individual, separate, bottle, can, jar, or carton
15 composed of glass, metal, paper, plastic, or any combination of those materials
16 and containing a consumer product. This definition shall not include
17 containers made of biodegradable material.

18 (4) “Distributor” means every person who engages in the sale of
19 consumer products in containers to a dealer in this State including any
20 manufacturer who engages in such sales. Any dealer or retailer who sells, at

1 the retail level, beverages in containers without having purchased them from a
2 person otherwise classified as a distributor, shall be a distributor.

3 (5) "Manufacturer" means every person bottling, canning, packing, or
4 otherwise filling containers for sale to distributors or dealers.

5 (6) "Recycling" means the process of sorting, cleansing, treating, and
6 reconstituting waste and other discarded materials for the purpose of reusing
7 the materials in the same or altered form.

8 (7) "Redemption center" means a store or other location where any
9 person may, during normal business hours, redeem the amount of the deposit
10 for any empty beverage container labeled or certified pursuant to section 1524
11 of this title.

12 (8) "Secretary" means the Secretary of Natural Resources.

13 (9) "Mixed wine drink" means a beverage containing wine and more
14 than 15 percent added plain, carbonated, or sparkling water; and that contains
15 added natural or artificial blended material, such as fruit juices, flavors,
16 flavoring, adjuncts, coloring, or preservatives; that contains not more than
17 16 percent alcohol by volume; or other similar product marketed as a wine
18 cooler.

19 (10) "Liquor" means spirits as defined in 7 V.S.A. § 2.

1 Sec. 2. 10 V.S.A. § 1522 is amended to read:

2 § 1522. BEVERAGE CONTAINERS; DEPOSIT

3 (a) Except with respect to beverage containers that contain liquor, a deposit
4 of not less than ~~five~~ 10 cents shall be paid by the consumer on each beverage
5 container sold at the retail level and refunded to the consumer upon return of
6 the empty beverage container. With respect to beverage containers of volume
7 greater than 50 ml. that contain liquor, a deposit of 15 cents shall be paid by
8 the consumer on each beverage container sold at the retail level and refunded
9 to the consumer upon return of the empty beverage container. The difference
10 between liquor bottle deposits collected and refunds made is hereby retained
11 by the Liquor Control Enterprise Fund for administration of this subsection.

12 (b) A retailer or a person operating a redemption center who redeems
13 beverage containers shall be reimbursed by the manufacturer or distributor of
14 such beverage containers in an amount that is three and one-half cents per
15 container for containers of beverage brands that are part of a commingling
16 program and four cents per container for containers of beverage brands that are
17 not part of a commingling program.

18 * * *

1 Sec. 3. 10 V.S.A. § 1524 is amended to read:

2 § 1524. LABELING

3 (a) Every beverage container sold or offered for sale at retail in this State
4 shall clearly indicate by embossing or imprinting on the normal product label,
5 or in the case of a metal beverage container on the top of the container, the
6 word “Vermont” or the letters “VT” and the refund value of the container in
7 not less than one-eighth inch type size or such other alternate indications as
8 may be approved by the Secretary. This subsection does not prohibit including
9 names or abbreviations of other states with deposit legislation comparable to
10 this chapter.

11 (b) The Commissioner of Liquor Control may allow, in the case of liquor
12 bottles, a conspicuous, adhesive sticker to be attached to indicate the deposit
13 information required in subsection (a) of this section, provided that the size,
14 placement, and adhesive qualities of the sticker are as approved by the
15 Commissioner. The stickers shall be affixed to the bottles by the
16 manufacturer, except that liquor that is sold in the State in quantities less than
17 100 cases per year may have stickers affixed by personnel employed by the
18 Department.

19 (c) This section shall not apply to permanently labeled beverage containers.

20 (d) The Secretary may allow, in the case of wine bottles, a conspicuous
21 adhesive sticker to be attached to indicate the deposit information required in

1 subsection (a) of this section, provided that the size, placement, and adhesive
2 qualities of the sticker are as approved by the Secretary. The sticker shall be
3 affixed by the manufacturer.

4 Sec. 4. EFFECTIVE DATE

5 This act shall take effect on July 1, 2020.