

1 S.60

2 Introduced by Senators Pollina and Bray

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; beverage container redemption;
6 expansion

7 Statement of purpose of bill as introduced: This bill proposes to expand the
8 beverage container deposit-redemption system to include water bottles, wine
9 bottles, and containers for all noncarbonated and carbonated drinks, except for
10 milk, rice milk, soy milk, almond milk, hemp seed milk, and dairy products.
11 The bill also would increase the deposit on all beverage containers, except
12 those containing liquor, from five cents to ten cents.

13 An act relating to expanding the scope of the beverage container redemption
14 system

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

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

17 § 1521. DEFINITIONS

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

19 (1) “Beverage” means beer or other malt beverages ~~and~~, mineral waters,
20 mixed wine ~~drink~~ drinks, wine, soda water ~~and~~, carbonated and noncarbonated

1 soft drinks, carbonated and noncarbonated water, and all other nonalcoholic
2 carbonated and noncarbonated drinks in liquid form and intended for human
3 consumption, except for milk, rice milk, soy milk, almond milk, hemp seed
4 milk, and dairy products. As of January 1, 1990, “beverage” also shall mean
5 liquor.

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

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

12 (4) “Distributor” means every person who engages in the sale of
13 consumer products in containers to a dealer in this State including any
14 manufacturer who engages in such sales. Any dealer or retailer who sells, at
15 the retail level, beverages in containers without having purchased them from a
16 person otherwise classified as a distributor, shall be a distributor.

17 (5) “Manufacturer” means every person bottling, canning, packing, or
18 otherwise filling containers for sale to distributors or dealers.

19 (6) “Recycling” means the process of sorting, cleansing, treating, and
20 reconstituting waste and other discarded materials for the purpose of reusing
21 the materials in the same or altered form.

1 (7) “Redemption center” means a store or other location where any
2 person may, during normal business hours, redeem the amount of the deposit
3 for any empty beverage container labeled or certified pursuant to section 1524
4 of this title.

5 (8) “Secretary” means the Secretary of Natural Resources.

6 (9) “Mixed wine drink” means a beverage containing wine and more
7 than 15 percent added plain, carbonated, or sparkling water; and that contains
8 added natural or artificial blended material, such as fruit juices, flavors,
9 flavoring, adjuncts, coloring, or preservatives; that contains not more than
10 16 percent alcohol by volume; or other similar product marketed as a wine
11 cooler.

12 (10) “Liquor” means spirits as defined in 7 V.S.A. § 2.

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

14 § 1522. BEVERAGE CONTAINERS; DEPOSIT

15 (a) Except with respect to beverage containers that contain liquor, a deposit
16 of not less than ~~five~~ ten cents shall be paid by the consumer on each beverage
17 container sold at the retail level and refunded to the consumer upon return of
18 the empty beverage container. With respect to beverage containers of volume
19 greater than 50 ml. that contain liquor, a deposit of 15 cents shall be paid by
20 the consumer on each beverage container sold at the retail level and refunded
21 to the consumer upon return of the empty beverage container. The difference

1 between liquor bottle deposits collected and refunds made is hereby retained
2 by the Liquor Control Enterprise Fund for administration of this subsection.

3 (b) A retailer or a person operating a redemption center who redeems
4 beverage containers shall be reimbursed by the manufacturer or distributor of
5 such beverage containers in an amount that is three and one-half cents per
6 container for containers of beverage brands that are part of a commingling
7 program and four cents per container for containers of beverage brands that are
8 not part of a commingling program.

9 * * *

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

11 § 1524. LABELING

12 (a) Every beverage container sold or offered for sale at retail in this State
13 shall clearly indicate by embossing or imprinting on the normal product label,
14 or in the case of a metal beverage container on the top of the container, the
15 word "Vermont" or the letters "VT" and the refund value of the container in
16 not less than one-eighth inch type size or such other alternate indications as
17 may be approved by the Secretary. This subsection does not prohibit including
18 names or abbreviations of other states with deposit legislation comparable to
19 this chapter.

20 (b) The Commissioner of Liquor Control may allow, in the case of liquor
21 bottles, a conspicuous, adhesive sticker to be attached to indicate the deposit

1 information required in subsection (a) of this section, provided that the size,
2 placement, and adhesive qualities of the sticker are as approved by the
3 Commissioner. The stickers shall be affixed to the bottles by the
4 manufacturer, except that liquor that is sold in the State in quantities less than
5 100 cases per year may have stickers affixed by personnel employed by the
6 Department.

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

8 (d) The Secretary may allow, in the case of wine bottles, a conspicuous
9 adhesive sticker to be attached to indicate the deposit information required in
10 subsection (a) of this section, provided that the size, placement, and adhesive
11 qualities of the sticker are as approved by the Secretary. The sticker shall be
12 affixed by the manufacturer.

13 Sec. 4. EFFECTIVE DATE

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