Introduced by Senators Pollina and Bray

Referred to Committee on

Date:

Subject: Conservation and development; beverage container redemption; expansion

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

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

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

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

§ 1521. DEFINITIONS

For the purpose of As used in this chapter:

(1) “Beverage” means beer or other malt beverages and mineral waters, mixed wine drinks, wine, soda water and carbonated and noncarbonated
soft drinks, carbonated and noncarbonated water, and all other nonalcoholic

carbonated and noncarbonated drinks in liquid form and intended for human
consumption, except for milk, rice milk, soy milk, almond milk, hemp seed
milk, and dairy products. As of January 1, 1990, “beverage” also shall mean
liquor.

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

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

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

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

(6) “Recycling” means the process of sorting, cleansing, treating, and
reconstituting waste and other discarded materials for the purpose of reusing
the materials in the same or altered form.
(7) “Redemption center” means a store or other location where any person may, during normal business hours, redeem the amount of the deposit for any empty beverage container labeled or certified pursuant to section 1524 of this title.

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

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

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

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

§ 1522. BEVERAGE CONTAINERS; DEPOSIT

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

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

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

§ 1524. LABELING

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

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

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

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

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2020.