

Connecticut Bottle Bill Legislation

Table 1: Summary of Connecticut’s Bottle Bill Legislation and Regulatory Requirements

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
<p>Deposit Initiators, including wholesalers, distributors, and others as defined in Public Act No. 08-01 of the November 24, 2008 Special Session</p>	<p>Expansion of the state's bottle bill to replace the Department of Energy and Environmental Protection (DEEP) commissioner as primary administrator for deposit initiators under the Bottle Bill with the Department of Revenue Services (DRS).</p>	<p>The primary change to the Bottle Bill by this public act is to replace the Department of Energy and Environmental Protection (DEEP) Commissioner as primary administrator for deposit initiators under the Bottle Bill with the Department of Revenue Services (DRS) Commissioner.</p> <p>The Bill requires (1) Bottle Bill deposits to be held in a special trust fund for the state; (2) quarterly reporting on account balances, credits, and withdrawals; and (3) initiators to pay outstanding balances quarterly. The bill also eliminates the state treasurer's right to</p>	<p>Public Act No. 10-25, effective July 1, 2010</p>

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		<p>examine records and allows both DEEP and DRS to file a complaint with the attorney general to institute action.</p> <p>The bill also requires the commissioner to adopt the IRS cash receipts and disbursements accounting method. It allows the DRS commissioner to accept an alternate accounting method if a deposit initiator petitions for one. The bill treats any required payments as a tax for the purpose of specified sections.</p>	
<p>Deposit Initiators, including wholesalers, distributors, and others as defined in Public Act No. 08-01 of the November</p>	<p>Expansion of the state's bottle bill to include water, and other changes</p>	<p>All containers for water and similar products sold in the state shall have a refund value (of at least 5 cents) and shall be embossed or stamped with the symbols to indicate the refund value for consumers. The bill also provides exemptions for</p>	<p><u>Public Act No. 09-02, and as amended by House Amendment Schedule "A", effective</u></p>

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
24, 2008 Special Session		certain containers as well as small manufacturers.	April 1, 2009
Deposit Initiators, including wholesalers, distributors, and others as defined in Public Act No. 08-01 of the November 24, 2008 Special Session	Unredeemed deposits be paid to the State of Connecticut	Every deposit initiator must forward the unredeemed deposit balance in the special account to the DEEP for deposit in the State's General Fund.	Public Act No. 09-01 effective April 1, 2009
Deposit Initiators, including wholesalers, distributors, and others as defined in Public Act No. 08-01 of the November 24, 2008 Special Session	Special Accounts for Bottle Bill Deposits	All deposit initiators must open a special account by January 5, 2009 to deposit the refund value of beverage containers sold in CT	Public Act No. 08-01 of the November 24, 2008 Special Session
Beverage Manufacturer/	Refund Value	All those sold or offered for sale in CT (except those sold on interstate carrier) shall have a	Sec.22a-244(a) CGS

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
Distributor/Dealers		refund value not less than 5¢ - and shall be uniform throughout the distribution process in this state	
Beverage Manufacturer/ Distributor/Dealers	Labeling, Letter Size	All those sold or offered for sale in CT (except those sold on interstate carrier) shall indicate on container the refund value or "return for refund" or "return for deposit"; and the word "Connecticut" or "CT".	Sec.22a-244(b) CGS
Beverage Manufacturer/ Distributor/Dealers	Labeling Position	Labeling cannot appear just at the bottom of the container. Metal containers must have the labeling on the top .	Sec.22a-245-3(b) RCSA
Beverage Manufacturer/ Distributor/Dealers	Labeling Approval for Alternatives	Requests for approval for labeling differing from that required by statute must be accompanied by a printed sample or picture, and upon the Commissioner's request, by an actual sample container.	Sec.22a-245-3(a) RCSA

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
		<p>Within 20 days of receiving such picture or container, the Commissioner must notify, in writing, the manufacturer or distributor of his decision.</p>	
<p>Beverage Manufacturer/ Distributor/Dealers</p>	<p>Openings, Connecting Packaging</p>	<p>All metal beverage containers sold or offered for sale in CT must have:1) undetachable openings; and 2) if connected to another container, the connecting material (i.e. six pack ring) must be biodegradable, or photodegradable, etc.</p>	<p>Sec.22a-244(c) CGS</p>
<p>Redemption Center</p>	<p>Registration</p>	<p>Must register on a form provided by Commissioner which will provide the Information the Commissioner deems necessary including: 1) name of business principals and address of business 2) name and address of sponsors and</p>	<p>Sec.22a-245(a) CGS</p>

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
		dealers served; 3) types of containers accepted; 4) hours of operation; 5) whether containers will be accepted from consumers Any changes in procedure must be reported within 48 hours of the change.	
Redemption Center	Requirements for Container Acceptance (Container Type & from Whom)	A redemption center can determine which containers it will handle and whether it will serve all persons or just specified dealers.	Sec.22a-245(a) CGS
Dealer	Requirements for Container Acceptance (Container Type & from Whom)	Must accept from any person any empty beverage containers (including crushed cans) of the kind sold by the dealer and must pay the refund value [as established by 22a-244(a)] unless: 1) the container contains foreign material; or 2) the container is not labeled [22a-244(a)]; or 3) the dealer or someone else	Sec.22a-245(b) CGS

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
		sponsors a redemption center within a one-mile radius of the dealer’s business which accepts the type of beverage containers sold by such dealer.	
Dealer	Requirements For Container Acceptance (When Providing a Reverse Vending Machine)	A dealer providing a reverse vending machine must assure that the machine is available to consumers during normal business hours. If the machine should break down, the dealer must provide an alternate procedure for redemption.	Sec.22a-245-4 RCSA
Dealer	Requirements for Crushed Container Acceptance re: Reverse Vending Machines	A dealer providing a reverse vending machine must provide alternative procedures for redeeming crushed cans or other returnable containers rejected by the reverse vending machine.	Sec.22a-245-4 RCSA

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Dealer	Brand Discontinued	If the dealer discontinues selling a certain brand beverage, he shall continue to redeem that type of container for at least 60 days after the date of the last sale of that type of beverage. Sixty days before the last date for redemption, the dealer shall post notice of that last redemption date.	Sec22a-245(b) CGS
Dealer – of Beverage Dispensing Vending Machines	Notice Posting	At each vending machine dispensing beverages, at a minimum, the following information must be posted by the vending machine dealer: 1) location & business hours of vending machine dealer’s headquarters; and/or 2) location & business hours of a redemption center or other dealer, within one mile of the vending machine, with whom the vending machine dealer has	Sec. 22a-245-6 (a)RCSA

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
		made arrangements for handling redemptions.	
Distributor	Definition of a "Sponsored Redemption Center" for Subsection –Sec.22a-245(c) only	For the purpose of subsection 22a-245(c) a redemption center is considered sponsored by a dealer if: 1) the dealer refuses to redeem beverage containers and refers customers to the redemption center; or 2) there is an agreement between the dealer and the redemption center requiring the redemption center to remove empty containers from the dealer.	Sec.22a-245 (c) CGS
Distributor	Requirements for Container Acceptance (Container Type & from Whom)	Must, for the kinds of beverage containers sold by the distributor, accept from and pay the refund value to a dealer or redemption center,	Sec.22a-245 (c) CGS

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
		<p>either 1) located and operated exclusively within the territory of the distributor; or 2) whose operator certifies that the redeemed containers were from a dealer located in that territory Unless: 1) the container contains foreign material; or 2) the container is not labeled [22a-244(a)]</p>	
Distributor	Requirements For Container Removal from Serviced Dealers & Sponsored Redemption Centers	<p>Must remove empty beverage containers from the following premises located within the territory of the distributor: 1) dealers serviced by the distributor; or 2) redemption centers sponsored by dealers serviced by the distributor. Such removal or arrangements for removal must occur: 1) at intervals appropriate to the volume of containers handled at</p>	<p>Sec.22a-245(c) CGS Sec.22a-245-5(a) RCSA</p>

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		each site; and 2) at sufficient frequency to prevent the excessive accumulation at the dealer’s premises or redemption center.	
Distributor	Schedule of Refund Payments to Dealers and Sponsored Redemption Centers	Shall pay the refund value to dealers in accordance with the schedule for payment by the dealer to the distributor for full beverage containers; and Shall pay refund value to sponsored redemption centers not more than twenty days after receipt of the empty container.	Sec.22a-245(c) CGS
Distributor	Schedule of Refund Payments to Independent Redemption Centers	Redemption of containers from independent redemption centers shall be on a frequency schedule agreed to between the distributor and the redemption center. The frequency shall not be less than once per month unless	Sec.22a-245-5(b) RCSA

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
		the independent redemption center operator agrees that the volume handled at his redemption center is too low to warrant monthly collection	
Distributor	Payment of Handling Fees to Dealers & Redemption Centers	In addition to the refund value, a distributor shall pay a dealer or redemption center , a handling fee of at least 1 ½¢ for each beer (or other malt beverage) bottle and 2¢ for each carbonated soft drink bottle.	Sec.22a-245(d) CGS
Distributor	Payment by Distributors Based on Reverse Vending Machines	Agreements which address payment by distributors based on reverse vending machine activity shall also provide for an independent audit at least 2 times per year.	Sec.22a-245-6(b) RCSA
Distributor	Requirement to Pay Refund to Manufacturer	Shall not be required to pay a manufacturer the refund value of a	Sec.22a-245(d) CGS

Regulated Entity	Subject	Requirement	Relevant Statute or Regulation Reference
		nonrefillable beverage container.	
Distributor	Brand Discontinued	If the distributor discontinues selling a certain brand beverage, he shall continue to redeem that type of empty container for at least 150 days after the date of the last delivery of that type of beverage. At least 120 days before the last date for redemption, the distributor shall notify the dealer that the distributor will no longer redeem that type of container.	Sec.22a-245(c) CGS
Violators	Penalties	Fines for violation of Sec.22a-244 or 22a-245: 1st Offense – not less than \$50 nor more than \$100; 2nd Offense – not less than \$100 nor more than \$200; 3rd Offense – not less than \$250 nor more than \$500.	Sec.22a-246 CGS

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