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BEVERAGE CONTAINER DEPOSIT LAWS AND IOWA’S BOTTLE BILL

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BEVERAGE CONTAINER DEPOSIT LAWS

I. State Beverage Container Deposit Laws

A. Background

Beverage container deposit laws, also known as “bottle bills,” require a refundable deposit to be paid on certain beverage containers. The laws are designed to encourage a high rate of recycling of beverage containers. The frequently cited purposes for such laws include reducing beverage container litter and conservation of natural resources.¹ Iowa is one of 10 states with a bottle bill law in effect. The states with bottle bills in effect are California, Connecticut, Hawaii, Iowa, Maine, Massachusetts, Michigan, New York, Oregon, and Vermont. With the exception of Hawaii, all of the bottle bills were enacted during the 15-year period from 1971 to 1986.² Hawaii enacted a bottle bill in 2002 and the law was implemented on January 1, 2005.³ The bottle bill in Delaware was repealed in 2010.⁴ Guam passed a bottle bill in 2010⁵ but has yet to implement the law. Numerous foreign governments have also implemented bottle bills.

Iowa’s bottle bill passed in 1978 and was approved by the Governor on May 12, 1978.⁶ The Act took effect May 1, 1979, for beverage containers purchased from state liquor stores in Iowa, and on July 1, 1979, for all remaining containers covered by the Act.⁷ This Legislative Guide provides an overview of the history of Iowa’s bottle bill, explains generally how Iowa’s bottle bill works, and provides a brief comparison of bottle bills in other jurisdictions.

B. Iowa’s Bottle Bill

1. History

Since enactment, Iowa’s bottle bill has been amended by 21 separate pieces of legislation.⁸ Some of the amendments included minor corrections or conforming changes resulting from amendments to other areas of the Iowa Code.⁹ Many of the amendments related to the inclusion of alcoholic beverage containers in the bottle bill.¹⁰ One amendment added the two fraudulent practice penalties now found in Iowa Code section 455C.12.¹¹ Another amendment repealed prohibitions on snap-top cans and plastic cans.¹² Other amendments related to the prohibition against the disposal

¹ Cal. Pub. Res. Code §14501(j) (2021); Me. Stat. tit. 38, §3101 (2020); N.Y. Envtl. Conserv. Law §27-1001 (2021).

² 1986 Cal. Stat. 4539; 1978 Conn. Acts 10 (Reg. Sess.); 1978 Iowa Acts, ch. 1162; 1975 Me. Laws 3315; 1981 Mass. Acts 799; 1976 Mich. Pub. Acts 1759 (Initiated Law 1); 1982 N.Y. Laws ch. 200; 1971 Or. Laws 2015; 1972 Vt. Acts & Resolves 465.

³ 2002 Haw. Sess. Laws 616.

⁴ 77 Del. Laws ch. 275 (2010).

⁵ Guam Pub. L. 30-221 (2010).

⁶ 1978 Iowa Acts, ch. 1162.

⁷ 1978 Iowa Acts, ch. 1162, §14. But see 1979 Iowa Acts, ch. 113, §7 (allowing a grace period through July 31, 1979, for beverage containers sold in Iowa by dealers or distributors other than the Iowa Beer and Liquor Control Department if the beverage containers did not have a refund value indication embossed, stamped, or otherwise attached).

⁸ 2019 Iowa Acts, ch. 59, §138; 2018 Iowa Acts, ch. 1023, §17; 2013 Iowa Acts, ch. 12, §§11, 26; 2008 Iowa Acts, ch. 1191, §78; 1992 Iowa Acts, ch. 1242, §§34-35; 1992 Iowa Acts, ch. 1215, §14; 1991 Iowa Acts, ch. 268, §§433-435; 1989 Iowa Acts, ch. 272, §§34-37; 1989 Iowa Acts, ch. 161, §9; 1989 Iowa Acts, ch. 44; 1988 Iowa Acts, ch. 1200; 1987 Iowa Acts, ch. 115, §60; 1987 Iowa Acts, ch. 22, §§3, 12-17; 1986 Iowa Acts, ch. 1245, §§1899C-1899D; 1985 Iowa Acts, ch. 32, §§111-113; 1983 Iowa Acts, ch. 84; 1982 Iowa Acts, ch. 1199, §71; 1980 Iowa Acts, ch. 1151; 1980 Iowa Acts, ch. 1148, §80; 1980 Iowa Acts, ch. 1012, §§57 and 58; 1979 Iowa Acts, ch. 113.

⁹ 2019 Iowa Acts, ch. 59, §138; 1989 Iowa Acts, ch. 44; 1987 Iowa Acts, ch. 115, §60; 1986 Iowa Acts, ch. 1245, §§1899C-1899D; 1982 Iowa Acts, ch. 1199, §71; 1980 Iowa Acts, ch. 1148, §80; 1980 Iowa Acts, ch. 1012, §§57-58.

¹⁰ 1992 Iowa Acts, ch. 1242, §§34-35; 1992 Iowa Acts, ch. 1215, §14; 1991 Iowa Acts, ch. 268, §§433-435; 1989 Iowa Acts, ch. 272, §§34-36; 1989 Iowa Acts, ch. 161, §9; 1987 Iowa Acts, ch. 22, §§3, 12-17; 1985 Iowa Acts, ch. 32, §§111-113.

¹¹ 1979 Iowa Acts, ch. 113, §4.

¹² 2013 Iowa Acts, ch. 12, §§11, 26.

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of beverage containers at sanitary landfills;¹³ the time requirements for distributors to accept and pick up beverage containers and to pay the refund value;¹⁴ the definition of redemption center, dealer agent, and geographic territory;¹⁵ the handling fee;¹⁶ nonrefillable containers;¹⁷ the importation of beverage containers into the state;¹⁸ the authorization of agreements between distributors;¹⁹ and the implementation and later repeal of a grant program for independent redemption centers.²⁰

2. Understanding Iowa's Bottle Bill

There are two steps to understanding the basics of Iowa's bottle bill. First, all the persons handling a beverage container during the beverage container's lifetime must be identified. Second, the 5-cent refund value must be traced as it passes from person to person.

a. Persons Handling a Beverage Container.

A distributor is a person who engages in the sale of beverages in beverage containers to a dealer who sells such beverages.²¹ A dealer is a person who engages in the sale of beverages in beverage containers to a consumer.²² A consumer is the person who purchases the beverage in a beverage container from a dealer for use or consumption.²³

There are two other key entities who are involved in the return of beverage containers. First, a dealer agent is a person who solicits or picks up empty beverage containers from a dealer for the purpose of returning the empty beverage containers to a distributor or manufacturer.²⁴ Second, a redemption center is a facility at which consumers may return empty beverage containers and receive the refund value.²⁵ A redemption center may also be the premises of a dealer if the dealer voluntarily chooses to accept and pay the refund value for empty beverage containers of a kind, size, and brand not sold by the dealer.²⁶

b. Tracing the Refund Value.

A beverage container begins its journey when a distributor sells a beverage in a beverage container to a dealer. In addition to the price of the product, the distributor charges the dealer an amount equivalent to the refund value of 5 cents for each new beverage in a beverage container sold to a dealer. The dealer then charges the consumer the purchase price of the product plus the refund value of 5 cents for each beverage container purchased by the consumer for consumption off the premises of the dealer.²⁷

¹³ 1992 Iowa Acts, ch. 1215, §14; 1991 Iowa Acts, ch. 268, §435; 1989 Iowa Acts, ch. 272, §37.

¹⁴ 1983 Iowa Acts, ch. 84.

¹⁵ 1988 Iowa Acts, ch. 1200.

¹⁶ 1980 Iowa Acts, ch. 1151.

¹⁷ 1979 Iowa Acts, ch. 113, §§1, 2, 6.

¹⁸ 1979 Iowa Acts, ch. 113, §3.

¹⁹ 1979 Iowa Acts, ch. 113, §5.

²⁰ 2018 Iowa Acts, ch. 1023, §17; 2008 Iowa Acts, ch. 1191, §78.

²¹ Iowa Code §455C.1(9).

²² Iowa Code §455C.1(5).

²³ Iowa Code §455C.1(4).

²⁴ Iowa Code §455C.1(6).

²⁵ Iowa Code §455C.1(13).

²⁶ Iowa Admin. Code 567-107.2, 107.4.

²⁷ Iowa Code §455C.2(1).



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When the consumer returns an empty beverage container to a dealer or a redemption center, the dealer or redemption center accepting the empty beverage container is required to pay the consumer the refund value of 5 cents.²⁸ Dealers are required to accept from consumers empty beverage containers that are a kind, size, and brand sold by the dealer.²⁹ A distributor is required to pick up empty containers from dealers and redemption centers at least weekly, or when the distributor delivers the beverage product if deliveries are less frequent than weekly.³⁰ A distributor is required to accept from a dealer agent any empty container of the kind, size, and brand sold by the distributor and that was picked up by the dealer agent from a dealer within the geographic territory served by the distributor.³¹ For each empty container accepted by the distributor, the distributor is required to pay the dealer, dealer agent, or person operating a redemption center the refund value of 5 cents³² and the handling fee of 1 cent per empty container.³³

3. Beverage and Beverage Container Requirements

a. Beverages.

Wine, alcoholic liquor, beer, high alcoholic content beer, mineral water, soda water, and similar carbonated soft drinks in a liquid form are beverages for which the containers are included under Iowa's bottle bill.³⁴ Mineral water is water naturally or artificially infused with mineral salts or gases and such water may be carbonated or uncarbonated. Soda water is water that is carbonated.³⁵

b. Containers.

Each beverage container included under Iowa's bottle bill and sold or offered for sale in this state is required to indicate, by embossing or by a stamp, label, or other method securely affixed to the container, the refund value of the container.³⁶ Point type, color contrast, and other labeling requirements are provided for in the Iowa Administrative Code.³⁷ The container requirements do not apply to certain refillable glass beverage containers, to other refillable beverage containers exempted by the Director of the Department of Natural Resources, or to beverage containers sold aboard a commercial airliner or passenger train for consumption on the premises.³⁸

4. Prohibitions

Final disposal of a beverage container by a dealer, distributor, manufacturer, or person operating a redemption center, in a sanitary landfill, is prohibited. This

²⁸ Iowa Code §455C.2(1).

²⁹ Iowa Code §455C.3(1).

³⁰ Iowa Code §455C.3(2).

³¹ Iowa Code §455C.3(4).

³² Iowa Code §§455C.3(2), (4).

³³ Iowa Code §455C.2(2).

³⁴ Iowa Code §455C.1(1); Iowa Admin. Code 567-107.2.

³⁵ Iowa Admin. Code 567-107.2.

³⁶ Iowa Code §455C.5(1). Canned cocktails are not included in the definition of "beverage," but alcoholic beverage control provisions and provisions applicable to brewers and wholesalers in the Iowa Code also apply to canned cocktails and manufacturers and wholesalers of canned cocktails, respectively. In practice, canned cocktails include a stamp or label indicating the refund value of the container. See Iowa Code §§123.126A, 123A.13.

³⁷ Iowa Admin. Code 567-107.3.

³⁸ Iowa Code §455C.5(3).

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prohibition began on July 1, 1990, and does not include final disposal by a consumer. Final disposal of beverage containers used to contain alcoholic liquor by a dealer, distributor, manufacturer, or a person operating a redemption center, in a sanitary landfill, is also prohibited. This prohibition began on September 1, 1992, and, again, does not include final disposal by consumers.³⁹

5. Miscellaneous Provisions

a. Redemption Centers.

In order to facilitate the return of empty beverage containers and to serve dealers of beverages, a redemption center may be established, subject to approval by the Department of Natural Resources, where consumers may return empty containers and receive payment of the refund value.⁴⁰ The department, in an order approving a redemption center, is required to identify the dealers to be served by the redemption center and the kind and brand names of empty beverage containers that the redemption center must accept.⁴¹ Approval of a redemption center may be reviewed by the department at any time.⁴²

Iowa's bottle bill also allows unapproved redemption centers to be established. Such centers do not need to be approved by the department and do not relieve a dealer from the responsibility of redeeming any empty beverage containers of the kind and brand sold by the dealer.⁴³

b. Refusal to Accept Containers.

The general rule is that dealers are required to accept from consumers empty beverage containers that are a kind, size, and brand sold by the dealer.⁴⁴ However, a dealer may refuse to accept and to pay the refund value on any empty beverage container if the place of business of the dealer and the kind and brand of empty beverage containers are included in an order by the department approving a redemption center.⁴⁵ A dealer, a person operating a redemption center, a distributor, or a manufacturer may refuse to accept any empty beverage container that does not have stated on it a refund value.⁴⁶ A manufacturer or distributor may refuse to accept and to pay the refund value and handling fee on any empty beverage container that was picked up by a dealer agent from a dealer outside the geographic territory served by the manufacturer or distributor.⁴⁷

A class "E" liquor control licensee may refuse to accept and to pay the refund value on an empty alcoholic liquor container from a dealer or a redemption center or from a person acting on behalf of or who has received empty alcoholic liquor containers from a dealer or a redemption center.⁴⁸ A class "E" liquor control licensee is defined as a licensee authorized to purchase alcoholic liquor from the

³⁹ Iowa Code §455C.16.

⁴⁰ Iowa Code §455C.6(1).

⁴¹ Iowa Code §455C.6(3).

⁴² Iowa Code §455C.6(4).

⁴³ Iowa Code §455C.7.

⁴⁴ Iowa Code §455C.3(1).

⁴⁵ Iowa Code §455C.4(2).

⁴⁶ Iowa Code §455C.4(1).

⁴⁷ Iowa Code §455C.4(5).

⁴⁸ Iowa Code §455C.4(4).



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Alcoholic Beverages Division only and high alcoholic content beer from a class “A” beer permittee only and to sell the alcoholic liquor and high alcoholic content beer to patrons for consumption off the licensed premises and to other liquor control licensees.⁴⁹

c. Special Alcoholic Beverage Container Provisions.

A few special provisions exist in Iowa Code chapter 455C that relate only to alcoholic beverage containers. Distributors selling alcoholic liquor to the Alcoholic Beverages Division of the Department of Commerce are not subject to pickup requirements and payment-of-refund-value requirements of Iowa Code section 455C.3, subsection 2. The Alcoholic Beverages Division provides for the disposal of empty beverage containers as required by Iowa Code section 455C.3, subsection 2, and is required to give priority consideration to recycling, to the extent possible, before other appropriate disposal methods are considered.⁵⁰ Also, certain beverage containers containing alcoholic liquor and beer are exempted from labeling requirements for beverages imported into this state.⁵¹

6. Penalties

Iowa Code section 455C.12 contains a number of penalty provisions for violations of various provisions of Iowa’s bottle bill. A person violating provisions of the bottle bill relating to the payment of refund values, the acceptance of empty beverage containers, and refund value labeling requirements commits a simple misdemeanor.⁵² A distributor who collects or attempts to collect a refund value on an empty container, with the exception of certain refillable beverage containers, when the distributor has paid the refund value on the container to a dealer, dealer agent, or person operating a redemption center commits a fraudulent practice.⁵³ A person also commits a fraudulent practice when the person collects or attempts to collect the refund value on an empty container a second time, with the exception of certain beverage containers that are intended to be refillable; manufactures, sells, possesses, or applies a false or counterfeit label or indication that shows a refund value, with intent to use the false or counterfeit label or indication; or collects or attempts to collect a refund value on a container with the use of a false or counterfeit label or indication showing a refund value, knowing the label or indication to be false or counterfeit.⁵⁴

A beer distributor violating Iowa Code section 455C.14, relating to the redemption of refused nonrefillable metal beverage containers, commits a simple misdemeanor.

7. Recycling Rates

Research shows that recycling rates for containers regulated by Iowa’s bottle bill are higher than recycling rates for other containers. As of 2000, about 93 percent

⁴⁹ Iowa Code §123.30(3)(e).

⁵⁰ Iowa Code §455C.3(5).

⁵¹ Iowa Code §455C.5(2).

⁵² Iowa Code §455C.12(1).

⁵³ Iowa Code §455C.12(2), (5).

⁵⁴ Iowa Code §455C.12(3), (5).

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of all containers sold in Iowa that held carbonated beverages were recycled.⁵⁵ In 2018, however, that rate was closer to 71 percent.⁵⁶ Additionally, the recycling rate for containers sold in Iowa that held noncarbonated beverages was only about 26 percent.⁵⁷

C. Other States

As was previously stated, Iowa is one of 10 states with a bottle bill in effect. While all of the bottle bills operate in generally a similar manner, differences exist, such as what beverage containers are covered, the refund value, the handling fee, the reclamation system, and what happens to unclaimed deposits. This Guide does not attempt to define all of the differences between the various bottle bills, but, rather, identifies some of the more significant differences among the laws as of October 2021.

1. Beverage Containers Covered

All bottle bills cover beverage containers for beer, soft drinks, and either mineral water, soda water, or both mineral and soda water. Hawaii, Iowa, Maine, and Vermont include beverage containers for liquor in their bottle bills.⁵⁸ The Iowa and Maine laws include beverage containers for wine.⁵⁹ California, Hawaii, Maine, Michigan, New York, and Vermont all include beverage containers for mixed wine drinks or wine coolers under their bottle bills.⁶⁰ In addition to the usual beverage containers, Connecticut's and Oregon's bottle bills include containers for "similar carbonated soft drinks."⁶¹ Connecticut, New York, and Oregon are the most recent states to add containers for water to the list of beverage containers covered under their bottle bills.⁶²

Hawaii, Maine, and California have three of the most expansive bottle bill laws. The Maine law includes beverage containers for beer, ale or other drink produced by fermenting malt, spirits, wine, hard cider, wine coolers, soda or noncarbonated water, and all nonalcoholic carbonated or noncarbonated drinks except for milk and dairy-derived products, rice milk, and unflavored soy milk.⁶³ The California law includes beer, wine and distilled spirit coolers, carbonated and noncarbonated water including soda and mineral water, carbonated soft drinks, noncarbonated soft drinks and sport drinks, noncarbonated fruit drinks that contain any percentage of fruit juice, carbonated fruit drinks, coffee and tea drinks, and vegetable juice in containers of 16 ounces or less.⁶⁴ In Hawaii, the law includes containers for beer, ale, or other drinks produced by fermenting malt, mixed spirits, mixed wine, tea and coffee regardless of dairy-derived product content, soda, or noncarbonated water, and all nonalcoholic drinks in liquid form and intended for human consumption.⁶⁵

⁵⁵ Dermot Hayes, Modernizing the Iowa Bottle Bill, p. 1 (2018), www.legis.iowa.gov/docs/publications/ID/1069662.pdf (last visited September 14, 2021).

⁵⁶ *Id.* at 1-2.

⁵⁷ *Id.* at 2.

⁵⁸ Haw. Rev. Stat. §342G-101 (2020); Iowa Code §455C.1(1); Me. Stat. tit. 38, §3102(1) (2020); Vt. Stat. Ann. tit. 10, §1521(1) (2021).

⁵⁹ Iowa Code §455C.1(1); Me. Stat. tit. 38, §3102(1) (2020).

⁶⁰ Cal. Pub. Res. Code §14504 (2021); Haw. Rev. Stat. §342G-101 (2020); Me. Stat. tit. 38, §3102(1) (2020); Mich. Comp. Laws Ann. §445.571(1)(a) (2021); N.Y. Env'tl. Conserv. Law §27-1003(1) (2021); Vt. Stat. Ann. tit. 10, §1521(1) (2021).

⁶¹ Conn. Gen. Stat. §22a-243(1) (2021); Or. Rev. Stat. §459A.700(1) (2019).

⁶² Conn. Gen. Stat. §22a-243 (2021); N.Y. Env'tl. Conserv. Law §27-1003(1) (2021); Or. Rev. Stat. §459A.700(1) (2019).

⁶³ Me. Stat. tit. 38, §3102(1) (2020).

⁶⁴ Cal. Pub. Res. Code §14504(a) (2021).

⁶⁵ Haw. Rev. Stat. §342G-101 (2020).



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2. Refund Values

As a general rule, most bottle bills have a refund value of 5 cents. The three most notable exceptions are Michigan, California, and Oregon. Michigan has a refund value of 10 cents for all containers.⁶⁶ In California, consumers receive a refund of 4 cents if the beverage container has a capacity of less than 24 ounces and 8 cents if the beverage container has a capacity of 24 ounces or more.⁶⁷ Beginning July 1, 2007, if certain recycling measures are met during the previous calendar year, the minimum refund value for beverage containers with a capacity of less than 24 ounces increases to 5 cents and the minimum refund value for beverage containers with a capacity of 24 ounces or more increases to 10 cents.⁶⁸ Beginning April 1, 2017, the refund value for most beverage containers in Oregon increased from 5 cents to 10 cents as a result of decreasing redemption rates triggering a provision in the state's bottle bill.⁶⁹

Maine and Vermont have refund values of 5 cents with exceptions for certain types of containers.⁷⁰ Maine has a refund value of 15 cents for wine and liquor containers of more than 50 milliliters.⁷¹ Vermont has a deposit amount of 15 cents for liquor containers of more than 50 milliliters.⁷² Additionally, Oregon has a refund value of not less than 2 cents for certified reusable beverage containers.⁷³

3. Handling Fees

Unlike refund values, there is not a common handling fee among the states. Seven states have a specific handling fee in place and the fee ranges from 1 cent in Iowa to 4.5 cents in Maine.⁷⁴ Oregon does not have a handling fee or any other form of reimbursement in place. Michigan and California have a form of reimbursement in place instead of a handling fee. In Michigan, distributors and manufacturers holding unclaimed deposits are required to annually pay such deposits to the state.⁷⁵ The unclaimed deposits paid to the state are deposited in the Bottle Deposit Fund and 25 percent of the fund is disbursed to dealers on an apportioned basis based on the number of empty returnable containers handled by the dealers.⁷⁶ In California, the Department of Conservation pays a floating handling fee that is annually assessed and adjusted based on a formula.⁷⁷ Hawaii uses a variable rate that is determined in relation to the recycling rate during the previous fiscal year.⁷⁸ Connecticut varies the amount of the handling fee based on the type of beverage container.⁷⁹ The handling fee in Vermont is 4 cents for brand-sorted containers and 3.5 cents for commingled brands.⁸⁰

⁶⁶ Mich. Comp. Laws Ann. §455.571(1)(d) (2021).

⁶⁷ Cal. Pub. Res. Code §14560(b) (2021).

⁶⁸ Cal. Pub. Res. Code §14560(a)(3) (2021).

⁶⁹ Or. Rev. Stat. §459A.705(3) (2019).

⁷⁰ Me. Stat. tit. 38, §3103 (2020); Vt. Stat. Ann. tit. 10, §1522(a) (2021).

⁷¹ Me. Stat. tit. 38, §3103(4) (2020).

⁷² Vt. Stat. Ann. tit. 10, §1522(a) (2021).

⁷³ Or. Rev. Stat. §459A.705(3) (2019).

⁷⁴ Iowa Code §455C.2(2); Me. Stat. tit. 38, §3106(7) (2020).

⁷⁵ Mich. Comp. Laws Ann. §445.573b (2021).

⁷⁶ Mich. Comp. Laws Ann. §445.573c (2021).

⁷⁷ Cal. Pub. Res. Code §14585(f) (2021).

⁷⁸ Haw. Rev. Stat. §§342G-102, 342G-117 (2020).

⁷⁹ Conn. Gen. Stat. §22a-245(d) (2021).

⁸⁰ Vt. Stat. Ann. tit. 10 §1522(b) (2021).



4. Unclaimed Deposits

In Iowa and under some other bottle bills, the unclaimed deposits are retained by bottlers and distributors. In Michigan, all unclaimed deposits are deposited in the state's Bottle Deposit Fund.⁸¹ Twenty-five percent of the fund is used to provide moneys to dealers and the remaining 75 percent is deposited in the state's Cleanup and Redevelopment Trust Fund.⁸² Once \$200 million accumulates in the trust fund, interest and earnings of the trust fund are used, upon appropriation, for environmental remediation purposes.⁸³ Previously in Massachusetts, unclaimed deposits were collected from bottlers and distributors and deposited in the state's Clean Environment Fund.⁸⁴ The Clean Environment Fund was repealed in 2003,⁸⁵ and currently the collected unclaimed deposits are deposited in the General Fund of the State. In Hawaii, the State Department of Health retains all unclaimed deposits that are deposited in the Deposit Beverage Container Deposit Special Fund to be used for administrative and recycling-related purposes.⁸⁶ In New York, 80 percent of the unclaimed deposits are collected on a quarterly basis and deposited in the state General Fund.⁸⁷ In Connecticut, all unclaimed deposits are collected on a quarterly basis for deposit in the state General Fund.⁸⁸

California retains all unclaimed deposits under a reclamation system in which distributors make redemption payments directly to the state for every beverage container sold or transferred to a dealer,⁸⁹ the redemption payments are deposited in the California Beverage Container Recycling Fund,⁹⁰ and the state pays refund values to processors for every beverage container received by the processor from a certified recycling center, curbside program, dropoff or collection program, or nonprofit dropoff program.⁹¹ Moneys in the fund that are not used to pay refund values and administrative fees or to administer the program are set aside to use for purposes of paying handling fees, supporting curbside programs and neighborhood dropoff programs, providing support for beverage container recycling and litter reduction programs, paying processing payments, undertaking and cooperating in statewide public education and information campaigns, and paying quality glass incentive payments.⁹² For the fiscal years 2019-2020 through 2021-2022, up to \$10 million in the fund may be used each fiscal year for market development payments to reclaimers and product manufacturers.⁹³ For the fiscal years 2019-2020 through 2025-2026, a total of \$5 million in the fund may be used to support recycling pilot projects.⁹⁴

⁸¹ Mich. Comp. Laws Ann. §445.573c (2021).

⁸² Mich. Comp. Laws Ann. §445.573c(2) (2021).

⁸³ Mich. Comp. Laws Ann. §445.573e(5) (2021).

⁸⁴ Mass. Ann. Laws ch. 94, §323D (2020).

⁸⁵ 2003 Mass. Acts 26, §296.

⁸⁶ Haw. Rev. Stat. §342G-104 (2020).

⁸⁷ N.Y. Env'tl. Conserv. Law §27-1012 (2021).

⁸⁸ Conn. Gen. Stat. §22a-245a (2021).

⁸⁹ Cal. Pub. Res. Code §§14523 and 14574(a) (2021).

⁹⁰ Cal. Pub. Res. Code §14580(a) (2021).

⁹¹ Cal. Pub. Res. Code §14573 (2021).

⁹² Cal. Pub. Res. Code §14581 (2021).

⁹³ Cal. Pub. Res. Code §14581(8) (2021).

⁹⁴ Cal. Pub. Res. Code §14581(9) (2021).



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II. Foreign Beverage Container Deposit Laws

As was previously stated, numerous foreign governments have implemented bottle bills.⁹⁵ Some countries, such as Canada and Australia, leave the implementation of bottles bills up to states, provinces, or territories.⁹⁶ Other countries, most of which are smaller in terms of population or landmass, tend to use a centralized national system.⁹⁷ Some cities have also set up beverage container redemption programs: Istanbul, Turkey, and Rome, Italy, have both implemented pilot projects in which a person may return empty containers to designated metro stations in exchange for ride credit.⁹⁸

III. Summary

Iowa is one of 10 states with a bottle bill law in effect. Iowa's bottle bill is typical in terms of what beverage containers are covered and the refund values applied. Iowa is one of the states in which the bottlers and distributors may retain unclaimed deposits. Also, while Iowa's bottle bill is typical for imposing a handling fee, the handling fee amount is on the low end of the scale compared to other states' handling fees. Only one state, Delaware, has repealed its bottle bill. Beverage container control programs have also become more common worldwide among all levels of government.

⁹⁵ See Bottle Bill Resource Guide, www.bottlebill.org/ (last visited Sept. 14, 2021) (providing a database of current and proposed bottle bills throughout the world).

⁹⁶ See, e.g., Beverage Container Recycling Regulation, Alta. Reg. 101/1997 (Can.) (bottle bill for the province of Alberta, Canada); *Waste Avoidance and Resource Recovery Regulation 2017* (NSW) (Austl.) (bottle bill for the state of New South Wales, Australia).

⁹⁷ See, e.g., Verpackungsverordnung [VerpackV] [Packaging Ordinance], Aug. 21, 1998, Bundesgesetzblatt, Teil I [BGBl I] at 2379, §9, as amended (Ger.) (bottle bill for Germany); Förordning om retursystem för plastflaskor och metallburkar (Svensk författnings-samling [SFS] 2005:220) (Swed.) (bottle bill for Sweden).

⁹⁸ Ceylan Yeginsu, *Istanbul Vending Machines Offer Subway Credit for Recycled Bottles and Cans*, N.Y. Times, Oct. 17, 2018, www.nytimes.com/2018/10/17/world/europe/istanbul-vending-machines-recycling-subway.html#:~:text=The%20city%20is%20installing%20%E2%80%9Creverse,shred%20and%20sort%20the%20material; Jenny Eagle, *Rome To Trial Recycling Plastic Bottles in Return for Metro Tickets*, Beveragedaily.com, Aug. 6, 2019, www.beveragedaily.com/Article/2019/08/06/Rome-to-trial-recycling-plastic-bottles-in-return-for-metro-tickets.