

455C.12 Penalties.

1. Any person violating the provisions of [section 455C.2](#), [455C.3](#), or [455C.5](#), or a rule adopted under [this chapter](#), shall be guilty of a simple misdemeanor.
2. A distributor who collects or attempts to collect a refund value on an empty beverage container when the distributor has paid the refund value on the container to a participating dealer, redemption center, or consumer is guilty of a fraudulent practice.
3. Any person who does any of the following acts is guilty of a fraudulent practice:
 - a. Collects or attempts to collect the refund value on the container a second time, with the knowledge that the refund value has once been paid by the distributor to a participating dealer, redemption center, or consumer.
 - b. Manufactures, sells, possesses, or applies a false or counterfeit label or indication that shows or purports to show a refund value for a beverage container, with intent to use the false or counterfeit label or indication.
 - c. 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.
4. As used in [this section](#), a false or counterfeit label or indication means a label or indication purporting to show a valid refund value which has not been initially applied as authorized by a distributor.
5. [Subsection 2](#) and [subsection 3](#), paragraph “a”, of [this section](#) have no application to empty beverage containers which are intended to be refillable and are in a standard of condition except for sanitization to be refillable by the manufacturer.
6. A person who knowingly attempts to redeem a beverage container that is not properly marked as required by [section 455C.5](#), [subsection 1](#), shall be subject to a civil penalty not to exceed ten dollars per improperly marked beverage container, but not to exceed five thousand dollars total per attempted transaction.
7. Except as provided in [subsection 6](#), a person who violates any provision of [this chapter](#) shall be subject to a civil penalty of two thousand dollars per violation, which shall be assessed and collected in the same manner as provided in [section 455B.109](#). Any civil penalty collected under [this chapter](#) shall be deposited in the bottle bill fund established in [section 455C.12D](#).

[C79, 81, §455C.12]

[2013 Acts, ch 12, §11](#); [2022 Acts, ch 1139, §9, 10, 20](#)

Referred to in [§455C.12D](#)

⁽¹⁾Fraudulent practices, see [§714.8](#) - 714.14

⁽²⁾2022 amendments to section effective January 1, 2023; 2022 Acts, ch 1139, §20

⁽³⁾Subsections 2 and 3 amended

⁽⁴⁾NEW subsections 6 and 7