

Senate File 2311

H-8384

1 Amend Senate File 2311, as passed by the Senate, as
2 follows:

3 1. Page 1, line 9, after <industries> by inserting
4 <, including the promotion of recycling and bottle
5 deposit programs which protect precious agricultural
6 resources>

7 2. Page 2, after line 27 by inserting:

8 <DIVISION
9 AGRICULTURAL RESOURCES

10 Sec. ____ . AGRICULTURAL RESOURCES — PLASTIC BOTTLES
11 CONTAINING NONCARBONATED BEVERAGES. The general
12 assembly finds and declares all of the following:

13 1. The consumer use of plastic bottles containing
14 noncarbonated beverages has grown significantly since
15 the enactment of this state's popular and highly
16 successful bottle deposit law, codified in chapter
17 455C.

18 2. The failure to include plastic bottles
19 containing noncarbonated beverages in this state's
20 popular and highly successful bottle deposit law has
21 substantially and negatively affected agriculture in
22 this state, by increasing litter in ditches, fields,
23 pastures, rivers, lakes, and streams.

24 3. The inclusion of plastic bottles containing
25 noncarbonated beverages in this state's popular and
26 highly successful bottle deposit law would positively
27 impact agriculture in this state and would protect
28 precious agricultural resources.

29 Sec. ____ . Section 455C.1, subsections 1 and 2, Code
30 Supplement 2011, are amended to read as follows:

31 1. "Beverage" means includes but is not limited
32 to wine as defined in section 123.3, subsection
33 47, alcoholic liquor as defined in section 123.3,
34 subsection 5, and beer all as defined in section 123.3,
35 subsection 7, mineral water, soda water and similar
36 carbonated soft drinks and any nonalcoholic carbonated
37 and noncarbonated drinks, in liquid form and intended
38 for human consumption. "Beverage" does not include any
39 of the following:

40 a. Fruit and vegetable juice and drink products.

41 b. Grade 'A' milk and milk products as specified in
42 the grade 'A' pasteurized milk ordinance, as provided
43 in section 192.102.

44 c. A liquid that is any of the following:

45 (1) A syrup.

46 (2) In a concentrated form.

47 (3) Typically added as a minor flavoring ingredient
48 in food or drink, such as extracts, cooking additives,
49 sauces, or condiments.

50 d. A liquid that is ingested in very small

1 quantities and consumed for medicinal purposes only.
2 e. A liquid that is designed and consumed only as a
3 nutritional supplement, as defined by the department,
4 and not as a beverage.
5 f. Products frozen at the time of sale to the
6 consumer, or, in the case of institutional users such
7 as hospitals and nursing homes, at the time of sale to
8 such users.
9 g. Products designed to be consumed in a frozen
10 state.
11 h. Instant drink powders.
12 i. Seafood, meat, or vegetable broths or soups.
13 j. Farm-produced apple cider that has not been
14 heated, pasteurized, or otherwise processed.
15 k. Infant formula.
16 2. "Beverage container" means any sealed glass,
17 plastic, or metal bottle, can, jar, or carton
18 containing a beverage. "Beverage container" does not
19 include any of the following:
20 a. A bottle, can, jar, or carton of three liters or
21 more in size containing a noncarbonated beverage.
22 b. A bottle, can, jar, or carton made of
23 high-density polyethylene.
24 Sec. ____ . Section 455C.2, subsection 2, Code 2011,
25 is amended to read as follows:
26 2. In addition to the refund value provided in
27 subsection 1 of this section, a dealer, or person
28 operating a redemption center who redeems empty
29 beverage containers or a dealer agent shall be
30 reimbursed by the distributor required to accept the
31 empty beverage containers an amount which is one cent
32 per container. However, the distributor shall provide
33 an additional one cent reimbursement for each beverage
34 container made of plastic. A dealer, dealer agent, or
35 person operating a redemption center may compact empty
36 metal beverage containers with the approval of the
37 distributor required to accept the containers.>
38 3. Title page, line 9, after <measures,> by
39 inserting <regulating beverage containers,>
40 4. By renumbering, redesignating, and correcting
41 internal references as necessary.

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