

House File 2155 - Introduced

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BY MCKEAN, ISENHART,  
BAUDLER, MAXWELL,  
SHEETS, HAGER, BERGAN,  
LUNDGREN, MOHR, SALMON,  
BACON, McCONKEY, FISHER,  
LENSING, WINCKLER, HOLZ,  
BAXTER, WOLFE, GUSTAFSON,  
GASKILL, KRESSIG,  
RUNNING-MARQUARDT, HUNTER,  
STECKMAN, STAED, MASCHER,  
BENNETT, BRECKENRIDGE,  
KAUFMANN, BROWN-POWERS,  
R. SMITH, NIELSEN,  
ANDERSON, OLDSON, KURTH,  
ABDUL-SAMAD, ZUMBACH,  
JACOBY, COHOON, HEATON, and  
WESSEL-KROESCHELL

**A BILL FOR**

1 An Act relating to the applicability of beverage containers  
2 control provisions and the handling fees pursuant to those  
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455C.1, subsections 1 and 2, Code 2018,  
2 are amended to read as follows:

3 1. a. "Beverage" means:

4 (1) ~~wine~~ Wine as defined in section 123.3, subsection 47T.

5 (2) ~~alcoholic~~ Alcoholic liquor or intoxicating liquor as  
6 defined in section 123.3, subsection 5T.

7 (3) ~~beer~~ Beer as defined in section 123.3, subsection 7T.

8 (4) ~~mineral~~ Mineral water, soda water, and similar  
9 carbonated soft drinks ~~in liquid form and intended for human~~  
10 consumption.

11 (5) Any liquid identified through the use of letters,  
12 words, or symbols on its product label as a type of water,  
13 including any flavored water or nutritionally enhanced water,  
14 in a container more than or equal to four fluid ounces and less  
15 than three liters.

16 (6) Tea and coffee drinks, regardless of dairy-derived  
17 content, in a container more than or equal to four fluid ounces  
18 and less than three liters.

19 (7) Any other liquid that is intended for human consumption  
20 and is in a container more than or equal to four fluid ounces  
21 and less than three liters.

22 b. For the purpose of this chapter, the term "beverage"  
23 excludes the following:

24 (1) A liquid that is a syrup, in a concentrated form, or  
25 typically added as a minor flavoring ingredient in food or  
26 drink, such as but not limited to extracts, cooking additives,  
27 sauces, or condiments, and has more than twenty percent juice  
28 content.

29 (2) A liquid that is a drug, medical food, or infant  
30 formula as defined by the federal Food, Drug, and Cosmetic Act,  
31 codified in 21 U.S.C. §301 et seq.

32 (3) A liquid that is designed and consumed only as a dietary  
33 supplement and not as a beverage as defined in the Dietary  
34 Supplement Health and Education Act of 1994, Pub. L. No.  
35 103-417.



1 returns. A distributor collects eligible containers from a  
2 dealer, dealer agent, or redemption center, at which time  
3 the distributor pays the dealer, dealer agent, or redemption  
4 center 5 cents per eligible container plus a handling fee of an  
5 additional 1 cent per empty container.

6 This bill expands the definition of "beverage" and excludes  
7 certain substances from that definition. The bill removes jars  
8 and cartons from the definition of "beverage container" and  
9 instead excludes jars, cartons, foil pouches, and drink boxes.  
10 The bill also increases the handling fee that a dealer, dealer  
11 agent, or redemption center will charge a distributor from 1  
12 cent to 2 cents.