OREGON'S BOTTLE BILL Frequently Asked Questions



How does Oregon's beverage container redemption system work?

In general, a distributor charges a 10-cent deposit when it delivers beverages covered under Oregon's Bottle Bill to a store, then the store charges a 10-cent deposit when it sells those beverages to a customer. When a customer returns the empty containers to a store or redemption center, the store pays the customer 10 cents per container, and when the store returns the empty containers to a distributor, the distributor pays 10 cents per container to the stores.

What is the refund value per container?

The Oregon refund value on redeemable containers is 10 cents.

What kinds of beverages are included in Oregon's Bottle Bill and have a 10-cent refund value?

The beverages listed below have a 10-cent refund value if they are in **glass**, **metal**, **or plastic bottles or cans** in the following sizes:

Three liters or less:

- water
- carbonated beverages
- beer and malt beverages
- kombucha
- hard seltzer

From 4 ounces up to and including 1.5 liters:

- other non-alcoholic beverages (includes but is not limited to tea, coffee, juice, and energy, and sports drinks)
- other alcoholic beverages (includes but is not limited to hard cider up to and including 8.5% alcohol by volume; excludes distilled liquor and wine)
- marijuana and hemp beverages

Why don't beverages in all types of containers have an Oregon refund value?

Oregon law specifically says beverages in cartons, foil pouches, drink boxes, and metal containers that require a tool to be opened do not have a refund value. Also, beverages in growlers and crowlers do not have a refund value because they are not factory sealed. Only beverages in sealed glass, metal, or plastic bottles and cans are included in the Bottle Bill.

I was charged a deposit on a bottle of kombucha but it doesn't have OR 10ϕ on it. Can a store do that? Can I redeem the bottle?

All beverages that have an Oregon refund value must currently be labeled with OR 10ϕ in order to legally be sold or offered for sale, except for kombucha, hard seltzer, and oral electrolyte replacement beverages. They are not required to have OR 10ϕ on their containers until January 1, 2021. Even without OR 10ϕ on the container, retailers may charge a 10-cent deposit on kombucha, hard seltzer, and oral electrolyte replacement beverages and must pay the customer 10 cents per container when redeemed. Beginning January 1, 2021, containers of kombucha, hard seltzer, and oral electrolyte replacement beverages cannot legally be sold in Oregon without OR 10ϕ on the container.

What kinds of beverage containers must stores accept?

Retailers that are <u>5,000 or more square feet</u> in size that accept containers (see <u>How</u> <u>many containers must stores accept each day?</u>) must accept containers for all brands and sizes for each kind of beverage they sell. There are five kinds of beverages covered under the Bottle Bill:

- 1) Waters
- 2) Carbonated beverages
- 3) All other non-alcoholic beverages (excluding infant formula, liquid meal replacements, and dairy or plant-based milk if milk is listed as first ingredient)
- 4) Alcoholic beverages, including hard seltzer (excluding distilled liquor and wine)
- 5) Beverages containing marijuana or hemp

If a store <u>5,000 or more square feet</u> sells any beverage in one of these categories, it must accept empties for all brands and sizes of beverages in that category even if they don't sell those specific brands or sizes. For example, if a store sells sports drinks, it must accept empty containers for every beverage in the "other non-alcoholic beverages" category, which includes juice, tea, coffee, smoothies, mixers, etc., even if it's another store's brand.

Retailers <u>under 5,000 square feet</u> may refuse to accept containers if they don't sell that brand or size. If a store sells a brand or size, they must accept the empty container even if the beverage was purchased at another store.

BottleDrop Redemption Centers, or full-service redemption centers, are required to accept all cans and bottles covered under Oregon's Bottle Bill. To find the closest redemption center to you, please check the OLCC website for a <u>complete list of redemption centers</u>.

How many containers must stores accept each day?

Retailers that are <u>5,000 or more square feet</u> must accept the following number of containers per person per day on all days and at all hours* they are open:

| Not in a full-service redemption center zone | 144 |
|---|-----|
| In a full-service redemption center zone but qualifies for an exemption | 144 |
| Participates in Zone 1 of a full-service redemption center | 0 |
| Participates in Zone 2 of a full-service redemption center | 24 |
| In a full-service redemption center zone but does not participate | 350 |
| Not in full-service redemption center zone, but is a dealer redemption center | 24 |
| | |

Retailers that are <u>under 5,000 square feet</u> must accept the following number of containers per person per day on all days and at all hours* they are open:

Not in a full-service redemption center zone50In Zone 1 or Zone 2 of a full-service redemption center24Not in full-service redemption center zone, but is a dealer redemption center24

* (See <u>COVID-19 Update: Temporary Changes</u>) The OLCC is permitting stores to temporarily limit their container return hours during Phase 1 and Phase 2 of the Governor's reopening plan.

How do I figure out if a store is in a redemption center zone?

Stores 5,000 or more square feet that participate in a full-service redemption center or are exempt from providing equivalent services to a redemption center are listed on the OLCC Bottle Bill web page here: <u>Redemption Centers Complete List</u>. Stores under 5,000 square feet that are in a full-service redemption center zone are required to have an OLCC notice posted (or a sign made by the store with equivalent information) saying they may limit returns to 24 containers per person per day (see <u>Do stores have to post</u> <u>any kind of sign about redeeming containers?</u>). You can also contact OLCC at <u>OLCC.BottleBill@oregon.gov</u> if you want to check to see if a store is in a full-service redemption center zone.

Do stores have to post any kind of sign about redeeming containers?

Stores must post signs with specific information on them in order to refuse dirty or damaged containers and to refuse more than the limits of containers listed in <u>How</u> <u>many containers must stores accept each day?</u> Oregon law requires stores to post these signs where they are clearly visible to customers in each area where containers are received. Stores may contact staff in OLCC's Bottle Bill Program at <u>OLCC.BottleBill@oregon.gov</u> to get a sign that meets the legal requirement for their store.

What is a BottleDrop Redemption Center?

A BottleDrop Redemption Center (a full-service redemption center) is a staffed facility operated by the Oregon Beverage Recycling Cooperative (OBRC) that has received approval from OLCC to accept empty beverage containers from consumers. BottleDrop Redemption Centers are staffed and open seven days per week for a minimum of 10 hours per day during June, July, and August and a minimum of 9 hours per day during other months.

BottleDrop Redemption Centers accept the following number of containers per person (or per account for account holders who use the Green or Blue Bags):

Containers fed by a customer into a reverse vending machine Hand counted by redemption center staff Green Bags (personal accounts) Blue Bags (fundraiser accounts) 350/day 50/day 15 bags/quarter 10 bags/day

Redemption centers will accept up to 50 Blue Bags per account per day by prior arrangement. Call 503-542-2847 or email <u>fundraisers@bottledropcenters.com</u> to schedule an appointment.

To find the closest full-service redemption center to you, please check the OLCC Bottle Bill webpage for <u>Redemption Centers – Complete List</u>.

Stores with reverse vending machines or BottleDrop Express facilities are not BottleDrop Redemption Centers. Stores with a BottleDrop Express installed and stores in the surrounding area must continue to accept 50 or 144 containers per person per day.

What is a BottleDrop Express and a Dealer Redemption Center?

A BottleDrop Express and a Dealer Redemption Center are facilities with drop doors for BottleDrop account holders to drop off Green and Blue Bags of containers like at a BottleDrop Redemption Center, but are located at a store. OBRC picks up the full bags from the store, counts the containers, and credits the account holder's account with the refund value of the containers within seven days, the same as at a redemption center.

Dealer Redemption Centers (DRCs), also known as partner retailers, are stores that have partnered with the OBRC under the requirements of ORS 459A.741, which was enacted in the 2019 Oregon legislative session. Not every bag drop-off location is a DRC. A DRC will have a sign posted near the drop door that will identify it as a Dealer Redemption Center. The store will also have an OLCC notice posted in its container return area (which is not necessarily near the drop door), identifying it as a DRC and indicating that the store may limit returns to 24 containers per person per day. Stores with a DRC must continue to accept container returns outside BottleDrop's Green and Blue Bag account programs at all hours* the stores are open, but may limit these returns to 24 containers per person per day. These returns would be by hand count or through a self-service machine.

BottleDrop account holders can drop up to 15 Green Bags per calendar quarter at BottleDrop locations (Redemption Centers and BottleDrop Express locations). Account holders can drop off between one to 15 bags per visit, but may not exceed 15 bags per quarter, which run January-March, April-June, July-September, and October-December. The Green Bags dropped off at DRCs do not count toward an account holder's quarterly limits on Green Bags. Blue Bags are used by Oregon nonprofits participating in the OBRC Give program. Fundraiser Blue Bags must be purchased through a Give account online and can then be picked up at any BottleDrop Redemption Center. For Blue Bag fundraiser accounts, customers may deposit through the drop door up to 10 Blue Bags per account per day.

BottleDrop Express facilities are not BottleDrop Redemption Centers and stores where the Express facilities are located and that are in the surrounding area must continue to accept 144 or 50 containers per person per day through the stores' reverse vending machines and/or by hand counting. These stores may not require that a customer open an account to return containers at the store.

DRCs must have their drop doors available for the return of Green and Blue bags from 8 AM to 8 PM if the stores are open during those hours. BottleDrop account holders will not be charged a processing fee for bags deposited at a DRC, and those bags will not count toward the 15 bag per quarter limit for Green Bags. All other BottleDrop terms and conditions apply. Except in cities with a population less than 10,000, the stores in the surrounding area must continue to accept 144 or 50 containers per person per day through the stores' reverse vending machines and/or by hand counting.

OLCC will update the list of redemption centers when it is notified that a new BottleDrop Express or DRC has opened. The list can be found <u>here</u>. Notification is required within 14 days after a DRC has opened, so the OLCC's redemption center list may not always be current. Customers can also locate BottleDrop Redemption Centers, BottleDrop Express locations, and Dealer Redemption Centers (partner retailers) <u>here</u>.

Why should I open a BottleDrop account?

Having a BottleDrop account provides convenience. Account holders can drop off containers without having to feed them into a machine or wait for a hand count. Account holders may withdraw vouchers against the funds in their account to use at stores. A store designated as a PLUS location by OBRC allows account holders to withdraw vouchers for use in the store that are worth 20% more at that store, giving customers 12 cents per container returned.

Accounts are free to open, but bags are 20 cents each and sold in rolls of 10 at redemption centers and at BottleDrop Express retailers. The cost of bags bought at a redemption center will be deducted from the customer's BottleDrop account, but customers will need to pay the retailer for bags purchased from a BottleDrop Express retailer. There is a 35-cent processing fee for each bag that is dropped off at a full-service redemption center or BottleDrop Express location, which will be deducted from the BottleDrop account. However, a processing fee is not assessed for bags dropped off at a Dealer Redemption Center.

How do I access money from my BottleDrop account?

Customers who deposit their containers into a reverse vending machine at a BottleDrop Redemption Center may collect cash for their containers at the redemption center or add the value of their redeemed containers to their BottleDrop account balance. BottleDrop account holders may access their funds and manage their accounts at kiosks located at BottleDrop Redemption Centers, at stores participating in a BottleDrop Redemption Center, and at retailers that house a BottleDrop Express.

Where can I find a BottleDrop Redemption Center, BottleDrop Express, or Dealer Redemption Center?

OLCC has approved 26 BottleDrop redemption centers around Oregon. To find a redemption center near you or for a list of each redemption center's participating retailers, see the <u>Redemption Centers - Complete List</u> posted on the OLCC Bottle Bill webpage. For more information, including locations of BottleDrop Express, DRCs, and PLUS retailers, go to the <u>BottleDrop website</u>. You can also view the application and public notice for pending redemption centers, if any, on the OLCC's Bottle Bill webpage.

Who do I contact with a complaint about a BottleDrop Redemption Center?

The Oregon Beverage Recycling Cooperative (OBRC) owns and operates all BottleDrop Redemption Centers in Oregon. OBRC's customer service number is 877-912-2019. You can also email their customer service department at <u>info@bottledropcenters.com</u>.

How does a store participate in a BottleDrop Redemption Center?

Oregon Law allows for up to two "convenience zones" surrounding a redemption center. Zone 1 is the sector within a radius of not more than two miles around the full-service redemption center. Zone 2 begins at the border of Zone 1 and extends out to a radius of not more than 3-1/2 miles around the full-service redemption center. These distances are maximums, and full-service redemption center zones may not always extend to the full distance. Also, some full-service redemption centers only have a Zone 1.

Stores that are 5,000 or more square feet in size that fall within either full-service redemption center zone may participate in the full-service redemption center by contracting with OBRC for a fee. These stores are not required to participate, but if they don't participate must provide equivalent services to those provided by the full-service redemption center, including but not limited to accepting 350 containers per person per day at all hours the store is open, installing reverse vending machines, and providing a drop off service and associated accounting system. OLCC may approve a store for an exemption from providing equivalent services if the store sold fewer than 100,000 individual beverage containers during the prior calendar year.

How does an exemption of redemption center requirements work?

Stores 5,000 or more square feet located in a full-service redemption center zone may request approval from OLCC for an exemption if they can show they sold fewer than

100,000 individual beverage containers during the prior calendar year. If a store is exempt from redemption center requirements, the store must accept at least 144 empty beverage containers per person per day. Even if a store qualifies for an exemption, it may choose to participate in a full-service redemption center to lower the number of containers it has to accept from customers.

Can stores under 5,000 square feet participate in a BottleDrop Redemption Center?

No. The Oregon legislature established that only stores 5,000 or more square feet may participate in a full-service redemption center. However, stores under 5,000 square feet may limit returns to 24 containers per person per day simply by being located within a full-service redemption center zone and by posting the required sign from OLCC. To find out if you are in a full-service redemption center zone and may limit returns to 24 containers, contact OLCC's Bottle Bill Program at OLCC.BottleBill@oregon.gov. OLCC will send you a sign showing that you may limit returns to 24 per person per day.

Can I redeem containers in Oregon that I bring in from another state?

No. The only containers that may legally be redeemed in Oregon are for beverages that were purchased in Oregon. There is no requirement that a person be an Oregon resident to redeem containers, but a retailer or full-service redemption center may refuse to accept any container if staff have reasonable grounds to believe the beverage was not purchased in Oregon. For some locations along the border with other states, staff may request receipts as proof that the beverages were purchased in Oregon or proof that a customer lives or works in Oregon.

Does a retailer have to accept crushed containers?

A retailer or full-service redemption center can't refuse to accept containers simply because they are crushed, dented, or damaged. However, if a retailer has the appropriate sign posted (see <u>Do stores have to post any kind of sign about</u> <u>redeeming containers?</u>), it may refuse to accept containers where the brand cannot be identified and/or the Oregon refund value cannot be seen. However, check out <u>I</u> <u>was charged a deposit on a bottle of kombucha but it doesn't have OR 10¢ on it</u> for the temporary exception to accepting containers of kombucha, hard seltzer, and oral electrolyte replacement beverages without an Oregon refund value.

Retailers and full-service redemption centers should refuse to accept containers that have been flattened by going through a reverse vending machine because those containers have already been redeemed. Cans that have been fed through a reverse vending machine will have small square indentations or perforations and will be fairly symmetrically crushed, and bottles will have a crushed neck.

Only one store in my town has reverse vending machines, and the machines are frequently broken. How am I supposed to return my containers?

Retailers are not required to have reverse vending machines unless they are 5,000 or more square feet, in a full-service redemption center zone, and are not participating in the full-service redemption center. No retailers currently fall within this category.

If a store's reverse vending machines are not working or are turned off* and the store is open, stores must hand count container returns. Stores must also hand count containers that qualify for redemption that for some reason are rejected by the store's machines.* (see <u>COVID-19 Updates: Temporary Changes</u> for temporary changes to container return hours)

Customers frequently encounter long lines to return containers. If a store's machines are working and there are lines, customers need to wait for their turn. If someone notices a customer using a machine beyond the limit for that store (usually 50 or 144, depending on the size of the store), the store's customer service department should be alerted. An alternative to waiting to use a store's machines is to return containers at a BottleDrop Redemption Center (a full-service redemption center), a BottleDrop Express location, or a Dealer Redemption Center (see <u>Where can I find a BottleDrop</u> <u>Redemption Center, BottleDrop Express, or Dealer Redemption Center?</u>).

Some containers won't go through a store's reverse vending machines. What do I do with those containers?

If a container is redeemable under Oregon's Bottle Bill but won't go through a reverse vending machine, the store must have staff hand count the container. Full-service redemption centers will hand count up to 50 containers per person per day.

A store refused to accept my container because it was dirty. Can they do that? If retailers have the required sign posted (see <u>Do stores have to post any kind of</u> <u>sign about redeeming containers?</u>), they may refuse to accept containers that contain foreign objects or liquids other than water or the residue of the original contents, or are caked with dirt or another substance. Customers cannot be required to wash their containers.

An auto shop that I use gives away bottles of water with their own company label. These bottles don't show an Oregon refund value. Is that okay?

Yes. Oregon's Bottle Bill requires that beverage containers that are <u>sold or offered for</u> <u>sale</u> be labeled with the Oregon refund value. Beverages that are given away are not required to show the refund value. These containers will likely not be redeemable but may be recycled.

Can a store require that cans and bottles be returned in any particular box or bag?

No, but staff may ask customers to remove their cans and bottles from the box or bag they brought the cans and bottles in and place them into a box or bag provided by the store.

Can a store refuse to accept empty beverage containers because they are out of space to store the empties or are busy?

Not legally. There is no exception in Oregon law for not having storage space or for being busy or understaffed. However, as with customers who have to wait to make purchases, customers who are returning containers cannot always expect immediate attention.

Can a store limit the hours or days that they accept container returns?

No. Retailers that must accept containers (see <u>How many containers can I redeem</u> <u>each day?</u>) must accept them on all days and at all hours* the store is open. *(see <u>COVID-19 Updates: Temporary Changes</u> for temporary changes to the hour requirement).

If a store does not charge the customer a deposit, does it have to accept container returns and/or pay a refund?

Yes. The container must be accepted, and the Oregon refund value must be paid to the customer even if the store did not charge a deposit.

A store where I shop has reverse vending machines. The store will only cash out the slips on the same day the cans and bottles are deposited into the machine. Is this allowed?

Yes. Stores with reverse vending machines may adopt a store policy that limits the time for cashing out slips from reverse vending machines. Stores should post their policy in their reverse vending machine area and/or on the slips themselves so that customers are aware of the policy and can plan their returns accordingly.

I have a retail store and need to have my empties picked up. Who do I call?

Distributors are required to pick up empty containers from retailers. If your distributor is a member of OBRC, contact OBRC Route Operations at 503-973-6956 or email them at <u>ROadmin@OBRC.com</u> and leave a detailed message. They will use information from these messages to plan their routes. Contact your distributor directly if it is not a member of OBRC.

I have a reverse vending machine that needs service. Who do I call?

Stores with reverse vending machines must do their own basic maintenance, including wiping down the tracks inside the machine a couple of times a day and emptying container bags as necessary. If maintenance is required beyond this basic maintenance, contact the vendor who you lease or bought your machine from. For machines serviced by OBRC, please email <u>FSAdmin@obrc.com</u>, call them at 503-973-6969, or use the <u>OBRC Service Portal</u> (if you are not familiar with Portal, please ask your OBRC Account Manager).

I have a BottleDrop kiosk in my store that needs service. Who do I call?

Stores with kiosks must do their own basic maintenance, like clearing simple jams and changing paper as necessary. If maintenance is required beyond this basic maintenance, call (503) 542-4224 or email retailrelations@obrc.com.

A store where I shop offers a large bag that I can fill with containers up to a line. When I return the bag full of containers the store pays me a flat fee that is less than what I would get if I was paid 10 cents per container. Is this legal?

Stores and distributors may offer this system as a convenient option for returning containers. However, the store or distributor may not refuse to hand count or to accept containers through their reverse vending machine if the customer chooses not to return containers by this large bag system.

I work with a nonprofit and we accept empty beverage containers as donations. The store where I shop limits returns to 144 containers per person per day. Is there any place to return large amounts of containers so my charity can receive this money?

Upon request, some retailers will work with nonprofits and fundraisers to allow greater numbers of containers to be returned. Also, OBRC's Give program provides several fundraising options, including a traditional can drive, setting up a Blue Bag fundraiser account, or using the regular Green Bag drop-off program. For more information, go to https://www.bottledropcenters.com/Give.

What is the penalty for a retailer that doesn't accept empty beverage containers? Businesses that illegally refuse to accept containers are subject to a civil penalty of not more than \$500. Each day a violation occurs constitutes a separate violation with a separate sanction.

What is the penalty for a retailer that doesn't participate in a full-service redemption center or provide equivalent services?

The sanction for a retailer failing to cure a violation by either participating in a fullservice redemption center, providing equivalent services, or showing it is exempt from providing equivalent services to a full-service redemption center starts at \$200.00. Each day a violation occurs constitutes a separate violation with a separate sanction.

Does "OR 10¢" have to be in any specific font or size on the containers?

The Oregon refund value must be clearly indicated on the label or container, but there are no requirements that it be in any specific font, size, or style. Labels and stickers indicating OR 10¢ must be firmly affixed. See <u>I was charged a deposit on a bottle of kombucha but it doesn't have OR 10¢ on it</u> for the temporary exception to labeling requirements for kombucha and hard seltzer.

Are there any reporting requirements under the Bottle Bill?

Distributors who sell redeemable beverages in sealed containers to retailers, including manufacturers who self-distribute through their tasting rooms, are required to report

their sales and returns to OLCC and to register their beverages and report their beverage sales and return data to OBRC. Both OLCC and OBRC deadlines are usually in early spring. Questions about reporting requirements can be sent to <u>OLCC.BottleBill@oregon.gov</u> and <u>ORBottleBillRegistration@obrc.com</u>.

Does the State of Oregon require an Initiator of Deposit registration?

No. Generally, the distributor initiates the deposit when delivering beverages to a retailer.

Were the refund values raised to 10 cents in 2017 and were the new beverages added in 2018 to generate money for the State of Oregon?

No. The State doesn't receive any proceeds from container returns.

Who should I contact if I want more information or to make a complaint about a business? OLCC Bottle Bill Program at 503-872-5132 or OLCC.BottleBill@oregon.gov

*COVID-19 Update: Temporary Changes

OLCC did not initially enforce the requirement that retailers accept empty beverage container returns during the Governor's Stay at Home order. With the Governor's reopening plan underway, OLCC will link compliance enforcement to the phase that a county is in (Baseline, Phase 1, Phase 2, Phase 3).

- Baseline Phase
 - OLCC will not enforce the requirement to accept container returns for retailers in counties until the time that they enter Phase 1.
- Phase One
 - Two weeks after a county enters Phase 1, retailers in that county will be required to resume accepting empty beverage containers from customers, both through their reverse vending machines and by hand count.
 - The number of empty containers retailers are required to accept remains the same as prior to the non-enforcement, either 24, 50, or 144 containers per person per day.
 - Stores may limit hours from 8 AM to 6 PM except for 24-hour stores, which may limit their hours from 7 AM to 11 PM.
- Phase Two
 - Two weeks after counties have entered Phase 2, retailers in those counties may limit hours from 8 AM to 8 PM, except for 24-hour stores, which may continue to limit their hours from 7 AM to 11 PM.
 - The number of empty containers retailers are required to accept remains the same as prior to the non-enforcement, either 24, 50, or 144 containers per person per day.

Find the date each county entered each phase, the date that each county must resume accepting containers, and Phase 1 and Phase 2 hours on the Bottle Bill webpage here:

<u>Date By County for Bottle Bill Redemption Return</u>. Find the retailer flyer that explains the requirements in Phase 1 and Phase 2 here: <u>Retailer Flyer: Requirements for</u> <u>Accepting Empty Beverage Containers in Phase 1 and Phase 2</u> (July 16, 2020).