



S.4736-B (KRUGER, ET AL.)

A.8143-A (DESTITO, ET AL.)

Summary

This bill would change and weaken recently enacted provisions that update New York State's Returnable Container Act, or "Bottle Bill." The bill would delay the expansion of the nickel deposit on bottled water from June 1, 2009, to October 1, 2009. It would also allow stores smaller than 10,000 square feet to reduce the number of containers they accept as returns from 240 to 72 per day. In addition, the bill would eliminate all UPC code requirements for containers.

Explanation

The newly expanded "Bottle Bill" requires a nickel deposit on bottled water and nutritionally enhanced bottled water, updating New York's bottle deposit law to meet the drinking habits of consumers today. While we recognize that problems associated with its implementation need to be addressed, this bill would weaken the law in several ways.

Delaying the expansion of bottled water deposits until October would send millions of beverage containers to our landfills and incinerators and result in lost state revenue. Waiting until October to expand the deposit to bottled water also ignores the fact that the summer months are when most of these beverages are consumed.

In addition, the bill would limit the ability of consumers to return their bottles and cans to stores smaller than 10,000 square feet in size. As currently written, the bill (section 4, 1(f)) removes the requirement for many retailers to take back empty bottles and cans. While it may not have been intentional, unless changed, this language would be damaging and undercut the Bottle Bill's primary objective to reduce waste and protect New York's lands and waterways.

Although the bill attempts to eliminate the state-specific UPC code, it is too much to eliminate all UPC code requirements, which we believe may cause problems for retailers.

Environmental Advocates of New York strongly opposes this bill.

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