



Memorandum of Support

March 11, 2019

A.5028-A (Englebright)

Title: An act to amend the environmental conservation law, in relation to returnable bottles; and to amend chapter 58 of the laws of 2013 amending the environmental conservation law and the state finance law relating to the "Cleaner, Greener NY Act of 2013", in relation to the effectiveness thereof.

Purpose: This legislation would expand the Returnable Container Act, also known as the Bottle Deposit Law, to include noncarbonated soft drinks, noncarbonated juices containing less than 100% fruit or vegetable juice, coffee and tea beverages, carbonated fruit beverages, wine, liquor, distilled spirit coolers, and cider.

Statement of Support: Enacted in 1982, the Bottle Bill requires a 5-cent refundable deposit on eligible beverage containers. The program originally covered beer and soda sold in New York and was later expanded to include wine coolers. The law requires retailers who sell covered beverages to accept empty containers for products that they sell and refund the deposits. The law also requires beverage distributors to compensate retailers for the cost of collecting and recycling empty containers by paying them a small handling fee per container. In 2009, the law was expanded to include bottled water and the handling fee was increased from 2 cents, which it had been set at since 1997, to 3.5 cents.

The Bottle Bill has been New York State's most effective recycling and litter prevention program.¹ According to the Department of Environmental Conservation (DEC), the bottle bill reduces roadside container litter by 70% and in 2016, 5.1 billion containers were recycled.² By expanding the Bottle Bill to include these additional containers, A.5028-A will increase New York's recycling rates and reduce litter. New Yorkers are already in the habit of recycling their beverage containers, so to include these additional container types, more of these bottles will end up being recycled and will be kept out of the landfills, roadsides and waterways.

Additionally, expanding the Bottle Bill will help the municipal recycling crisis. China, which had been accepting massive amounts of plastic waste, stopped accepting contaminated plastic waste imports in January 2018. Municipal recycling programs are particularly struggling with broken glass containers contaminating recycling streams. Expanding the Bottle Bill to include non-carbonated beverage containers, wine, spirits, and cider, will take a significant portion of the glass containers that municipal recycling

¹ <http://www.nysac.org/files/NYSAC%20Bottle%20Bill%20White%20Paper.pdf>

² <https://www.dec.ny.gov/chemical/8500.html>

programs are struggling with out of curbside recycling containers and to facilities that can properly capture their value.

A.5028-A would put New York in line with several other states with Bottle Deposit Laws that include non-carbonated beverages. California, Hawaii, Oregon, and Maine all include non-carbonated beverages. In addition to non-carbonated beverages, Maine also includes wine and liquor bottles in their Bottle Deposit Law.

Ten years after the 2009 expansion of the Bottle Bill, A.5028-A would provide a much-needed revamp to include most non-carbonated beverages, wine, spirits, and cider.

The Sierra Club Atlantic Chapter Strongly Urges Your Support of A.5028-A