



## **Expanded Bottle Bill to Include Wine and Liquor Bottles: **OPPOSE****

**S.237-C / A.6353-A**

**By Senator May / Assemblywoman Glick**

This legislation seeks to expand containers covered under the Bottle Bill to include wine, liquor, and cider bottles. This would place an undue burden on liquor stores with no space to store empties or create recycling programs.

If this legislation were enacted, liquor stores would become redemption centers. The NYS Bottle Law requires retailers to accept returns of deposit items they sell. Many liquor stores are small with very limited capacity to store empties and would be forced to designate space to empty liquor bottles in their retail space.

In addition, liquor and wine distributors are not in the bottle deposit/return business and would have to make a significant investment in the infrastructure needed to handle this process. These increased costs would trickle down to the retailer and the consumer.

Liquor and wine bottles sold in New York State would be required to have a state specific UPC Code. This will require special handling and could conflict with federal Alcohol and Tobacco Tax and Trade Bureau requirements on labeling. This would also cause an undue burden on manufacturers that would be required to provide this special labeling for New York bottles only.

New York's original Bottle Deposit Law was enacted in 1984, during a time in which few people had access to recycling. However, today New York State residents in all 62 counties have universal access to local recycling services either through private haulers or municipal programs. Most of the wine and liquor bottles are being separated from the waste stream and recycled under the state's current recycling laws. Putting a deposit on these bottles would not have a significant impact on the solid waste stream.

The current law needs to be fixed before the State considers an expansion of the Bottle Law. Under the current system, retailers and redemption centers have experienced substantial challenges that will be exacerbated by adding additional types of beverages to the law. There is also a significant amount of fraud in New York's current system including inflating bottle counts, accepting non-returnable bottles, reverse vending machine fraud, and cross-border schemes.

Instead of rushing in to make piecemeal changes to a forty year old law, we recommend that New York conduct an in-depth study, in an independent, neutral forum such as the State Law Revision Commission, in which all stakeholders can participate, and evaluate what works and what doesn't, examine what other states have done, and then determine what would make New York's Returnable Container Act work better, and more fairly, for consumers and businesses.

For the above reasons, we oppose this legislation and urge you to vote NO.