

NEW YORK'S "BOTTLE BILL" AT 40: SUCCESSSES AND REFORMS

Ahead of the 40th anniversary of the Bottle Bill, at a time when society is drowning in discarded plastic waste and local recycling programs are in crisis on several fronts, it's time to update and expand the state's highly-successful container deposit redemption program. In a business-as-usual scenario, the ocean is expected to contain one ton of plastic for every three tons of fish by 2025, and by 2050, more plastics (by weight) than fish.¹ Clearly, reducing the amount of plastic waste -- and waste in general -- is a critical way to avoid "doomsday" environmental scenarios.

New York's Current Bottle Bill

First enacted in 1982, the New York State Returnable Container Act, commonly known as the "Bottle Bill," requires a 5-cent refundable deposit to be placed on eligible beverage containers. The program originally covered beer and soda sold in New York and was soon after was expanded to include wine coolers. The law requires retailers who sell covered beverages to accept returns of empty containers for the products 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. 2022 will mark the 40th anniversary of this law. **It is an appropriate time to review and improve it.**

Effective Litter Reduction And Bolsters Recycling

Over its nearly 40-year history, New York's Bottle Bill has proven to be a highly effective program to reduce litter and increase recycling rates. In 2020, New York's redemption rate was at 64%.² The Bottle Bill reduces roadside container litter by 70%, and in 2020, 5.5 billion containers were recycled in the state.³

Additionally, states with bottle deposit laws have better recycling rates than non-deposit states. According to the Container Recycling Institute, states with bottle deposit laws have a beverage container recycling rate of around 60%, while non-deposit states only reach about 24%.⁴ Michigan and Oregon have already increased their deposit to 10 cents, leading to an immediate increase in recycling redemption rates.⁵

FACTS

New York's Bottle Bill reduces roadside litter by 70%.

Adding a bottle deposit on non-carbonated beverages, wine, spirits, and hard cider would increase recycling rates across the state.

Michigan and Oregon have increased their bottle deposits, leading to higher recycling rates.

Earth's oceans are expected to contain one ton of plastic for every three tons of fish by 2025.

An expanded Bottle Bill would save municipalities money by reducing the costs to collect and process materials.

A modernization of the Bottle Bill would create 4,145 new jobs.

¹ Ellen Macarthur Foundation, "The New Plastics Economy: Rethinking the Future of Plastics," 2016.

² Container Recycling Institute, Bottle Bills in the USA: New York, <https://www.bottlebill.org/index.php/current-and-proposed-laws/usa/new-york>.

³ New York State Department of Environmental Conservation, "New York's Bottle Bill," <http://www.dec.ny.gov/chemical/8500.html>, Accessed October 2021.

⁴ Container Recycling Institute, Bottle Bills, <https://www.container-recycling.org/index.php/issues/bottle-bills>.

⁵ Container Recycling Institute, "Redemption Rates of and Other Features of 10 U.S. State Deposit Programs," 2021.

A Solution to the Recycling Crisis

Not only would the expansion of the state's Bottle Bill increase recycling rates and make New York's environment and communities cleaner, it would also help municipal recycling programs that are currently facing a recycling crisis. Municipal recycling programs are particularly struggling with glass containers in their recycling streams. When glass breaks in curbside containers it can render much of the other materials unrecyclable for the municipality, or "contaminated". The expansion of the Bottle Bill to include wine, spirits, and hard cider would take a significant amount of the containers that municipalities are struggling with off their hands.

Even when recyclable materials are not contaminated by broken glass, the costs of recycling containers that are not covered under the state's Bottle Bill are too high for many municipalities. For example, the costs associated with collecting and processing PET plastic bottles and glass per ton are higher than revenues per ton for scrap material.⁶ Expanding the Bottle Bill would reduce or eliminate these costs for municipal programs by creating a financial incentive (the deposit) for consumers to return and an obligation (the law) for retailers to accept these containers, relieving the burden on local government recycling programs.

Additionally, an expansion of the Bottle Bill would result in increased economic opportunities for New Yorkers. If the law is modernized, New Yorkers can expect 4,145 new jobs to be created.⁷ Additionally, many low-income New Yorkers, often within immigrant, elderly, or homeless communities, rely upon the practice of "canning" to supplement income. According to *Sure We Can*, an estimated 10,000 New Yorkers are part of the city's canning community.⁸ Increasing New York State's deposit will bring new money into the canning community.

Modernizing the Bottle Bill

The Bottle Bill was last expanded ten-years ago. After four-decades of success, there are three important steps needed to modernize the law:

Expand the Bottle Bill to include wine, spirits, hard cider, and most non-carbonated beverages. A deposit system can dramatically reduce litter and solid waste that would otherwise be discarded. Many other states have already added these containers to their laws. For example, Maine's law covers *all* beverages except dairy products and unprocessed cider.⁹ New York can expand its coverage too.

Increase the deposit from 5-cents to 10-cents and use revenues to support recycling equity. States with higher deposit fees have higher redemption rates than states with a five cent fee. In Michigan the deposit fee is ten cents, and the redemption rate in 2019 was 89%.¹⁰ Vermont has a fifteen cent fee on liquor bottles and the redemption rate for liquor containers in 2020 was 83%.¹¹ Increasing the deposit could also generate more revenues for the state, with those additional revenues used to address limits on redemption options in low-income communities and other litter and solid waste problems in such communities. The impact of the nickel deposit that was approved in 1982 has eroded over time. A mere inflation update would likely make that deposit nearly *fifteen* cents.¹² It's past time for New York to raise its deposit to a dime.

Boost accessibility. Enforcement of the law is spotty. Use additional revenues to boost enforcement and to expand redemption centers into "food deserts" that limit consumers' ability to redeem their deposits.

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⁶ Container Recycling Institute, "Cost of Curbside Recycling for Beverage Containers," May 31, 2018, <http://www.container-recycling.org/index.php/publications>.

⁷ Eunomia, "Employment and Economic Impact of Container Deposits- New York," March 6th, 2019.

⁸ Berardi, Francesca, "Inside The World Of NYC 'Canners' Who Survive By Collecting Recyclable Cans & Bottles," Gothamist, <https://gothamist.com/news/inside-the-world-of-nyc-canners-who-survive-by-collecting-recyclable-cans-bottles>.

⁹ Container Recycling Institute, "Redemption Rates and Other Features of 10 U.S. State Deposit Programs," 2021. https://www.bottlebill.org/images/PDF/BottleBill10states_Summary41321.pdf

¹⁰ Ibid.

¹¹ Ibid.

¹² U.S. Bureau of Labor Statistics, CPI Inflation Calculator, https://www.bls.gov/data/inflation_calculator.htm.