

Many more happy returns? Bottle law could soon include juice, water containers

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ALBANY - Don't toss out those Snapple bottles yet. They may be worth something soon.

Bills are being introduced in the state Legislature to expand New York's bottle law to include containers not covered under the original bill. The proposals would also allow the state to keep the money from unredeemed deposits for use on environmental programs.

If the bottle law is changed, New York would join a growing list of states that are updating their container statutes, according to Pat Franklin, executive director of the [Container Recycling Institute](#), a nonprofit group based in Arlington, Va.

Maine, California and Hawaii already have bottle laws that include water, juice and other non-carbonated drink containers, though Hawaii's bill doesn't take effect until 2005. A similar measure is proposed in Massachusetts.

Maine, Michigan and Massachusetts have already amended their laws so the states can keep the unredeemed deposits. All three survived legal challenges, Franklin said.

Such laws don't sit well with the beverage industry, which sees them as unnecessary and expensive.

"The bottle bill in its current form is costly, inefficient and redundant," said John Steele, director of state and local affairs for the National Soft Drink Association in Washington. "Expansion would only exacerbate that."

Since most bottle bills were introduced 20 to 30 years ago, curbside recycling has become commonplace, Steele said. That makes bottle laws inefficient, he said, because consumers must put one batch of recyclables at the curb for pickup and return carbonated drink bottles to get their deposits back.

But bottle law advocates say New York residents overwhelmingly support the law and the proposed changes.

The nickel deposits now add up to about \$140 million a year. That amount would reach \$180 million with the law's expansion, said Laura Haight of the New York Public Interest Research Group. The money currently is kept by distributors.

The proliferation of sports drinks, bottled waters and drinks such as Snapple wasn't envisioned when most of the nation's bottle bills became law.

Nationally there were 187 billion beverage containers sold in 2002 with just 69 billion, or 37 percent, being recycled, according to the Container Recycling Institute.

Including Hawaii, 11 states have bottle return laws on their books, and another six have bills pending, Franklin said. No state bottle law has been repealed.

An expansion of New York's bottle bill would divert 2.6 billion containers from ending up in landfills each year, according to NYPIRG.

"Increasingly those drinks are consumed away from home and are not making it into curbside recycling," Franklin said. Expanding the law to cover those items would mean fewer bottles tossed aside.

A 1998 study by the Onondaga County Resource Recovery Agency showed that almost 84 percent of nonreturnable plastic bottles ended up as trash, while 77 percent of returnable containers were recycled. The numbers were similar for aluminum and glass containers.

Groups representing the bottling industry, however, argue that expanding curbside programs and promoting them is a better alternative.

"We as an industry absolutely support recycling," Steele said. "But the best way to improve recycling is through education programs. You don't affect behavior through a deposit program."

Bottlers say the nickel deposit doesn't begin to cover their handling costs of redeemable bottles. Taking away that source of revenue would be even more burdensome and lead to higher retail prices.

They also warn that expanding the law would cause New York businesses to lose money as residents of neighboring states such as Pennsylvania and New Jersey, which don't have deposit laws, bring their cans and bottles across the border.

Haight said such fears are unfounded. In New York, only 70 percent of returnable bottles and cans are recycled, so distributors are not being asked to pay back more than they take in, she said. The industry could also eliminate the problem itself by tracking returns with bar codes, she said.

