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State Senator Nuciforo Leads Drive to Update the Bottle Bill: Measure Would Generate \$5.7 Million in New Revenues to the Commonwealth

(May 28, 2003)--State Senator Andrea F. Nuciforo, Jr. (D-Pittsfield) has filed a budget amendment which would expand the Commonwealth's 20-year old container deposit law to include approximately 700 million non-carbonated beverage containers presently exempt from the 5¢ deposit. Co-sponsors include state Senators Barrios, Shannon, Creem and Fargo.

The current deposit law, or "bottle bill," requires a nickel deposit on all carbonated beverages sold in Massachusetts, including soda, beer, and carbonated mineral water. Consumers can redeem their nickels when they return empty bottles and cans to redemption centers and retail outlets throughout the state. Sen. Nuciforo's budget amendment would extend the 5¢ deposit requirement to non-carbonated beverages such as iced teas, sports drinks, fruit juices, and bottled water, and would place a 15¢ deposit on wine and liquor bottles.

Most attractive to Massachusetts lawmakers are the amendment's budgetary implications. Under the existing law, about \$35 million in "unclaimed deposits" (from the 33% of containers that are not redeemed) are currently funneled into the state's Clean Environment Fund each year. If passed, the expanded bottle bill will generate an estimated \$5.7 million a year in **additional** unclaimed deposit revenue for the Commonwealth, for a total of about \$41 million.

"The Governor is committed to bringing our bottle bill up to date by including additional containers," said Ellen Roy Herzfelder, Secretary for the Executive Office of Environmental Affairs. "The money from the unredeemed deposits is crucial to help fund recycling programs throughout the state," she added.

Since its implementation in 1983, an estimated 27 billion containers have been recycled through the deposit law, according to the Massachusetts Department of Environmental Protection, generating over \$225 million in revenues for the Commonwealth. Some of this money has been used to fund recycling and other environmental programs, and some has been used to write down the state's deficit.

While virtually non-existent in 1983 when the law was enacted, non-carbonated beverages now account for about 25% of the total beverage market in Massachusetts, according to the Container Recycling Institute (CRI). According to CRI's Jennifer Gitlitz, who helped craft the amendment, "A growing proportion of these non-carbonated beverages are sold in single-serve containers and are consumed away from home, so they are less likely to end up in a curbside recycling bin and more likely to end up as litter."

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(Bottle Bill Update, continued)

A random sample of trash collected by volunteers at an April 12th cleanup of the Charles River in Boston contained 431 non-returnable beverage containers and only 96 returnable (deposit) containers—a ratio of 4.5 to 1. According to Russ Cohen of Mass Riverways, who helped organize the clean-up, similar results have been found throughout the state. “Since there are currently at least three deposit containers sold for every one non-deposit container sold in Massachusetts,” Cohen said, “it is over twelve times more likely that a non-deposit container will end up littering our waterways than will a deposit container.”

Non-carbonated drinks are packaged primarily in glass and plastic bottles, which are bulky and costly for municipalities to collect through curbside recycling programs, and they bring in little revenue.

“Right now, taxpayers are footing the bill to deal with these non-carbonated containers—whether through curbside collection or litter clean-up,” said Senator Nuciforo. “Including them in the Commonwealth’s bottle bill makes good fiscal and environmental sense.”

State Senator Cynthia Creem (D-Newton) agreed. “It doesn’t make sense to include seltzer water but to exempt all those water bottles without fizz. All bottles and cans should have the same recycling incentives,” she said.

“I have worked to get the nonredeemable brands into the bottle bill for years,” said State Senator Susan Fargo (D-Lincoln). “It’s an issue of fairness, and corporate responsibility,” she said. Sen. Fargo has also fought legislative attempts to repeal the bottle bill.

The bottle bill has had other environmental benefits as well, said CRI’s Gitlitz, including reduced trash sent to the state’s landfills and incinerators, reduced pollution, and energy savings. “In 2002 alone, the 104,000 tons of bottles and cans recycled through the bottle bill saved the energy equivalent of 540,000 barrels of crude oil, and reduced greenhouse gas emissions by about 80,000 tons. The expansion would increase these benefits by 30%.”

“It’s high time to update the bottle bill,” said Iris Vincencio-Garaygay, Environmental Advocate for the Massachusetts Public Interest Research Group (MassPIRG). “MassPIRG has mounted numerous campaigns to expand the deposit law, but has been outgunned by the beverage and retail industry lobbies time and again. We are optimistic that with the Governor’s support, we can bring the bottle bill up to date this time.”

Other proposed changes to the Massachusetts beverage container deposit law include raising the handling fee that redemption centers and retailers receive as compensation for their efforts to accept and process the returned containers, and reimbursing beer and soft drink distributors 0.4¢ per container redeemed to help defray their transportation and processing costs.

If the expansion amendment is approved by the legislature and signed by the governor, Massachusetts would become the fourth state with an expanded bottle bill. Maine, California, and Hawaii already require deposits on non-carbonated beverages. Activists and policymakers in New York, Connecticut, Oregon and Michigan are pursuing similar updates.

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The Container Recycling Institute is a national non-profit organization that studies and promotes policies to encourage beverage container recycling.