

National Beverage Container Deposit Act of 2021

Section By Section

SEC. 12001 - DEFINITIONS

SEC. 12002 - NATIONAL BEVERAGE CONTAINER PROGRAM

Beverages sold in beverage containers of any material, including plastic, metal, glass, paper, and mixed materials will be required to include a minimum 5 cent refund price on each beverage container, increased to 10 cents by 2030.

The refund value will be charged as a deposit and will pass the charge onto consumers. Each time a beverage container is returned, the refund value will be refunded to the consumer. Any unclaimed or unreturned deposits will be kept by the responsible beverage Producer Responsibility Organization (PRO) to re-invest in recycling programs and infrastructure.

Producer Responsibility Organizations will enter into compensation agreements with state governments and municipal waste collecting entities to cover the costs of managing and clean-up of beverage containers, regardless of the recyclability or type of container material (including plastic, paper, glass, metal, or mixed material).

Unclaimed or unreturned deposits will be required to be reinvested back to continue to improve the statewide or regional collection and recycling infrastructure and to continue to improve the program.

SEC. 12003. REQUIREMENTS FOR THE PRODUCTION OF BEVERAGE PRODUCTS

Post-consumer recycled content will be incorporated into new plastic beverage bottles on the following schedule:

Date	Recycled Content Requirement
2025	25%
2030	50%
2035	70%
2040	80%

For beverage containers from other materials, the Administrator will coordinate with the National Institutes of Standards and Technology and other relevant federal agencies to study technical and safe minimum post-consumer recycled content standards as well as reuse and refillable requirements to implement minimum standards for those products and beverage containers.

SEC. 12004. BEVERAGE PRODUCER RESPONSIBILITY.

Producers will be required to participate in Producer Responsibility Organizations to design, manage, and finance programs to collect and process post-consumer beverage container waste.

SEC. 12005. PRODUCER RESPONSIBILITY ORGANIZATIONS.

Producers will cooperate and coordinate with other producers of similar products to finance waste and cleanup programs with Environmental Protection Agency (EPA) approval through Producer Responsibility Organizations.

Producer Responsibility Organizations will be non-profit entities that are financed by fees on the participating producers. Fees will be assessed depending on producer company size and how wasteful and difficult to clean up their products are. PROs will be the responsible entities for management and cleanup costs, as well as any administrative costs of oversight from the EPA.

Producer Responsibility Organizations will include Advisory Committees made up of interested stakeholders to advise the Producer Responsibility Organizations on the impacts and effectiveness of their programs.

SEC. 12006. PRODUCT STEWARDSHIP PLANS.

Producer Responsibility Organizations will be required to develop EPA-approved Product Stewardship Plans that will be good for five years before they have to be renewed. The Product Stewardship Plan will detail how a PRO will meet the minimum required performance targets for beverage containers. The targets are set out as follows:

Date	Recycling Rate
By 2030	75% recycled
By 2035	90% recycled

SEC. 12007. OUTREACH AND EDUCATION.

Producer Responsibility Organizations will have to partner with governments and municipalities to conduct outreach and education to inform consumers about proper end-of-life management of beverage containers, the location and availability of drop-off collection opportunities, how to prevent litter, and recycling.

SEC. 12008. REPORTING.

Producers will be required to make publicly available reporting on the effectiveness of their programs, including: the amount of products being sold in the United States; the management of those products, including recycling rates, and refill rates.

The EPA will be required to audit collection and recycling and audit litter to determine which product types continue to create pollution.

SEC. 12009. DESIGNING FOR THE ENVIRONMENT.

Producers will be required to design their products to minimize the impacts of extraction, manufacture, use and end-of-life management.

SEC. 12010. PRODUCT LABELING.

Containers will be required to include labels on their products that are easy to read and indicate whether the product is recyclable, not recyclable, compostable, or reusable. Products that are not recyclable shall not include confusing symbols, such as the universal chasing arrow symbol.