Container and Packaging Recycling UPDATE

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CRI to Alcoa: Clarify Recycling Goals and Endorse Container Deposits

On September 30th, the Aluminum Association held its annual meeting in Nemacolin. In a keynote address, John Pizzey, Executive Vice President for Alcoa, described some of the moves his company has taken to reduce greenhouse gas emissions, and told the audience that the company had established a set of sustainability goals.

Concerned by the vagueness of Alcoa's sustainability goals, particularly in regard to recycling, and the company's failure to explain how these goals will be achieved, CRI released a response, *Holding Alcoa Accountable for its Sustainability Goals*. In releasing the response, Pat Franklin, Executive Director of the Container Recycling Institute, said, "We applaud Alcoa's willingness to implement pollution control measures to mitigate their impact on the global environment, but goals are meaningless without a plan for reaching them."

In his statement, Mr. Pizzey said that "By 2020, 50 percent of Alcoa's products, except raw ingot that would be sold to others directly, will be made from recycled aluminum."

CRI Research Director, Jenny Gitlitz, called on Alcoa to flesh out this goal. "Does it mean that these products will be wholly made from recycled aluminum, or partially, and if so, what percent?" Gitlitz asks. "Will the recycled aluminum be post-consumer aluminum or will it be pre-consumer industrial scrap? The industry has played fast and loose with recycled content terminology and percentages before; we must be vigilant about what these goals really mean."

Last year, 760,000 tons of aluminum cans were wasted in the United States.

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Shareholder Resolutions to Provide "Fizz" at Coke and Pepsi Annual Meetings

WASHINGTON, DC — For the third year in a row, socially responsive investors will be pressing Coke and Pepsi to do more for container recycling. While previous shareholder resolutions have been directed to the parent companies, this year socially responsible investors included Coke and Pepsi's major bottlers in the resolutions.

Walden Asset Management, As You Sow Foundation (AYS), and Domini Social Investments, have filed shareholder proposals asking Coca-Cola Company, PepsiCo Inc., and two bottling companies, Coca-Cola Enterprises (CCE), and PepsiAmericas (PAS) to set goals to boost beverage container recovery. PAS is the second largest PepsiCo bottler in the United States and CCE is Coke's anchor U.S. bottler with more than an 85% share of the company's market.

Ken Scott, a portfolio manager at Walden noted: "We have deep concerns with

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Letter from the Executive Director

By year's end, thirsty Americans will have purchased and drained more than 190 billion beverage containers, most of them from single-serving containers: that's 642 bottles and cans a year for each man, woman and child in the country. Nationwide, only 40% of these containers will be recycled.

In order to replace the beverage containers wasted this year, most of them in non-deposit states, more than 115 billion new bottles and cans will be manufactured in 2003, using virgin materials, and enough energy to provide electricity to 5 million American homes for a year. The billions of bottles and cans that are incinerated, landfilled, or littered at a rate of over 300 million per day, are yet another aspect of the environmental impact of throwaway containers.

Because the environmental consequences of manufacturing new containers from raw materials are so egregious and so unnecessary, the Container Recycling Institute has been waging a battle against beverage container waste for nearly 12 years. The battle continues, but meanwhile, beverage container recycling is declining and waste is increasing sharply. In 2001, aluminum can recycling hit a 15-year low of 49%, and PET plastic bottle recycling was just 22.1%--down from 37.5% in 1994.

We are losing the battle against beverage container waste because corporations like The Coca-Cola Company, Pepsi-Co Inc. and Anheuser-Busch and their bottlers, distributors and trade associations oppose the only proven system for keeping beverage bottles out of the waste stream—container deposits or "bottle bills". Invented by the beverage industry more than 100 years ago, refundable deposits currently achieve recycling rates ranging from 70 to 95 percent in deposit states; make producers and consumers responsible for their beverage bottles and cans; virtually eliminate beverage container litter; and, dramatically reduce the number of containers that must be made from virgin materials.

Beverage companies fight deposit laws, because these laws make them responsible for their products. Yes, products—beverage containers are as much a product as is the beverage, often costing more than the beverage. Through their high-paid lobbyists and trade associations, and especially through free-flowing campaign contributions, the beverage industry wields enormous power in the halls of Congress, and in every state legislature in the nation.

But Hawaii proved that while the playing ground is anything but level, success is possible. Led by Rep. Hermina Morita, a bi-partisan vote in the Legislature resulted in passage of the nation's 11th bottle bill earlier this year. The law will be implemented in January 2005.

Unfortunately, vigilance will be needed to ensure that newly elected Governor Linda Lingle, who has vowed to repeal the law, will not succeed. The beverage giants, Coke, Pepsi, and Anheuser-Busch will be working behind the scenes in Hawaii to repeal the law before it is implemented.

Packaged beverages bring huge profits to beverage manufacturers, and a few moments of refreshment to consumers. Once the containers are empty, the containers become a public expense whether they are landfilled, littered, or recycled. Deposits shift the burden of beverage container litter and waste from government and taxpayers to producers and consumers of the beverages, and they are popular with the public. In poll after poll, Americans support paying small, refundable deposits on beverage containers to reduce litter, waste, and pollution, saving energy and resources and creating new jobs and new businesses.

Opinion leaders and elected officials are told that taxpayer-funded curbside recycling programs are the solution to beverage container litter and wasting. Unfortunately, curbside recycling cannot solve the litter problem, and it can't solve the wasting problem either. The number of beverages consumed away from home is increasing.

In addition, more than 40 percent of the American public does not have access to a curbside recycling program, and probably never will. In fact, due to local budgetary pressures, dozens of municipalities, including New York City have dropped one or more materials from their programs, and others in Texas, North Carolina, Kansas and elsewhere have dropped their curbside programs entirely.

In 2003, lawmakers in dozens of state legislatures, knowing that they have an uphill battle, will nevertheless introduce new bottle bill legislation, or proposals to expand existing bottle bills to include non-carbonated beverages. These lawmakers want to stem the tide of beverage container litter and waste. They know that deposit laws benefit the public. More importantly, they are not afraid to take on the powerful beverage and grocery industry lobbies.

Two years ago in this column I said something that I think bears repeating: The undermining of bottle bills is out of step with the global trend toward greater producer responsibility. . . Deposit systems or bottle bills offer [beverage] companies and their consumers around the world a method for attacking a global wasting problem. What each of us does today affects all of us in the future, and the future is not ours to waste.

Pat Franklin
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CRI is a non-profit, 501(c)(3)organization dedicated to reducing container and packaging waste, thereby reducing pollution and energy consumption, conserving resources and supporting sustainable communities.

www.container-recycling.org
www.bottlebill.org

("Alcoa Recycling" Continued from page 1)

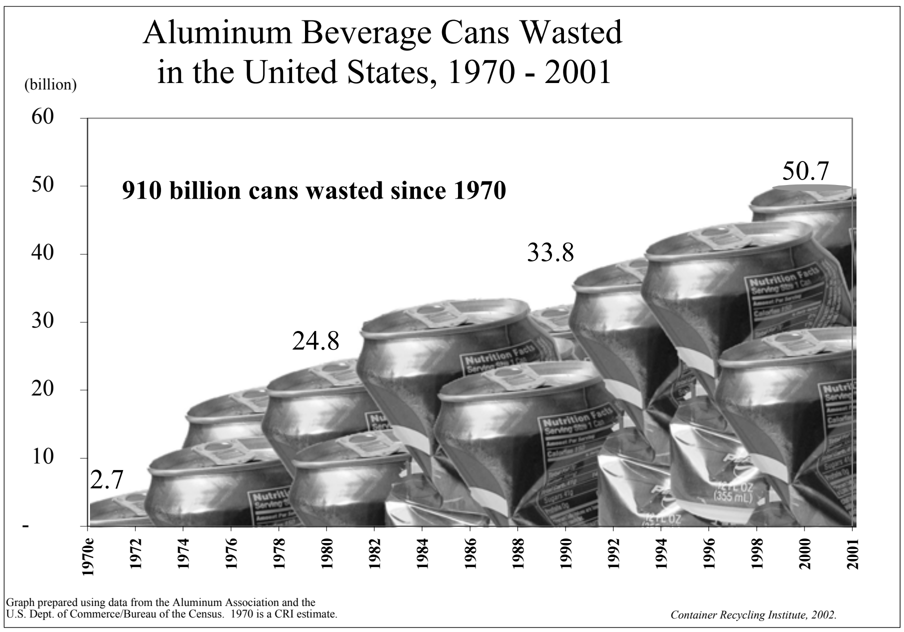
"These must be replaced with entirely new cans made from virgin materials," Gitlitz said "Irreplaceable wilderness areas in Iceland, Brazil, Chile, and Mozambique are threatened by proposed dams, smelters, and other elements of the monolithic aluminum manufacturing infrastructure." Gitlitz is author of CRI's new report, *Trashed Cans: The Global Environmental Impacts of Aluminum Can Wasting in America*.

In his remarks, Pizzey said Alcoa had established a set of sustainability goals that "will serve as milestones along the way to our ultimate vision of a company where…the environment is fully integrated into manufacturing."

"Once a rainforest has been inundated by a series of hydroelectric dams and reservoirs, there is no environment left to integrate," Gitlitz said. "Once wetlands or estuaries have been drained, filled, or contaminated as a result of smelter construction or operation, they no longer serve as breeding grounds for waterfowl or habitat for marine life. The construction of new dams, smelters, and strip mines is not compatible with environmental protection, period. "

Aluminum beverage cans make up 20% of total U.S. aluminum production, and the can recycling rate dropped to a 15-year low of 49.2%, according to CRI. "Container deposits, which exist in 10 states, are the only proven system of recovering cans at rates above 80 percent," said Gitlitz.

In order to reverse aluminum can wasting, CRI is urging Alcoa to adopt a global recycling policy that endorses mandatory container deposits, and is encouraging the company to ask their aluminum industry colleagues to do the same. "Corporations share with their consumers the responsibility for the impacts of their products and packaging on the global environment," said Franklin, "and refundable deposits put the responsibility where it belongs."



In response to Mr. Pizzey's statement that "[a]pproximately two-thirds of aluminum ever produced: 440 million tons of 680 million tons manufactured since 1886…is still in use", Gitlitz said, "If it's true that two thirds of the aluminum ever made is still in use, then the converse must also be true: one third, or at least 240 million tons of valuable aluminum, have been wasted over the past century: dumped, landfilled, incinerated, or littered." According to Gitlitz, this represents wasted energy equivalent to more than 6 billion barrels of crude oil--enough to keep all 200 million American passenger cars and light trucks on the road for over two years.

"Increasing aluminum can recycling is key to reducing resource consumption, pollution and energy use related to can manufacturing," Franklin said, "and financial incentives--in the form of refundable deposits on beverage containers--are key to achieving high recycling rates."

"Trashed Cans: The Global Environmental Impacts of Aluminum Can Wasting in America" is available at www.container-recycling.org

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("Shareholder Resolution" Continued from page 1)

the leading beverage companies' lack of container recovery goals, given plummeting recycling rates, and given their strong opposition to container deposit systems combined with their failure to identify alternative means to significantly boost container recovery."

Conrad MacKerron, Director of the Corporate Social Responsibility Program at AYS noted: "Coca-Cola and PepsiCo's commitment to use some recycled content in plastic beverage containers was an important step forward, but use of recycled content is only half of the recycling equation. Container recovery levels must increase significantly in order to close the loop."

Social investors have relied on CRI throughout their dialogue. Added MacKerron: "CRI has provided critical technical assistance for our discussions with the beverage industry. We could not have put forth such strong, resonating arguments without the Herculean efforts of Container Recycling Institute and GrassRoots Recycling Network in building awareness among environmentalists, policy makers, and consumers on this issue."

In addition to seeing Coke and PepsiCo adopt container recovery goals, Scott noted that "Social investors also want to see other beverage companies, such as Cadbury Schweppes (Dr. Pepper/Seven-Up), Cott, Danone (Evian), and Nestle (Poland Spring), match Coke and Pepsi's commitments to use recycled content."

New York: Coalition Supports "Bigger, Better Bottle Bill"

ALBANY — New York's Bottle Bill turns twenty-one next year, and with an average return rate of 75% over the past 20 years, supporters maintain it has been very effective at reducing litter and spurring recycling. A broad based coalition of more than 100 groups representing the environment, labor, government and business believes the law can be even more effective if it is updated. The coalition supporting a "Bigger, Better Bottle Bill" has already garnered editorial support for their campaign in major papers including *The New York Times*.

The Bigger Better Bottle Bill Coalition (BBBBC) is advocating changes that would expand the deposit law to include non-carbonated beverages such as bottled water, teas, sports and juice drinks; increase the deposit from 5 to 10 cents; and claim the unredeemed deposits for the state to be used for an Environmental Protection Fund to support local recycling and waste prevention efforts.

There are precedents in other states for all of the updates being proposed by the BBBBC. Both Maine and California updated their laws to include non-carbonated beverages and Hawaii passed a deposit law this year that includes beer, soft drinks and non-carbonated drinks. Michigan has a 10-cent deposit, and in Massachusetts and Michigan the respective state supreme courts ruled that unclaimed deposits rightfully belong to the state.

Environmentalists are concerned about the declining redemption rate for the nearly 8 billion beer and soda containers sold in the state. In 2001, the rate dropped to the lowest level ever (69.1%). "The declining redemption rate is largely due to the declining value of the nickel," said Laura Haight, Senior Environmental Associate of the New York Public Interest Research Group and Coordinator of the BBBBC. "After 20 years it's time to raise the ante in order to get the redemption rate back to the 1982 level of 80% or even higher."

Haight maintains that even the New York Department of Environmental Conservation's numbers (as derived from individual distributor reports), which the Container Recycling Institute and others believe are under-reported, show that beer distributors and soft drink bottlers retained more than $85 million in unredeemed deposits in 2000. Using marketing data from the beverage industry, CRI estimates that the unclaimed deposits may actually exceed $135 million.

The BBBBC asked CRI to estimate the amount of unredeemed deposits under three scenarios. Using CRI's estimates for container sales, the findings were as follows:

1) Expanded bottle bill, 5-cent deposit (69.1% redemption rate): $172,419,904

2) Current bottle bill, 10-cent deposit (85% redemption rate): $131,798,001

3) Expanded bottle bill, 10-cent deposit (85% redemption rate): $167,397,965

While the third scenario, which the BBBC is advocating, would generate less revenue to the state than the first one, it does not factor in the considerable savings to municipalities by removing over two billion additional containers (mostly glass and plastic bottles) from the waste stream each year.

"We believe that the time is ripe to move forward with a comprehensive update of the Bottle Bill", said Haight. "This includes generating a steady stream of funding for needed environmental programs, supported by the unredeemed deposits."

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California: Alleged Multi-Million Dollar Recycling Fraud Ring Arrested

SACRAMENTO- In the largest recycling fraud case in California history, 14 people were arrested for allegedly stealing over $3 million from California's recycling program. The arrests mark the end of a four-year operation in which suspects purchased used beverage containers from neighboring states and Mexico and redeemed them for cash through California's Beverage Container Recycling Law.

The profit was significant because cans sold for 48 cents a pound in Nevada, Arizona, and Utah can be redeemed in California for up to $1.24 per pound. A pound of plastic bottles worth 4.5 cents in neighboring states and Mexico is worth 45.5 cents at a certified recycling center in California.

California's 16-year old law requires consumers to pay a deposit of 2.5 cent on various beverage containers less than 24 oz. and a 5-cent deposit on those 24 oz. and larger. The deposit is refunded when the consumer returns the used containers to a certified redemption center. While the L.A. fraud case represents millions of beverage containers illegally redeemed, its impact on California's beverage container redemption rate is estimated to be insignificant (probably under 100 million over a 4-year period) in a state where consumers redeem over 10 billion bottles and cans annually.

The arrests resulted from a yearlong investigation that included ten state law enforcement offices and the U.S. Secret Service. The California Department of Conservation (DOC) provided funds and services for the investigation.

"These arrests should serve as a wake-up call to those who cheat the system," stated Darryl Young, director of the DOC. "They will face the consequences of their actions." The 14 suspects are being held on $2.5 million bail at the Burbank City Jail. They face a maximum prison sentence of 8 years if convicted.

New York: Mining MRFs for Nickel Deposits

By James J. Hogan

More than 1.6 billion nickels (more than $80 million) are abandoned in New York State each year by consumers who fail to redeem the deposits they paid on beer and soft drink containers. Based on New York Department of Conservation (DOC) figures, distributors and bottlers will realize a windfall profit of more than $80 million in unredeemed deposits this year because 30% of the deposit containers are not returned for the refund.

While some of the deposit containers end up in landfills, many, if not most of the containers that are not returned for the refund end up in curbside recycling programs. Some communities are separating the deposit cans and bottles from the other recyclables and redeeming the deposits for the municipality or allowing nonprofit organizations to do the sorting and keep the deposits.

Three such communities are Westchester County, and the counties of Oneida and Herkermer which share a Regional Recycling Center. In Westchester, the Westchester Association for Retarded Citizens (WARC), an agency serving the developmentally disabled, has an agreement with the county Materials Recovery Facility (MRF) to separate out the aluminum beverage cans and redeem the deposits. WARC registered with the State Department of Environmental Conservation as a Certified Redemption Center, negotiated with beverage distributors, and then set up a manual sort operation that employs up to twenty-four people, including twenty-two disabled clients of WARC. The program is fully self-supporting and provides valuable training and experience for the developmentally disabled population.

The county MRF gets the market value for the material by weight and WARC gets the difference between the nickel deposit and the scrap value—slightly more than a penny. Kim E. Spahn, Assistant Executive Director for WARC, calls it "one of our finest services", providing employment and training for the developmentally disabled.

In Oneida and Herkermer Counties, which represent a population of over 316,000 residents, deposit cans and bottles are being extracted from recyclables collected through the curbside program,

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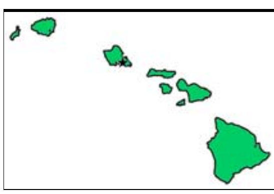
Arkansas

A bottle bill introduced in the 2001 legislative session and referred to a subcommittee for "interim study" is expected to be introduced again in 2003. One of the bottle bill's strongest supporters is Fayetteville Mayor Dan Coody, a member of the Arkansas Municipal League, a statewide organization representing cities and mayors across the state. The Municipal League announced recently that they would be including a bottle bill in their 2003 legislative package.

According to Bill Lord, Program Director of the Northwest Arkansas Regional Solid Waste Management District, the Arkansas Association of Regional Solid Waste Management Districts, supports bottle bills in principal, but will reserve final judgment until details of the bill are announced. "It's time we begin to consider the disposal of an item as part of the cost of purchase rather than an after thought," said Lord.

Contact: Bill Lord, NW Arkansas Regional SWM District, 870.741.6536



Hawaii: Is the Newly Enacted Bottle Bill Safe?

HONOLULU- In June 2002, Hawaii enacted the first new state bottle bill in 16 years. Even though it passed both houses of the legislature by large bipartisan margins, the future of the bottle bill law, sponsored by Rep. Hermina Morita, remains uncertain. Newly elected Governor Linda Lingle vowed during the campaign to repeal the law.

While there is concern that the Hawaii deposit law could be in trouble, Sierra Club's Jeff Mikulina said, "The only thing the governor can do single handedly, is to delay the process by not signing the administrative rules governing the law. But we believe Governor Lingle will come around to understand the overwhelming benefits that the bottle bill will have on Hawaii's environment and economy."

The Health Department's Bottle Bill Rules Committee, made up of stakeholders including the beverage, retail, hotel, restaurant, and recycling industries and the Department of Health, is writing the administrative rules. The department had hoped to complete the rules before the change in administrations, however, many of the stakeholders felt that more time is needed to make sure that the rules put before the governor for a signature are well written.

According to one source in Hawaii, Governor Lingle's only options are to either implement or repeal the law through the legislative process.

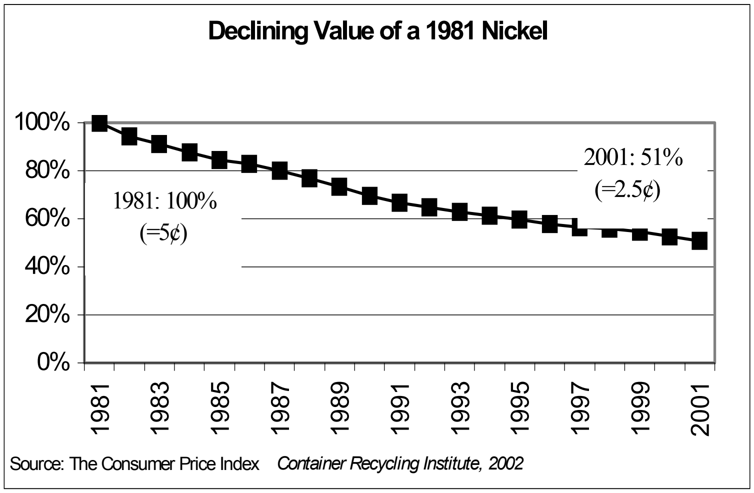
Contact: Rep. Hermina Morita, 808.586.8435, repmorita@capitol.hawaii.gov or Jeff Mikulina, Director, Sierra Club, 808.538.6616, mikulina@lava.net

Hawaii Correction

In the last issue of UPDATE we misreported the House and Senate votes on the passage of Hawaii's new bottle bill legislation. The Hawaii House and Senate voted to pass HB 1256 and SB1351 by 37 to 13 and 19 to 6, respectively.

Massachusetts: Declining Value of Nickel Pushes Redemption Rate to All-time Low

BOSTON - Although a record number of beverage containers were purchased in Massachusetts last year, the percent redeemed fell to an all-time low of 67%. While the redemption rate is still much higher than beverage container recycling rates in non-bottle bill states, it is down 20% from its peak in 1995. CRI estimates that another 10-20% or more are recovered through curbside recycling programs in Massachusetts.



The 1981 Beverage Container Recovery Law requires a refundable 5¢ deposit on beer and carbonated drink containers. Containers can be redeemed at 143 statewide redemption centers or at retail stores. Some redemption centers and retailers pay only 4 cents per returned container (a practice that is illegal for retailers), and this may be contributing to the lower redemption rates.

Another reason for the declining redemption rates is the declining value of the nickel, making it less worthwhile for consumers to redeem their used containers. Based on the Consumer Price Index, a nickel in 1981, the year the bottle bill became law, is now equivalent to 2.5¢. "It's clear," said Iris Vicencio-Garaygay of Mass PIRG, "the deposit needs to be raised to a dime. But the bottle bill is still the most successful recycling law in Massachusetts, with a redemption rate that is nearly twice the state's overall recycling rate."

West Virginia: Activists Petition for State Bottle Bill

CHARLESTON — Each year, West Virginia's small population disposes of over one billion single-use beverage containers. Recycling facilities exist, but according to Linda Mallet, Project Manager of West Virginia Citizen Action Group (CAG), it is common to see illegal dumps along the state's roadways and hollows. The rural population is dispersed over rugged, hilly terrain, and has its share of litter and solid waste challenges.

Mallet told CRI that industry seldom loses legislative battles in West Virginia, but that they did lose one battle in the early 90's. A proposal that would have brought mega landfills designed to accept out-of-state garbage to West Virginia was defeated. "Citizens successfully fought to keep this trash out," said Mallet, "and in doing so, passed a progressive, comprehensive solid waste law."

Another battle citizens hope to win is passage of a bottle bill. "A bottle bill would bring the same rewards to West Virginia that other states have experienced – less litter, less dependence on landfills and more recycling," said Mallet. CAG is working with a coalition of activists, municipalities and other organizations to introduce a beverage container deposit bill in the part-time legislature's 2003 session. Mallet said they expect to hear the same industry arguments used elsewhere to fight bottle bills and their expansions.

In preparation for the campaign, CAG is spearheading a statewide petition drive to educate the public and generate support for the bottle bill. To date, they have collected over 2,000 signatures across the state and through an on-line petition on their website at www.wvcag.org.

"West Virginia comes in 50th in the nation on many rankings", said Mallet. We don't want to be 50th in recycling beverage containers." Mallet says the tourism market will continue to expand as the state attracts suburbanites from neighboring states who want to get away to the rivers and mountains of West Virginia. "In a state where tourism is our future, a West Virginia bottle bill makes all the sense in the world," she said.

Contact: Linda Mallet (WV-CAG), 304-346-5891, linda@wvcag.org and visit www.wvcag.org.

Delaware: State Seeks to Capture Unredeemed Deposits

WILMINGTON--Passed in 1981, Delaware's container deposit law requires distributors and bottlers to collect a 5-cent deposit on beer and carbonated soft drink bottles sold. Delaware is the only state that exempts aluminum cans from the deposit requirement. Currently, bottlers and distributors keep the unredeemed deposits, but they may soon be handing those monies over to the state government.

To help reduce this years' $95 million budget deficit, Governor Ruth Ann Miner's budget office wants to capture bottle deposits unclaimed by consumers for more than five years. Other states escheat the unredeemed deposits such as, Michigan and Massachusetts. The Delaware Office of the Budget is looking into the legality of capturing these monies under abandoned property laws. Currently under such laws, the state captures about $156 million in unclaimed funds from bank accounts and stock funds. They hope to collect the unredeemed container deposits before the state's budget year ends on June 30.

Reduce, Reuse, Refill!

By BRENDA PLATT

Today, in the U.S., the reusable, refillable, glass beverage bottle is just a memory. Less than 3% of beer and 1% of soft drinks are packaged in refillables. But in many parts of the world, refillable glass and plastic bottles are the norm.

For example, in Finland, 98% of soda containers and 73% of beer containers are refilled, and at least 90% of beverage containers are refilled in Denmark. In Germany, 75% of beer and soda are offered in refillables. Closer to home in Canada, more than 80% of beer is sold in refillables in Prince Edward Island, Ontario, and Quebec. U.S. beverage corporations offer their products in refillable containers in Europe, Canada, Mexico and many other countries--why not in their home country?

The obstacles are not technological as much as lack of infrastructure and institutional policies to support refilling here. Unlike Europe, the U.S. dismantled its refillable systems as the industry centralized its operations. In an effort to encourage and preserve refillable bottles, many European nations have enacted policies such as deposit systems, quotas, industry agreements, bans, and eco-taxes. There are no U.S. national policies promoting refilling and few state incentives.

Should refilling once again become an American way of life? Yes.

Compared to non-refilling systems, refillable containers contribute less to global warming, acid rain, smog, and solid waste. They use less energy and they're cheaper. In addition, refilling eliminates the need to find markets for green and brown glass bottles and plastic bottles. Indeed, Finland embraced refilling because its capacity for recycling glass is limited, markets for recovered glass are unstable, and it has no facilities for converting recovered PET into feedstock.

On the economic side, by reusing containers multiple times, refilling cuts the public costs of waste management, creates jobs, and can reduce the prices of beverages. In addition, some policy instruments implemented to support refilling (such as packaging taxes) can raise millions of dollars in government revenue. One study estimated that 53,000 jobs would be lost if one-way containers completely overtook refillables in Germany. Yet if a transition occurred in the opposite direction, 27,000 new jobs would be created.

In the United States, policies are needed to ***revive*** and ***rebuild*** our refilling infrastructure. Senator Jeffords Senate Bill 2220, the National Beverage Producer Responsibility Act of 2002, may be a good place to start. It is the first legislation introduced in the U.S. Congress to include an incentive for refilling. Election results likely doom this bill's progress at the national level. However, states might consider adopting the bill and strengthening its language to more directly reward refilling over recycling. State legislation could create a mechanism to provide financial incentives for companies to produce, distribute, sell, and use refillable containers. Incentives could include tax credits and low-interest loans for any player in the beverage chain that converts from one-way containers to refillable bottles. Incentives, which could be funded from unredeemed deposits or even a "half-back" deposit, could encourage companies to invest in refilling equipment and bottles.

Refillable bottles

Where Refilling Works: Refillables as a Portion of Total Beverage Sales

	Soda	Beer	Policies
Prince Edward Island (Canada)	~100%	~100%	Bans non refillables
Finland	98%	73%	Levy on one-way containers
Denmark	90%	100%	Banned cans and required refillables for domestic soda/beer (can ban repealed in 2002)
The Netherlands	75-80%	~100%	Packaging covenant--cannot substitute one-ways for refillables unless environmental impact is same or less
Germany	75%	75%	Quota--72% most be packaged in refillables or be subject to mandatory deposits
Ontario (Canada)	NA	81%	~9¢ tax on one-way beer containers
Quebec (Canada)	NA	80%	Quota--no more than 37.5% of beer can be in one-ways

Source: Institute for Local Self-Reliance, Washington, DC, 2002.

For more information on how beverage container legislation could provide stronger financial incentives to companies that convert to refillables, see our written testimony on Senate Bill 2220 at http://www.ilsr.org/recycling/wtw_news.html. Also visit our *Reduce, Reuse, Refill!* web site at http://www.grrn.org/beverage/refillables/index.html.

Brenda Platt is the Director of Materials Recovery for the Washington, DC-based Institute for Local Self-Reliance. She is the co-author of the 2002 report, Reduce, Reuse, Refill! If you are interested in joining or supporting a campaign to revive refilling in the U.S., send her an email at bplatt@ilsr.org.

Australia: Local Governments Back Container Deposits

ALICE SPRINGS — Local governments in Australia threw their overwhelming support behind Container Deposit Legislation (CDL) and Extended Producer Responsibility in all states and territories.

Nearly 900 local government leaders from across Australia attending the 2002 National General Assembly of Local Government in Alice Springs agreed to seek a commitment to CDL from Commonwealth and state governments. CDL has operated successfully in South Australia for 25 years.

Australian Local Government Association President, Councillor John Ross, supported the call for CDL on a national basis. "CDL addresses serious ongoing litter problems and ensures the producers of beverages and packaging take full responsibility for their products," Cr Ross said.

"Local government is very concerned about the great majority of containers that find their way into the waste stream or cause environmental damage. There is also a significant cost to the community and councils of collection and recycling."

An independent review in New South Wales (NSW) commissioned by the State Government demonstrated the benefits of CDL and the final report by Dr. Stuart White, from the Institute for Sustainable Futures, recommended its introduction.

Dr. White's report found that the net benefit to NSW of CDL would be in the order of $70 million to $100 million a year and provide an additional 1,000 to 1,500 full time jobs.

The local governments of NSW have been campaigning for the introduction of CDL by the State Government and a motion was moved by Manly Council for national support and implementation.

"Local government is calling for immediate action by their state governments on this important environmental issue," Cr Ross said.

Contacts: Cr John Ross 0407 407 929 & Rohan Greenland 0412 859 434

Israel: Bottle Deposit Law Proves Itself

To mark the first anniversary of the Israel Union for Environmental Defense (IUED)-initiated Bottle Deposit Law, the Environment Ministry announced that over 110 million containers have been collected in its first twelve months of operation. This represents a reduction of over 15,000 tons of bottles and cans reaching Israel's landfills.

Despite initial confusion and resistance on the part of businesses and consumers, recycling of small beverage containers and cans has clearly taken hold.

IUED's next step: to press for an amendment to the law, extending it to include larger, family-size beverage containers.

Information taken from Israel Union for Environmental Defense Fall 2002 Newsletter.

Germany: Container deposit regulation to begin January 1, 2003

After two years of legal maneuvers and court cases, the German deposit law will take effect on January 1, 2003. The law, an amendment to the 1991 German Packaging Ordinance, places a refundable deposit on all one-way (non-refillable) beer, carbonated soft drinks and mineral water that fail to meet the 72 percent refillable quota established by the Ordinance. The deposit amount will range from 0.25 EUR on all cans and bottles of 1.5 liter and smaller to 0.50 EUR for containers over 1.5 liters.

The beverage and retail industries fought a two-year legal battle in an effort to derail the regulation. Hundreds of lawsuits were brought against the German government, ending up in the European Court of Justice in Luxembourg. Industry thought they had won one of the court battles, when an administrative court in the western state of North-Rhine Westphalia, one of the 16 German States, exempted about thirty individual companies from the deposit obligation. But, on December 2nd, that court decision was revoked by the High Administrative Court in Münster.

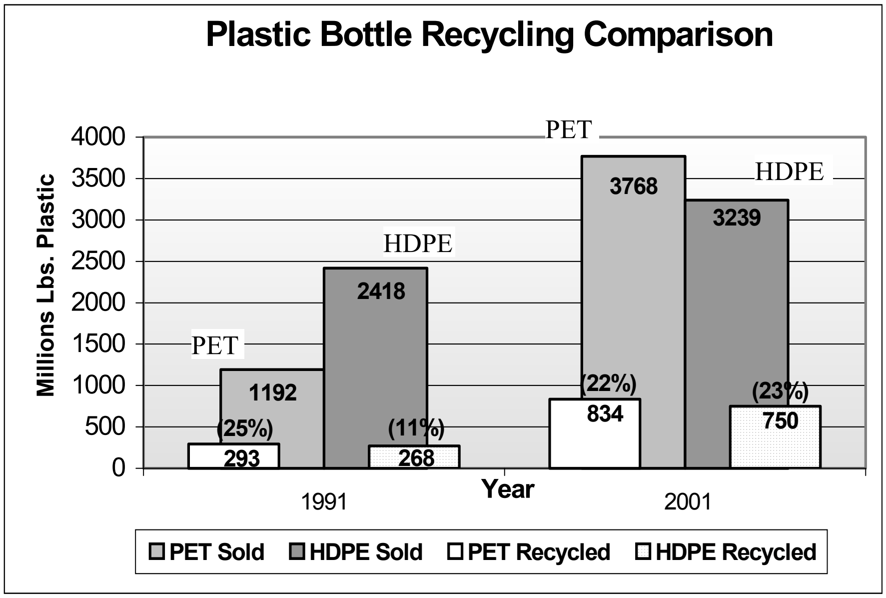
The beverage and retail industries lost both in th e courts and in the voting booth. They had hoped the Social Democrats would lose in the general election on September 22nd, but Chancellor Gerhard Schroeder's Social Democrats, and his junior partner the Greens, won a narrow majority. Now industry is rushing to comply with the law.

An Executive Committee consisting of eight members (four from retail and four from the beverage industry) has been established to develop plans for implementation of the law. That Committee has installed two working groups, the Clearinghouse for Organization led by Metro (a large multi-national retail chain) and the System Security, led by Coke. Retailers are pushing the DSD (Green Dot System) as the future Clearinghouse for Organization, but the Federal Cartel Office remains undecided on that proposal.

Beverage manufacturers and retailers say complying with the law will cost them 1.4 billion EUR. Government officials and environmentalists say the law is necessary to recycle the increasing number of one-way cans and bottles and remove hundreds of millions of littered containers from Germany's streets.

Beverage distributors and retailers hoping to avoid the regulation either through the courts or through a change in the government, failed to prepare for implementation of the regulation. There is general agreement that industry will not be prepared for implementation on January 1st, and some experts estimate that startup of the deposit system is not feasible before July 1, 2003. If industry fails to comply with the regulations, NGOs and civil servants in some states have already announced that they will prosecute those who are not in compliance as of January 1st, 2003.

Plastic Waste Hits an All Time High: Only One out of Five Bottles Recycled



Source: American Plastics Council Container Recycling Institute, Dec. 2002

A report from the American Plastics Council (APC) shows that plastic bottle waste hit an all time high last year, with nearly 6 billion pounds ending up in landfills, incinerators or littered. Of the 5.78 billion pounds of plastic bottles trashed in 2001, CRI estimates that about one-half were beverage bottles. In terms of the percent of bottles recycled, both PET (#1) and HDPE (#2) bottles showed negligible increases over 2000 rates.

"While it is useful to compare consecutive years," said Pat Franklin, CRI's executive director, "looking back over the past decade offers a better perspective on long-term trends. For example, the PET recycling rate in 2002 (22.1%) was 2.5 percentage points lower than the 1991 rate, but it was 15 percentage points lower than the 1994 rate—the peak year for plastic bottle recycling." According to CRI, the PET soft drink bottle recycling rate in 2001 was exactly the same as the 1991 rate—35.1%--but far below the all-time high of 52.8% in 1994.

A comparison of PET and HDPE recycling over the past decade (fig. 1) shows that the HDPE recycling rate more than doubled while the PET recycling rate dropped 3 percentage points. PET recycling has not kept pace with the tremendous growth in sales, which grew more than 200% from 1991 to 2001. The number of pounds of PET wasted also grew from about 900 million pounds in 1991 to more than 2,900 million pounds last year. HDPE bottle waste has grown at a far slower pace.

In a recent *Plastics News* article, Pete Dinger, APC technology director, said that getting enough material from community recycling programs continues to be a challenge. He was quoted in the article as saying, "…something has to happen to stimulate the consumer to recycle more." In the same article, Franklin faulted the APC report for not mentioning what she said is a major driver of recycling — container deposit laws. APC opposes them, but Franklin said deposit systems have a recycling rate three to four times that of the national average. "Nothing stimulates the consumer like a refundable deposit," said Franklin.

("New York MRF" Continued from page 5)

and redeemed for the nickels. David Lupinski, director of the Regional Recycling Center for the Oneida-Herkimer Solid Waste Authority (OHSW), was one of the first municipal waste/recycling managers to redeem the abandoned deposits. The OHSW Authority has an agreement with commercial redemption centers, whereby the Authority gets five cents for all of the plastic and aluminum beverage containers processed at the 200-ton per day MRF.

MRF sorters throw all the plastic beverage bottles down a shute and into a 300 gallon plastic bag. The aluminum cans go into a container behind the sorter. The authority is licensed as a redemption center but does not deal with the beverage distributors, and thus does not get the 2-cent handling fee. The two redemption centers that receive the material from the MRF, sort the plastic and aluminum and collect the handling fee from the beverage distributors.

While the Oneida-Herkermer program removes both plastic beverage bottles and aluminum cans, the Westchester program removes only aluminum cans. Westchester County did an analysis of the containers at the MRF and found that while the volume of glass and plastic deposit bottles warranted an additional sort, hand sorting the glass and plastic deposit bottles was not economically viable. The use of reverse vending machines (rvm), to mechanically read the bar codes was then investigated, but the County collects recyclables in packer trucks that crush the plastic bottles rendering them unreadable by the rvm machines. Also, most of the glass bottles are broken.

There is clearly an opportunity for municipal governments in deposit states to generate revenue for their programs or for nonprofit agencies by capturing the nickels (or in the case of Michigan, dimes) on deposit containers that end up in curbside recycling bins.

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