

OREGON LIQUOR CONTROL COMMISSION
CHAPTER 845, DIVISION 20
REDEMPTION CENTER PACKAGE
PROPOSED AMENDMENTS – *Final Staff Draft*

Note: **Bold and underlined** = new text; *italics and strikethrough* = deleted text

845-020-0010
Certification of Containers

(1) A beverage container may be certified by the Commission if:

(a) It is reusable as a beverage container by more than one manufacturer in the ordinary course of business; and

(b) More than one manufacturer will in the ordinary course of business accept the beverage container for reuse as a beverage container and pay the refund value of the container.

(2) The Commission shall withdraw certification of a beverage container which it determines is no longer qualified for certification under section (1) of this rule.

(3) The Commission shall refuse to certify or shall withdraw certification of:

(a) A beverage container which by reason of its shape or design, or by reason of words or symbols permanently inscribed thereon, whether by engraving, embossing, painting, or other permanent method, is reusable as a beverage container in the ordinary course of business only by a manufacturer of a beverage sold under a specific brand name;

(b) Each beverage container, in excess of one, for beer and other malt beverages, having a liquid capacity of 16 fluid ounces or less;

(c) Each beverage container, in excess of one, for beer and other malt beverages, having a liquid capacity of more than 16 fluid ounces; or

(d) Any beverage container which would tend to disrupt the orderly return and reuse of beverage containers.

Stat. Auth.: ORS 459A.725(1) & (3) & 459A.730 (1) & (2)

Stats. Implemented: ORS 459A.725

845-020-0015

Application for Certification of Containers

Any manufacturer desiring certification of a beverage container shall make application to the Commission upon forms to be furnished by the Commission. The application shall state the name and address of the manufacturer requesting the container certification and the name and addresses of each other manufacturer, known to the applicant, who will in the ordinary course of business accept the beverage container for reuse as a beverage container and pay the refund value of the container. The application shall include such additional information as the Commission may require. Each application for certification will be accompanied by the following:

- (1) Sample of the container to be considered for certification.
- (2) Container manufacturer's print of the container design and specifications.
- (3) Two color photographs (5" x 7") of container.
- (4) Statement of applicant and of one other manufacturer that each will in the ordinary course of business accept the beverage container for reuse as a beverage container and pay the refund value of the container.

Stat. Auth.: ORS 459A.725(1) & (3) & 459A.730(1) & (2)

Stats. Implemented: ORS 459A.730

845-020-0020

Redemption Centers

(1) The Commission shall approve a redemption center if it finds the redemption center will provide a convenient service to consumers for the return of empty beverage containers.

(2) The Commission considers factors such as the following in determining whether or not a redemption center provides a convenient service to consumers for the return of empty beverage containers:

(a) Location of the redemption center;

(b) Kinds of beverage containers accepted at the redemption center;

(c) Dealers to be served by the redemption center and their distance from the redemption center;

(d) Days and hours of operation of the redemption center;

(e) Parking facilities serving the redemption center;

(f) Evidence showing that the redemption center meets all applicable local ordinances and zoning requirements;

(g) The cap on the number of beverage containers per person per day that the redemption center will accept;

(h) Payment method(s) accepted by the redemption center for redeemed beverage containers;

(i) The projected volume of beverage container returns at the redemption center as compared to the actual returns at the dealers to be served by the redemption center;

(j) How consumers will be notified of the redemption center's location, services, and service hours.

Stat. Auth.: ORS 459A.735(1), (3) & (4)

Stats. Implemented: ORS 459A.735

845-020-0025

Application for Approval of Redemption Center

Any person desiring approval of a redemption center shall make application to the Commission upon forms to be furnished by the Commission. The application shall include the following and such additional information as the Commission may require:

(1) Name and address of each person to be responsible for the establishment and operation of the redemption center;

(2) Exact location and mailing address of redemption center;

(3) Kinds of beverage containers that will be accepted at the redemption center;

(4) Names and addresses of the dealers to be served by the redemption center;

(5) Distances from the redemption center to the dealers to be served;

(6) Days and hours of operation of the redemption center;

(7) Description of parking facilities to serve the redemption center;

(8) Evidence showing that a redemption center meets the zoning requirements and other applicable local ordinances of the regulating local jurisdiction--i

(9) The cap on the number of beverage containers per person per day that will be accepted at the redemption center;

(10) Payment method(s) for redeemed beverage containers;

(11) The projected volume of beverage container returns at the redemption center as compared to the actual returns at the dealers to be served by the redemption center;

(12) How consumers will be notified of the redemption center's location, services, and service hours.

Stat. Auth.: ORS 459A, 459.992 & 471.730

Stats. Implemented: ORS 459A.735

845-020-0030

Standards of ~~Sanitation and~~ Cleanliness for Redemption Centers

All persons responsible for the establishment and operation of the redemption center shall at all times keep the redemption center premises, including the parking facilities serving the redemption center, in full compliance with the law ~~and with the orders and regulations of the Oregon State Board of Health, the State Health Division, the State Department of Agriculture, and other regulatory agencies~~. Such persons shall keep such redemption center premises in good repair, painted, clean, well lighted, free of litter and trash, and free of rodents, vermin, **infestations of** insects, and their harborages or breeding places.

Stat. Auth.: ORS 459A.735(1), (3) & (4)

Stats. Implemented: ORS 459A.735