For your information

The Oregon Liquor Control Commission has:

X Amended
Adopted
Repealed

OAR 845-020-0035

Effective: 1/1/18

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

845-020-0035
When Dealer Not Required to Accept Containers

(1) The Commission does not interpret ORS 459A.710 to require a dealer to accept an empty beverage container, if the dealer:

(a) Occupies a total enclosed space of 5,000 or more square feet in a single location and has not offered the kind of beverage for sale within the past six months;

(b) Occupies a total enclosed space of less than 5,000 square feet in a single location and has not offered the kind, size, and brand of beverage for sale within the past six months;

(c) Has reasonable grounds to believe the container was sold at retail outside Oregon;

(d) Has reasonable grounds to believe that the container was obtained from or through a distributor without paying the refund value. The primary goal of this subsection is to prevent distributors, recyclers or others from putting containers through the refund/return system more than once without paying the refund value; or

(e) Has reasonable grounds to believe that the container has already been redeemed, such as through a reverse vending process.

(2) Dealers must not use this rule to frustrate the requirement of the Beverage Container Act that dealers accept return of:

(a) Up to 144 beverage containers sold in Oregon from any person in any one day at all hours the dealer is open for business, if the dealer occupies a total enclosed space of 5,000 or more square feet in a single location and is not in a redemption center zone;
(b) Up to 144 beverage containers sold in Oregon from any person in any one day at all hours the dealer is open for business if the dealer occupies a total enclosed space of 5,000 or more square feet in a single location, is in a redemption center zone, and is approved for an exemption under ORS 459A.738(5)(c).

(eg) Up to 50 beverage containers sold in Oregon from any person in any one day at all hours the dealer is open for business if the dealer occupies a total enclosed space of less than 5,000 square feet in a single location and is not in a redemption center zone;

(d) Up to 24 beverage containers sold in Oregon from any person in any one day at all hours the dealer is open for business if the dealer occupies a total enclosed space of 5,000 or more square feet in a single location, is in Zone 2 of a redemption center, and participates in that redemption center;

(e) Up to 24 beverage containers sold in Oregon from any person in any one day at all hours the dealer is open for business if the dealer occupies a total enclosed space of less than 5,000 square feet in a single location and is in a redemption center zone.

(f) Up to 350 beverage containers sold in Oregon from any person in any one day at all hours the dealer is open for business if the dealer occupies a total enclosed space of 5,000 or more square feet in a single area, is in a redemption center zone, and does not participate in that redemption center. This requirement is in addition to other equivalent services to the redemption center that the dealer must provide as specified in ORS 459A.738(5).

Stats. Implemented: ORS 459A & 459A.738

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