# California Beverage Container Recycling and Litter Reduction Act

# SB 1013-Wine & Distilled Spirit Expansion SB 353- Additional Changes

Lead Presenter:

Stacie Carder
Supervisor, Registration Unit Team 1





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## **Today's Topics**

- 1. Introductions and Opening Remarks
- 2. How to submit questions or comments
- 3. Overview of SB 1013 and SB 353 Changes
- 4. Program Basics
- 5. Registration Form and Process
- 6. Labeling Requirements
- 7. Account Maintenance, Report and Payment Basics
- 8. DORIIS Demonstration
- 9. Questions and Answers





# 1. Introductions

**Opening Remarks** 

Amy Cameron, Assistant Director, Division of Recycling

SB 1013 & SB 353 Changes, Program Overview and Registration of Beverage Manufacturers and Distributors

Stacie Carder, Registration Unit 1 Supervisor

**Labeling Requirements and Examples** 

Rachel Manford, Registration Unit 2 Supervisor

**Account Maintenance, DORIIS Basics & Demonstration** 

Shamila Tooker, Participant Management Unit Supervisor

**Questions and Feedback** 

Moderated by Rachel Manford & Jennifer Akins





# Assistant Director for Division of Recycling Opening Remarks

**Amy Cameron** 





# 2. How to Submit Questions and Comments

- Please keep comments on topics related to beverage manufacturers, distributors and CRV labeling.
- Use the Q&A button to submit questions during the presentation.
- Will do our best to answer your questions after the presentation however, if the question is specific to your company, we will get back to you.





# 3. Overview of SB 1013 and SB 353 Changes





**SB 1013** Approved by Governor Newsom on September 27, 2022

This legislative bill:

- Effective January 1, 2024 Brought wine and distilled spirits into the California Beverage Container Recycling Program (BCRP)
- Added Wine and Distilled Spirit Coolers with any percent ABV
- Added new container materials and corresponding CRV rate
- Outlines when all new beverages must have a CRV message





**SB 353** Approved by Governor Newsom on October 13, 2023

This legislative bill:

- Brought in all fruit & vegetable juice regardless of size January 1, 2024
- Exempts Tasting Room Bottles from CRV
- Exempts specific beverage containers from CRV labeling indefinitely
- Changed the definition of Beverage Manufacturer







## The CA Beverage Container Recycling & Litter Reduction Act includes:

- New Beverages SB 1013:
  - Wine, including sparkling or carbonated
  - Wine from which alcohol as been removed in whole or in part
  - Distilled Spirits
  - Wine Coolers/Distilled Spirit Coolers with any percentage of alcohol by volume (RTD Mixed Cocktails)
- New Beverages SB 353:
  - 100% Fruit Juice 46 oz or more
  - 100% Vegetable Juice above 16oz

PRC14504(a)

PRC14528.5





**Effective January 1, 2024** 

## SB 1013 - The Act now includes:

#### **New Containers:**

- Includes Wine or Distilled Spirits packaged in box, bladder, pouch, or similar container - PRC14504(a)(12)
- 25 cent CRV deposit regardless of size PRC14560(c)





# **SB 353** Beverage Manufacturer Definition Change

<u>PRC 14506(a)</u> Except as provided in subdivision (b), "beverage manufacturer" means any person who bottles, cans, or otherwise fills beverage containers, or imports filled beverage containers, for sale to distributors, dealers or consumers.

(b) For a beverage container containing beer, wine, or distilled spirits, the "beverage manufacturer" is the person who holds the license from the Department of Alcoholic Beverage Control authorizing the manufacture of the beer, wine, or distilled spirits, regardless of whether that person contracts with a third party to bottle, can, or otherwise fill the beverage container, so long as the beverage container is provided for sale to a distributor, dealer, or consumer by the holder of the license.

PRC 14575(g)(2)(A) Notwithstanding Section 14506, with respect to the payment of processing fees for beer and other malt beverages manufactured outside the state, the beverage manufacturer shall be deemed to be the person or entity named on the **certificate of compliance** issued pursuant to Section 23671 of the Business and Professions Code. With respect to the payment of processing fees for beverages manufactured outside the state and sold directly to consumers within the state with a **direct shipper permit**, the beverage manufacturer shall be deemed to be the person or entity named on the direct shipper permit issued pursuant to Section 23661.3 of the Business and Professions Code...





# SB 353- CRV Tasting Room Exemption

# CRV Not Required On Bottles Opened and Poured For Tastings

PRC14560(a)(3)(B)





# **CRV Labeling and SB 353 Exemptions**

## **SB 1013**

Required all wine and distilled spirits, offered for sale, to be labeled with a CRV message by 7/1/2025

#### **SB 353**

Created Limited Exemptions to the SB 1013 Labeling Requirement

PRC14561(f)(1)(A)-(B)-(C)



# SB 353 CRV Labeling – For All New Beverage Categories

PRC14561(f)(1) Notwithstanding any other requirement of this section, all of the following shall apply:

(A) A beverage container that is included within the scope of this division beginning on January 1, 2024, but that was not subject to this division before that date, shall be exempt from the labeling requirements of this section until July 1, 2025.

#### What does this mean?

- A CRV labeling message is optional, but <u>not</u> required
   January 1, 2024 through June 30, 2025 Transition Period
- Except for the exclusions outlined in section (B) and (C),
   Most wine and distilled spirits containers will need to have a CRV label by 7/1/2025





# SB 353 CRV Labeling Exemptions- Wine and Distilled Spirits

PRC14561(f)(1)(B) A beverage container that is included within the scope of this division beginning on January 1, 2024, but that was not subject to this division before that date, and that was filled and labeled before January 1, 2024, shall be exempt from the labeling requirements of this section.

#### What does this mean?

- Wine and Distilled Spirits <u>bottled prior to January 1, 2024</u>
   do not require a CRV label Ever.
- Library Wines, old stock- Do not require a CRV message added



# SB 353 CRV Labeling Exemptions-Large Fruit and Vegetable Juice

PRC14561(f)(1)(C) A beverage container containing a beverage described in paragraph (7) or (9) of subdivision (a) of Section14504 that is included within the scope of this division beginning on January 1, 2024, but that was not subject to this division before that date, and that was **filled and labeled before July 1, 2024**, shall be exempt from the labeling requirements of this section.

#### What does this mean?

- Large format Fruit and Vegetable juice <u>bottled prior to</u>
   July 1, 2024 do not require a CRV message Ever.
- Previously bottled stock- Doesn't need the CRV message added





# **SB 353** CRV Labeling Requirement Changes Summary

- CRV labeling is not required for older stock:
  - Wine/Distilled Spirits bottled prior to 1/1/2024
  - Large Fruit/Vegetable Juice bottled prior to 7/1/2024
- Remember, product that don't qualify for a labeling exemption MUST have a CRV message on or after 7/1/2025.
- Suggestions for Labeling Best Practices -
  - Wine and Distilled Spirits: Add CRV message to products bottled in 2024
  - Large Fruit/Vegetable Juice: Add a CRV message to product bottled during the second half of 2024





# 4. Program Basics





## A Company may be a Program Participant as:



Beverage Manufacturer

or

Beverage Distributor

or

• Both

or

None

Depending on your business practices regarding manufacturing, importing and sales of beverages in CA.





A person or entity who meet one or more of the following five criteria:

Beverage Manufacturer For beer, wine, or distilled spirits beverages, the entity who holds the CA Department of Alcoholic Beverage Control (ABC) manufacturing license

PRC 14506(a)+(b)

<u>OR</u>

In State

For water, soft drinks, sports drinks, juice, coffee/tea, the entity who bottles, cans or fills beverage containers in California

<u>OR</u>

- Imports beverages into California for sale to:
  - Distributors/ Dealers/ Consumers

<u>OR</u>

Holds a Certificate of Compliance with ABC- (Beer/Malt only)

PRC14575(g)(2)(A)

**Out Of State** 

<u>OR</u>

Out of state entity, holding a Wine Direct Shippers Permit with ABC-(direct to CA consumer- Wine Club & online sales)



**Distributor (DS) -** PRC 14511 CCR 2320

A Distributor is anyone who:

Sells beverage containers to a dealer in CA.

## <u>OR</u>

• Person importing beverages from outside CA for sale to dealers or consumers in the state.

#### <u>OR</u>

 Out of state entity Holding an ABC Wine Direct Shippers Permit (direct to consumer)

#### <u>OR</u>

 Beverage Manufacturer or Brand Owner selling direct to a consumer in CA





# **Beverage Manufacturers Pay Processing Fees:**

- What are Processing Fees?
- Processing Fee rates vary based on container material
- Change each calendar year
- Size does not matter

2024 Rates <a href="https://www2.calrecycle.ca.gov/Docs/Web/118404">https://www2.calrecycle.ca.gov/Docs/Web/118404</a>

- Glass \$0.00576
- Plastic 1 PETE \$0.00110
- Box Equivalent \$0.00697





# Distributors Collect and Submit CRV (minus 1.5% Administrative Fee Discount):

What is CRV?

Glass, Plastic, Aluminum, Bimetal rates:

- > 5¢ under 24 ounces
- 10¢ 24 ounces and above

Box, Bladder, Pouch rates - Wine & Distilled Spirits beverages only:

25¢ regardless of size





# 5. Registration



# **Registration Form**

State of California CalRecycle 751 Department of Resources Recycling and Recovery (CalRecycle)

#### BEVERAGE MANUFACTURER / DISTRIBUTOR REGISTRATION FORM

Please complete and return both pages to <a href="mailto:Reg.CRVLabeling@CalRecycle.ca.gov">Reg.CRVLabeling@CalRecycle.ca.gov</a> or mail to CalRecycle - Registration Unit, 801 K Street, MS 17-03, Sacramento, CA 95814 or via fax at (916) 319-7400

Doing Business As (DBA) Name:	Legal Name:		
Federal Tax ID (Employer Identification Number):	ABC Certificate of Compliance or Direct Shippers  Permit #/Out-of-state Beer Manufacturers & Wineries only)		
Physical Business Address	Mailing Address (if different from physical address)		
Street:	Street:		
City, State Zip:	City, State Zip:		
California Warehouse Location(s) (ifapplicable)	Other California Address (if applicable) (Examples: Company owned bottling facility or sales office)		
(Attach additional sheets if necessary)  Check one: Rented Leased Owned	(describe)		
Street:	Street:		
City, State Zip:	City, State Zip		
Primary Point of Contact	Secondary Point of Contact		
Mr. Mrs. Ms. Other:	Mr. Mrs. Ms. Other:		
Name:	Name:		
Title:	Title:		
Phone:	Phone:		
Email:	Email:		
Ownership Structure: Corporation Limited Liability	/ Company Other:		
This company is a (check all that apply): Brewery Disti	lled Spirit Manufacturer Winery None of these		
Date company began sales or transfers of beverages in single use containers in California:(month/year)			
Are free beverage product samples offered or donated in Calif	fornia? Yes No		
Are you selling direct through your website or other E-commer	rce platforms? Yes No		

proposed to be offered for sale or t		ypes, and container sizes offe Check all thatapply)	red for sale or transfer, or
Product Line:			
Beer or Malt Beverages Di	stilled Spirits Win	ne Wine/Distilled Spirit C	oolers Coffee/Tea Dri
Carbonated Soft Drinks N	on-Carbonated Soft D	rinks Carbonated Wate	r Non-Carbonated Wa
Sport Drinks 100% Vegeta	able Juice (Size in oz)_	100% Fru	it Juice (Size in oz)
Carbonated Fruit Drinks No	n-Carbonated Fruit Dr	inks Other (Describe):	
Container Material Type:		Refillable:	
Aluminum Glass	Bi-Metal	(Empty beverage contain place of business to be re	ers which are returned to yo filled and resold)
Wine or Distilled Spirit in Box,	Bladder or Pouch	All None	Some
Plastic: #1 PET #2 HDPE	#3 PVC	Sizes:	
#4 LDPE #5 PP #6 P	#7 Other	Under 24 ounces	24 ounces or over
Other Material (Describe):	_		
Do you bottle or can your own beve	erages? (Canning inclu	des taproom sealed crowlers)	All None Som
If None or Some, provide the name	and contact informat	ion for your beverage supplie	rs, co-packers and/or bottle
(Attach additional sheets if needed): Company Name	Contact Person	Phone	Address
		<u></u>	
Who do you sell or transfer beverag			
Retailers Restaurants  Distributors (Provide information		nsumers Common ther Describe:	Carriers (Planes, trains, etc.
Company Name	Contact Person	Phone	Address

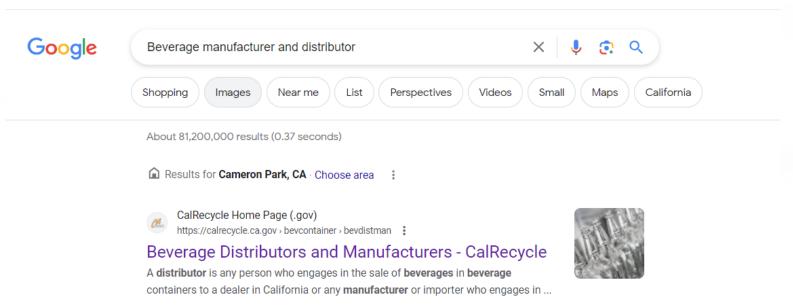
- When should I complete the form? Now
- Date company began sales = Reporting Start Date 1/1/2024





# **Finding the Registration Form**

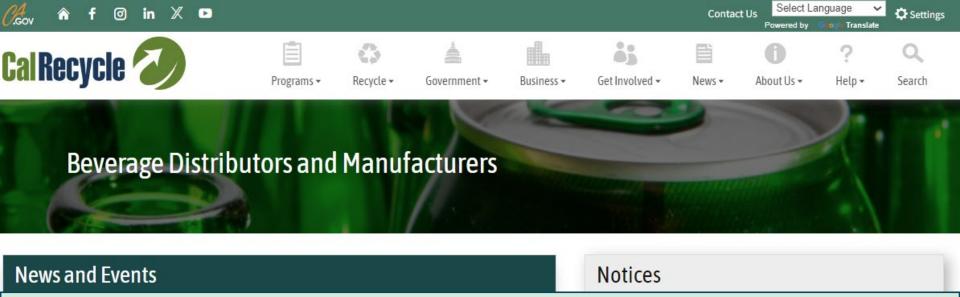
Google: Beverage Manufacturer and Distributor



or

https://calrecycle.ca.gov/bevcontainer/bevdistman/registration/





# **Registration Process**

To determine if your company is a beverage manufacturer and/or beverage distributor, as defined above, you may:

- •Complete the registration form online or
- <u>Download and complete the pdf version</u> of the form and submit via fax or mail as noted on the top of the form.

After your registration form is received, a Recycling Specialist will be in contact with you. If your company is determined to be a beverage manufacturer and/or distributor, you will receive reporting identification number(s) and can begin reporting and paying processing fees and/or CRV.

If you have any questions regarding registration, please contact the Registration Unit via phone at (916) 323-1835 or via email at reg.crvlabeling@calrecycle.ca.gov.





- Registration Form will be reviewed. Staff will ask additional questions for clarification
- If you meet one or both definitions, you will be assigned account numbers & account representative
- The Registration Unit will continue to assist with CRV Labeling questions
- Account File moved to Participant Management Unit





- As of January 1, we have registered 3,139 Beverage Manufacturers and 3,078 of Distributors and currently have 2,300 in the queue.
- Processing Fee and CRV payments are required for California Sales beginning January 1, 2024.
- If you have not yet submitted a registration or your registration is still in the queue, we recommend you collect and set aside CRV for retroactive payment.
- A delay in your completed registration or processing of your portal login will not result in a penalty while we finish the queue.





# **6. Labeling Requirements**





- All beverage manufacturers, including wine and spirit manufacturers, must meet the labeling requirements of PRC 14561 and CCR 2200
- Wine and distilled spirit manufactures:
  - Not required to submit labels for approval
  - May request assistance and/or label review to ensure compliance

If you are in doubt or just want verification that your labels comply, we encourage you to request assistance.

We are here to help!





# \*\*CRV Labeling is Optional for new beverages January 1, 2024 to June 30, 2025 \*\*

**Transition Period** 





# **Five CRV Message Options**

- California Redemption Value
- CA Redemption Value
- California Cash Refund
- CA Cash Refund
- **❖**CA CRV

PRC 14561(a)





# **CRV Labeling Size & Location Requirements**

The CRV Message must be **clearly, prominently and indelibly** marked:

- Glass & Plastic Message must be on the container body label or secondary label
  - A text height of 3/16", or
  - A minimum text height of 1/8" and in a contrasting color to the background and nearby text
- Aluminum Cans- Message must be on the top lid
  - Tops over two inches in diameter- message must be 3/16" in height
  - Tops two inches or less in diameter- message must be 1/8" in height

CCR 2200(b)







Text height of 3/16"



Minimum Text
Height of 1/8" with
Contrasting Color



On lid of aluminum container





#### **Examples of Approved labels:**

GOVERNMENT WARNING: (1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS. (2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

INGREDIENTS: Carbonated Water, Wine, Cane Sugar, Natural Flavors, Malic Acid, Potassium Sorbate, Sulfiting Agents (to preserve freshness)

750 ML (24.5 FL 0Z)
ME-VT-HI-IA-NY 5¢
MI 10¢

CA CRV
PLEASE RECYCLE

### **2020 CABERNET SAUVIGNON** CELLARED AND BOTTLED BY

OAKVILLE CALIFORNIA USA

GOVERNMENT WARNING: (1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE

RISK OF BIRTH DEFECTS. (2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

1.5 L ALC 14.5% BY VOL CONTAINS SULFITES









Stickers (not on cans)
Ink Jet
Stamp

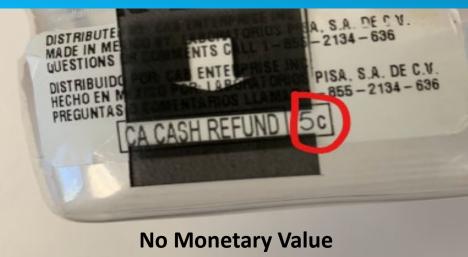


The CRV Message must be **clearly, prominently and indelibly** marked.

CCR 2000(a)(27) "Indelibly" means that the redemption message is permanently affixed on the beverage container from the point of purchase until the point of redemption and cannot be smeared or removed during regular use.



# Not Acceptable CRV Messages







**Must be Prominent from surrounding text** 



No Stickers on Can Lids



Font size must be 1/8" not Text Box





### **CRV Labeling Reviews**

#### PDF or JPG digital images can be emailed

- The best images are the <u>die line artwork/proof sheets in 300 ppi</u> resolution that specifies the exact height/width dimensions.
- Non die line images: include exact height/width dimension of the label.
- Plastic containers: include additional picture of the resin code triangle.
- Aluminum cans: include additional picture of the can lid, & lid diameter.





### **CRV Labeling & QR Codes**

- SB 1013 allows QR codes to be used to meet the CRV Labeling requirements either in place of or adjacent to the CRV message on the label.
- If using the QR code before the regulations are in place, the QR Code must be **clearly, prominently and indelibly** marked and permanently affixed to the container.
- When an individual opens the QR Code, it must immediately take the consumer to one of the 5 approved messages without having to scroll:

\*California Redemption Value

\*California Cash Refund

\*CA CRV

\*CA Redemption Value

\*CA Cash Refund





### **CRV Labeling & QR Code Proposed Regulations**

- CalRecycle will be promulgating regulations for QR codes in 2024.
  - Please join our "CalRecycle Proposed Regulations" Listserv for more information: https://www2.calrecycle.ca.gov/listservs/
- QR codes will be required to have a chasing arrows symbol in the indica or must have "CA CRV" on the label adjacent to the QR code. Other proposals:
  - Will be allowed for aluminum, glass or bimetal beverage containers (as long as they
    have a 50% recycling rate as found in the most recent biannual report: <u>January to</u>
    <u>June 2023 Biannual Report</u>).
  - Plastic containers must be compliant with post consumer minimum content requirements to use the QR code.
  - Include location for the QR code by container type.





# For labeling assistance Please contact the Registration Units:

Registration Units (916) 323-1835

reg.crvlabeling@calrecycle.ca.gov





# 7. Account Maintenance, Report and Payment Basics – Participant Management Unit





# Participant Management Unit & Your Account Representative

- Primary contact after registration
- Introductory phone call to review reporting and payment responsibilities
- Assists with Division of Recycling Integrated Information System (DORIIS) access
- Provides any training needed



### **Portal Access Request Form**

State of C	alitornia R <i>iis</i>	BEVERAGE I	MANUFA	CTURE				eycie) ECVCIE
	113	WEDTO			NFORMATIO			7000
Name:			11 Lin 2. Cin					
Name:		Last		_	First			
Company Name:		Email Addro			s:			
Company Address:								
Company Address.	Street					City	ZIPC	ode
Work Phone:					Fax:	1		
ITEM 2: SUBMIT REPORTS AND PAYMENTS FOR ACCOUNT(S)								
				OUNTID#S				
BEVERA	GE MANUFA	CTURER (BM) ID:	:		Di	STRIBUTOR (D	8) ID#	
(EXAMPLE) BM 9999				(EXAMPLE) DS 9999				
		ITEM 3: DEA	CTIVATE PI	RIOR EN	IPLOYEE AC	CESS		
Name:								
				Deact	vates email :	address from Al	II accoun	ts
Email Address	_			Deute	value circuit	addictor ironi sa	LL GOODGII	
By signing and submithis form.	itting this form,	ITEM 4: D I certify that I have re			pt the DORIIS A		enditions of	Use printed on
I declare under penal correct.	ity of perjury u	nder the laws of the St	ate of Californi	ia that all t	he information	on this request for	m is true and	
Authorize	d User:	H MINE						
	_	(Signature)			(Printed Name	e/Title)	_	(Date)
on this form.		n, I certify that I have n this person to access t						
responsible for all u	se of the DORI	S portal and electronic	c submissions r	made by th	is person.			
I declare under penalty of perjury under the laws of the State of California that all the information on this request form is true and correct, that I represent the above-named entity, and I am duly authorized to sign this request.								
	MINNE	,,						
Responsible Party: (Signature) (Printed Name/Title) (Date)								
	,	0 ,			4		(22.2)	
(Email address) (Contact Phone Number)								
Mail or Email Comple	ted Form to:				F	or State Use Only	r.	
CalRecycle			Receipt		Person			QC Complete
Participant Manage 1001   Street MS 10			Date: Reviewed by		Registry ID 8: Company			Date:
Sacramento, CA 95814			Initials:		Registry ID 8:			Organization Contact ID 8:
ParticipantManage	iRecycle.ca.gov	Sent to Operat	tions Date:		Representative:			

- <u>Purpose:</u> Access to the DORIIS system for reporting and payment of CRV and Processing Fees.
- When: After registration, an introductory email will include the Portal Access Request Form
- How: DORIIS Help Desk will send a username and password after form is submitted.



Version 1.8



**Distributor Reports** and associated redemption payments must be received by the last day of the month following the month of sales.

**Beverage Manufacturer Reports** and associated processing fees must be submitted by the 10th day of the second month following the month of sales.

Distributor	Charge and Collect CRV	January 2024 Report & Payment  DUE: 2/29/2024 (leap year)
Beverage Manufacturer	Track Sales and Transfers	January 2024 Report & Payment DUE: 3/10/2024





For registration or labeling questions: Registration Units (916) 323-1835

reg.crvlabeling@calrecycle.ca.gov

Participant Management General Contact: <a href="mailto:participantmanagementunit@calrecycle.ca.gov">participantmanagementunit@calrecycle.ca.gov</a>

**Online registration form:** 

https://calrecycle.ca.gov/bevcontainer/bevdistman/registration/

Please enroll in CalRecycle's Listservs for future workshop or seminar announcements regarding SB 1013

https://www2.calrecycle.ca.gov/Listservs/





## 8. DORIIS Reporting Presentation





### 9. Questions and Answers

Q & A Button

