

§3105. Labels; stamps; brand names

1. Labels. Except as provided under subsection 4, the refund value, or the words "refund value" or the abbreviation "RV," and the word "Maine" or the abbreviation "ME" must be clearly indicated on every refundable beverage container sold or offered for sale by a dealer in this State, by embossing, stamping, labeling or other method of secure attachment to the beverage container, except in instances when the initiator of deposit has specific permission from the department to use stickers or similar devices. The refund value may not be indicated on the bottom of the container.

[PL 2023, c. 482, §8 (AMD).]

2. Labels; nonrefillable containers; nonexclusive distributorships.

[PL 2023, c. 482, §9 (RP).]

3. Labels; nonrefillable containers; exclusive distributorships.

[PL 2023, c. 482, §10 (RP).]

4. Refillable beverage containers. Refillable beverage containers for which the deposit is initiated under section 3103 that have a refund value of not less than 5¢ and a brand name permanently marked on the container are not required to comply with subsection 1.

[PL 2023, c. 482, §11 (AMD).]

5. Label registration. An initiator of deposit shall register the container label of any beverage offered for sale in the State on which it initiates a deposit. Registration must be on forms or in an electronic format provided by the department prior to July 15, 2025 and by the cooperative beginning July 15, 2025 and must include the universal product code for each combination of beverage and container manufactured. The initiator of deposit shall renew a label registration annually and whenever that label is revised by altering the universal product code or whenever the container on which it appears is changed in size, composition or glass color. The initiator of deposit shall also include as part of the registration identification of a collection agent, identification of all of the parties to a commingling agreement that applies to the container and proof of the collection agreement.

A. Prior to July 15, 2025, the department may charge a fee for registration and registration renewals under this subsection. [PL 2023, c. 482, §12 (NEW).]

B. Beginning July 15, 2025, a commingling group shall ensure that all initiators of deposit participating in the commingling group provide to the cooperative accurate and up-to-date label registration information required by this subsection and that any updates to label registrations are provided to the cooperative at least 30 days prior to introduction for sale in the State. The cooperative shall ensure that accurate and up-to-date information regarding all label registrations is shared with entities using or administering reverse vending machine and account-based bulk processing programs and is made available on its publicly accessible website. [PL 2023, c. 482, §12 (NEW).]

[PL 2023, c. 482, §12 (AMD).]

6. Removal of product. A product that is sold or distributed in the State that is not in compliance with the initiator of deposit or the labeling registration requirements established in this section may be removed from sale by the department.

[PL 2015, c. 166, §14 (NEW).]

SECTION HISTORY

PL 2015, c. 166, §14 (NEW). PL 2019, c. 11, §§1, 2 (AMD). PL 2019, c. 526, §6 (AMD). PL 2023, c. 482, §§8-12 (AMD).

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