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## PUBLIC RESOURCES CODE - PRC

**DIVISION 12.1. CALIFORNIA BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION ACT [14500 - 14599]** (  
*Division 12.1 added by Stats. 1986, Ch. 1290, Sec. 2.*)

### CHAPTER 2. Definitions [14502 - 14529.7] (*Chapter 2 added by Stats. 1986, Ch. 1290, Sec. 2.*)

**14502.** Unless the context otherwise requires, the definitions in this chapter govern the construction of this division.  
*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14503.** "Aluminum beverage container" means a beverage container which consists primarily of aluminum.  
*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14503.5.** "Average monthly volume" means the average number of empty beverage containers per month received by a certified recycling center.  
*(Added by Stats. 1989, Ch. 1342, Sec. 1.)*

**14503.5.1.** "Bag drop recycling center" means a recycling location operated by a recycling center at which consumers can drop off bagged empty beverage containers for redemption.  
*(Added by Stats. 2021, Ch. 506, Sec. 1. (AB 1311) Effective January 1, 2022.)*

**14503.6.** "Beneficiating processor" means any person certified by the department as a processor who also beneficiates purchased cullet so that it is furnace ready for glass container manufacturers, consistent with prevailing standards in the manufacturing industry. Cullet shall be deemed furnace ready when it has been cleansed, is free of nonglass contaminants, and has been crushed or otherwise processed in such a manner as to be acceptable without further processing by the purchasing glass container manufacturer.  
*(Added by Stats. 1992, Ch. 1266, Sec. 2. Effective September 30, 1992.)*

**14504.** (a) Except as provided in subdivision (b), "beverage" means any of the following products if those products are in liquid, ready-to-drink form, and are intended for human consumption:

- (1) Beer and other malt beverages.
  - (2) Wine and distilled spirit coolers.
  - (3) Carbonated water, including soda and carbonated mineral water.
  - (4) Noncarbonated water, including noncarbonated mineral water.
  - (5) Carbonated soft drinks.
  - (6) Noncarbonated soft drinks and "sport" drinks.
  - (7) Except as provided in paragraph (4) of subdivision (b), noncarbonated fruit drinks that contain any percentage of fruit juice.
  - (8) Coffee and tea drinks.
  - (9) Carbonated fruit drinks.
  - (10) Vegetable juice in beverage containers of 16 ounces or less.
- (b) "Beverage" does not include any of the following:

(1) Any product sold in a container that is not an aluminum beverage container, a glass container, a plastic beverage container, or a bimetal container.

(2) Wine, or wine from which alcohol has been removed, in whole or in part, whether or not sparkling or carbonated.

(3) Milk, medical food, or infant formula.

(4) One hundred percent fruit juice in containers that are 46 ounces or more in volume.

(c) For purposes of this section, the following definitions shall apply:

(1) "Infant formula" means any liquid food described or sold as an alternative for human milk for the feeding of infants.

(2) (A) "Medical food" means a food or beverage that is formulated to be consumed, or administered enterally under the supervision of a physician, and that is intended for specific dietary management of diseases or health conditions for which distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation.

(B) A "medical food" is a specially formulated and processed product, for the partial or exclusive feeding of a patient by means of oral intake or enteral feeding by tube, and is not a naturally occurring foodstuff used in its natural state.

(C) "Medical food" includes any product that meets the definition of "medical food" in the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360ee (b)(3)).

(3) "Noncarbonated soft drink" means a nonalcoholic, noncarbonated naturally or artificially flavored water containing sugar or sweetener or trace amounts of various elements from both natural and synthetic sources.

*(Amended by Stats. 2000, Ch. 731, Sec. 1. Effective January 1, 2001.)*

**14505.** "Beverage container" means the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and which is constructed of metal, glass, or plastic, or other material, or any combination of these materials. "Beverage container" does not include cups or other similar open or loosely sealed receptacles.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14506.** "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.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14506.3.** "Bimetal container" means a beverage container which consists of one or more metals and which is composed primarily of steel.

*(Added by Stats. 1992, Ch. 1266, Sec. 3. Effective September 30, 1992.)*

**14506.5.** "Commingled" means a mix of empty beverage containers, as defined in Section 14512, and all other containers of the same material type.

*(Added by Stats. 1989, Ch. 1342, Sec. 2.)*

**14506.7.** "Commingled rate" means the ratio of empty beverage containers, as defined in Section 14512, to all other containers of the same material type, as determined by the department.

*(Added by Stats. 1989, Ch. 1342, Sec. 3.)*

**14507.5.** (a) "Community Conservation Corps" means a nonprofit public benefit corporation formed or operating pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code, or an agency operated by a city, county, or city and county, that is certified by the California Conservation Corps as meeting all of the following criteria:

(1) The corps is organized in the form of supervised work crews and selects young adults for participation on the basis of motivation for hard work, personal development, and public service, without regard to their prior employment or educational background, and consistent with Section 14402. Participation shall be for a period of one year, and may be extended.

(2) The corps' program is based upon a highly disciplined work experience, includes an educational component, and is designed to develop corpsmembers' character and civic consciousness through rigorous work on public projects. The educational component of the corps' program includes enrollment in a vocational education program, public or charter high school, or postsecondary community college.

(3) The corps compensates corpsmembers at not less than the federal minimum wage, and provides corpsmembers assistance in obtaining permanent employment following their participation in the corps program.

(4) The corps engages in recycling and litter abatement projects as well as projects that accomplish the conservationist and other purposes described in subdivisions (a) to (h), inclusive, of Section 14300, and that assist agencies of local government and other nonprofit community organizations in developing, rehabilitating, and restoring parklands, recreational facilities, and other community resources.

(5) The corps consists of an average annual enrollment of not less than 50 corpsmembers between 18 and 26 years of age. In determining the average annual enrollment of a community conservation corps for the purposes of Section 14581.1, the California Conservation Corps shall not include special corpsmembers, as described in Section 14303, who are employed by a community conservation corps.

(b) The California Conservation Corps shall evaluate a community conservation corps for the purpose of determining its eligibility for certification, pursuant to this section, after it has completed 12 months of continuous operation, and annually thereafter.

*(Amended by Stats. 2021, Ch. 133, Sec. 102. (SB 272) Effective July 23, 2021.)*

**14508.** "Consumer" means every person who, for his or her use or consumption, purchases a beverage in a beverage container from a dealer. "Consumer" includes, but is not limited to, a lodging, eating, or drinking establishment, and soft drink vending machines.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14509.** "Container manufacturer" means any person who produces beverage containers for filling by beverage manufacturers, including any person who imports these beverage containers from outside of this state for filling by beverage manufacturers.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14509.3.** "Cullet" means scrap glass that is derived from postfilled food, drink, or beverage container glass produced or imported for sale in the state.

*(Amended by Stats. 2004, Ch. 183, Sec. 290. Effective January 1, 2005.)*

**14509.4.** "Convenience zone" means either of the following:

- (a) The area within a one-half mile radius of a supermarket.
- (b) The area designated by the department pursuant to Section 14571.5.

*(Amended by Stats. 2006, Ch. 907, Sec. 1. Effective September 30, 2006.)*

**14509.5.** "Curbside program" means a recycling program which meets all of the following criteria:

- (a) The program picks up empty beverage containers from individual or multiple family residences, or both, and the empty beverage containers are separated from waste materials prior to being picked up.
- (b) The program is operated by, or pursuant to a contract with, a city, county, or other public agency, or is acknowledged, in writing, by a city, county, or other public agency.
- (c) The program accepts empty beverage containers from consumers with the intent to recycle them, but does not pay the refund value.

*(Amended by Stats. 1992, Ch. 1266, Sec. 4. Effective September 30, 1992.)*

**14510.** "Dealer" means a retail establishment which offers the sale of beverages in beverage containers to consumers. However, any lodging, eating, or drinking establishment, or soft drink vending machine operator who engages in the sale of beverages in beverage containers to consumers shall not be deemed a dealer for the purposes of this division, except that these sales are subject to Section 14560. To determine which retail establishments are dealers, the department shall use annual or more frequent updates provided by American

Business Information, Inc., as long as the information provided by American Business Information, Inc., is updated at least annually.

*(Amended by Stats. 1995, Ch. 624, Sec. 2. Effective January 1, 1996.)*

**14510.5.** "Department" means the Division of Recycling in the Department of Resources Recycling and Recovery.

*(Amended by Stats. 2009, Ch. 21, Sec. 3. (SB 63) Effective January 1, 2010.)*

**14510.6.** "Director" means the Director of Resources Recycling and Recovery.

*(Amended by Stats. 2009, Ch. 21, Sec. 4. (SB 63) Effective January 1, 2010.)*

**14511.** "Distributor" means every person who engages in the sale of beverages in beverage containers to a dealer in this state, including any manufacturer who engages in these sales. "Distributor" includes any person who imports beverages from outside of this state for sale to dealers or consumers in this state.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14511.5.** "Drink" means fruit juice or any other noncarbonated drink.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14511.7.** "Dropoff or collection program" means any person, association, nonprofit corporation, church, club, or other organization certified by the department, and that accepts or collects empty beverage containers from consumers with the intention to recycle them, or any waste reduction facility that separates beverage containers from the waste stream with the intent to recycle them. "Dropoff or collection program" does not include a certified recycling center or curbside program.

*(Amended by Stats. 2008, Ch. 696, Sec. 2. Effective September 30, 2008.)*

**14512.** "Empty beverage container" means a beverage container which meets all of the following requirements:

- (a) Has the seal or closure installed by the manufacturer broken or removed.
- (b) Does not contain foreign materials other than the residue of the beverage originally packaged in the beverage container by the manufacturer.
- (c) Bears the message required by Section 14561, or is a refillable beverage container.
- (d) Has a refund value established pursuant to Section 14560.

*(Amended by Stats. 1989, Ch. 1339, Sec. 3. Effective October 2, 1989.)*

**14512.5.** "Food or drink packaging material" means any material which is not a beverage container in which a food or drink is sold in a retail establishment and the food or drink is not intended for consumption on the seller's premises.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14512.6.** "For recycling" means that an empty beverage container has been received by a processor who has an arrangement whereby that container will actually be recycled.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14512.7.** "Fund" means the California Beverage Container Recycling Fund established pursuant to subdivision (a) of Section 14580.

*(Added by Stats. 1989, Ch. 1339, Sec. 4. Effective October 2, 1989.)*

**14513.** "Glass beverage container" means a beverage container which has a body consisting primarily of glass.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14513.2.** (a) Except as provided under Section 14549, "glass container manufacturer" means a person who manufactures commercial containers, whose principal component part or parts consist of virgin glass, postfilled glass, or any combination of both, for sale in California or for export to other states or countries.

(b) "Glass container manufacturer" includes, but is not limited to, all commercial manufacturing operations which produce beverage containers, food or drink packaging material made primarily of glass, or any combination of both of those items. For beer and other malt beverages manufactured outside the state, the container 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.

*(Amended by Stats. 1995, Ch. 624, Sec. 3. Effective January 1, 1996.)*

**14513.3.** "Glass food or drink container" means any nonbeverage container, whose principal component part or parts consist of virgin glass, postfilled glass, or any combination of both, in which any food or drink is sold or offered for sale in California.

*(Added by Stats. 1990, Ch. 1094, Sec. 3.)*

**14513.4.** "Handling fee" means an amount paid to an operator of a supermarket site, a rural region recycler, as defined in Section 14525.5.1, or a nonprofit convenience zone recycler, as defined in Section 14514.7, that is located in a convenience zone, for every beverage container redeemed by the operator at the supermarket or within the zone in which the supermarket site is located, by the rural region recycler, or by the nonprofit convenience zone recycler.

*(Amended by Stats. 1999, Ch. 815, Sec. 4. Effective January 1, 2000.)*

**14513.5.** "HDPE" means a plastic beverage container labeled with a "2" for high-density-polyethylene resin pursuant to Section 18015 and subject to this division.

*(Added by Stats. 2003, Ch. 753, Sec. 1. Effective January 1, 2004.)*

**14514.** "Managing employee" includes, but is not limited to, any person who manages the operation of a facility or is authorized by the certified operator to sign shipping reports.

*(Added by Stats. 2000, Ch. 731, Sec. 2. Effective January 1, 2001.)*

**14514.4.1.** "Neighborhood dropoff program" means a recycling program that meets all of the following criteria:

- (a) The program is certified by the department as a dropoff or collection program.
- (b) The program has been designated by a city, county, or city and county to provide a recycling opportunity in residential neighborhoods specified by the city, county, or city and county.
- (c) The program is located in a rural region, as identified pursuant to subparagraph (A) of paragraph (1) of subdivision (c) of Section 14571.

*(Amended by Stats. 2021, Ch. 506, Sec. 2. (AB 1311) Effective January 1, 2022.)*

**14514.6.** "Not for recycling" means that an empty beverage container has been received by a processor who does not have an arrangement whereby that container will actually be recycled.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14514.7.** "Nonprofit convenience zone recycler" means a recycling center that meets the criteria described in subdivision (a) or (b):

(a) The recycling center is all of the following:

- (1) Operated by an organization established under Section 501(c) or 501(d) of Title 26 of the United States Code.
- (2) Certified by the department pursuant to Section 14538.
- (3) Located within a convenience zone, but is not necessarily a supermarket site.

(b) The recycling center is all of the following:

- (1) Operated by an organization established under Section 501(c) or 501(d) of Title 26 of the United States Code and has operated in the same location for a period of not less than five years.
- (2) Certified by the department pursuant to Section 14538.
- (3) Located within one mile of a supermarket that is in a convenience zone that is exempt from the requirements of subdivision (a) of Section 14571.

*(Amended by Stats. 2009, Ch. 140, Sec. 156. (AB 1164) Effective January 1, 2010.)*

**14515.** "Other beverage container" means a beverage container which has a body consisting of metal, glass, plastic, other materials, or a combination of these, but which is not an aluminum, bimetal, glass, or plastic beverage container.

*(Amended by Stats. 1993, Ch. 1259, Sec. 2. Effective October 11, 1993.)*

**14515.1.** "Out-of-state container" means a used beverage container or used beverage container component that is not subject to Section 14560, and that is brought into this state.

*(Added by Stats. 2000, Ch. 731, Sec. 3. Effective January 1, 2001.)*

**14515.2.** "Person" means any individual, corporation, operation, or entity, whether or not certified or registered pursuant to this division.

*(Added by Stats. 2014, Ch. 597, Sec. 1. (AB 1846) Effective January 1, 2015.)*

**14515.5.** "PET container" means a plastic beverage container labeled with a "1" pursuant to Section 18015 and subject to this division.

*(Amended by Stats. 1999, Ch. 815, Sec. 7. Effective January 1, 2000.)*

**14515.6.** "Physical recycling location" means the area in a convenience zone served by one or more reverse vending machines which accept all empty aluminum, glass, and plastic beverage containers and issue a cash refund or a redeemable credit slip and are located within 10 feet of each other. The physical recycling location shall redeem odd sized empty beverage containers or empty beverage containers made from other material types in a manner approved by the department. "Physical recycling location" does not include a combination of reverse vending machines which accept less than all empty aluminum, glass, and plastic beverage containers and one or more dropoff bins.

*(Added by Stats. 1989, Ch. 1342, Sec. 5.)*

**14515.8.** (a) "Pilot project recycler" means a recycling location established under Section 14571.9.

(b) This section shall remain in effect only until January 1, 2027, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2027, deletes or extends that date.

*(Amended by Stats. 2021, Ch. 115, Sec. 66. (AB 148) Effective July 22, 2021. Repealed as of January 1, 2027, by its own provisions.)*

**14516.** "Place of business of the dealer" means the location at which a dealer sells, or offers for sale, beverages in beverage containers to consumers.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14517.** "Plastic beverage container" means a beverage container which has a body consisting primarily of plastic.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14517.5.** "Postfilled container" means any container which had been previously filled with a beverage or food.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14518.** "Processor" means any person, including a scrap dealer, certified by the department who purchases empty aluminum beverage containers, bimetal beverage containers, glass beverage containers, plastic beverage containers, or any other beverage containers, including any one or more of those beverage containers, which have a refund value established pursuant to this division, from recycling centers in this state for recycling, or, if the container is not recyclable, not for recycling, and who cancels, or who certifies to the department in a form prescribed by the department the cancellation of, the refund value of these empty beverage containers by processing empty beverage containers, in any manner which the department may prescribe. However, the department shall not take any action regulating scrap dealers or recycling centers who are processors or recycling centers unless authorized by and pursuant to the goals of this division.

*(Amended by Stats. 1993, Ch. 1259, Sec. 3. Effective October 11, 1993.)*

**14518.4.** "Processing fee" means the amount paid by beverage manufacturers to the department pursuant to Section 14575.

*(Added by Stats. 1995, Ch. 624, Sec. 5. Effective January 1, 1996.)*

**14518.5.** "Processing payment" means an amount paid to processors, dropoff or collection programs, curbside programs, and recycling centers by the department pursuant to subdivision (a) of Section 14573 and subdivision (a) of Section 14573.5 when the department determines that the scrap value being offered by container manufacturers, beverage manufacturers, or willing purchasers for a particular container material is insufficient to insure the economic recovery of the container type at the minimum number of recycling centers or locations required pursuant to Section 14571. The processing payment shall be determined by the department pursuant to Section 14575.

*(Amended by Stats. 1995, Ch. 624, Sec. 6. Effective January 1, 1996.)*

**14519.** "Recycle," "recycled," "recycling," or "recyclable" means the reuse or refilling of empty beverage containers, or the process of sorting, cleansing, treating, and reconstituting empty postfilled beverage containers for the purpose of using the altered form. "Recycle," "recycled," "recycling," or "recyclable" does not include merely sorting, shredding, stripping, compressing, storing, landfilling with, or disposing of an empty beverage container.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14519.5.** "Recycler" means a recycling center, dropoff or collection program, or curbside program.

*(Added by Stats. 1999, Ch. 815, Sec. 8. Effective January 1, 2000.)*

**14520.** "Recycling center" means an operation which is certified by the department and which accepts from consumers, and pays or provides the refund value pursuant to Section 14572 for, empty beverage containers intended to be recycled.

*(Amended by Stats. 1989, Ch. 1339, Sec. 7. Effective October 2, 1989.)*

**14520.5.** "Recycling location" means a place, mobile unit, reverse vending machine, or other device where a certified recycling center accepts one or more types of empty beverage containers from consumers, and pays or provides the refund value for one or more types of empty beverage containers.

*(Amended by Stats. 2008, Ch. 696, Sec. 4. Effective September 30, 2008.)*

**14520.6.** "Noncertified recycler" means a person, entity, or operation which is not certified by the department and which purchases empty beverage containers from consumers, or from dropoff or collection programs.

*(Amended by Stats. 1991, Ch. 227, Sec. 1.)*

**14521.** "Recycling rate" means the proportion of empty beverage containers by type returned to processors for recycling, measured in the manner prescribed in Section 14551.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14522.5.** "Redemption" and "redeem" means the return to a recycling center or location of an empty beverage container for a refund of at least the refund value.

*(Amended by Stats. 1989, Ch. 1339, Sec. 10. Effective October 2, 1989.)*

**14523.** "Redemption payment" means the minimum amount paid by a distributor to the department for every beverage container sold or transferred to a dealer.

*(Repealed and added by Stats. 1989, Ch. 1339, Sec. 12. Effective October 2, 1989.)*

**14523.5.** "Redemption rate" means the proportion of empty beverage containers returned to processors measured in the manner prescribed in Section 14551.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14524.** "Refund value" means the amount established for each type of beverage container pursuant to Section 14560 that is paid by the following:

(a) A certified recycling center to the consumer or dropoff or collection center for each beverage container redeemed by the consumer or dropoff or collection center. With respect to consumers returning containers to recycling centers, the refund value shall not be subject to tax under the Personal Income Tax Law (Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code) or the Corporation Tax Law (Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code).

(b) A processor to a certified recycling center, dropoff or collection program, or curbside program, for each beverage container received from the certified recycling center, dropoff or collection program, or curbside program.

(c) The department to a processor, for each beverage container received by the processor from a certified recycling center, curbside program, or dropoff or collection program.

*(Amended by Stats. 2008, Ch. 696, Sec. 5. Effective September 30, 2008.)*

**14525.** "Refillable beverage container" means any aluminum beverage container, bimetal beverage container, glass beverage container, plastic beverage container, or other beverage container, holding 150 fluid ounces or less of beverage, which has a minimum deposit of three cents (\$0.03), and which ordinarily would be returned to the manufacturer to be refilled and resold.

*(Amended by Stats. 1993, Ch. 1259, Sec. 4. Effective October 11, 1993.)*

**14525.1.** "Reusable beverage container" means a glass beverage container with a refund value established pursuant to Section 14560 and that is processed by a processor for subsequent washing for refill and sale by a beverage manufacturer.

*(Added by Stats. 2021, Ch. 502, Sec. 1. (AB 962) Effective January 1, 2022.)*

**14525.5.** "Reverse vending machine" means a mechanical device which accepts one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's refund value. The refund value payments shall be aggregated and then paid, if more than one container is redeemed in a single transaction.

*(Amended by Stats. 1989, Ch. 1339, Sec. 15. Effective October 2, 1989.)*

**14525.5.1.** "Rural region recycler" means an operator that is certified pursuant to subparagraph (A) of paragraph (1) of subdivision (c) of Section 14571, and who accepts or collects empty beverage containers from consumers pursuant to Section 14572 with the intention to recycle them.

*(Amended by Stats. 2021, Ch. 506, Sec. 3. (AB 1311) Effective January 1, 2022.)*

**14526.** "Scrap value" means the price paid for container material types subject to this division, after shipping and handling costs are deducted.

*(Amended by Stats. 1990, Ch. 1274, Sec. 4. Effective September 25, 1990.)*

**14526.5.** "Supermarket" means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items. For purposes of determining which dealers are supermarkets, the department shall use the annual updates of the Progressive Grocer Marketing Guidebook and any computer printouts developed in conjunction with the guidebook.

*(Amended by Stats. 1989, Ch. 1342, Sec. 6.)*

**14526.6.** "Supermarket site" means any certified recycling center which redeems all types of empty beverage containers in accordance with Section 14572, and which is located within, or outside and immediately adjacent to the entrance of, or at, or within a parking lot or loading area surrounding, a supermarket which is the focal point of a convenience zone, or a dealer that is located within that zone, and which is accessible to motor traffic.

*(Amended by Stats. 1995, Ch. 624, Sec. 7. Effective January 1, 1996.)*



**14527.** "Use or consumption" includes the exercise of any right or power over a beverage incidental to the beverage's ownership, including, but not limited to, drinking the beverage. "Use or consumption" does not include the sale, or the keeping or retention, of a beverage for the purposes of sale.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14528.** "Universal product code" is an 11-digit, all-numeric code that represents a beverage container or other consumer package of a particular brand, size, type, and manufacturer by using a series of alternating bars and spaces for electronic scanning.

*(Added by Stats. 1986, Ch. 1290, Sec. 2. Effective September 29, 1986.)*

**14528.1.** "Voluntary artificial scrap value" means a price paid by a willing purchaser of empty PET containers, that reflects the payment of the scrap value for all PET containers sold, and that, when combined with payments made from the PET processing fee account pursuant to clause (ii) of subparagraph (A) of paragraph (6) of subdivision (a) of Section 14581, is equal to, or more than, the recycling cost for empty PET containers, as determined in subdivision (d) of Section 14575.

*(Amended by Stats. 2003, Ch. 753, Sec. 2. Effective January 1, 2004.)*

**14528.5.** "Wine and distilled spirit cooler" means a beverage containing wine or distilled spirits to which is added concentrated or unconcentrated juice or flavoring material and containing not more than 7 percent alcohol by volume.

This section shall become operative on January 1, 1990.

*(Added by Stats. 1988, Ch. 170, Sec. 4. Section operative January 1, 1990, by its own provisions.)*

**14529.** This division is a matter of statewide interest and concern and is applicable uniformly throughout the state. Accordingly, this division occupies the whole field of regulation of recycling-related refund values, redemption payments, deposits, and similar fees relating to beverage containers, as provided in this division, and to containers of wine and distilled spirits products. No city, county, or other public agency may enforce or implement any existing or new ordinance, resolution, regulation, or rule establishing recycling-related refund values, redemption payments, deposits, or similar fees relating to these containers in the state unless expressly authorized by this division. If a federal law is enacted which establishes recycling-related refund values, redemption payments, deposits, and similar fees, relating to beverage containers, other than a federal law only affecting federal lands, or if a state law is enacted by initiative, which establishes recycling-related refund values, redemption payments, deposits, and similar fees relating to beverage containers, this division shall become inoperative. This section does not prohibit the implementation or enforcement of any ordinance or regulation governing curbside or dropoff recycling programs operated by, or pursuant to a contract with, a city, county, or other public agency, including actions relating to fees, or establishing fees, for these programs.

*(Amended by Stats. 1989, Ch. 1339, Sec. 16. Effective October 2, 1989.)*

**14529.5.** Any action to increase recycling taken by the department, or by any person or entity, affecting scrap values, the quantities of materials being recycled, or the method of invoicing the sale of beverages pursuant to this division is not a violation of the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code) and the Unfair Practices Act (Chapter 4 (commencing with Section 17000) of Part 2 of Division 7 of the Business and Professions Code). This section does not apply to any action taken by a recycling center to increase the recycling of beverage containers.

*(Amended by Stats. 1995, Ch. 624, Sec. 9. Effective January 1, 1996.)*

**14529.7.** (a) Except as provided in subdivision (b), this division does not apply to any program involving the collection and payment of deposits for beverage containers sold, used, or consumed at national parks and monuments, military installations, or any other property owned by and under the jurisdiction of the United States.

(b) To the extent permitted by federal law, this division, including, but not limited to, Section 14560.5, shall apply to a national park or monument, military installation, or any other property owned by, and under the jurisdiction of, the United States, with regard to a beverage container not otherwise subject to a program involving the collection and payment of deposits for beverage containers.

(c) For purposes of this section, "a program involving the collection and payment of deposits" means a program, other than one imposed pursuant to this division, at a national park or monument, military installation, or any other property owned by, and under the jurisdiction of, the United States, that imposes a deposit on a beverage container at the time of sale and provides an opportunity for the beverage container purchaser to redeem the deposit at the national park or monument, military installation, or other property owned by, and under the jurisdiction of, the United States.

*(Amended by Stats. 2000, Ch. 731, Sec. 4. Effective January 1, 2001.)*