
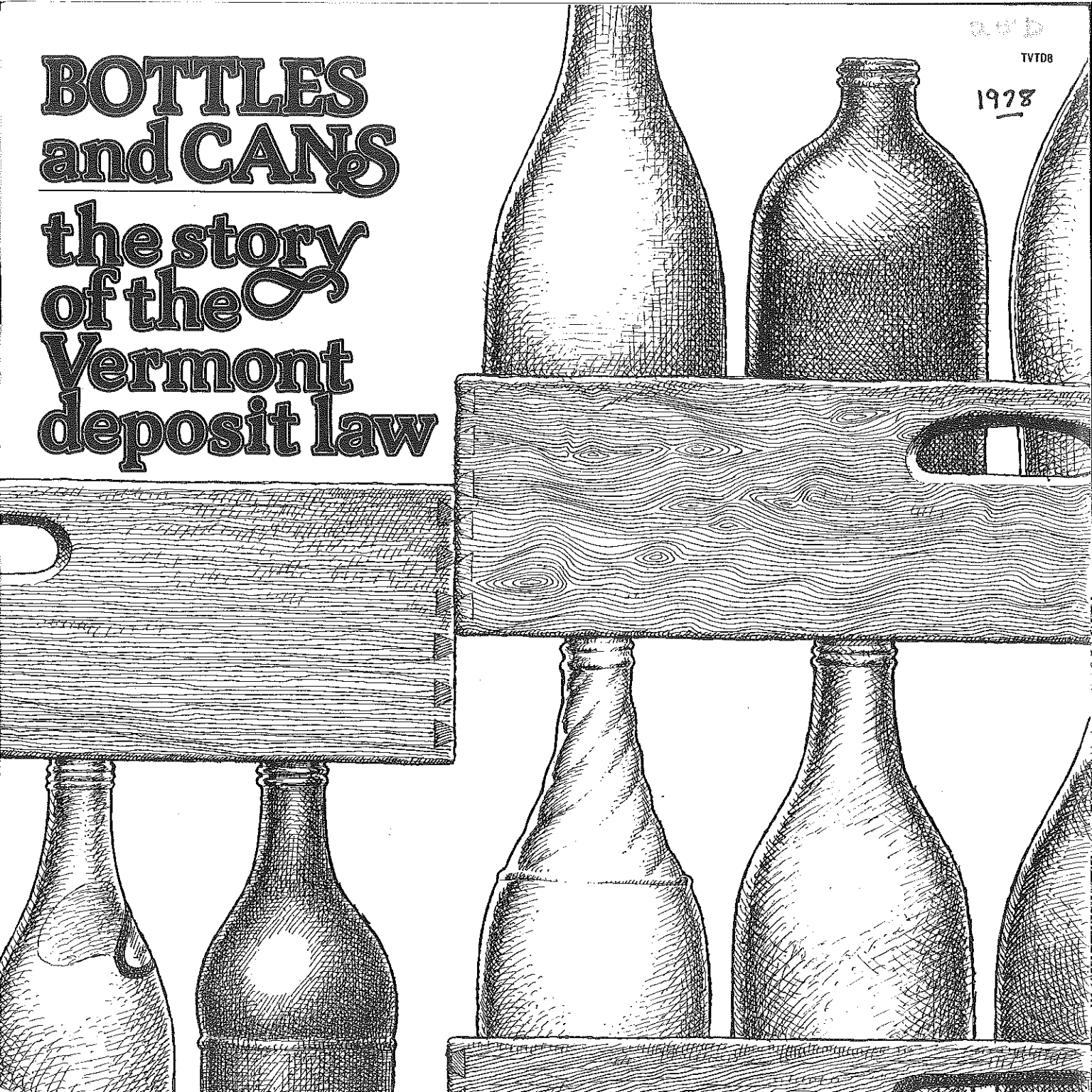


BOTTLES and CANS

the story
of the 
Vermont
deposit law



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BOTTLES and CANS

The Story of the Vermont Deposit Law

by **Peter Franchot**

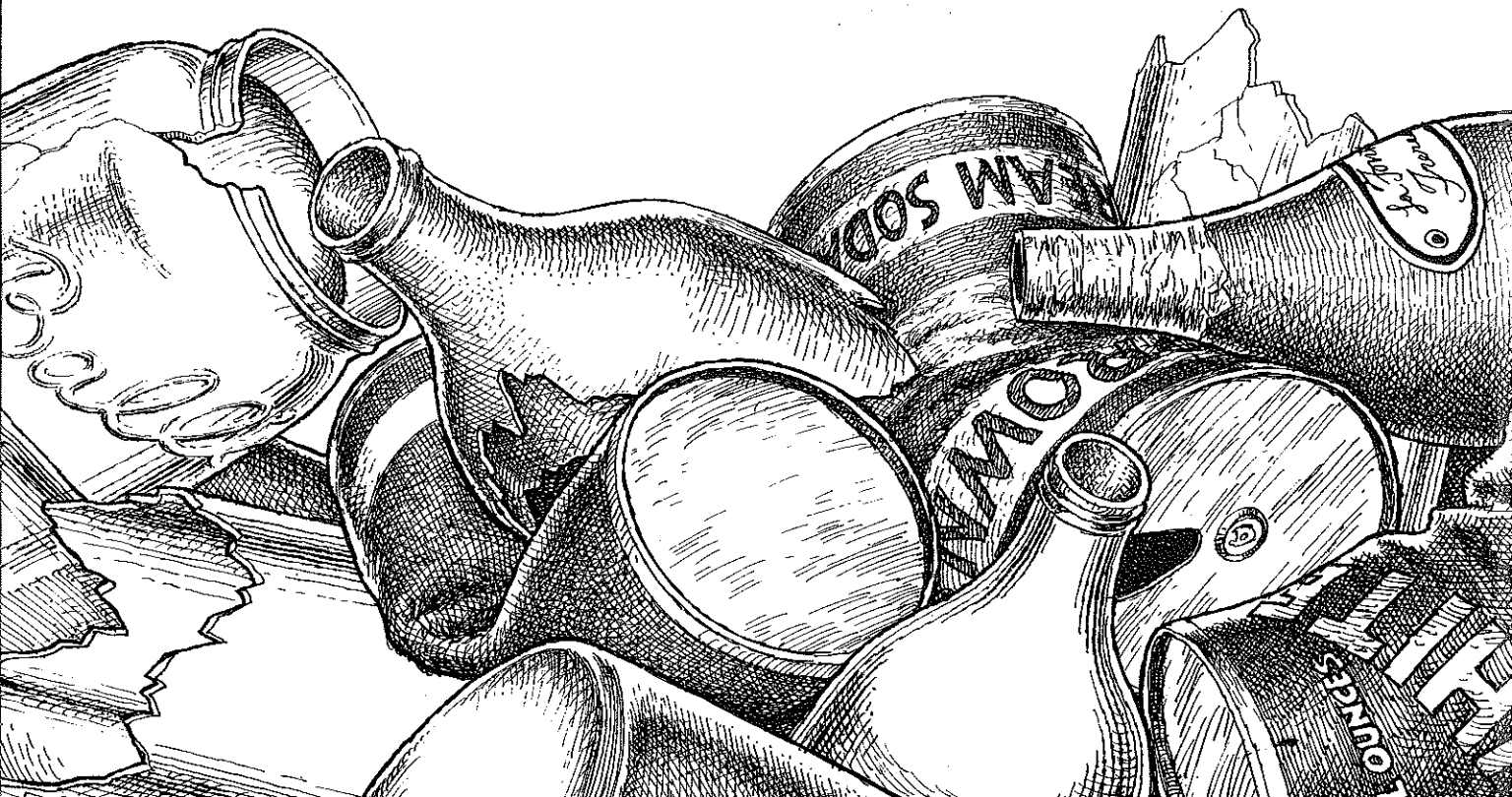
Editor: Susan Bartlett

Prepared by

The Vermont Natural Resources Council

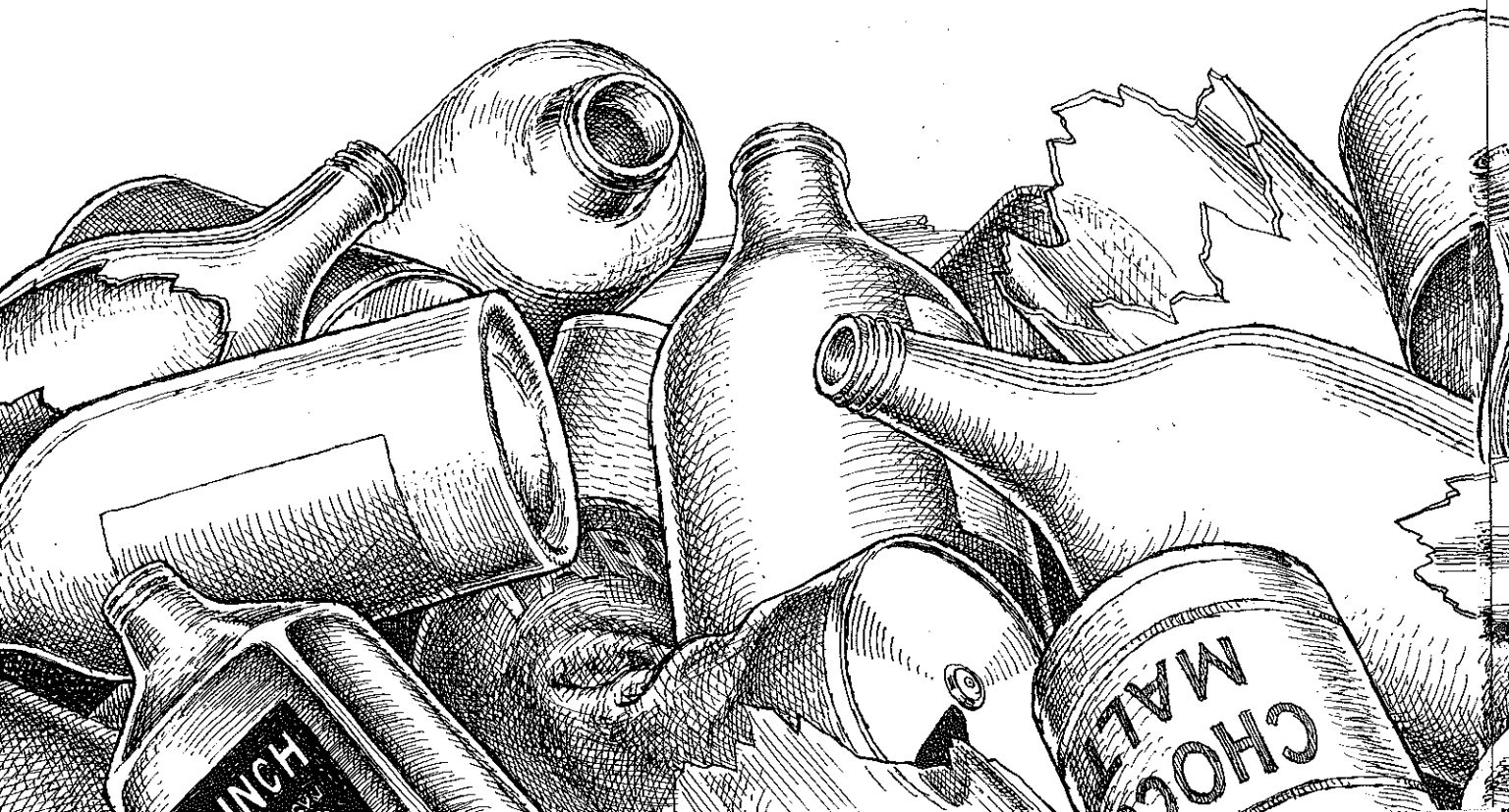
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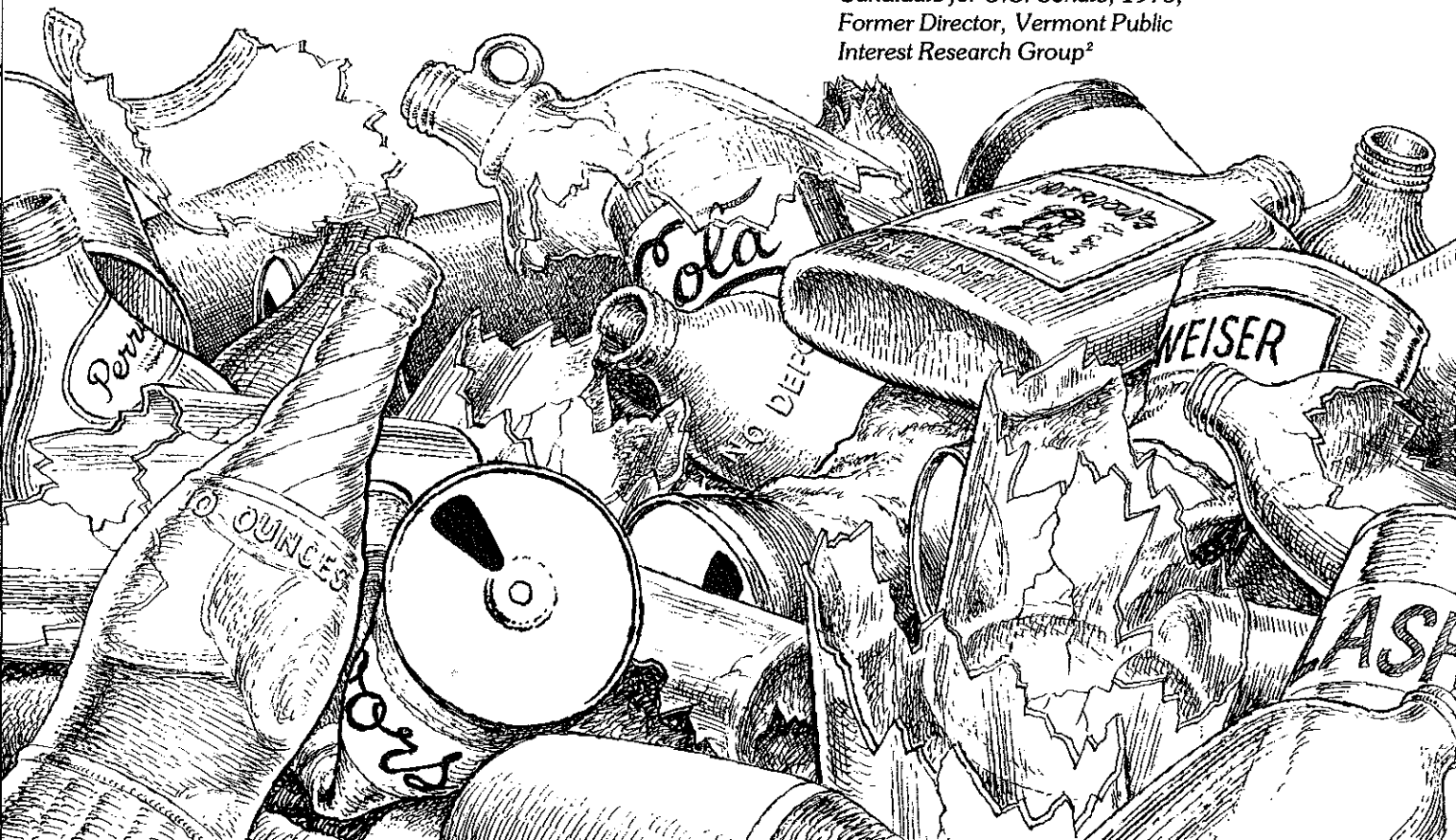
"...it is my pleasure to state that the people of the State of Vermont consider our Beverage Container Deposit Law to have been eminently successful. The substantial reduction in highway litter and solid waste has elicited much favorable comment from visitors to this State, particularly when they compare conditions between their native states and Vermont.

"Our experience indicates no job dislocation in Vermont, and as many as 450 industry-related jobs created by the Legislation."

Richard A. Snelling
Governor of Vermont¹

The bottle bill "turned out to be the touchstone issue for a new kind of politics in Vermont. It was about energy, environment, corporate power, consumerism, open government. It challenged nationwide industries, lobbyists, and the local business establishment. It questioned basic assumptions of American enterprise - that waste and obsolescence are necessary for the economy, and that packaging takes priority over content. It was all on a small scale...in one rural state; but we were playing for a multibillion-dollar nationwide market."

Scott Skinner, Vermont attorney;
Candidate for U.S. Senate, 1976;
Former Director, Vermont Public
Interest Research Group²



It Started 25 Years Ago

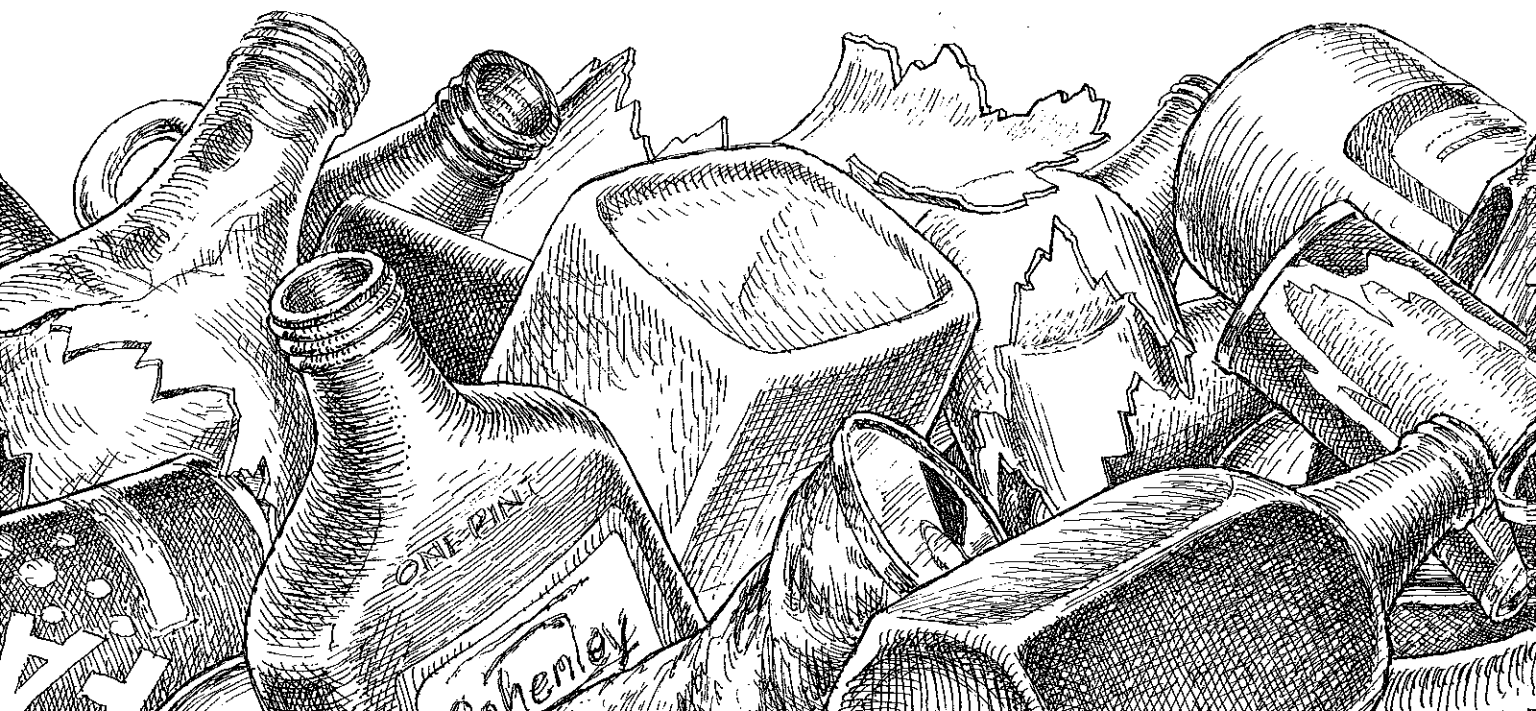
"...industry leaders see national deposit legislation similar to Vermont's as the wave of the future."

William Hill
Reclamation Director,
Aluminum Company of America³

Exactly a quarter of a century ago, Vermont enacted the first container law in the nation.⁴ In 1953, it banned the sale of beer and ale in non-returnable bottles. Farmers, encouraged by the Vermont State Farm Bureau, the Vermont Highway Department, the Vermont State Police and others concerned about road-

side litter and its cost, provided the impetus. In 1957, when the law came up for renewal, an attempt was made to broaden it to encompass steel cans which were being introduced to the beverage market at that time. This move met strong opposition from business firms, container companies and "Keep America Beautiful," an organization dedicated to litter clean-up but dominated by the beverage industry. The attempt was defeated and the law was allowed to expire.

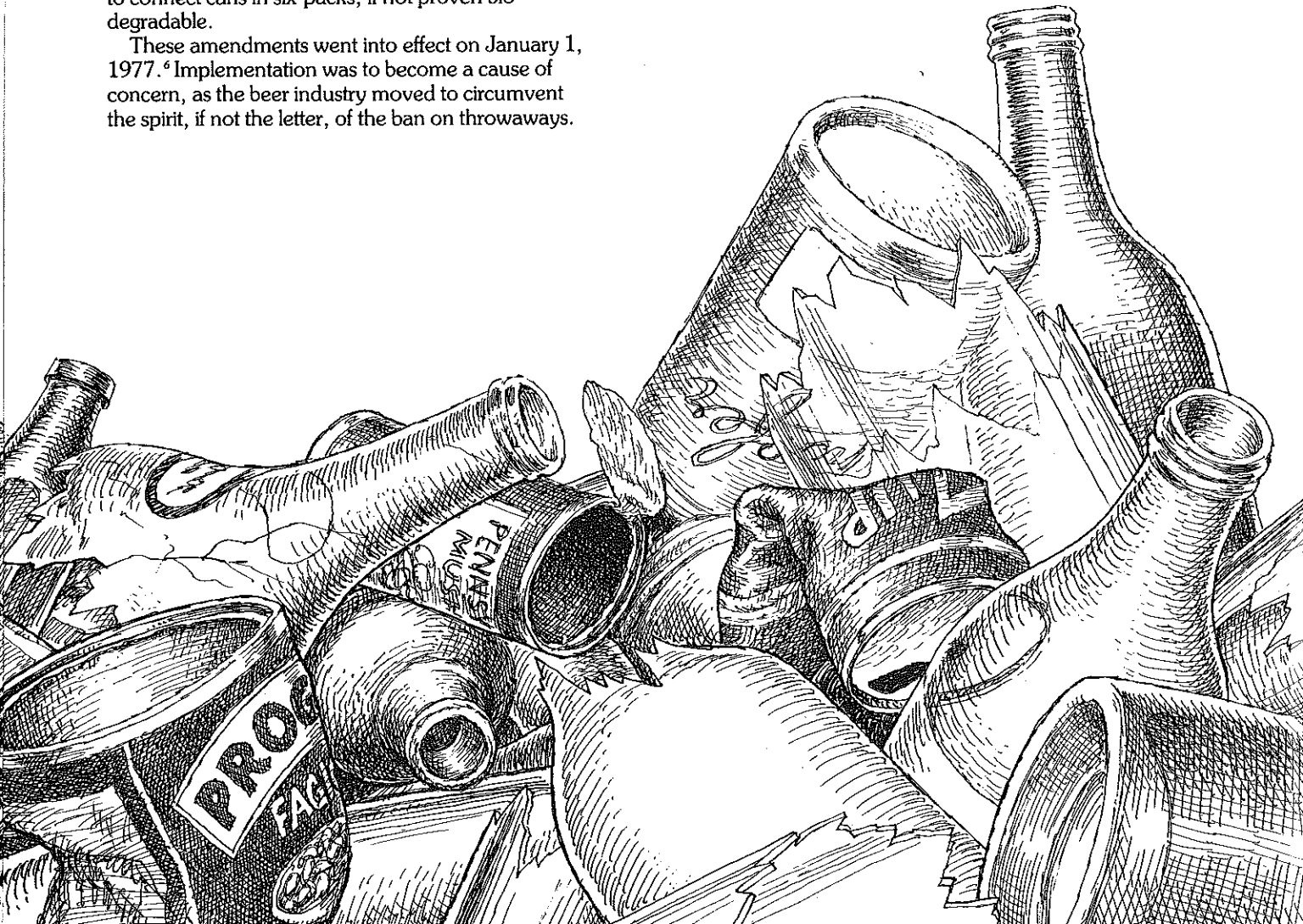
In 1972, concerned legislators, aided by increased public awareness and statewide environmental groups, enacted Vermont's second container law. This time the law required (1) a minimum refundable deposit of 5¢ on all beer and soft drink containers, (2) a handling fee of 20% of the amount of the deposit, or 1¢, to be paid upon redemption by the manufacturer or distributor to the retailer, (3) a label on each container, except those certified as refillable by the Agency of Environmental Conservation, stating the refund value and the word "Vermont." The law took effect September 1, 1973.⁵



In the 1974 legislative session, attempts were made by the opposition to have the law repealed. These efforts failed and a proposal designed to encourage the use of refillable bottles for beer, through the imposition of a preferential deposit, was okayed by the Vermont House but was not voted on in the Senate.

In 1975, important amendments to the 1973 law were passed. These banned detachable fliptops on metal cans and throwaway glass bottles "not certified as refillable." Also prohibited were the plastic rings used to connect cans in six-packs, if not proven biodegradable.

These amendments went into effect on January 1, 1977.⁶ Implementation was to become a cause of concern, as the beer industry moved to circumvent the spirit, if not the letter, of the ban on throwaways.



What's Happening Today?

A dramatic change has occurred. Approximately 90% of the 86 million soft drinks purchased annually in Vermont are now sold in refillable bottles.⁷ Before the law was passed, the figure was 3%.⁸ The remaining soft drinks are sold in aluminum or bi-metal cans which are either recycled or crushed and taken to landfills. The average number of trips for refillable bottles for in-state bottlers is 10 to 15. The return rate is 95%.⁹

In marked contrast is the container mix for the beer industry. Refillable bottles - sturdy bar bottles or "stubbies" that are being refilled - make up only 17% of the total. Throwaways - bottles certified as refillable by the Agency of Environmental Conservation but not being refilled - add up to 50%, and the remaining 33% of the mix is cans. Prior to the law, the breakdown was 7% refillable bottles, 60% throwaway bottles, 33% cans.¹⁰

So an important legislative intent, the substitution of refillable bottles for throwaways, has been almost fully met by the soft drink industry, with the beer industry still dragging its heels.

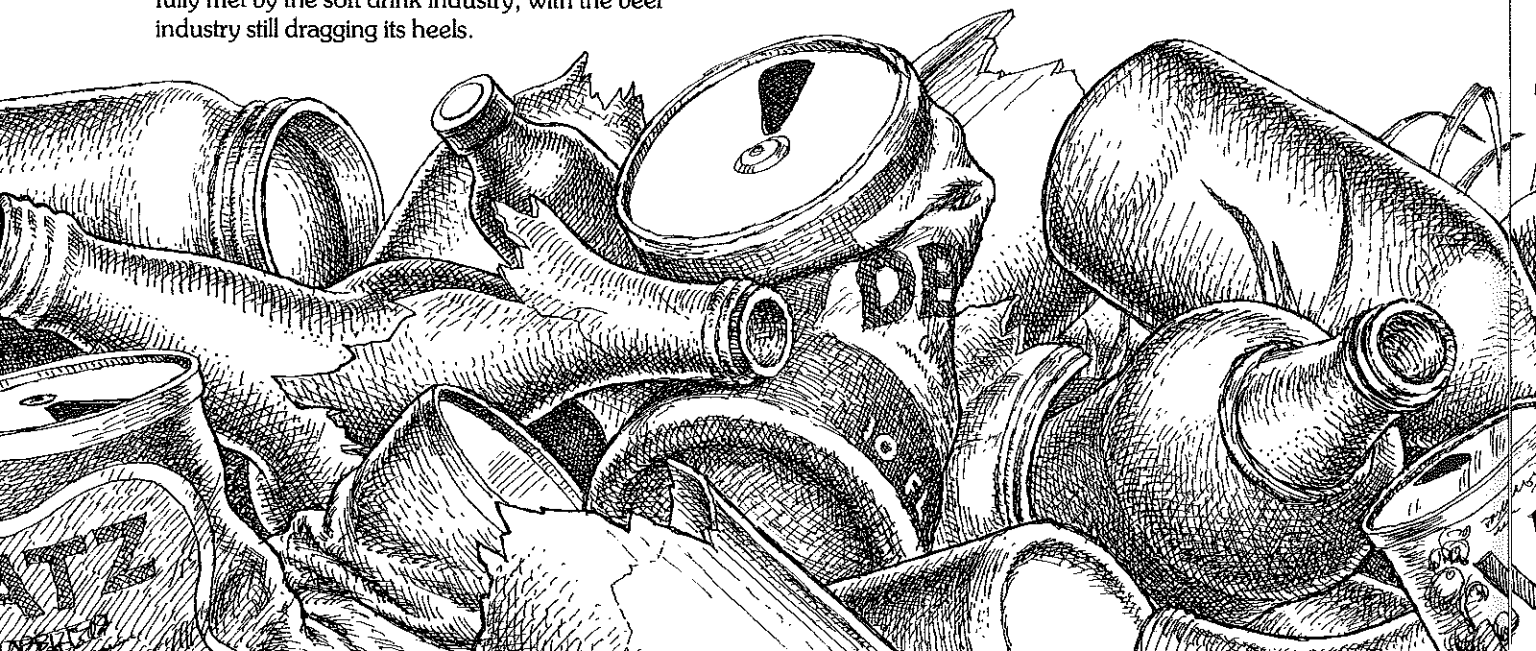
Beverage Sales Up

"I can't knock the bottle law. The only reason I get up at six o'clock in the morning and come to work is to make money and I'm making more money now than ever before."

Lee Kilburn
Vermont Coca-Cola distributor

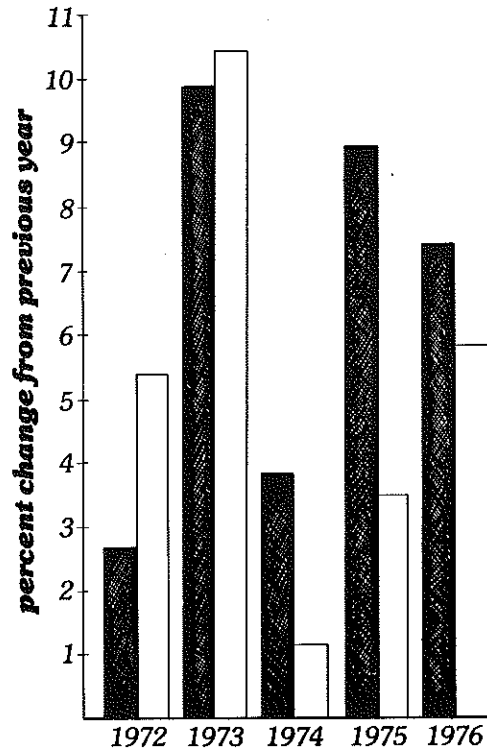
Bottlers had predicted that the passage of a deposit law would trigger loss of sales and reduction of profits. Neither has occurred. Instead sales have climbed and profits along with them.

One way to see what has happened is to look at a sales chart of a Coca-Cola distributor in Barre, Vermont. This company's annual volume of sales is about 400,000 cases of packaged soft drinks and its territory of central Vermont includes several counties along the New Hampshire border, making it vulnerable to any loss of sales that might occur if New Hampshire prices were lower. The data compare the sales of the Barre franchise with seven other Coca-Cola fran-



Coca-Cola sales, Barre Bottling Company, Barre, Vermont compared to franchises in Maine and New Hampshire

■ Barre Bottling Company □ Maine and New Hampshire franchises



chises in New Hampshire and Maine owned by the same company.¹¹

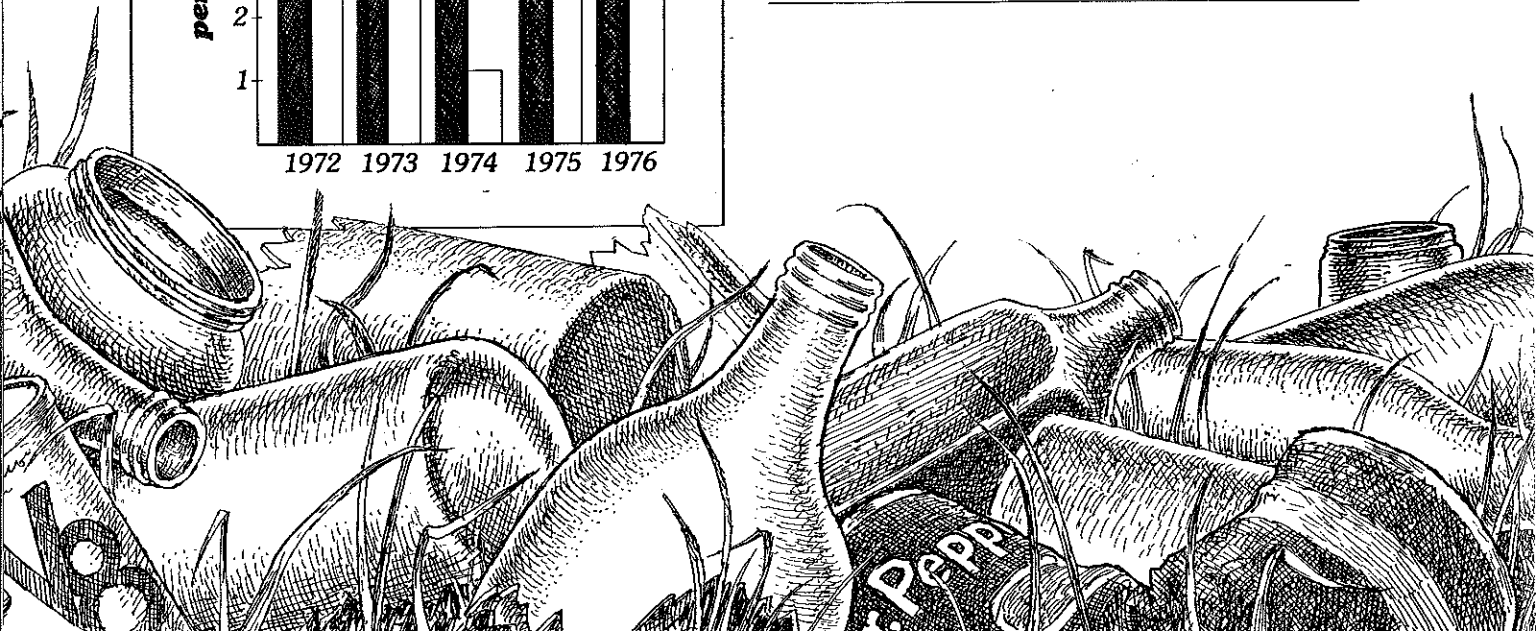
A glance will show a pattern of consistent sales gain, true for most of the Vermont soft drink industry.

Beer sales have increased steadily since 1975. While a dip was experienced in 1973-74, the law's initial year, it is important to note that 1973 was the same year that New Hampshire lowered its legal drinking age and captured a significant volume of beer sales from Vermont where beer has been legally sold for some time to eighteen year olds. Also, the winter of 1973-74 saw a disastrous tourist season due to the combined effects of the Arab oil embargo and poor skiing conditions. Gasoline tax revenue declined 8.3% and all tourist-related taxes fell 10.8% for the year.¹²

The next year, however, beer sales bounded back and continue to grow, as the table below shows.¹³

Annual Growth Rates of Beer Sales (Gallons), Vermont and New Hampshire

	Vermont Sales	New Hampshire Sales
Fiscal 1975	Up 6%	Up 3%
Fiscal 1976	Up 4%	Down 1%
Fiscal 1977	Up 7%	Up 3%



Do Vermonters Litter Less?

"The bottles and cans that once littered Vermont's roadsides have disappeared."

Richard A. Snelling
Governor of Vermont

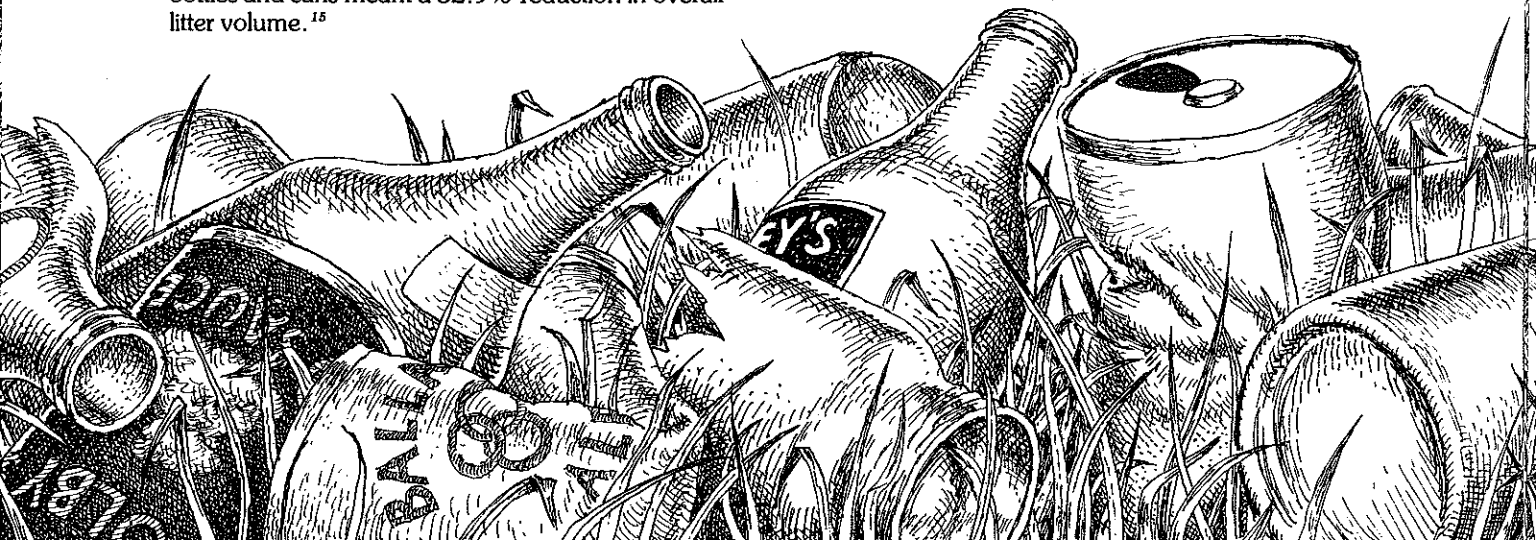
The nickel deposit has hit home. People return containers instead of heaving them out of car windows into pastures and front yards where it would either cost tax dollars to collect them or take "practically forever" for them to decompose naturally.¹⁴ Vermonters pick up the few that are discarded and take them to redemption centers. The Vermont deposit law has dramatically reduced the bottle and can accumulation along the highways, and there is documentation to prove it.

A Vermont Highway Department study compared the litter found during the annual summer clean-up on 175 miles of road in June, July and August, 1973, just before the law began, and again during the same three months in 1974. The tallies contrast convincingly. Before the law, 25,403 bottles and cans were collected; after the law, only 6,082, for an impressive reduction of 76%. The 1974 reduction in bottles and cans meant a 32.9% reduction in overall litter volume.¹⁵

At the time of the 1974 study the return rate for bottles and cans was 83%. The 1977 figures support the much higher return rate of 95%, so an even greater reduction in litter may be surmised.

Since passage of the deposit law, the cost of highway litter collection in Vermont has decreased 31.3%, even though miles of highway to supervise, labor and equipment costs have all increased substantially. Labor requirements for litter pick-up, for example, have dropped 56.6%.¹⁶

"There can be little doubt," writes Robert W. Fraser of the Vermont Highway Department, "that the bottle law has greatly influenced the reduction of litter volume along Vermont roadsides and it is noticeable. We receive considerable correspondence from tourists and transient motorists who express amazed pleasure at the cleanliness of our highways."¹⁷



Are There Savings for the Consumer?

Yes, consumers save money when they buy beer and soft drinks in refillable bottles rather than in throwaway containers.¹⁸ The reason is simple. The cost of a drink in a throwaway includes the cost of the container. At 1977 prices, a Vermont soft drink bottler paid 8.9¢ for a 12-ounce aluminum can and 8.4¢ for a 12-ounce bi-metal can. For a 10-ounce throwaway bottle he paid 5.8¢; for a 16-ounce bottle, 7.6¢.

However, if he invested in refillable bottles, he spent 14.5¢ for a 10-ounce size and 16.7¢ for a 16-ounce size. Then he divided the cost of the bottle by a minimum of ten uses and his unit cost quickly fell to either 1.45¢ or 1.67¢.¹⁹ Some Vermont bottlers get more than ten uses and their cost per container can drop to less than a cent.

In 1977 in New Hampshire, where there is no deposit law, a 10-ounce bottle of Coca-Cola cost three cents more than the same size refillable bottle in Vermont.²⁰ Even the president of Coca-Cola admitted before a U.S. Senate committee that refillables reduce packaging costs by as much as 30%.²¹

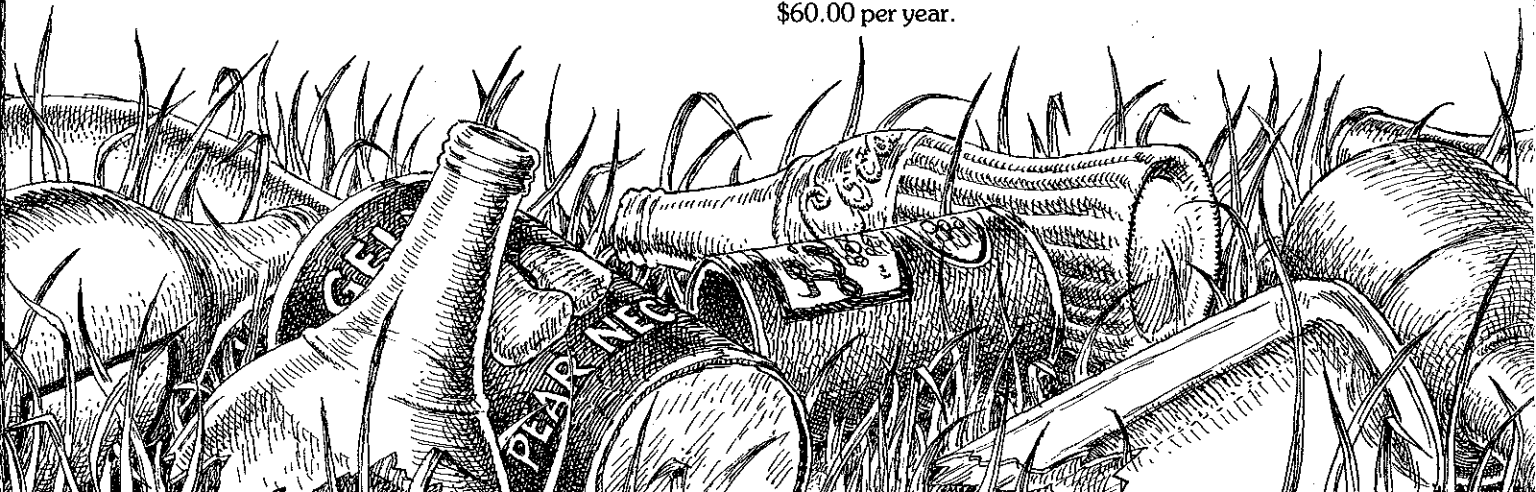
Misleading comparisons have been made between Vermont and New Hampshire costs in regard to beer. Consumers still pay less for beer in New Hampshire than in Vermont and this has led to a good deal of confusion over the relationship between prices and the

deposit law. Vermont and New Hampshire tax beer at different rates, further complicating the picture. Also New Hampshire law allows the sale of beer as a loss leader, a sales promotion practice that is prohibited in Vermont. In addition, national brewers and distributors have a political interest in keeping Vermont prices artificially high to discredit the Vermont law.

Nevertheless, during the period the Vermont law has been in effect the price of beer has increased more rapidly in New Hampshire than in Vermont. Prior to the law, a New Hampshire six-pack was, on the average, thirty cents cheaper than beer in Vermont. Four years after the law, the same six-pack was, on the average, only six cents cheaper.²² So, claims that the deposit law has driven up costs for the consumer cannot be substantiated. Any increase in the cost of beer is comparable to increases in other states during the same period, reflecting nationwide hikes in production costs.²³

In summary, if the 3¢ per bottle saving, indicated earlier for "Coke," holds true for the rest of the soft drink industry, it is possible to state that Vermonters saved more than two million dollars in 1977 by buying their soft drinks in refillable bottles.²⁴ Similarly, Vermonters who purchased 17 million refillable beer bottles in 1977 saved approximately \$340,000 over the cost of the same beer had it been bought in throwaway containers.²⁵

The Vermont Agency of Environmental Conservation has computed that a Vermont family which buys its beverages in refillable bottles saves a minimum of \$60.00 per year.



Jobs and the Law

Although opponents of deposit legislation predicted a decline in employment due to the effects of the law, no such loss has been documented. On the contrary, new jobs have developed.

The equivalent of 150 full-time positions have been added by state soft drink and beer distributors, some of them trucking jobs.²⁶ Over 100 Vermont redemption centers have sprung up for the redemption of bottles and cans. These private businesses sell beer and soft drinks but also realize the 1¢ handling fee paid for each container that they return to the manufacturer or distributor. It is estimated that 200 to 300 jobs have been created in these redemption centers.²⁷

The decline in the number of soft drink bottlers in Vermont that had developed prior to the law has been reversed by the opening of a new bottling operation, Pepsi Cola in Brattleboro. This reversal is directly attributable to the increased demand for refillables generated by the deposit law.²⁸

A recycling company in Burlington, Vermont's largest city, also developed as a result of the law's premium on returnables. Its stock in trade is empty bottles and cans sold to it by beer distributors who have collected them from stores and redemption centers. It employs 13 people and grosses \$200,000 a year.

An increase in jobs was not a goal of the deposit law, but it is a welcome development for many recently employed Vermonters.

Recycling

In 1977, legislation was passed which established the basis for a statewide recycling system in Vermont.²⁹ It authorizes municipalities to issue franchises for the storage, collection and processing of solid wastes.

The economic difficulties of recycling in a small, rural state with a scattered population are obvious. Yet, with the encouragement provided by the mandatory deposit, nearly all aluminum cans for beer and soft drinks are being recycled, compared to a 25% recycling rate nationwide.³⁰ Nearly 50 million beer bottles are recycled as well, netting about 6,500 tons of glass each year that normally would have gone into Vermont landfills.



Natural Resource Conservation

In Vermont the Agency of Environmental Conservation estimates that the equivalent of five million gallons of #2 fuel oil is saved annually because of the deposit law.³¹ The 80 million soft drinks and 20 million beers sold in refillable bottles are responsible for this extraordinary conservation achievement. It is oil that would otherwise be used in the manufacture of throwaways.

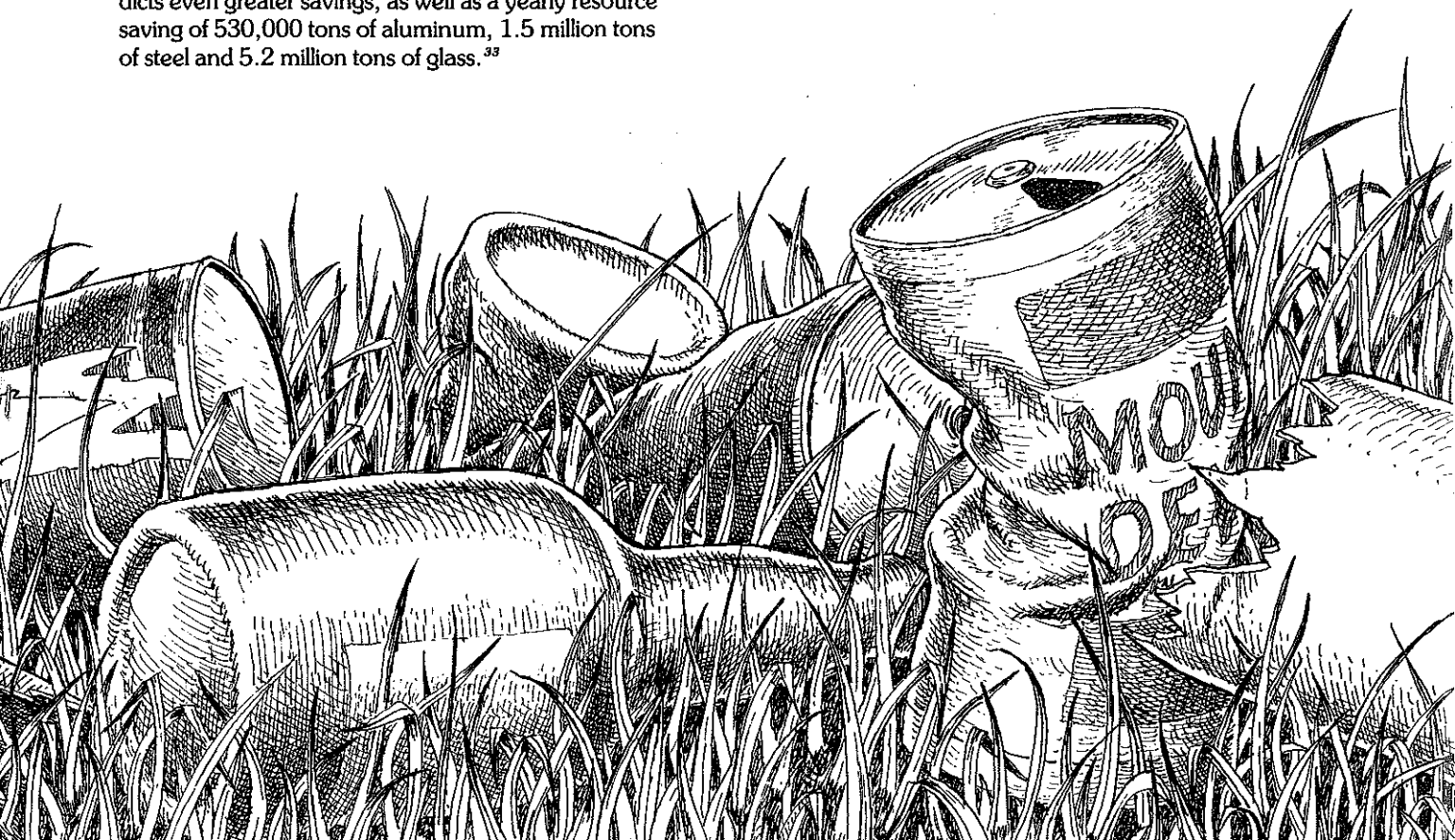
A nationwide shift to a deposit system like Vermont's could save between 70,000 and 81,000 barrels of oil a day, according to the Federal Energy Administration.³² The U.S. Environmental Protection Agency predicts even greater savings, as well as a yearly resource saving of 530,000 tons of aluminum, 1.5 million tons of steel and 5.2 million tons of glass.³³

Public Health and Safety

13

"There have been absolutely no indications of health or sanitation problems attributable in any way to Vermont's deposit law," according to the Vermont Department of Health which is charged with the enforcement of sanitation standards.³⁴

In fact, the public health has been enhanced by the law. Vermont's recreational areas are free of the sharp fliptops from cans, as well as from most of the broken bottles that used to plague them.



Who Supervises the Law?

The Vermont Agency of Environmental Conservation is charged with the responsibility of supervising the state's deposit law. The Agency has insisted that it must adhere to a strict interpretation of the "letter of the law."

Critics of the Agency feel that it has been too narrow in its interpretation of the law and, consequently, disturbingly lenient in its enforcement. The 1975 statute which mandated refillables defined them as bottles which "can be refilled at least five times." It was not long before the brewers submitted test data to the Agency to prove that their regular throwaway bottles met this standard. They hoped that this might enable them to keep their regular bottles but not refill them. The Agency accepted the data and certified the throwaways as "refillable."

In actual practice, critics argue, the Agency is presently certifying any throwaway bottle as refillable, provided that a "no-deposit, no-return" slogan is omitted. By thus permitting the sale of throwaways, the intent of the law is circumvented. It is expected that the 1978 session of the Vermont legislature will revise the definition of "refillable" to prohibit this evasive tactic.

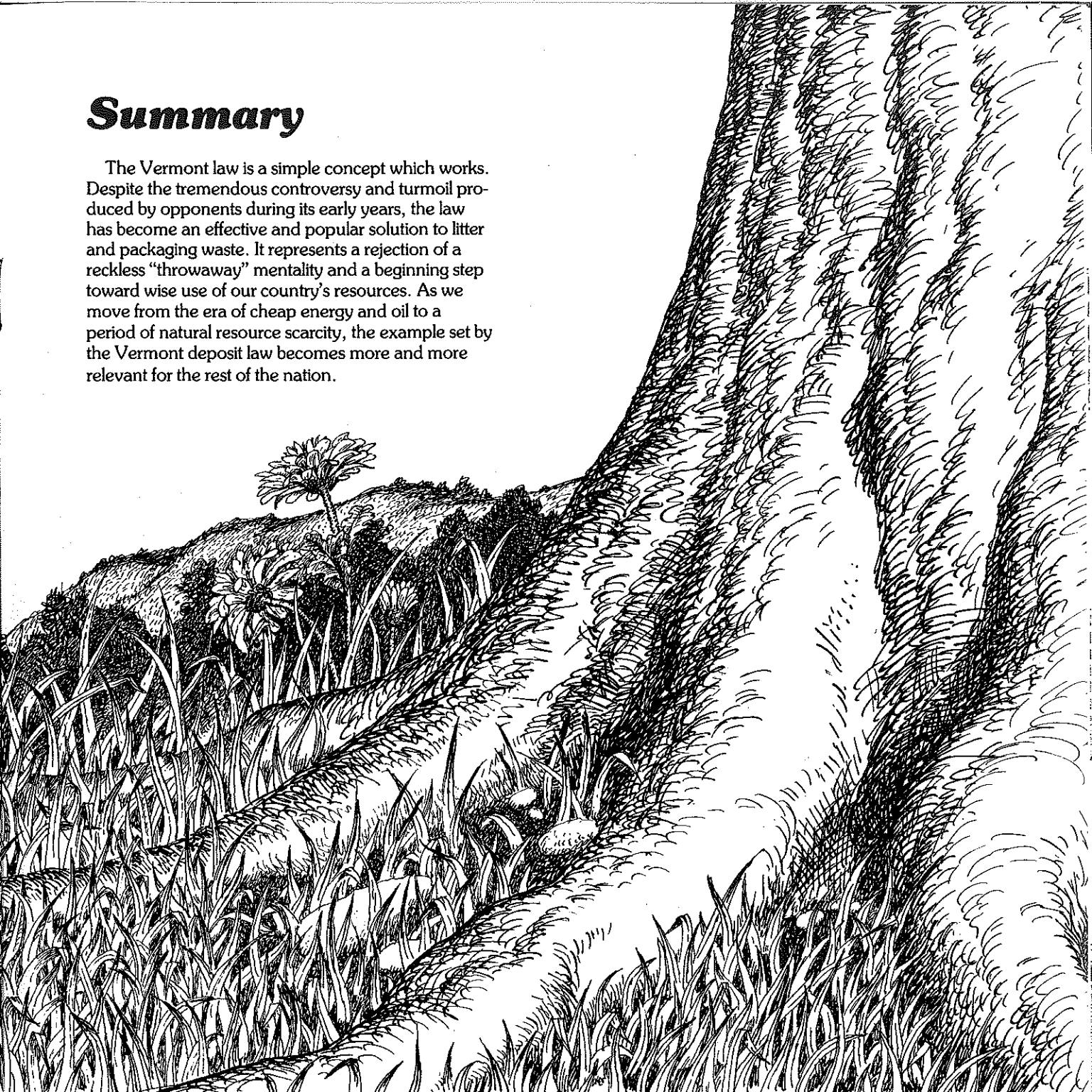
Others contend that the Agency's administration of the labeling requirements should be stricter. Many beverage drinkers, particularly tourists not familiar with the law, do not see the refund information on the container and inadvertently forfeit their deposits. If the words, VERMONT 5¢ REFUND, are placed on the bottoms of some of the containers instead of the top, or printed in small letters, or faintly stamped on the labels, they may be overlooked. The law specifies type size of "not less than one-quarter inch," but, in some cases, the lettering is so finely executed that it is difficult to see.

Also the Agency has certified the plastic rings that link six-packs as biodegradable, without requiring adequate evidence and by stretching the definition of "biodegradable" beyond the intent of the legislature.



Summary

The Vermont law is a simple concept which works. Despite the tremendous controversy and turmoil produced by opponents during its early years, the law has become an effective and popular solution to litter and packaging waste. It represents a rejection of a reckless "throwaway" mentality and a beginning step toward wise use of our country's resources. As we move from the era of cheap energy and oil to a period of natural resource scarcity, the example set by the Vermont deposit law becomes more and more relevant for the rest of the nation.





Helpful Definitions

1) Throwaway: A "no-deposit, no-return" bottle or can which is discarded after one use. It may be an aluminum can, a bi-metal can (steel sides and bottom, aluminum top) or a glass bottle.

2) Refillable bottle: A glass bottle which is designed for return and re-use. Its bottom and sides are sturdy enough to withstand repeated handling.

3) Returnable: A bottle or can that bears a deposit. It is often a refillable bottle, but it may also be a non-refillable bottle or can which, when returned, is recycled.

4) Simple deposit: A simple deposit system requires that all soft drink and beer containers have a minimum 5¢ refundable deposit. Used in Vermont and Maine; also four Canadian provinces.

5) Preferential deposit: This system requires a minimum deposit on all containers, but a lower or preferential deposit is given to bottles that have been certified as refillable by more than one company. Since people will buy lower-priced products, even if the lower price is due to a lower refundable deposit, this encourages the use of refillables. Used in Oregon and Michigan.

6) Return rate: The percentage of bottles and cans that is returned for redemption. If a retailer sells 100 bottles of beer and gets back 90 from consumers for redemption, the return rate is 90 %.

7) Trippage: The number of times a refillable bottle is returned and reused. For example, in 1977 in Vermont a refillable soft drink bottle was returned and reused an average of 10 to 15 times.

8) Recycling: The processing of waste to recover materials which may be profitably used again. For example, used beverage containers are crushed and the glass or aluminum used for the manufacture of new containers.

9) Source reduction: The production of reusable or more durable products; for example, a refillable bottle which can be substituted for 20 or 30 throwaways or cans, thus reducing waste.

Chronology of Events

1953: Vermont passes the first container law in nation.

1954: Constitutionality of container law is upheld by Vermont Supreme Court, *Anchor Hocking Glass Corporation v. Barber*, 118 Vt. 206 (1954).

1955: Container law extended for two years to test its effectiveness in reducing litter.

1957: The law is allowed to expire.

1957-69: Vermont State Farm Bureau attempts unsuccessfully to pass bottle bans and deposit legislation in Vermont legislature.

1970: "Earth Day" and Vermont "Green-Up Day" symbolize new environmental consciousness. "Green-Up Day" volunteers, cleaning up roadsides, note predominance of beer and soft drink containers in litter.

1971: Formation of environmental action groups, such as Vermont Public Interest Research Group and Vermont Tomorrow, with lobbying capabilities.

1972: Passage of the Vermont container deposit law.

1972-73: One-year litter tax provision of deposit law in effect. Legislature does not extend for beverage containers.

1973: Retail grocers' petition, with 45,000 signatures, for a special session of legislature to repeal deposit law is rejected by Governor Thomas Salmon.

1973, August 23: Governor Thomas Salmon assails a "plot" to kill the deposit law by the beer companies which have sent their lobbyists to "beat little Vermont back into the bulrushes."

1973, September 1: Deposit law goes into effect after a sixty-day grace period during which distributors may clear their stock of non-labelled bottles and cans.

1973, September 5: The Vermont Attorney General requests that the Federal Trade Commission investigate possible illegal price fixing by the beer distributors.

1973: Vermont Labor Council (AFL-CIO) rejects resolution to repeal deposit law. Vermont League of Cities and Towns also withdraws its opposition to law.

1974: Vermont House of Representatives passes preferential deposit amendments to deposit law, but no vote is taken in the Senate. House defeats litter tax proposal by beverage industry.

1974, March 22: State Representative Samuel Lloyd reveals that beverage industry lobbyist offered him a "free" \$100,000 study of litter in Vermont, if he would drop his strengthening amendments.

1974: Addison County Judge Robert Larrow upholds the deposit law against a challenge by seven Vermont retail grocers who claimed law unfairly hurt their sales. The Court found no economic damage attributable to the law.

1975: Amendments sponsored by Representative Samuel Lloyd to ban detachable flip-tops, non-biodegradable plastic rings, and non-refillable bottles pass the Vermont House, 110 to 31, and the Vermont Senate, 29 to 1.

1977, January 1: Amendments take effect.

Strategy for a Deposit Legislation Campaign

Many states, counties and municipalities will be considering the wisdom of enacting laws similar to Vermont's. It is important that a citizen campaign for deposit legislation be well-organized and well-informed. The beverage industry uses sophisticated, professional advertising and public relations tactics to fend off attempts by Congress and state legislatures to pass deposit laws. It is necessary to understand the opponents' strategy, have the facts to counter their arguments, and plan well in advance what to do. Each situation will present its own set of circumstances and issues, but here are some general guidelines to follow.

1. Know your opponents: The most vigorous opponents of deposit laws are the manufacturers of throwaway bottles and cans, members of the Glass Packaging Institute and the Can Manufacturers Institute. Obviously, they profit from an increased production of bottles and cans.

Also opposed are brewers and soft drink companies who profit from throwaways because they pass the cost of the container and its disposal on to the consumer. The mark-up on their product includes the price of the can or bottle which, interestingly, can be two to four times the cost of the contents.³⁵ It is more profitable for companies to buy, mark up and immediately sell throwaways than it is for them to own a smaller number of refillable bottles for a number of years.

Some grocers dislike deposit laws. Returnables require labor to sort and extra space to store. However, most Vermont grocers now support Vermont's legislation and have found that their initial fears of the law simply were not justified. It is generally agreed

that the 1¢ reimbursement covers expenses and sometimes even enables the store to realize a small profit. It has also been suggested that the institution of a standard bar bottle for beers, for example, would eliminate the complicated back-of-the-shop segregation by brand, and then all bottles would be used interchangeably by all brewers, merely by soaking off old labels in the washing process. Such a standard refillable bottle is, at present, very much opposed by the majority of Vermont distributors.

National labor unions can oppose deposit laws because of alleged job losses in the container industry. Local labor unions, however, may well support the laws because of the jobs created in bottling plants, recycling centers, trucking and grocery stores. In 1973, Vermont labor reversed its earlier opposition and came out in support of the deposit law.

2. Know the strategy of your opponents: In Vermont the beverage industry offered a variety of proposals as substitutes to the deposit law. Two were a litter tax and a solid waste recycling system. The strategy was to make the deposit law seem as complicated and onerous as possible, while offering what were called "positive alternatives."

Counter with the argument that deposit laws are infinitely more effective in reducing roadside litter. They also promote energy conservation and save consumers money. Emphasize that the deposit concept is a prevention measure, while the other strategies are "after-the-fact" approaches.

Be informed as to why a litter law does not achieve results comparable to the deposit approach. An excellent comparison case to use is that of the states of Washington, which has a litter law, and neighboring Oregon, which has a deposit law.

Do your homework on the substantial difference between recycling and source reduction.

Become familiar with the common misconceptions about deposit laws. The beverage industry has distributed a great deal of misinformation about the Vermont law, for example, in an effort to discredit it. Analyze the arguments in these reports, some of which are listed in the footnotes.³⁶

3. Appoint a single organization to coordinate all individual and group efforts. It can serve as an information center to prevent duplication of effort. Perhaps this organization can also provide office space and printing facilities.

4. Thoroughly plan a joint strategy well before the legislative session or a referendum vote.

5. Get as many endorsements of deposit legislation from citizen groups as possible. In Vermont, farm groups, sportsmen's clubs, garden clubs, consumer and environmental groups passed resolutions in support of the law. In any state, a campaign should be able to secure hundreds of endorsements. Get them early and use them to let the legislators know who is supporting the bill.

6. Simplify the issues when communicating with the public. Publicize issues that the people can identify with. For example:

Deposit laws reduce litter.

Deposit laws save resources rather than waste them. Why buy an expensive throwaway for 6-9¢ when you can borrow a refillable for a penny or less?

Why is the beverage industry spending so much money in this state to defeat the law?

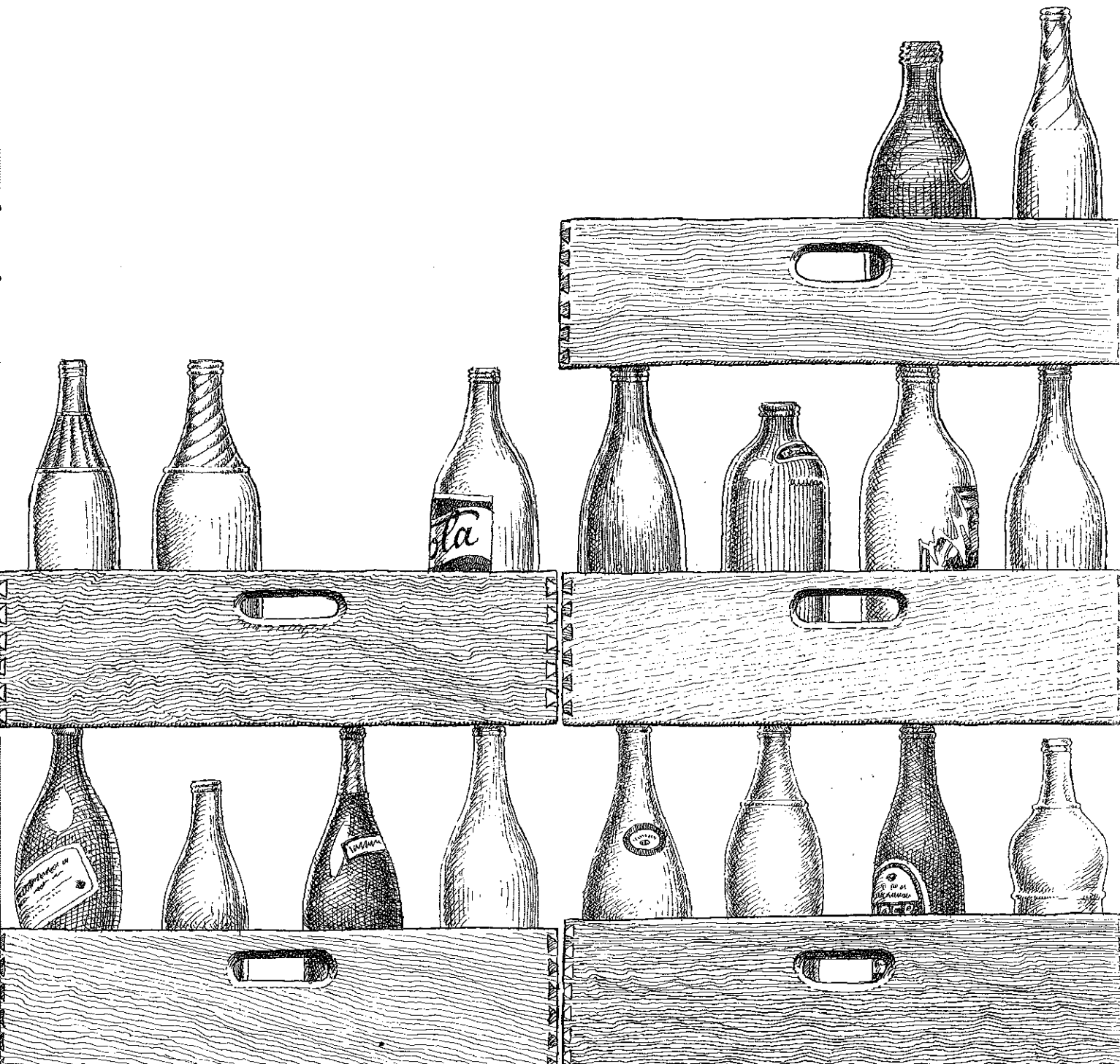
7. Sit down with each newspaper editor, television newscaster, radio station manager or reporter covering the issue and explain your side. Be accurate and factual. The press and media are essential allies.

8. Hire a competent lobbyist to work in the legislature. In a referendum vote, obtain the services of an experienced advertising agency.

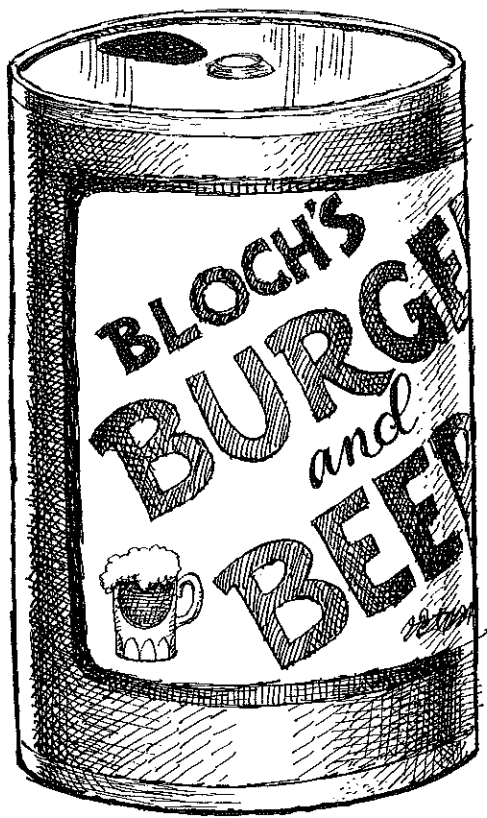
9. Be vigilant in drafting your legislation. Avoid the pitfalls which necessitated revisions of the Vermont law. Make sure all areas are clearly covered, responsibilities assigned, and that there are no loopholes that opponents can exploit.

10. Raise funds to support your efforts through any appropriate means: contributions from organizations and individuals, debates, lectures, films, auctions, etc.

11. Be aggressive, thorough, patient, responsible and responsive to your supporters, your legislators and the voting public.



Footnotes



1. Letter from Governor Richard A. Snelling to Don Prather, Legislative Research Commission, State Capitol, Frankfort, Kentucky, June 8, 1977.

2. *New Times*, "How Vermont Bottled Up Litter," Andrew Kopkind, July 8, 1977, p. 36.

3. *Free Press*, Burlington, Vermont, July 31, 1977, p. 5B.

4. Act 33, Vermont General Assembly, 1953 Session.

5. 10 Vermont Statutes Annotated, Chapter 53 (Vermont's container deposit law).

6. *Ibid.*

7. Conversations with Norman Watson, General Manager, Coca-Cola Bottling Company, Barre, Vermont; Lee Kilburn, Coca-Cola Company, Burlington; Charles Grout, Pepsi Cola Company, Burlington.

8. *Impacts of Beverage Container Legislation on Connecticut and a Review of Oregon, Vermont and Washington State*, Department of Agricultural Economics, University of Connecticut, Storrs, Ct., P. 95.

9. See footnote 7.

10. Conversation with Joseph Baker, President, Vermont Wholesale Beverage Association, July, 1977.

11. Norman Watson.

12. Letter from Raymond Centybear, Vermont Tax Department, to Vermont Representative Samuel Lloyd, Weston, Vermont, April 3, 1975. The room and meals tax increased overall only because the tax itself went up.

13. *Vermont 5¢ Deposit*, James M. Jeffords and Donald W. Webster, Preliminary Edition, 1977, p. 25.

14. *Disposing of Non-Returnables; A Guide to Minimum Deposit Legislation*, Edwin W. Lowry and others, Stanford Environmental Law Society, Stanford Law School, Stanford, California, 94305, January, 1975, p. 9.

15. "State of Vermont Special Highway Litter Evaluation Project," Vermont Department of Highways, Montpelier. Opponents argue that an "item" count of roadside litter, where a scrap of paper is equated with a bottle or abandoned automobile, is the most accurate measurement of litter. The Vermont Highway Department used a "volume" count. "Item" count litter studies magnify the impact of small paper litter and may make bottle and can litter seem less significant.

16. *Vermont 5¢ Deposit*, p. 17.

17. Letter from Robert W. Fraser, Department of Highways, State of Vermont, to Professor Richard Porter, Department of Economics, University of Michigan, Ann Arbor, Michigan, May 3, 1977.
18. *Price Comparison Survey of Beer and Soft Drinks in Refillable and Non-Refillable Containers*, Charles Peterson, U.S. Environmental Protection Agency, Washington, D.C., 1976. Also Vermont Public Interest Research Group news release, Montpelier, June 15, 1977.
19. Prices as of October 15, 1977, Norman Watson.
20. Norman Watson.
21. J. Lucien Smith, testimony before U.S. House Subcommittee on Consumer Protection, Committee on Interstate Commerce, April 9, 1975.
22. Donald Webster, Agency of Environmental Conservation, Montpelier, 05602, letter to *Boston Globe*, October 14, 1976.
23. Vermont Liquor Control Commission, Montpelier.
24. 77 million soft drinks x 3¢ = \$2.3 million.
25. 17 million beers x 2¢ = \$340,000. The 2¢ represents the difference in price between Schlitz and Budweiser sold in Vermont in 12-ounce refillable "throwaways" and 12-ounce true refillables.
26. Agency of Environmental Conservation, Montpelier, and conversations with beer and soft drink distributors.
27. Agency of Environmental Conservation, Montpelier.
28. *Beverage Industry*, July 8, 1977.
29. 10 Vermont Statutes Annotated, Chapter 159; 24 V.S.A. Sections 2202a and 2203a.
30. "Alcoa's Current Position on Deposit Legislation," August 26, 1977.
31. *Vermont 5¢ Deposit*, p. 30.
32. *Energy and Economic Impacts of Mandatory Deposits*, Federal Energy Administration, Washington, D.C., September, 1976.
33. United States Environmental Protection Agency, *Fourth Report to Congress on Resource Recovery and Waste Reduction*, August, 1977.
34. Dr. William Watson, Vermont State Department of Health.
35. Fred Somers, office of Congressman James Jeffords.
36. Misinformation regarding the Vermont deposit law may be found in the following articles. Although out-of-date, misleading, or just plain erroneous, the articles continue to surface when deposit legislation is discussed. (1) "Impact of Container Legislation on Malt Beverage Consumption and Revenue in Vermont," United States Brewers Association, no date; (2) "Vermont Beverage Deposit Law Review and Analysis of its First Year of Operation," Ronald Goldberg, Vermont Retail Grocers' Association, Inc., 1974 (Mr. Goldberg has been replaced by Mr. James Holmes as executive secretary of the Association. Mr. Holmes has repudiated the report and indicated his support of the law); (3) "Returnable v. Non-returnable Beverage Containers," Ben Branch, 1974; (4) "Recycling versus Source Reduction," Robert Weinberg, U.S. Brewers Association, no date; (5) "Some Economic Consequences of the Vermont Beverage Container Deposit Law," Milton J. Nadworny, 1975, focuses only on the first year of the law. Mr. Nadworny was a paid consultant for the beverage industry.

Suggestions for further reading

- *The ABC's about beverage containers*, Mark Sullivan, National Wildlife Federation, 1412 16th Street, N.W., Washington, D.C., 20036, 1977. Single copies free, additional copies 15¢ each.
- "Can This Law Stop the Trashing of America?" March, 1976; "The Lobby That Battles the Bottle Bills," May, 1976; "The Whys Behind the Bottle Bill," July, 1976, Selby, E. and M., *The Reader's Digest Association, Inc.*, Pleasantville, New York, 10570. Reprints available.
- *Disposing of Non-Returnables; A Guide to Minimum Deposit Legislation*, Edwin W. Lowry and others, Stanford Environmental Law Society, Stanford, California, 94305, 1975, \$3.95.
- *The Economic Impact of Oregon's Bottle Bill*, Bailes, J. and Gudger, C., Oregon State University Press, Corvallis, Oregon, 97330, 1974, \$2.00.
- *Impacts of Beverage Container Legislation on Connecticut and a Review of the Experience in Oregon, Vermont and Washington State*, Stern, C. et al, Department of Agricultural Economics, College of Agriculture and Natural Resources, University of Connecticut, Storrs, Connecticut, 06268.
- *No Deposit, No Return: A Report on Beverage Containers*, New York State Senate Task Force on Critical Problems, Albany, New York, 12224, 1975, free.
Oregon's Bottle Bill: Two Years Later, Don Waggoner, Oregon Environmental Council, 2637 S.W. Water Avenue, Portland, Oregon, 97201, 1974, \$2.50.
- *Potential Effects of a National Mandatory Deposit on Beverage Containers*, Report to the Congress by the Comptroller General of the United States, U.S. General Accounting Office, Distribution Section, P.O. Box 1020, Washington, D.C., 20013, 1977. Write for prices, include publication code PAD 78-19.
- *Vermont 5¢ Deposit*, James M. Jeffords and Donald W. Webster, Office of Congressman James Jeffords, 429 Cannon Building, House of Representatives, Washington, D.C. 20515, 1977. Limited number of copies available.
- Request from your Congressman:
Energy and Economic Impacts of Mandatory Deposits, Federal Energy Administration, September, 1976.
Analysis of Nine Beverage Container Alternatives, EPA/530/SW-91c, Environmental Protection Agency, 1974.
Nonreturnable Beverage Container Act hearings before the Subcommittee on Environment of U.S. Senate Commerce Committee, S.2062, serial # 93-120, May, 1974.
Hearings on HR 5487 and HR 406 before the House Committee on Interstate Commerce, serial # 94-28, April, 1975.



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