



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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NOTICE

DATE: November 12, 2014
TO: All Certified Processors
SUBJECT: Importation of Single-Stream Recyclable Materials That Include Imported Empty Beverage Containers

On February 18, 2014, CalRecycle implemented the Imported Empty Beverage Container Reporting and Inspection Program (Program) in collaboration with the California Department of Food and Agriculture. Any person(s) importing empty beverage container material in excess of 25 pounds of aluminum, bimetal or plastic, or more than 250 pounds of glass are required to comply with applicable reporting, declaration, inspection, and recordkeeping requirements in the California Beverage Container Recycling and Litter Reduction Act and Title 14 of the California Code of Regulations (14CCR).

The purpose of this notice is to inform certified processors of their responsibilities in processing, reporting, and recordkeeping of imported empty beverage containers in loads of single-stream recyclable materials. Processors receiving loads of imported single-stream recyclable materials containing imported empty beverage container materials should comply with the following requirements:

- “All out-of-state material, whether labeled with the (CRV) message required in Section 14561 of the Act or not, and all rejected and line breakage containers are not eligible for any refund value payments.” 14CCR Section 2401(d)

Imported empty beverage container materials included in loads of imported single-stream recyclable materials should be sorted separately from any in-state single stream recyclable material for which you intend to claim CRV and other program payments. If imported single-stream recyclable materials are commingled with in-state single-stream recyclable materials, the California Beverage Container Recycling Fund runs the risk of illegal CRV payments on out-of-state empty beverage containers, and claims submitted by processors employing this practice may be subjected to prepayment controls.

- For all imported empty beverage containers sorted from loads of imported single-stream material, processors “shall prepare and retain a receipt setting forth the weight and type of material delivered to the processor and payment made or credit granted for all scrap transactions. In addition, the receipt shall indicate if the load consisted of rejected containers, line-breakage containers, or out-of-state beverage containers.” 14CCR Section 2420(g)

- A weight ticket documenting the quantity of imported empty beverage containers sorted from each load of imported single-stream recyclable materials must be prepared and maintained with the associated Imported Materials Report (IMR) for at least five years following its preparation. 14CCR Sections 2833, 2834(c), and 2085.

In the January 15, 2014, notice informing all certified participants of the implementation of the Program, necessary information and requirements were provided. For your ease of reference, the following is an excerpt from that notice:

The requirements apply to any person importing more than 25 pounds of aluminum, bimetal, or plastic empty beverage container material, or more than 250 pounds of glass empty beverage container material, in a motor vehicle and require the following:

- Entering California only through an open and staffed CDFA border station and declaring empty beverage container material is being imported.
- Submitting to a vehicle inspection conducted by CDFA border station agents or other appropriate officials and securing a Proof of Inspection (POI) document.
- Completing an IMR and presenting it to a CDFA border station agent upon seeking entry into California. The report requires specific information about the material, point of origin, destination, vehicle, driver, trucking company, and receiver. An online version of the IMR is available on CalRecycle's website: <http://www.calrecycle.ca.gov/BevContainer/Importation/> Hardcopies of the IMR are also available at all CDFA border stations.
- Providing a copy of a certified weigh master certificate when the weight of the imported empty beverage container material is 100 pounds or more.
- Retaining possession of both the IMR and POI until the load is delivered to the destination indicated on the IMR.
- **Delivery of imported empty beverage container materials to a registered curbside program or a certified recycling center, dropoff or collection program, or community service program is prohibited.** Individuals will not be restricted from delivering imported materials to a certified processor, or to a junk dealer as defined in the Business and Professions Code beginning at Section 21600.

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- Requiring that imported aluminum empty beverage containers sold to junk dealers be handled as nonferrous material subject to the laws governing scrap metal and alloys in accordance with applicable sections of the Business and Professions Code beginning at Section 21600.
- Restricting any person from taking delivery in California of any empty beverage container material the person knew, or should have known, was imported into California, unless the material is accompanied by a POI, IMR, and certain other supporting documents.
- Maintaining designated records (POI, IMR, weight ticket) and making them available for review by CalRecycle for a period of five years following their preparation.

If you have any questions regarding compliance with the statutory and regulatory requirements detailed in this notice, please contact:

Northern California: Ben Shelton, Senior Management Auditor, at (916) 324-1975

Southern California: Alex Hernandez, Senior Management Auditor, at (951)782-4121