

01 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY

001 DIVISION OF QUALITY ASSURANCE AND REGULATIONS

Chapter 360: RESPONSIBILITIES OF MANUFACTURERS, DISTRIBUTORS, DEALERS, INITIATORS OF DEPOSIT, CONTRACTED AGENTS AND REDEMPTION CENTERS UNDER THE RETURNABLE BEVERAGE CONTAINER LAW.

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**SUMMARY:** The purposes of these rules are to clarify responsibilities of manufacturers, dealers, distributors, initiators of deposit, contracted agents, and redemption centers for the pickup and sorting of empty beverage containers and establish a time for payment of deposits, refunds and handling charges under the Returnable Beverage Container Law.

These rules also govern items affected by expansion of the Maine Beverage Container Law (32 M.R.S.A., Chapter 28, Sections 1861-1872).

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5. **Registration of Beverage Container Labels**

- A. Registration of beverage container labels must take place at the manufacturer level. However, if the beverage container has a "private label", the brand owner shall be responsible for label registration.
- B. Any beverage, with the exception of wine, requiring a deposit and refund value as enumerated in 32 M.R.S.A. section 1863-A must have affixed, a label that is registered with the Maine Department of Agriculture, Conservation and Forestry that bears a Universal Product Code, which shall be unique for each combination of kind, size, brand and flavor of beverage offered for sale in the State of Maine. UPC codes must be in compliance with current standards for seasonal beverages and variety packaging outlined in Global Standards 1, (GS1) a global nonprofit dedicated to developing standards for UPC use.

14. **Clearly Defined Labeling Requirements**

- A. Placement of label; method of labeling. On printed labels, the refund value and the word "Maine" or the abbreviation "ME" shall be clearly and conspicuously displayed on every beverage container using letters, numerals and symbols not less than 1/8 inch high in clear and prominent typeface and a color contrasting with its background. The refund value shall not be indicated on the bottom of the container.
    - (1) On metal beverage containers the refund value and the word "Maine" or the abbreviation "ME" shall be embossed, incised, or printed clearly and conspicuously on the top every beverage container using letters, numerals and symbols not less than 1/8 inch high.
  - B. Approval of container labels. Prior to sale within the State, manufacturers or distributors must submit the entire label (including any printed material on the container) to the
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Department of Agriculture, Conservation and Forestry, Division of Quality Assurance and Regulations for approval.

- C. Additionally, if a manufacturer directly prints, embosses, or incises the Maine redemption value on the beverage container, the manufacturer, or in the case of a private label the brand owner, must submit such labeled container to the Department of Agriculture, Conservation and Forestry Division of Quality Assurance and Regulations for approval. Placement suitability and security of the mark will be examined.
  
- D. With the exception of wine products and seasonally produced malt liquor products and variety packages of malt liquor products, all beverage containers sold in the State of Maine shall bear a Universal Product Code (UPC) that shall be unique to each combination of beverage brand, kind, size and flavor.