

Department of Resources Recycling and Recovery (CalRecycle)
Division of Recycling
Imported Empty Beverage Container Material Regulations
Frequently Asked Questions

Q: Who is considered a “person importing empty beverage containers”?

A: Any person bringing or transporting empty beverage container material into this State and persons responsible for hiring, paying, directing, contributing to, participating in, or otherwise influencing others to bring or transport empty beverage container material into this State. A person is defined as an individual, corporation, operation, whether or not certified or registered by CalRecycle.

Q: Who is considered a “person receiving imported empty beverage containers”?

A: Any person that takes delivery of empty beverage container material that was imported into the State and any persons responsible for hiring, paying, directing, contributing to, participating in, or otherwise influencing others to take delivery of empty beverage container material imported into this State.

Q: What are the requirements for a person importing more than 25 pounds of empty aluminum, bimetal, or plastic beverage container material, or more than 250 pounds of glass empty beverage container material in a motor vehicle into the State for storage, sale, transfer, or export?

A:

1. You **MUST**: Enter this State only through an open and staffed California Department of Food and Agriculture (CDFA) quarantine inspection station maintained pursuant to Section 5341 of the Food and Agricultural Code, declare you are importing empty beverage container material and present the material for inspection.
2. You **MUST**: Complete an Imported Material Report (IMR) for each load and each type of empty beverage container material entering the State and submit the report(s) to CDFA personnel upon arriving at the inspection station.
3. You **MUST**: Provide a certified weighmaster ticket quantifying each material type of empty aluminum, bimetal, or plastic beverage container material transported into California, which exceeds 100 pounds.
4. You **MUST**: Maintain copies of all IMRs, proof of inspection, weighmaster weight tickets, and provide copies to persons receiving the material.
5. It is **PROHIBITED** to deliver any imported empty beverage container materials to any facility registered by the Division as curbside program or a certified recycling center, dropoff or collection program, or a community service program.
6. It is **PROHIBITED** to claim or receive any refund value payment for imported empty beverage container materials.

Q: I am a person importing empty beverage containers material into California. Where can I get an Imported Material Report to complete?

A: Hardcopy IMR forms are available at all CDFA quarantine inspection stations. Importers can also complete and print an IMR online which is available at the following location on CalRecycle’s website:

<http://www.calrecycle.ca.gov/BevContainer/Importation/>

Q: How and where do I get a Proof of Inspection?

A: Proof of Inspection forms are issued by CDFA Inspectors at all plant quarantine inspection station after you have provided a completed IMR and your load of materials has been inspected by a CDFA Inspector or CalRecycle inspector.

Q: What do I do with the forms once completed?

A: The IMR must be retained by the driver and accompany the imported empty beverage container material to destination indicated on the IMR. When the material is delivered, the IMR must be provided to the receiver of the material who must also sign the IMR. The person importing the empty beverage container material must retain all completed IMR forms for a period of at least 5 years from the date of delivery.

Q: I'm a certified recycling center. Can I receive and pay scrap on loads of imported empty beverage container material?

A: NO - It is PROHIBITED to take delivery or pay scrap for any load of empty beverage containers material that you know, or should know, was imported into the state, pursuant to Title 14 of the California Code of Regulations (CCR), Section 2831.3.

Q: I operate a self-storage facility. How does the new regulation affect me?

A: If you or your customers store imported aluminum empty beverage containers, which are nonferrous materials, at your location, local enforcement agencies may categorize your business operation as a "junk dealer". "Junk Dealers are subject to laws governing scrap metals and alloys pursuant to the California Business and Professions Code, commencing with Section 21600. Additionally, if you allow such an operation at your storage facility, you may be subject to criminal or civil penalties for facilitating the illegal CRV redemption of imported empty beverage containers.

Q: I'm visiting California from out of state and bringing filled beverage containers to consume while I am in California. Am I considered a person importing?

A: No. The reporting and inspections requirements are only applicable to **empty** beverage container material imported into CA. After the beverages have been consumed, the empty beverage containers you brought into CA are not eligible for any CRV and it is now illegal for certified recycling centers in CA to take delivery of these containers.

Q: If I purchase beverages in California for which I have paid CRV, and take them out of state for consumption, am I subject to the reporting and inspection requirements when I return to California with the empty beverage containers? Are my empty beverage containers still eligible for CRV redemption?

A: If the quantities of empty beverage containers exceed 25 pounds of aluminum, plastic, or bi-metal and 250 pounds for glass, you would be subject to the reporting and inspection requirements for persons importing empty beverage containers. Only beverages purchased in California are eligible for CRV after they have been consumed. Empty beverage containers brought into California are not eligible for CRV even if they were originally purchased in California.

Q: I brought 30 pounds of aluminum and 30 pounds of plastic empty beverage container material into California from out of state. Can I take it to a certified recycling center and be paid CRV or scrap for the material?

A: No. A recycling center shall not receive any beverage containers from out of state, and/or pay any monies for imported empty beverage containers.

Q: I am dual certified as a recycler and processor at the same physical address. May I receive imported empty beverage containers material and pay scrap?

A: Yes, but you must purchase it as a processor and not as a recycling center, and you must maintain a scrap receipt and weight ticket. The weight of this material is not to be included on a shipping report or your processor invoice.

Q: Can I prepare one Imported Material Report for all the material types that I am importing into California?

A: No. One Imported Material Report must be prepared for each material type.

Q: As an operator of a truck rental company, how am I affected if I rent a truck to a person importing empty beverage containers into California?

A: If an importer transports empty beverage containers in a rental truck and attempts or intends to illegally redeem the beverage containers, the truck may be seized and impounded by law enforcement. Additionally, if you knowingly allow any person to use a vehicle from your rental fleet for an illegal operation you may be subject to criminal or civil penalties for facilitating the illegal CRV redemption of imported empty beverage containers.

Q: As an independent truck driver am I liable for importing empty beverage material if they are illegally redeemed or attempted to be redeemed at a certified entity in California?

A: Yes. Pursuant to 14CCR, Section 2830 (a)(3), you are considered a person importing empty beverage containers material.

Q: I am a processor receiving a load of imported empty beverage container material that is not accompanied by a Proof of Inspection and a completed IMR. May I take delivery of the load?

A: No. You shall not take delivery of any imported empty beverage container material that is not accompanied by a Proof of Inspection and a completed IMR.

Q: I am importing 125 pounds of aluminum and 150 pounds of plastic empty beverage containers. Do I need a weight ticket issued by a certified weighmaster?

A: Yes. Pursuant to 14CCR, Section 2831 (a) (7), a person importing empty beverage container material weighing more than 100 pounds shall obtain and retain a weight ticket issued by a certified weighmaster describing the material and indicating the weight for each individual load of empty beverage container material. The weight ticket shall be maintained attached to the corresponding Imported Material Report.

Q: What are the consequences for failing to comply with the importation reporting and inspection requirements?

A: Responsible parties may be subject to civil penalties, criminal penalties, and/or criminal prosecution.

Q: Where can I find more information on the importation reporting and inspection requirements?

A: website - <http://www.calrecycle.ca.gov/BevContainer/Importation/>

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Q: How can I report illegal redemption activities?

A: 1-866-CANLOAD (226-5623) or Investigations@CalRecycle.ca.gov