

3670

2011-2012 Regular Sessions

I N A S S E M B L Y

January 26, 2011

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the
Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to
litter control

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivisions 1 and 2 of section 27-1003 of the environ-
2 mental conservation law, as amended by section 2 of part SS of chapter
3 59 of the laws of 2009, are amended to read as follows:
4 1. "Beverage" means carbonated soft drinks, FRUIT JUICES, ICED TEA
5 BEVERAGES, MILK, water, beer, other malt beverages, WINE, LIQUOR and [a]
6 wine [product] PRODUCTS as defined in subdivision thirty-six-a of
7 section three of the alcoholic beverage control law. "Malt beverages"
8 means any beverage obtained by the alcoholic fermentation or infusion or
9 decoction of barley, malt, hops, or other wholesome grain or cereal and
10 water including, but not limited to ale, stout or malt liquor. "Water"
11 means any beverage identified through the use of letters, words or
12 symbols on its product label as a type of water, including any flavored
13 water or nutritionally enhanced water, provided, however, that "water"
14 does not include any beverage identified as a type of water to which a
15 sugar has been added.
16 2. "Beverage container" means the individual, separate, sealed glass,
17 metal, aluminum, steel or plastic bottle, can or jar used for containing
18 less than one gallon or 3.78 liters at the time of sale or offer for
19 sale of a beverage intended for use or consumption in this state AND
20 WHICH IS REFILLABLE WITH A CAPACITY TO BE REFILLED AND RESOLD NOT LESS
21 THAN TWENTY-FIVE TIMES. Beverage containers sold or offered for sale or
22 distributed aboard aircraft or ships shall be considered as intended for
23 use or consumption outside this state.
24 S 2. This act shall take effect January 1, 2012.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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