**§ 27-1011. Beverage container requirements.**

1. a. Every beverage container sold or offered for sale in this state shall clearly indicate by permanently marking or embossing the container or by printing as part of the product label the refund value of the container and the words "New York" or the letters "NY".

b. Such embossing or permanent imprinting on the beverage container shall be the responsibility of the person, firm or corporation which bottles, cans or otherwise fills or packages a beverage container or a brand owner for whose exclusive account private label beverages are bottled, canned or otherwise packaged; provided, however, that the duly authorized agent of any such person, firm or corporation may indicate such refund value by a label securely affixed on any beverage container containing beverages imported into the United States. Private label beverages shall be defined as beverages purchased from a bottler in beverage containers bearing a brand name or trademark for sale at retail directly by the owner or licensee of such brand name or trademark; or through retail dealers affiliated with such owner or licensee by a cooperative or franchise agreement.

2. No deposit initiator, distributor or dealer shall sell or offer for sale, at wholesale or retail in this state, any metal beverage container designed and constructed with a ring or tab which is detachable in opening the container unless such detachable part will decompose by photodegradation or biodegradation.

3. No deposit initiator, distributor or dealer shall sell or offer for sale in this state beverage containers connected to each other by a separate holding device constructed of plastic which does not: (a) decompose by photodegradation or biodegradation; or

(b) comply with minimum post-consumer recycled material content and hole diameter limitations as defined in rules and regulations promulgated by the department, and is recyclable and indicates a resin identification code.