



Ohio Administrative Code

Rule 4301:1-1-31 Re-usable containers - definitions and deposit for.

Effective: June 4, 2004

(A) A "returnable original container" is also known as "cooperage" and is:

(1) Any reusable container, title to which is retained by the manufacturer, licensee, or vendor who bottled, sold, or resold beer in such container; or

(2) Any reusable container, title to which was not retained by the manufacturer, licensee, or vendor who bottled, sold, or resold beer in such container but which the manufacturer, licensee, or vendor, or a direct or indirect associate, agent, representative, employee, agency, distributor, affiliate, or subsidiary of such manufacturer, licensee, or vendor will repurchase or agree to repurchase from any person who has acquired title to such reusable container.

(B) Every permit holder buying beer shall pay, and every permit holder and out-of-state shipper selling beer shall collect, on all returnable original containers a minimum cash deposit as follows:

(1) Bottles:

(a) Twelve ounces or less: two cents.

(b) More than twelve ounces but less than sixty-four ounces: four cents.

(c) Sixty-four ounces or more, but less than one hundred twenty-eight ounces: eight cents.

(d) One hundred twenty-eight ounces: twelve cents.

(2) Returnable cases: twenty-seven cents.

(3) Kegs or metal containers: ten dollars.



(C) The manufacturer's or wholesale distributor's memorandum of sale and all other records of sale pertaining to the sale of beer in returnable original containers shall show beverage and deposit separately, and such memorandum or other records shall be kept by every manufacturer, wholesale distributor, and retail permit holder.

(D) No permit holder and no out-of-state shipper of beer shall refuse to immediately refund the full amount of the original deposit on any reusable returnable container upon which a deposit has been made, provided the container is returned in a reusable condition.

(E) Upon the failure of any manufacturer or out-of-state supplier to comply with the provisions of this rule, the division shall refuse to register any beer manufactured or handled by such manufacturer or out-of-state shipper and shall revoke the registration of any beer previously registered by the division.

(F) After the effective date of this rule, all permit holders, manufacturers, and out-of-state shippers shall pay and collect deposits on all returnable original containers in accordance with this rule.

(G) No manufacturer shall use the cooperage, cases, or cartons of any other manufacturer.