



State of Hawaii
Department of Health

Hawaii Deposit Beverage Container Program Registered Deposit Beverage Distributor Internal Control Process Document

Business Name _____
Mailing Address _____

Contact Person _____
Phone _____
E-mail _____

FOR DBC PROGRAM USE:

Date Received: _____

Reviewed and Approved By: _____

Filed date: _____

Pursuant to Hawaii Revised Statutes §342G-121.5, all deposit beverage distributors are required to develop and submit to the deposit beverage container (DBC) program for approval an internal control process to ensure that the monthly or semi-annual distribution report forms contain accurate data and that adequate records are maintained.

Directions: Please respond to the statements below and attach any supplementary documents. Submit the completed document to DOH.DBCDistributor@doh.hawaii.gov, or via mail to 2827 Waimano Home Road #100, Pearl City, Hawaii 96782.

Deposit Beverage Container Labeling Compliance

1) Explain how the business determines which beverage containers require a Hawaii refund value (HI5¢) and the assessment of the deposit fee and non-refundable container fee.

2) Explain how the business ensures the DBCs sold in the state of Hawaii are compliant.

3) Explain the corrective actions should a label violation be observed.

Record Compliance

4) Describe how the business ensures the reported DBCs and its corresponding payments are correct.

5) Describe how DBC labeling compliance records and sales information records are maintained.

I certify under penalty of law that this document was prepared under my direction or supervision by qualified personnel who have properly gathered and evaluated the submitted information. I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine, imprisonment for a knowing violation, or both.

Authorized Signature

Title

Print Name

Date

Select Definitions from Hawaii Revised Statutes, Chapter 342G

"Deposit beverage" means beer, ale, or other drink produced by fermenting malt, mixed spirits, mixed wine, tea and coffee drinks regardless of dairy-derived product content, soda, or noncarbonated water, and all nonalcoholic drinks in liquid form and intended for internal human consumption that is contained in a deposit beverage container.

The term "deposit beverage" excludes the following:

- (1) A liquid that is:
 - (A) A syrup;
 - (B) In a concentrated form; or
 - (C) Typically added as a minor flavoring ingredient in food or drink, such as extracts, cooking additives, sauces, or condiments;
- (2) A liquid that is a drug, medical food, or infant formula as defined by the Federal Food, Drug, and Cosmetic Act (21 U.S.C. §301 et seq.);
- (3) A single serving of one ounce or less of a dietary supplement as defined in the Dietary Supplement Health and Education Act of 1994 (P.L. 103-417);
- (4) A liquid that the department finds to be the sole item of a meal or diet;
- (5) Products frozen at the time of sale to the consumer, or, in the case of institutional users such as hospitals and nursing homes, at the time of sale to the users;
- (6) Products designed to be consumed in a frozen state;
- (7) Instant drink powders;
- (8) Seafood, meat, or vegetable broths, or soups, but not juices; and
- (9) Milk and all other dairy-derived products, except tea and coffee drinks with trace amounts of these products.

"Deposit beverage container" means the individual, separate, sealed glass, polyethylene terephthalate, high density polyethylene, or metal container less than or equal to sixty-eight fluid ounces, used for containing, at the time of sale to the consumer, a deposit beverage intended for use or consumption in this State.

"Deposit beverage distributor" means a person who is a manufacturer of beverages in deposit beverage containers in this State, or who imports and engages in the sale of filled deposit beverage containers to a dealer or consumer. The term includes federal agencies and military distributors, but does not include airlines and shipping companies that merely transport deposit beverage containers.

"Import" means to buy, bring, or accept delivery of deposit beverage containers from an address, supplier, or any entity outside of the State.

"Importer" means any person who buys, brings, or accepts delivery of deposit beverage containers from outside the State for sale or use within the State.

Labeling requirements in Law

§342G-112 Deposit beverage container requirements.

- (a) Except as provided in subsection (b), every deposit beverage container sold in the State shall clearly indicate the refund value of the container and the word "Hawaii" or the letters "HI". The names or letters representing the names of other states with comparable deposit legislation may also be included in the indication of refund value. The refund value on every deposit beverage container shall be clearly, prominently, and indelibly marked by painting, printing, scratch embossing, raised letter embossing, or securely affixed stickers and shall be affixed on the top or side of the container in letters at least one-eighth inch in size.
- (b) Subsection (a) shall not apply to any type of refillable glass deposit beverage container that has a brand name permanently marked on it and that has the equivalent of a refund value of at least 5 cents, which is paid upon receipt of the container by a dealer or deposit beverage distributor.
- (c) Containers that do not meet the definition of a deposit beverage container, as specified in section 342G-101, shall not indicate "Hawaii" or "HI" on the container.

Labeling Requirements in Administrative Rules

§11-282-21 Deposit beverage container requirements.

- (a) Every deposit beverage container sold or offered for sale in the State shall have the Hawaii refund value clearly indicated in accordance with section 342G-112, HRS. Additionally all deposit beverage containers shall have:
 - 1. The refund value affixed on the top or side of the container in letters at least 1/8 inch in size; and
 - 2. The refund value clearly, prominently, and indelibly marked on it by painting, printing, scratch embossing, raised letter embossing, or by securely affixed stickers.

Source: Hawaii Revised Statute, Chapter 342G
www.capitol.hawaii.gov/hrscurrent/Vol06_Ch0321-0344/HRS0342G/
Deposit Program information begins with section Ch. 342G-101

Hawaii Administrative Rules, Title 11 Chapter 282
<https://health.hawaii.gov/hi5/files/2013/05/HawaiiAdminRules1.pdf>

Please visit our website for more program information: <http://health.hawaii.gov/hi5/>