

SB 892 STAFF MEASURE SUMMARY

Senate Committee On Environment and Natural Resources

Action Date: 04/04/19

Action: Without recommendation as to passage and request referral to Rules.

Vote: 5-0-0-0

Yeas: 5 - Bentz, Dembrow, Olsen, Prozanski, Roblan

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 3/14, 4/4

WHAT THE MEASURE DOES:

Adds oral rehydration products that are medical food as defined in the Federal Food, Drug and Cosmetic Act (21 U.S.C. 360ee(b)(3)) to the list of beverage containers exempt from the beverage container deposit law. Removes outdated provisions. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Recommendation to move measure to Senate Rules Committee

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 1971, Oregon enacted the "Bottle Bill," which is the nation's longest-standing beverage container deposit law. In 2007, the legislature expanded coverage of the five-cent deposit to include water and flavored water. In 2011, the legislature expanded the types of beverage containers subject to the deposit to include juices, teas, and more; set a trigger for the deposit to increase to 10 cents if the recycling rate fell below 80 percent for two consecutive years; and set up a redemption center pilot project. The following beverages are not subject to the deposit law: distilled liquor, wine, dairy or plant-based milks, infant formula, and any other products identified in a rule of the Oregon Liquor Control Commission. In 2017, the deposit increased to 10 cents.

The Federal Food, Drug and Cosmetic Act defines "medical food" as "a food which is formulated to be consumed or administered enterally under the supervision of a physician and which is intended for the specific dietary management of a disease or condition for which distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation (21 U.S.C. 360ee(b)(3)).

Senate Bill 892 would add oral rehydration products that are medical food as defined in the Federal Food, Drug and Cosmetic Act to the list of beverage containers excluded from the Bottle Bill.