A District of Columbia law adopted in March 2015 requires paint manufacturers to establish a Paint Stewardship Program in the District. Program funding comes from a fee on architectural paint starting on the first day of the program. The program started on November 1, 2016.

**Paint Stewardship in the District of Columbia**

PaintCare Inc. is a non-profit organization established by the American Coatings Association to implement paint stewardship programs on behalf of paint manufacturers in states and jurisdictions that adopt paint stewardship laws. The District’s program is required by law, but it is designed and operated by the paint manufacturing industry through PaintCare.

**Convenient Paint Recycling**

PaintCare’s primary effort is to set up paint drop-off sites to make it more convenient for residents and businesses to recycle paint. PaintCare works with retailers to do this. In addition to retailers, PaintCare sites may include municipal household hazardous waste facilities and drop-off events, solid waste transfer stations, and landfills. There are currently more than 1,700 paint drop-off sites across the District and eight states where the program is operating. These include California, Colorado, Connecticut, Maine, Minnesota, Oregon, Rhode Island, and Vermont. PaintCare is currently developing a program for Washington, expected to launch in 2020.

**Participation as a Drop-Off Site is Voluntary**

Paint retailers that would like to be drop-off sites can participate if they have space for paint storage bins and can provide minimal staff time to accept paint from the public. By doing so, retailers can increase foot traffic and sales, and provide a new service for their community. They make it convenient for their customers to recycle leftover paint and help provide relief to local government programs that currently manage leftover paint. PaintCare provides storage bins, supplies, and site training. PaintCare also pays for paint transportation and recycling and promotes the sites to the local community.

**REQUIREMENTS OF RETAILERS**

**Check Registered Manufacturers and Brands**

Retailers may only sell architectural paints that are registered. Paint manufacturers must register their company with PaintCare, and they must register all architectural paint brands they sell in the District of Columbia (these products will have the new fee). PaintCare publishes lists of registered manufacturers and brands so that retailers can check to see that the products they sell are registered. Please visit www.paintcare.org/lists to view registration lists.
Pass on the Stewardship Fee
When the program begins, the law requires that a stewardship fee (“PaintCare Fee”) be added by manufacturers to the wholesale price of all architectural paint sold in the District. This fee pays for all aspects of running the program. The fee is paid by manufacturers to PaintCare and then passed to their dealers. Retailers should see the PaintCare Fee on invoices from suppliers when the program starts. The law also requires that retailers and distributors apply the fee to the price of architectural paint they sell. The fees paid by customers to retailers offset the fees charged to the retailers. This ensures a level playing field for all parties.

COMMON QUESTIONS ABOUT FEES

How much are the fees?
The fees for the District are based on container size as follows:

$ 0.00 — Half pint or smaller
$ 0.45 — Larger than half pint up to smaller than 1 gallon
$ 0.95 — 1 gallon up to 2 gallons
$ 1.95 — Larger than 2 gallons up to 5 gallons

How are the fees calculated?
Fees are set to cover the cost of a fully operating program in the District. PaintCare estimates the annual sales of architectural paint in the District, divides the estimated annual expenses of the program by the estimated number of containers to be sold, adjusts for container size, and determines a fee per size that provides the budget needed to fund the program. In future years, fees may be adjusted if they are set too high or too low to cover program expenses.

Is sales tax applied to the fee, itself?
Yes. The fee is part of the purchase price; therefore, sales tax is collected on the fee.

Must we show the fee on receipts?
No, but most stores show the fee in order to explain the price increase. PaintCare encourages retailers to show the fee to increase awareness of the program.

Is the fee a deposit to be returned to customers?
No, the fee is not a deposit. Fees are used entirely to cover the expenses of running the program. Fees are not given back as a deposit for the return of paint or empty paint cans — a common misunderstanding.

Do we refund the fee if a product is returned?
Yes, the fee should be refunded because it is part of the purchase price.

Do we apply the fee to sales on the first day of the program for inventory purchased before the first day of the program, even though we didn’t pay a fee for the product to the distributor or manufacturer?
Yes, retailers must add the fee on all covered products sold on or after the first day of the program, regardless of when (before or after program launch) they were purchased from the distributor or manufacturer.

How will the public know about the fee?
PaintCare provides materials for retailers to distribute to the public to help explain the purpose of the fee, how the program works, and how to find a paint drop-off location. Before the program started, PaintCare provided a “starter pack” of brochures and other information to all paint retailers. Additional materials can be ordered as needed at no charge. In addition to retailer information, PaintCare works with contractor associations to get information to professional painting contractors, and conducts general outreach including newspaper, radio, television, and online advertising.

What products are covered?
Architectural paints include most house paints, stains, and clear coatings (e.g., varnish and shellac). For examples of program and non-program products, please visit www.paintcare.org/products-we-accept.