

MARYLAND PAINT STEWARDSHIP

for Retailers



PaintCare is a nonprofit organization created by paint companies to help consumers manage leftover paint responsibly. PaintCare sets up convenient drop-off locations for unwanted paint throughout each state with a paint stewardship law. Funding for each program comes from a fee applied to the price of paint sold in the same state.

Participation as a Drop-Off Site is Voluntary

Paint retailers are encouraged to participate as paint drop-off sites. Participating can increase foot traffic and provide an environmentally responsible service for retailers' customers by making it convenient for them to recycle leftover paint. Store staff will screen and accept paint from the public. All supplies, including collection bins, as well as transportation and recycling of the paint, and site training, will be provided by the PaintCare program. PaintCare also promotes sites to the local community.

To become a drop-off site, fill out the interest form: www.paintcare.org/drop-off-site-interest-form/

Requirements of Retailers Under New Law



1. Check Registered Manufacturers and Brands

Paint manufacturers must register their company with PaintCare, and they must register all architectural paint brands they sell in the state. Retailers may not sell architectural paints in Maryland that are not registered. 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/manufacturers for current registration lists.



2. Pass on the PaintCare Fee

State law requires that a stewardship fee (PaintCare fee) is applied by manufacturers to the wholesale price of all architectural paint sold in store and online in Maryland. This fee funds all aspects of running the program. The fee is remitted by manufacturers to PaintCare. Manufacturers then pass the fee to their dealers and retailers, who add it to the wholesale price of covered products. Retailers should see the PaintCare fee on invoices from suppliers. The law also requires that retailers and distributors include the fee in the price of architectural paint they sell in store and online. The fee paid by customers to retailers offsets the fee charged to the retailers. This ensures a level playing field for all parties.

Fee ranges vary by container size:



\$0.00

Half pint or smaller



\$0.50

Larger than half pint up to
smaller than 1 gallon



\$1.15

1–2 gallons



\$2.25

Larger than 2 gallons
up to 5 gallons

COMMON QUESTIONS

How is the fee calculated?

The fee is set to cover the cost of a fully operating program. PaintCare estimated the annual program expenses, sales of architectural paint in Maryland, and determined a fee structure that will provide the revenue needed to fund the program. PaintCare is a nonprofit organization and operates programs on a state-by-state basis, so the fee may increase or decrease in the future and is different from state to state.

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. The fee itself is not a tax.

Is the fee a deposit to be returned to customers?

The fee is not a deposit. The fee is used entirely to cover the expenses of running the program. The fee is not given back as a deposit for dropping off covered products or empty paint cans (empty cans are not accepted by the PaintCare program).

Are we required to show the fee on receipts?

While it's not required, PaintCare encourages retailers to list the PaintCare fee on purchase receipts to aid in consumer education, and most stores do so. Most states have enacted price accuracy statutes that govern the nature of pricing information that must be disclosed to consumers. Retailers should be mindful that regulators in some states may view their state's laws as requiring retailers to incorporate the PaintCare fee in the product price displayed to consumers, regardless of whether a retailer chooses to break the PaintCare fee out separately on purchase receipts. For more information, visit www.paintcare.org/pricinglaws.

Do we refund the fee if a product is returned?

Yes, the fee should be refunded because it is part of the purchase price.

How does the public know about the fee?

PaintCare provides printed 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 site. Translated materials are available in Spanish and over two dozen other languages, provided upon request. Additional materials can be ordered as needed for no charge. In addition to retailers, PaintCare works with contractor associations to inform professional painting contractors and conducts general outreach campaigns that may include digital and online advertising, direct mail, newspaper, radio, and television.

What products are covered?

PaintCare sites accept house paint as well as primers, stains, sealers, and clear coatings, such as shellac and varnish. All products must be in their original, labeled containers (no larger than five gallons) and must be covered with a secure lid. Certain products are not accepted. Review the list of accepted products at www.paintcare.org/products.

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