Maine Paint Stewardship Program

Information for Retailers

May 2015
PaintCare Contacts

John Hurd
Program Manager
(802) 245-4821
jhurd@paint.org

PaintCare Hotline
(855) 724-6809 or (855) PAINT09
info@paint.org
Presentation Overview

1. Who PaintCare is and how this program came about
2. What the Maine Paint Stewardship Law requires
3. What products fall under the program
4. The responsibility and role of paint retailers
   - Fee pass-through
   - Only sell registered brands
   - Provide consumer information about the program
   - Volunteer to be a paint drop-off site
5. Retail and consumer outreach materials
Paint Stewardship Organization

- PaintCare is a non-profit 501(c)(3) organization
- Representative “paint stewardship organization” in states that pass industry-supported paint stewardship laws
- Established in 2009 for the Oregon pilot program
- Program of the American Coatings Association
- Governed by Board of architectural paint manufacturers
Why Paint

- 650 millions gallons sold in U.S. annually – 10% unused
- Until now, Maine consumers could only recycle unwanted paint through municipal HHW programs (paint is 50% of HHW)
- National dialogue to find solution to postconsumer paint management began in 2003
- Dialogue led to drafting of model, state-level, industry supported legislation in 2007
Key Elements of the Model Law

- Requires participation by all manufacturers, distributors and retailers to ensure a level playing field
- Program is industry designed and operated (PaintCare)
- Allows for a sustainable financing through a per can assessment fee (protection from antitrust violation)
Key Elements of the Model Law

- Requires collection infrastructure: retail (paint and hardware), municipal household hazardous waste programs, waste transfer stations, etc.

- Requires public outreach and education program

- Requires environmentally responsible paint management
### Architectural Coatings (examples)

#### Program Products
- Indoor and outdoor architectural coatings
- 5 gallon and smaller containers
- Latex and oil-based paints (all sheens and finishes)
- Primers, sealers, stains
- Shellacs, lacquers, varnishes, urethanes (single component)
- Waterproofing sealers and repellants

#### Non-Program Products
- Thinners and solvents
- Aerosol paints
- Industrial Maintenance products
- Original equipment manufacturer (OEM) paints and finishes
- Auto, marine, traffic, craft paints
- Glues, epoxies, adhesives, caulks
- Paint additives, colorants, tints, resins

For a complete list of Program Products & Non-Program Products – www.paintcare.org
Retail Responsibility

1. Fee pass-through
2. Sell only registered brands
3. Provide consumer information about the Program
4. Be paint drop-off site (voluntary)
PaintCare Recovery Fee

- Maine fee structure:
  - Half pint and less: $0.00
  - More than half pint to less than 1 gallon: $0.35
  - 1 gallon: $0.75
  - More than 1 gallon to 5 gallon: $1.60

- Fee is determined by dividing program cost by the number of containers sold in state, and adjusting for container size.

- Program costs are primarily paint transportation and processing (70%). Remainder is outreach and education, insurance, legal fees, staffing and administration.
Assessment Fee FAQs

How do you know what products to put the fee on?
  - Fee should be found on your supplier’s invoice
  - Check manufacturer and brand lists at PaintCare.org

Do you have to show the fee on customer receipt? No

Is the fee taxable? Yes

Is the fee a deposit? No
Assessment Fee FAQs

Does the fee apply to existing inventory?
Yes, however the retailer will keep the collected fees on old inventory.

Are fees based on container size or content?
Container size

Is the fee per container, or total purchase?
Per container

Example: Fee on five 1-gal containers is
5 x $0.75 = $3.75
(not $1.60 for 5-gal container)
Assessment Fee Pass-Through

Do you have to pass the fee to consumers? Yes

- All manufacturers, distributors and retailers selling architectural paint in Maine must pay and pass through the PaintCare Recovery Fee in order to provide a level playing field for all affected parties.

- The fee paid by the consumer to the retailer offsets the fee charged by the manufacturer or distributor to the retailer.
Registered Brands

Ensure you are not selling unregistered architectural paint brands.

Registered brand and manufacturers are listed at:
   - www.paintcare.org/Maine
   - Maine Department of Environmental Protection website

If you do not see a manufacturer or brand sold in your store on the lists, please contact PaintCare.
Provide Consumer Information

- PaintCare provides a variety of consumer outreach materials including a general program brochure and in-store poster to education consumers.
- Maine DEP will approved all of PaintCare’s materials to meet this retail requirement.
- Materials are provided free of charge and more can be ordered at any time (translations available upon request).
Retail Poster

Paint Recycling Program

About the PaintCare Program

PAINTCARE
PaintCare® is a non-profit 501(c)(3) organization, established by the American Coatings Association to implement paint stewardship programs on behalf of paint manufacturers in states that adopt a paint stewardship law.

PAINTCARE PRODUCTS
These products have fees and will be accepted at PaintCare-partnering drop-off sites:
- Latex paints (acrylic, water-based)
- Oil-based paints (alkyld)
- Stains
- Primers and undercoaters
- Shellsacs, lacquers, varnishes, urethanes
- Deck and floor paints
- Sealers and waterproofing coatings for wood, concrete and masonry

NON-PAINTCARE PRODUCTS
- Paint thinners and solvents
- Aerosol paints (spray cans)
- Auto and marine paints
- Paint additives, colorants, tints, resins
- Wood preservatives (containing pesticides)
- Tar, asphalt, and bitumen-based products
- 2-component coatings
- Coatings used for Original Equipment Manufacturing or shop application
- Any non-coatings (cauls, spackle, cleaners, etc.)

FEES
The “PaintCare Recovery Fee” is applied to the purchase price of architectural paint sold in the state as required by state law. Fees are based on container size as follows:

<table>
<thead>
<tr>
<th>Size</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Half pint or less</td>
<td>$0.00</td>
</tr>
<tr>
<td>More than half pint to less than 1 gallon</td>
<td>$0.35</td>
</tr>
<tr>
<td>1 gallon</td>
<td>$0.75</td>
</tr>
<tr>
<td>More than 1 gallon to 5 gallons</td>
<td>$1.60</td>
</tr>
</tbody>
</table>

For more information or to find a place to take your unwanted paint for recycling, please ask for the PaintCare brochure, visit www.paintcare.org or call (855) 724-6809.

Trade Painter Factsheet

Maine Paint Stewardship Program

Information for Painting Contractors

Maine’s paint stewardship law affects painting contractors.

START DATE: AUGUST 1, 2015

A Maine law passed in July 2013 requires paint manufacturers to set up and operate a paint stewardship program in Maine. The program will be funded by a fee on architectural paint sold in the state. The program will set up drop-off sites at retailers and other locations where residents and businesses will be able to take most leftover paint, free of charge.

Paint Stewardship Led by Industry
The American Coatings Association (ACA) worked with various stakeholders interested in the management of postconsumer paint to develop a Paint Stewardship Program in the United States. PaintCare Inc. is a nonprofit organization established by ACA to implement the program on behalf of paint manufacturers in states that adopt paint stewardship laws. “PaintCare Status” include California, Colorado, Connecticut, Maine, Minnesota, Oregon, Rhode Island, and Vermont.

The main goals of the program are to decrease paint waste and recycle more postconsumer paint by setting up convenient drop-off sites in each PaintCare state.

FEES and Funding
As required by state law, a paint stewardship assessment (“PaintCare Fee”) must be added by manufacturers to the wholesale price of all architectural paint sold in the state. This fee is paid by manufacturers to PaintCare to fund setting up paint drop-off sites and for the transportation, recycling, and proper disposal of the collected paint. The fees also pay for consumer education and program administration.

In states with active programs, the fees are as follows; the fees in Maine are expected to be the same (pending approval by the state):
- $0.00 – Half pint or smaller
- $0.35 – Larger than half pint to smaller than 1 gallon
- $0.75 – 1 gallon
- $1.60 – Larger than 1 gallon up to 5 gallons

When estimating jobs, contractors should take these fees into account by checking with suppliers to make sure the quotes for paint products include the fees. You should also let your customers know that you will be including these fees in your quotes.

Fee at Retail
The law requires that each distributor and retailer include the PaintCare Fee with their sale price of architectural paint sold in the state. Displaying the fee on invoices and receipts is not mandatory for distributors or retailers; however, PaintCare encourages them to show the fee and list it as “PaintCare Fee” to aid in customer and dealer education.

Passing the Fee to Your Customers
It is expected that contractors will pass the fees on to their customers in order to recoup the fees they pay on the product.
Consumer Brochure

Find a paint drop-off site near you by visiting paintcare.org

Recycle with PaintCare
About the PaintCare Program

Funding
The program is funded by a PaintCare Recovery Fee added by manufacturers to the price of all architectural paint sold in California. The law also requires each distributor and retailer to include the fee in the price of architectural paint sold in California. Fees are by container size as follows:

- Half pint or less: $0.00
- More than half pint to less than 1 gallon: $0.35
- 1 gallon: $0.75
- More than 1 gallon to 5 gallons: $1.60

The retail store can choose whether or not to display the fee separately on sales receipts. The fee is not a deposit — you do not receive it back when you drop-off paint for recycling.

The funding is used to recycle all of your unused paint, whether it is from last month or from 20 years ago, and you don't have to buy paint to use the drop-off sites.

Paint Drop-Off Sites
PaintCare will establish hundreds of drop-off sites across California at paint retail stores, locally run household hazardous waste facilities, and other locations. When these sites are part of PaintCare, they will accept program products at no additional charge from all residents and certain businesses. To find a site near you, visit paintcare.org or call (855) 724-6809.

Paint Recycling
Paint received at drop-off sites is taken to authorized paint processing facilities where it is properly recycled or disposed.

Who is PaintCare?
PaintCare® is a non-profit 501(c)(3) organization, established by the American Coatings Association to implement state-mandated paint stewardship programs on behalf of paint manufacturers in each state that adopts a paint stewardship law.

PaintCare is currently running or preparing to implement programs in Oregon, California, Connecticut, and Rhode Island.
Become a Paint Drop-off Site

PaintCare Provides

- On-site training
- Collection containers
- Transportation
- Recycling/proper disposal
- Store poster and consumer education materials
- Site promotion
Paint Drop-off Site

Site Responsibilities

✔ Identify products
✔ Store properly
✔ Schedule pick-up as needed
✔ Maintain records
Become a Paint Drop-off Site

- Fill out interest form
- Sign contract
- Receive bins
- Collect paint
Contact Information

John Hurd
Program Manager
(802) 245-4821
jhurd@paint.org

PaintCare Hotline
(855) 724-6809 or (855) PAINT09
info@paint.org