



## *How Does the Oregon Paint Stewardship Program Affect Paint Retailers?*

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**Oregon's paint stewardship law requires paint manufacturers to set up and operate a Paint Stewardship Program in Oregon. Funding for the program comes from a fee applied to the price of architectural paint sold in Oregon. The program started in July 2010.**

### **Paint Stewardship**

PaintCare Inc. is a nonprofit organization established by the American Coatings Association to implement state-mandated paint stewardship programs on behalf of paint manufacturers in states that adopt paint stewardship laws. In addition to operating the Oregon Program, PaintCare operates programs in California, Colorado, Connecticut, District of Columbia, Maine, Minnesota, Rhode Island, and Vermont.

### **Convenient Paint Recycling**

PaintCare's primary effort is to establish paint drop-off sites throughout each PaintCare State at paint retailers and other locations in order to provide convenient recycling opportunities for the public. Other locations include municipal household hazardous waste facilities and events, solid waste transfer stations, and landfills. There are more than 1,700 PaintCare sites in the United States; more than 170 of them are in Oregon.

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

Retailers who wish to serve as drop-off site are able to do so if they have adequate 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 an environmental service for their community. They make it convenient for their customers to recycle unused paint and help provide relief to local government programs that currently manage leftover paint. PaintCare provides storage bins, supplies, site training, and pays for paint transportation and recycling. PaintCare also promotes the sites to the local community.

## **REQUIREMENTS OF RETAILERS**

### **1. Check Registered Manufacturers and Brands**

Retailers may not sell architectural paints in Oregon that are not registered. Paint manufacturers must register their company with PaintCare, and they must register all architectural paint brands they sell in the state. 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](http://www.paintcare.org/lists) to see registration lists.



## 2. Pass on the Fee

State law requires that an assessment or *PaintCare Fee* is applied by manufacturers to the wholesale price of architectural paint sold in Oregon. 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. The law also requires that retailers and distributors apply the fee to the price of architectural paint they sell. The fees paid by the customers to the retailers offsets the fees charged to the retailers by their suppliers. All manufacturers, distributors, and retailers that sell architectural paint in Oregon must pay the fee and pass it down to their dealers, ensuring a level playing field for all parties.

## 3. Provide Information to Customers

Paint retailers must provide customers with information regarding the program and paint collection and recycling opportunities. PaintCare develops these materials, ensures they meet the state's requirements, and provides them free of charge.

### What products are covered?

Architectural paints include most house paints, stains, and clear coatings (e.g., varnish and shellac). For the definition of architectural paint for the purposes of this program or examples of PaintCare and non-PaintCare products, please contact PaintCare or visit our website.

The products accepted at PaintCare drop-off sites are the same products that have a fee when they are sold. PaintCare products include interior and exterior architectural coatings sold in containers of five gallons or less. However, they do not include aerosol products (spray cans), industrial maintenance (IM), original equipment manufacturer (OEM), or specialty coatings.

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## COMMON QUESTIONS ABOUT FEES

### How much are the fees?

Fees are by container size, as follows:

\$ 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

**IMPORTANT:** PaintCare has submitted a proposal to increase fees on or after April 1, 2017. Once approved, fees will be \$0.00, \$0.45, \$0.95, and \$1.95, including changes to the size categories (\$0.95 will be for 1-2 gallons). Please visit [www.paintcare.org/oregon-fee-increase](http://www.paintcare.org/oregon-fee-increase) for details.

### How are the fees calculated?

Fees are set to cover the cost of a fully operating program. PaintCare estimates the annual sales of architectural paint in each state, and 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 will provide the budget needed to fund the program.

PaintCare is a nonprofit organization and operates programs on a state-by-state basis, so the fees may increase or decrease and be different from state to state.

### 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 and not given back as a deposit for the return of paint or empty paint cans – a common misunderstanding.

### Must retailers show the fee on receipts?

No, but most stores do show the fee in order to explain the price increase. PaintCare encourages retailers to show the fee and list it as PaintCare Fee to aid in customer education and provide consistency across the program.

### Do retailers return the fee if a product is returned?

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