



How Does the Minnesota Paint Stewardship Program Affect Paint Retailers?

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Minnesota's paint stewardship law requires paint manufacturers to establish a Paint Stewardship Program in the state. Funding for the program comes from a fee applied to the price of architectural paint sold in Minnesota. The program started in November 2014.

Paint Stewardship Program in Minnesota

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. The Minnesota program is required by state 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 in PaintCare states to make it more convenient for households and businesses to recycle paint. In addition to retailers, paint drop-off 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 of Columbia and eight states (California, Colorado, Connecticut, Oregon, Maine, Minnesota, Rhode Island, and Vermont).

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

1. Check Registered Manufacturers and Brands

Retailers may not sell architectural paints in Minnesota 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 and the Minnesota Pollution Control Agency (MPCA) will publish lists of registered manufacturers and brands on their websites so that retailers can confirm that the products they sell are registered. Please visit www.paintcare.org/lists for registration lists.



2. Pass on the Stewardship Fee

State law requires that a stewardship fee (PaintCare Fee) be applied by manufacturers to the wholesale price of architectural paint sold in Minnesota. 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 will 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 offset the fees charged to the retailers. All manufacturers, distributors, and retailers that sell architectural paint in Minnesota must pay the fee and pass it down to their dealers, ensuring a level playing field for all parties.

COMMON QUESTIONS ABOUT FEES

How much are the fees?

Effective September 1, 2017, fees by container size are as follows:

- \$ 0.00 — Half pint or smaller
- \$ 0.49 — Larger than half pint and smaller than 1 gallon
- \$ 0.99 — 1 gallon up to 2 gallons
- \$ 1.99 — 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. 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 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 and to call it the PaintCare 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.

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 location. Before the program started, PaintCare provided public information materials to all paint retailers. Additional materials can be ordered as needed for 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 on-line advertising.

What products are covered by the program?

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

Contact

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