

### NOTICE TO MATTRESS PRODUCERS & IMPORTERS

#### Collection of \$10.50 Recycling Fee Began December 30, 2015

#### ***You are not currently registered and may be prohibited from selling your products***

California's Used Mattress Recovery & Recycling Act required the mattress industry to create and manage a statewide mattress recycling program. The Mattress Recycling Council is the nonprofit organization created by the mattress industry and is certified by CalRecycle to administer this program. This program is funded through an \$10.50 recycling fee collected on all purchases of new, used and renovated mattresses and box springs. Producers and importers **must register immediately** in order to sell mattresses in California.

#### **Fee Collection**

The fee applies to each mattress and box spring sold to California consumers or contract purchasers (hotels, hospitals, universities, etc.). The fee is:

- A flat rate regardless of mattress size or type.
- Charged per unit. Each mattress and each box spring is considered a separate unit.
- Listed on the invoice or sales receipt as "Recycle Fee" followed by the amount.

The fee does not apply to:

- Wholesale sales to retailers. Retailers will collect the fee when they sell to the end user. The fee must only be collected from the end user.

#### **How Much is the Fee?**

The recycling fee is \$10.50 per unit. The law requires those selling mattresses directly to end users to collect the fee.

#### **What Items Are Charged The Fee?**

If your product fits the law's definition of mattress or box spring, the fee will apply.

***See reverse side for definitions and FAQs.***

#### **Registration & Fee Remittance**

Producers and importers must register with the program in order to selling in CA. Registration is easy and free of charge on [www.MRCreporting.org](http://www.MRCreporting.org).

During the registration process, producers and importers are required to submit either the brand names or Uniform Registration Numbers for the products they sell.

The following resources to assist with the registration process are available:

**Written Guidelines & Step-by-Step Video:**  
Resources area on [www.MRCreporting.org](http://www.MRCreporting.org)

#### **Technical Support:**

**Phone:** 1-888-646-6815  
Mon.-Fri. from 9 a.m.—5 p.m. Pacific

#### **Email:**

[support@MattressRecyclingCouncil.org](mailto:support@MattressRecyclingCouncil.org)

Once registered, collected fees are remitted monthly to MRC through this same secure, online portal.

### FREQUENTLY ASKED QUESTIONS

#### **Who is a "Producer"?**

A "producer" is defined as any person who manufactures or renovates a mattress or box spring in the United States or who imports a mattress or box spring produced in a foreign country, that is sold, offered for sale or distributed in California under the producer's own name or brand. It also includes the owner of a mattress trademark or brand, whether or not such trademark or brand is registered in the state.

#### **Who is an "Importer"?**

An "importer" is defined as a party qualifying as an "importer of record" for purposes of Section 1484(a)(2)(B) of Title 19 of the United States Code, with regard to the import of a finished mattress sold in the state that was manufactured or assembled by a company outside the United States.

*See Reverse Side for More Definitions and Frequently Asked Questions*

 **Mattress Recycling Council**

**For more information:**

Toll Free: 1-855-229-1691

[info@MattressRecyclingCouncil.org](mailto:info@MattressRecyclingCouncil.org)



[www.MattressRecyclingCouncil.org](http://www.MattressRecyclingCouncil.org)

## DEFINITIONS & FREQUENTLY ASKED QUESTIONS

### How does the law define “Mattress”?

It’s defined as any sleep surface covered with ticking or fabric, that contains resilient material, such as steel innersprings, foam, fiber, or other filling or upholstery materials, used alone or in combination, regardless of size or shape, except for those products listed under the Excluded Products List. This includes new, used and renovated products.

### How does the law define “Box Spring” or foundation?

It’s defined as a ticking or fabric-covered structure used to support a Mattress or sleep surface, and may be comprised of a frame, foam, springs or other structure, or other materials, used alone or in combination, regardless of whether the product is stationary or adjustable. This includes new, used and renovated products.

### What items are on the Excluded Products List?

The fee does not apply to mattress pads, mattress toppers, sleeping bags, pillows, car beds, juvenile products including a crib mattress, carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad, crib bumper or pad, water beds or camping style air mattresses, fold-out sofa beds or futons.

### What happens when an end user returns a mattress or box spring to a producer?

The producer will refund the fee to the end user when processing the customer return. Since a producer remits fees only on its net sales of mattresses and box springs during a reporting month, all customer refunds during the month will be reflected in the net sales calculation.

### If I am a producer that sells exclusively to independent retailers (that is, I never sell directly to consumers or other end users such as contract customers) do I have to collect and remit the fee and report my data?

No. A producer that does not sell directly to end users does not need to collect and remit the fee or file monthly reports. However, if those circumstances change, you should immediately notify MRC, collect the fee on all sales you make directly to consumers or other end users and remit those fees to MRC.

### Does a producer that sells directly to consumers or other end users need to report even if it has sold no mattresses or box springs in a reporting period?

Yes. Even if a producer has no sales during a given month, the producer still must file a report indicating no mattresses or box springs sales during the remittance period. If a producer discontinues selling mattresses or box springs in all states, it may terminate its MRC program registration. Once that termination is effective, it may stop filing monthly returns with MRC.

### Where can I find MRC’s fee remittance policy?

Visit the resources section of [www.MRCreporting.org](http://www.MRCreporting.org) to read the entire fee remittance policy and access other resources.

### How was the fee established?

MRC set the fee, with approval from the state. The fee provides for the cost of operating and administering the program. MRC is a 501(c)(3) and does not earn profits from the program.

### Will the fee change?

After the plan’s implementation, the fee may change if MRC finds that the collected fees are too high or too low to sustain the recycling program. Any change in the fee is subject to state approval and MRC would provide 180-days’ notice to implement the new fee.

### Are producers required to recycle used mattresses or box springs that they collect from California consumers or contract purchasers when they deliver the new products?

No. Producers are not required to recycle such mattresses or box springs. Producers may voluntarily participate in the recycling program by providing their used mattresses and box springs to recyclers under contract to MRC. There is no recycling cost to participating producers.

### Even More FAQs and information are available in the “Resources” area of [www.MRCreporting.org](http://www.MRCreporting.org).

#### Preparing for Registration on [MRCreporting.org](http://MRCreporting.org)

To have a smooth and easy experience, you’ll want to do the following before you begin:

- **Review the Definitions page** (under the “Resources” tab in the main menu) for a description of producer, renovator, and retailer, as well as mattress and box spring.
- **Determine if you are registering and reporting on behalf of all locations or only one (or some) specific location(s).** If you are not registering and reporting on behalf of all locations in one or more program states, each location will need to register and report individually.
- **Producers are required to provide their brand or Uniform Registry Number (URN) information.** Company names and their brands/URNs are shared with CalRecycle and made publically available in separate lists.