

FINAL REMINDER: NOTICE TO MATTRESS PRODUCERS AND IMPORTERS

Mandatory Collection of \$10 Recycling Fee Begins May 1, 2016

You have not joined MRC and may be prohibited from selling your products

Rhode Island General Law 23-90 requires the mattress industry to create and manage a statewide mattress recycling program. This program will begin on May 1, 2016 and is funded through a \$10 recycling fee that will be collected on all purchases of new, used and renovated mattresses and box springs. The Mattress Recycling Council is the nonprofit organization created by the mattress industry and authorized by Rhode Island Resource Recovery to administer this program. The law required producers and importers to have joined MRC by July 1, 2015 in order to sell mattresses in Rhode Island. Collection of the fee and recycling of the mattresses will begin May 1, 2016. Producers and importers are encouraged to join MRC by registering at www.MRCreporting.org by the program's start date in order to not incur any penalties.

Fee Collection

Fee collection will begin May 1, 2016. The fee applies to each mattress and box spring sold to Rhode Island 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.
- Subject to sales tax.

The fee does not apply to:

- Mattresses sold to retailers. Retailers will collect the fee when they sell to the end user. The fee must only be collected from the end user.
- Sales to distributors or unaffiliated retailers.

How Much is the Fee?

The recycling fee is \$10 per unit. The law requires those selling mattresses directly to end users to begin collecting the fee on May 1, 2016.

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 continue selling in the state. Registration is easy and free of charge on www.MRCreporting.org.

During the registration process, producers and importers are highly encouraged 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
Disponible en español

Technical Support:
1-888-646-6815
support@mattressrecyclingcouncil.org
Available Mon.-Fri. 9 a.m.—5 p.m. Eastern

Law Compliance Questions:
1-855-229-1691
info@mattressrecyclingcouncil.org
Available Mon.-Fri. 9 a.m.—5 p.m. Eastern
Se habla español

FREQUENTLY ASKED QUESTIONS

Who is a "Producer"?

A "producer" is any person who manufactures or renovates a mattress that is sold, offered for sale or distributed in Rhode Island under the manufacturer's own name or brand.

The term "producer" also includes:

- 1) the owner of a trademark or brand under which a mattress is sold, and
- 2) any person who imports into the United States a mattress that is manufactured or renovated by a person who does not have a presence in the United States and is sold or offered for sale in Rhode Island.

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



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 Rhode Island, 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 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 does not earn any 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 90-days’ notice to implement the new fee.

Are producers required to recycle used mattresses or box springs that they collect from consumers or contract purchasers?

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.

Disponible en español en la pestaña de “Resources”

Preparing for Registration on 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.