

Hawaii:

Deposit Beverage Container Program:

L 2004, c 241, §11 (4) Beginning March 1, 2008, only deposit beverage containers meeting the requirements of section 342G-112, Hawaii Revised Statutes, shall be eligible for redemption.

342G-112 (c) Containers that do not meet the definition of a deposit beverage container, as specified in section 342G-101, shall not indicate "Hawaii" or "HI" on the container.

342G-101

The term "deposit beverage" excludes the following:

(2) A liquid that is a drug, **medical food**, or infant formula as defined by the Federal Food, Drug, and Cosmetic Act (21 U.S.C. §301 et seq.);

Federal Food, Drug, and Cosmetic Act:

(21 U.S.C. §301ee(B)(3));

(3) The term "**medical food**" means a food which is formulated to be consumed or administered enterally under the supervision of a physician and which is intended for the specific dietary management of a disease or condition for which distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation.

Hawaii Statute Link:

https://www.capitol.hawaii.gov/hrscurrent/vol06_ch0321-0344/hrs0342g/hrs_0342g-0101.htm

Federal Food, Drug, and Cosmetic Act Link:

<http://uscode.house.gov/view.xhtml?path=/prelim@title21/chapter9&edition=prelim>

California:

California Beverage Container Recycling & Litter Reduction Act:

Chapter 2, §14504. (b) "Beverage" does not include any of the following:

Chapter 2, §14504. (b)(3) Milk, **medical food**, or infant formula.

Chapter 2, §14504. (c) For purposes of this section, the following definitions shall apply:

Chapter 2, §14504. (c)(2)(A) "**Medical food**" means a food or beverage that is formulated to be consumed, or administered enterally under the supervision of a physician, and that is intended for specific dietary management of diseases or health conditions for which distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation.

Chapter 2, §14504. (c)(2)(B) A "**medical food**" is a specially formulated and processed product, for the partial or exclusive feeding of a patient by means of oral intake or enteral feeding by tube, and is not a naturally occurring foodstuff used in its natural state.

Chapter 2, §14504. (c)(2)(C) "**Medical food**" includes any product that meets the definition of "medical food" in the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360ee (b)(3)).

Federal Food, Drug, and Cosmetic Act:

(21 U.S.C. §301ee(B)(3));

(3) The term "**medical food**" means a food which is formulated to be consumed or administered enterally under the supervision of a physician and which is intended for the specific dietary management of a disease or condition for which distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation.

Federal Food, Drug, and Cosmetic Act Link:

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