

Notice

2005 State of New Jersey Litter Control Fee

The 2005 LF-5 Litter Control Fee return and instructions were mailed to all eligible taxpayers at the end of January 2006. The return and fee payment are due on or before March 15, 2006. Businesses subject to the fee that do not receive a Litter Control Fee return by mail by February 1st should contact the Division of Taxation or download the return from our website. Litter Control Fee Guidelines are also available under “Tax Topics” on the website.

The Clean Communities and Recycling Grant Act imposes an annual Litter Control Fee on all gross receipts from wholesale sales and on all gross receipts from retail sales of litter-generating products sold within or into New Jersey by each person engaged in business in the State as a manufacturer, wholesaler, distributor or retailer of such products. The Litter Control Fee is essentially identical to the Litter Control Tax which was imposed in New Jersey from 1986 through 2000. The Litter Control Tax terminated on December 31, 2000. There was no tax or fee on the gross receipts of sales of litter generating products for the 2001 calendar year. The **Litter Control Fee** is similar to the expired Litter Control Tax and is imposed annually on the previous calendar year’s gross receipts derived from sales of litter generating products. It is due and payable on March 15th of each year. The fee rates and litter generating product categories remain the same. Revenues from the **Litter Control Fee** furnish support to the Clean Communities Program for litter pickup and removal and recycling grants to New Jersey counties and municipalities.

Unlike the prior Litter Control Tax, the Litter Control Fee is not imposed upon:

- 1) retailers with less than \$500,000 in annual retail sales of litter generating products (the prior tax had a \$250,000 retailer sales exclusion);
- 2) restaurants if more than 50% of their food and beverage sales are for on premises consumption (but continues to include restaurants with 50% or more of sales of food and beverages for off premises consumption); and
- 3) paper product manufacturer’s sales of roll stock and wood pulp.

Inquiries regarding the Litter Control Fee should be directed to the Regulatory Services Branch at (609) 292-5994, e-mail us at taxation@tax.state.nj.us, or write to: New Jersey Division of Taxation, Regulatory Services Branch, P.O. Box 269, Trenton, NJ 08695-0269.