



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
Department of Toxic Substances Control

## News Release

T – 05 – 15

Barbara A. Lee, Director

**FOR IMMEDIATE RELEASE**

March 2, 2015

Contact: Tamma Adamek  
(916) 324-2997

[Tamma.Adamek@dtsc.ca.gov](mailto:Tamma.Adamek@dtsc.ca.gov)

### **DTSC Cites Gallo Glass Company for Using Hazardous Waste in Wine Bottles**

On behalf of the Department of Toxic Substances Control, the California Attorney General's Office has filed a complaint against Gallo Glass Company, alleging the company used hazardous waste in the manufacture of glass wine bottles made at its Modesto plant.

The complaint, filed in Alameda County Superior Court, alleges the company illegally introduced dust containing lead, arsenic, cadmium and selenium into the manufacture of its wine bottles. DTSC has no evidence that consuming wine stored in these bottles poses a health threat. The contaminated dust is generated by air pollution equipment used to capture regulated pollutants that would otherwise be released into the air from its furnaces. The dust is considered a hazardous waste and must be properly managed and disposed of under California law.

Gallo asserts it was recycling the waste by putting it into materials fed into the furnaces and heated to form molten glass used to make bottles. The complaint alleges that Gallo failed to demonstrate that its practices qualify as recycling under California law; that it also did not comply with requirements for legitimate recycling; and it improperly stored a large volume of hazardous waste dust in a manner that presented a potential risk to public health. Gallo's operations generate hundreds of pounds of hazardous dust a day.

"DTSC promotes and supports legitimate recycling. The Department's mission is to protect Californians and their environment from exposure to hazardous waste," said Deputy Director for the Hazardous Waste Management Program Elise Rothschild. "Facilities that generate hazardous wastes have to handle, store, and dispose of them in compliance with our laws. DTSC is ensuring they do."

DTSC's complaint cites Gallo for additional violations of the hazardous waste control law, including illegal storage and treatment of the dust and used oil, failure to minimize releases to the environment, failure to train personnel, failure to notify DTSC of various fires that occurred during 2006, 2007, 2008, 2009, and 2011.

The complaint also demands Gallo pay an unspecified amount of penalties and calls on the court to prohibit Gallo from future violations of hazardous waste laws, including Gallo resuming the practice of adding hazardous waste dust into its bottles.

Gallo agreed in May 2014 to stop using the hazardous waste dust in the manufacture of its

bottles. DTSC discovered the violations during inspections in 2009 and 2011. Gallo Glass Company is considered a large quantity generator of hazardous waste and is subject to compliance inspections.

A copy of the complaint is available [online](#).

DTSC staff will be available to answer questions Monday, March 2, 2015, 12 p.m. – 1:00 p.m. (Pacific Standard Time)

- Call-in number: 1-888-469-3187
- Participant passcode: 8688171



# # #

FOR GENERAL INQUIRIES: Contact the Department of Toxic Substances Control by phone at (800) 728-6942 or visit [www.dtsc.ca.gov](http://www.dtsc.ca.gov). To report illegal handling, discharge, or disposal of hazardous waste, call the Waste Alert Hotline at (800) 698-6942.

***The Mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated properties, identifying and promoting safer ingredients in consumer products, and ensuring stewardship through enforcement, regulation and pollution prevention.***