An Act To Prohibit the Use of Certain Disposable Food Service Containers

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

Presented by Representative ZEIGLER of Montville.
Be it enacted by the People of the State of Maine as follows:

Sec. 1.  38 MRSA §1652-A is enacted to read:

§1652-A. Disposable food service containers

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Disposable food service container" means service ware designed for one-time use. "Disposable food service container" includes service ware for take-out foods, packaged meat, eggs, bakery products and leftovers from partially consumed meals prepared by food vendors.

B. "Polystyrene foam" means blown polystyrene and expanded or extruded foams using a styrene monomer.

C. "Service ware" means a container, bowl, plate, tray, carton, cup, lid or other item designed to be used for prepared foods.

D. "Store" means a retail establishment in the State, including, but not limited to, a convenience store, restaurant, grocery store, pharmacy, seasonal or temporary business, farm stand and seller of merchandise and dry goods to the ultimate consumer for direct use or consumption and not for resale.

2. Prohibition. Beginning January 1, 2020, a store may not sell or distribute in the State a disposable food service container that is composed in whole or in part of polystyrene foam.

3. Rules. The department shall adopt rules to implement the provisions of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

Beginning January 1, 2020, this bill prohibits the sale or distribution in the State of disposable food service containers composed in whole or in part of polystyrene foam. The bill requires the Department of Environmental Protection to adopt rules to implement these statutory provisions.