

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1617

S.P. 613

In Senate, April 24, 1991

Submitted by the Maine Waste Management Agency pursuant to Joint Rule 24.  
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator LUDWIG of Aroostook  
Cosponsored by Senator TITCOMB of Cumberland and Representative MARSH of West  
Gardiner.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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An Act to Encourage Waste Reduction and Recycling.

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2 Be it enacted by the People of the State of Maine as follows:

4 38 MRSA §2141 is enacted to read:

6 §2141. Waste reduction and recycling labeling program

8 The office shall implement a labeling program establishing  
10 official recycling emblems and standards for the use of recycling  
12 emblems and the terms "reusable," "recyclable," "recycled" and  
14 "recycled content."

16 1. Applicability. The labeling program applies to any  
18 person who wishes to use an emblem or term as defined by rule on  
20 a package or product, or in the promotion or advertisement of a  
22 package or product that is sold or offered for sale.

24 2. Rules. The agency shall adopt rules implementing this  
26 section in consultation with the Department of Agriculture, Food  
28 and Rural Resources. Rules must be adopted in accordance with  
30 the Maine Administrative Procedure Act. A rule adopted pursuant  
32 to this section does not add or remove prohibitions on products  
34 or packaging.

36 3. Enforcement. The Department of Agriculture, Food and  
38 Rural Resources shall enforce the provisions of this section and  
40 may inspect, with the consent of the owner or agent, any property  
42 or building to accomplish the objectives of this section.

44 4. Penalties. Any manufacturer or supplier that violates  
46 this section commits a civil violation for which a forfeiture of  
48 not more than \$100 may be adjudged. Each product or package in  
violation constitutes the basis of a separate offense.

STATEMENT OF FACT

This bill establishes a voluntary labeling program for products or packaging that is reusable, recyclable or contain recycled content. The bill provides the Maine Waste Management Agency with the authority to develop standards implementing a labeling program through rule. Ten northeastern states have agreed to develop and implement a regional labeling program to provide consistency and uniformity in the use of the terms "reusable," "recyclable" and "recycled content" and recycling emblems. Rhode Island and New York have already developed similar programs.