

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 289

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H.P. 213

House of Representatives, January 22, 2019

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

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative ZEIGLER of Montville.  
Cosponsored by Representative DUNPHY of Old Town and  
Representatives: ALLEY of Beals, BLUME of York, DEVIN of Newcastle, DOUDERA of  
Camden, GROHOSKI of Ellsworth, HEPLER of Woolwich, Senator: CHENETTE of York.

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

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

3 **§1652-A. Disposable food service containers**

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

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

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

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

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

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

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

24 **SUMMARY**

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