

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2091

S.P. 884

In Senate, January 3, 2024

**An Act Regarding Businesses' and Consumers' Use of Returnable,
Reusable and Refillable Containers for Food, Beverages and
Nonfood Items**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator GROHOSKI of Hancock.
Cosponsored by Representative MILLIKEN of Blue Hill and
Senators: CARNEY of Cumberland, HICKMAN of Kennebec, VITELLI of Sagadahoc,
Representatives: OSHER of Orono, RUSSELL of Verona Island.

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

2 **Sec. 1. 7 MRSA §219-A**, as enacted by PL 2021, c. 177, §1, is amended to read:

3 **§219-A. Reusable Returnable, reusable or refillable containers**

4 The department shall ensure that its rules, established in accordance with the
5 commissioner's rule-making authority in section 12, and guidelines ~~neither~~ do not preclude
6 business owners from allowing ~~nor require business owners to allow~~ consumers to supply
7 their own containers for the bulk purchase of ~~shelf-stable~~ food, beverage and nonfood
8 items. The department shall also ensure that its rules and guidelines explicitly allow a
9 business owner to sell the business's products to consumers in the State in returnable,
10 reusable or refillable containers and packaging, which may be supplied by either the
11 business or a 3rd party, in accordance with any applicable national or global standards for
12 health and safety. The department shall provide technical assistance and education to
13 business owners and consumers regarding best practices for the use of returnable, reusable
14 or refillable containers.

15 **SUMMARY**

16 This bill amends the food policy laws governing reusable containers, which ensure the
17 Department of Agriculture, Conservation and Forestry's rules do not preclude business
18 owners from allowing consumers to supply their own containers for the bulk purchase of
19 shelf-stable food and nonfood items, to ensure instead that the rules do not preclude
20 business owners from allowing consumers to supply their own containers for the purchase
21 of food, beverage and nonfood items. It also requires the department to ensure that rules
22 explicitly allow a business owner to sell the business's products to consumers in the State
23 in returnable, reusable or refillable containers and packaging supplied by the business
24 owner or a 3rd party in accordance with applicable national or global health and safety
25 standards.