



1 "Prepared food" means food or beverages that are prepared  
2 for consumption on the premises of a restaurant or food  
3 establishment or taken out by a customer from the restaurant or  
4 food establishment.

5 § -2 Option for compostable or reusable disposable food

6 service containers. (a) Beginning on January 1, 2015,  
7 restaurants or other food establishments serving prepared food  
8 using disposable food service containers made of expanded  
9 polystyrene foam shall provide consumers with an option to use  
10 compostable or reusable disposable food containers provided by  
11 the restaurant or food establishment.

12 (b) Restaurants or other food establishments may charge a  
13 fee for disposable food containers; provided that the fee  
14 charged for compostable or reusable disposable food service  
15 containers shall not be higher than the fee charged for  
16 disposable food service containers made of expanded polystyrene  
17 foam.

18 (c) Restaurants or other food establishments providing  
19 disposable food service containers made of expanded polystyrene  
20 foam shall display a clearly visible sign informing customers  
21 that compostable disposable food service containers are  
22 available at no additional cost, if applicable.



1           §   -3 **Penalties.** A restaurant or other food  
2 establishment that violates section   -2 shall receive a  
3 written warning from the department for an initial violation.  
4 Violators shall pay a fine for subsequent violations as follows:  
5           (1) \$100 for each of the second and third violation;  
6           (2) \$300 for each of the fourth and fifth violation; and  
7           (3) \$500 for the fifth violation and each subsequent  
8 violation.

9           Each day of each violation shall be considered a separate  
10 offense. Any action taken in court to impose or collect the  
11 penalty provided for in this section shall be considered a civil  
12 action."

13           SECTION 2. The department of health shall establish and  
14 maintain a list of suitable and appropriate packaging for  
15 prepared food, including but not limited to compostable or  
16 reusable disposable food service containers, as alternatives to  
17 the use of polystyrene, polystyrene foam, and expanded  
18 polystyrene foam disposable food service containers. The  
19 department shall post its findings on a publicly accessible  
20 website no later than July 1, 2014. The content of the website  
21 shall be updated with any new developments.

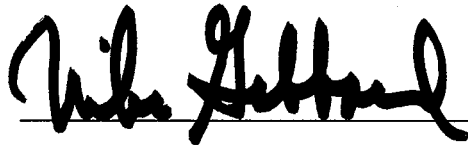


1 SECTION 3. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Mike Galt", is written over a horizontal line.



**Report Title:**

Environment; Compostable or Reusable Disposable Food Service Containers

**Description:**

Requires food service businesses to provide customers with an option to use compostable or reusable food containers provided by the restaurant or food. Requires signs to be posted informing customers that compostable food containers are available at no extra cost. Requires violators to pay a fine for repeated violations.

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