
A BILL FOR AN ACT

RELATING TO REDUCING PLASTIC PACKAGING WASTE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the human-induced
2 global climate crisis requires thoughtful but bold responses on
3 many fronts to make Hawaii communities resilient to the impacts
4 of climate change that threaten the very survivability of these
5 fragile islands. Lest Hawaii lose its leadership position in
6 meeting the future of labor, justice and equity, the legislature
7 embraces aloha 'aina as a green new deal to decarbonize Hawaii's
8 systems of food, energy, and transportation, and to sequester
9 carbon through systems of agriculture, waste management and
10 ecosystem restoration. This solid foundation finds synergies
11 with expanded access to health, housing and education,
12 multiplying good jobs and ensuring justice and equity for
13 Hawaii's citizens. This measure represents a forward step in
14 mitigating and adapting Hawaii to inevitable change.

15 The legislature finds and acknowledges that municipal solid
16 waste, particularly plastics, has become a significant threat to



1 Hawaii's environment, ecosystems, and beaches on which the
2 State's economy, culture, and native species rely.

3 Plastic waste and debris can be increasingly found on every
4 island and in every watershed and protected area in the Hawaiian
5 archipelago. Hawaii's forests, streams, and beaches are strewn
6 with plastic debris, including micro plastic debris smaller than
7 grains of sand that are consumed by a spectrum of animals from
8 the smallest of endangered birds to the largest humpback whale.

9 The Washington Post reported that an estimated five million
10 to thirteen million tons of plastic debris enter the ocean every
11 year, which has contributed to creating the Pacific garbage
12 patch, a mass of plastic debris larger than the state of Texas
13 floating north of Hawaii. If nothing changes, it is estimated
14 that by 2050, there will be more plastic in the Pacific Ocean,
15 by weight, than fish. Hawaii residents generate 2.8 tons of
16 waste per person per year, more waste per capita than residents
17 of any other state. More than eighty per cent of plastic waste
18 entering the Pacific Ocean comes from preventable land-based
19 waste and pollution.



1 provided that any ASTM D7081 product must be clearly labeled
2 with the applicable standard.

3 "Clean energy conversion facility" means a facility that
4 generates energy not from fossil fuel and not produced by a
5 combustion method that releases greenhouse gases into the
6 environment.

7 "Compostable" means made from bioplastics materials
8 certified to meet the American Society for Testing and Materials
9 International Standards D6400 (the specification for plastics
10 designed for compostability of plastics used as coatings on a
11 compostable substrate) or D6868, as those standards may be
12 amended.

13 "Disposable food service ware" means all food and beverage
14 containers, bowls, plates, trays, cartons, cups, lids, straws,
15 stirrers, forks, spoons, knives, film wrap, and other items
16 designed for one-time or non-durable uses on or in which any
17 food vendor directly places or packages prepared foods or which
18 are used to consume foods, including but not limited to service
19 ware for takeout foods and leftovers from partially consumed
20 meals prepared at food establishments.



1 "Food establishment" means an operation that stores,
2 prepares, packages, serves, vends, or otherwise provides food
3 for human consumption, including without limitation restaurants
4 and food trucks.

5 "Recyclable material" means material that can be sorted,
6 cleansed, and reconstituted using the local municipality's
7 regular year-round collection program for the purpose of using
8 the altered form in the manufacture of a new product.

9 "Regular year-round collection" means either the municipal
10 curbside pickup or a municipal transfer station in communities
11 that do not have curbside pickup; provided that recyclable
12 plastics material must be identified by its plastic resin code
13 in a visible manner on the food service ware; and provided
14 further that the materials are not solid waste that is burned,
15 incinerated, converted, or otherwise thermally destroyed unless
16 in a clean energy conversion facility.

17 "Reusable products" means products that will be used more
18 than once in its same form by a food establishment, including
19 but not limited to reusable food service ware, tableware,
20 flatware, food or beverage containers, packages or trays, soft



1 drink bottles and milk containers that are designed to be
 2 returned to the store or distributor that provided the take-out
 3 containers, aluminum and glass containers, cleanable durable
 4 containers, packages or trays used on-premises, or returnable
 5 containers brought back to the food establishment.

6 § -2 Food prepared or packaged on premises. (a) Except
 7 as provided in this section on and after January 1, 2021, all
 8 retail food establishments using any food service ware for any
 9 food prepared or packaged on premises shall use biodegradable,
 10 compostable, recyclable, or reusable food service ware. It
 11 shall be a policy of the State to strongly encourage food
 12 establishments to use reusable food service ware in place of
 13 using disposable food service ware for all food served on
 14 premises.

15 (b) The department of health shall promulgate regulations
 16 with regard to the enforcement of this chapter."

17 SECTION 3. This Act shall take effect on January 1, 2021.

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INTRODUCED BY: Tom Sir
 JAN 22 2020



H.B. NO. 2391

Report Title:

Plastic Ware; Retail Food Establishments; Biodegradable, Compostable, Recyclable, or Reusable Food Service Ware

Description:

Requires all retail food establishments using any food service ware for any food prepared or packaged on premises to use biodegradable, compostable, recyclable, or reusable food service ware.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

