

Date:

(Filing No. H-)

ENVIRONMENT AND NATURAL RESOURCES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1214, L.D. 1631, “An Act To Amend the Laws Banning Polystyrene Foam To Exclude Packaging for Meat, Poultry, Fish, Seafood and Eggs”

Amend the bill by striking out the title and substituting the following:

'An Act To Amend the Laws Banning Polystyrene Foam Regarding Packaging for Meat, Poultry, Fish, Seafood and Eggs'

Amend the bill in section 1 in subsection 3 by inserting at the end a new blocked paragraph to read:

'This subsection is repealed July 1, 2025.'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 38 MRSA §1571, sub-§3-A is enacted to read:

3-A. Disposable food service container. "Disposable food service container" means service ware designed for one-time use.

A. "Disposable food service container" includes service ware for take-out foods, bakery products, leftovers from partially consumed meals prepared by covered establishments and, except as provided in paragraph B, service ware used to contain, transport or otherwise package raw, uncooked or butchered meat, poultry, fish, seafood or eggs.

B. "Disposable food service container" does not include polystyrene foam coolers or ice chests that are used for the processing or shipping of seafood.

This subsection is effective July 1, 2025.'

Amend the bill by inserting after section 2 the following:

'Sec. 3. 38 MRSA §1572, sub-§3, ¶C, as enacted by PL 2019, c. 62, §1, is amended to read:

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1 C. Sell at retail food or beverages in or on a disposable food service container that is
2 composed in whole or in part of polystyrene foam that the covered establishment
3 purchases prepackaged at wholesale.

4 This paragraph is repealed July 1, 2025.'

5 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
6 number to read consecutively.

7 **SUMMARY**

8 This amendment provides that, beginning July 1, 2025, the definition of "disposable
9 food service container" includes service ware used to contain, transport or otherwise
10 package raw, uncooked or butchered meat, poultry, fish, seafood or eggs. The amendment
11 also repeals, effective July 1, 2025, the current exemption for a covered establishment to
12 sell at retail food or beverages in or on a polystyrene foam disposable food service container
13 that the covered establishment purchases prepackaged at wholesale.