

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FOUR

—  
S.P. 884 - L.D. 2091

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

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

**Sec. 1.** 7 MRSA §219-A, as enacted by PL 2021, c. 177, §1, is repealed.

**Sec. 2.** 7 MRSA §219-C is enacted to read:

**§219-C. Returnable, reusable or refillable containers and packaging**

**1. Use permitted; rules and guidelines.** The department shall ensure that its rules, established in accordance with the commissioner's rule-making authority in section 12, and guidelines:

A. Explicitly allow a business, on a voluntary basis, to allow consumers to supply their own containers or packaging for the purchase of:

(1) Nonfood items;

(2) Shelf-stable food items; and

(3) Food other than shelf-stable food items as determined by the department by rule.

B. Explicitly allow a business, on a voluntary basis, to sell nonfood items, shelf-stable food items and other food to consumers in the State in returnable, reusable or refillable containers and packaging, which may be supplied by either the business or a 3rd party; and

C. Explicitly establish the right of a business to refuse any returnable, reusable or refillable container or packaging supplied by a consumer.

**2. Reuse permitted.** A returnable, reusable or refillable container or packaging returned by a consumer may be reclaimed by a business or a 3rd party, restored to standards for health and safety and reused in the packaging and selling of a nonfood item, a shelf-stable item or other food to the same or another consumer. The department shall provide technical assistance and education to businesses and consumers regarding best practices for the use and reuse of returnable, reusable or refillable containers.

For purposes of this section, "food" has the same meaning as in Title 22, section 2152, subsection 4 and "business" means a business licensed by the department under Title 22, chapter 551.