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.

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.
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 amended to read:

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

The department shall ensure that its rules, established in accordance with the commissioner's rule-making authority in section 12, and guidelines neither do not preclude business owners from allowing nor require business owners to allow consumers to supply their own containers for the bulk purchase of shelf-stable food, beverage and nonfood items. The department shall also ensure that its rules and guidelines explicitly allow a business owner to sell the business's products 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, in accordance with any applicable national or global standards for health and safety. The department shall provide technical assistance and education to business owners and consumers regarding best practices for the use of returnable, reusable or refillable containers.

SUMMARY

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