

CHAPTER 26**CODING OF PLASTIC CONTAINERS****§1721. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1989, c. 585, Pt. C, §16 (NEW).]

1. Plastic bottle. "Plastic bottle" means any plastic container with a neck smaller than the container body and a capacity not less than 16 fluid ounces and not more than 5 gallons. [PL 1989, c. 585, Pt. C, §16 (NEW).]

2. Plastic container. "Plastic container" means any bottle, can, jar, case, package or other receptacle intended to hold, carry, or enclose fluids, food items or nonfood products that is composed predominately of plastic resins, including, but not limited to, plastic resins listed in section 1723. [PL 1989, c. 585, Pt. C, §16 (NEW).]

3. Rigid plastic container. "Rigid plastic container" means any formed or molded plastic container, except plastic bottles, with a capacity not less than 8 fluid ounces and not more than 5 gallons that retains the same shape whether full or empty. [PL 1989, c. 585, Pt. C, §16 (NEW).]

SECTION HISTORY

PL 1989, c. 585, §C16 (NEW).

§1722. Coding of plastic containers

On or after July 1, 1991, no person may distribute, sell or offer for sale any plastic bottle or rigid plastic container without a molded, imprinted or raised label indicating the type of plastic resin used to produce the plastic bottle or rigid plastic container. [PL 1989, c. 585, Pt. C, §16 (NEW).]

SECTION HISTORY

PL 1989, c. 585, §C16 (NEW).

§1723. Labels

1. Labels. The label shall appear on the bottom of the plastic bottle or rigid plastic container and be clearly visible. This label shall consist of a number with letters placed below the number. The numbers and letters shall be as follows:

A. For polyethylene terephthalate, the letters "PETE" and the number 1; [PL 1989, c. 585, Pt. C, §16 (NEW).]

B. For high-density polyethylene, the letters "HDPE" and the number 2; [PL 1989, c. 585, Pt. C, §16 (NEW).]

C. For vinyl, the letter "V" and the number 3; [PL 1989, c. 585, Pt. C, §16 (NEW).]

D. For low-density polyethylene, the letters "LDPE" and the number 4; [PL 1989, c. 585, Pt. C, §16 (NEW).]

E. For polypropylene, the letters "PP" and the number 5; [PL 1989, c. 585, Pt. C, §16 (NEW).]

F. For polystyrene, the letters "PS" and the number 6; or [PL 1989, c. 585, Pt. C, §16 (NEW).]

G. For any other plastic resins, including multilayer, the letters "OTHER" and the number 7. [PL 1989, c. 585, Pt. C, §16 (NEW).]
[PL 1989, c. 585, Pt. C, §16 (NEW).]

2. Alternative labels.

[PL 1995, c. 656, Pt. A, §5 (RP).]

SECTION HISTORY

PL 1989, c. 585, §C16 (NEW). PL 1991, c. 718, §1 (AMD). PL 1995, c. 465, §A7 (AMD). PL 1995, c. 465, §C2 (AFF). PL 1995, c. 656, §A5 (AMD).

§1725. Penalties

1. Civil violation. A violation of this chapter shall be a civil violation for which a forfeiture of not more than \$100 may be adjudged.

[PL 1989, c. 585, Pt. C, §16 (NEW).]

2. Separate violation. Each container in violation constitutes a separate offense.

[PL 1989, c. 585, Pt. C, §16 (NEW).]

SECTION HISTORY

PL 1989, c. 585, §C16 (NEW).

§1726. Enforcement

A person who labels a plastic container in violation of this chapter commits a violation of the Maine Unfair Trade Practices Act. [PL 1995, c. 656, Pt. A, §6 (RPR).]

SECTION HISTORY

PL 1989, c. 585, §C16 (NEW). PL 1995, c. 465, §A8 (AMD). PL 1995, c. 465, §C2 (AFF). PL 1995, c. 656, §A6 (RPR).

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