



General Assembly

Substitute Bill No. 5384

January Session, 2019



**AN ACT REQUIRING THE ELIMINATION OF SINGLE-USE
STYROFOAM CONTAINERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2021*) (a) For purposes of this
2 section:

3 (1) "Consumer" means any business invitee of a food establishment;

4 (2) "Food establishment" has the same meaning as provided in
5 section 19a-36g of the general statutes;

6 (3) "Expanded polystyrene" means blown polystyrene and
7 expanded and extruded foams that are thermoplastic petrochemical
8 materials utilizing a styrene monomer and processed by any number
9 of techniques including, but not limited to, fusion of polymer spheres,
10 injection molding, foam molding and extrusion-blown molding; and

11 (4) "Single-use container" means any container made of expanded
12 polystyrene intended for the containment of food provided by a food
13 establishment to a consumer and customarily disposed of by the
14 consumer after such use.

15 (b) (1) No owner or operator of a food establishment shall provide
16 or distribute a single-use container to a consumer.

17 (2) Any owner or operator who violates the provisions of this

18 section shall be fined two hundred fifty dollars for the first violation,
19 five hundred dollars for a second violation and one thousand dollars
20 for a third or any subsequent violation.

21 (c) The provisions of this section shall not be construed to prohibit
22 the provision or distribution of a single-use container that is: (1) Filled
23 and sealed prior to receipt by a food establishment and that is
24 subsequently sold to a consumer, or (2) utilized by a butcher or store to
25 contain raw meat, including, but not limited to, beef, poultry, seafood
26 or pork that is sold to a consumer.

27 (d) Any local health department or health district or agent of the
28 Departments of Public Health, Consumer Protection and Energy and
29 Environmental Protection may enforce the provisions of this section. In
30 the event of enforcement by a local health department or health
31 district, one-half of any fine imposed pursuant to this section shall be
32 remitted to the municipality where such violation occurred.

33 (e) Not later than February 1, 2022, the Commissioners of Public
34 Health, Consumer Protection and Energy and Environmental
35 Protection shall jointly submit a report, in accordance with the
36 provisions of section 11-4a of the general statutes, to the joint standing
37 committees of the General Assembly having cognizance of matters
38 relating to the environment, public health and consumer protection on
39 the enforcement of the provisions of this section and the need to
40 establish a hardship waiver from the provisions of this section for any
41 food establishment with a demonstrated financial hardship directly
42 caused by the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2021	New section

ENV *Joint Favorable Subst.*