

§1572. Prohibitions; exemptions**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

1. Prohibition. Beginning January 1, 2021, a covered establishment may not process, prepare, sell or provide food or beverages in or on a disposable food service container that is composed in whole or in part of polystyrene foam.

[PL 2019, c. 62, §1 (NEW).]

2. Plastic beverage stirrers. A covered establishment providing beverages at a facility or function of the State or of a political subdivision may not provide beverage stirrers that are composed of plastic. For the purposes of this subsection, "beverage stirrer" means a device that is designed solely to mix liquids that are intended for internal human consumption and are contained in a single-serving container.

[PL 2019, c. 62, §1 (NEW).]

3. Exemptions. Notwithstanding subsection 1, a covered establishment may:

A. In an emergency for the immediate preservation of the public health or safety, as determined applicable by the department, process, prepare, sell or provide food or beverages in or on a disposable food service container that is composed in whole or in part of polystyrene foam; [PL 2019, c. 62, §1 (NEW).]

B. Sell or provide food or beverages in or on a disposable food service container that is composed in whole or in part of polystyrene foam that a consumer brings to the covered establishment; and [PL 2019, c. 62, §1 (NEW).]

C. **(TEXT EFFECTIVE UNTIL 7/1/25) (TEXT REPEALED 7/1/25)** Sell at retail food or beverages in or on a disposable food service container that is composed in whole or in part of polystyrene foam that the covered establishment purchases prepackaged at wholesale.

This paragraph is repealed July 1, 2025. [PL 2021, c. 208, §4 (AMD).]

[PL 2021, c. 208, §4 (AMD).]

SECTION HISTORY

PL 2019, c. 62, §1 (NEW). PL 2021, c. 208, §4 (AMD).

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