

ASSEMBLY, No. 3799

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblywoman BETTYLOU DECROCE

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

Assemblyman Johnson

SYNOPSIS

Prohibits sale of expanded polystyrene food containers by public schools and public institutions of higher education.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/16/2020)

1 AN ACT concerning expanded polystyrene food containers and
2 supplementing Title 18A of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. Except as otherwise provided in subsection b. of this
8 section, beginning one year after the effective date of
9 P.L. , c. (C.) (pending before the Legislature as this
10 bill), every public school shall ensure that no food or beverage
11 packaged or contained in an expanded polystyrene food container is
12 sold, offered for sale, or otherwise provided in the public school.

13 b. Subsection a. of this section shall not apply to any food or
14 beverage that was filled and sealed in an expanded polystyrene food
15 container before a public school received it.

16 c. The State Board of Education, in consultation with the
17 Department of Environmental Protection, may adopt, pursuant to
18 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1
19 et seq.), rules and regulations necessary to implement the provisions
20 of this section.

21 d. As used in this section:

22 “Expanded polystyrene” means blown polystyrene and expanded
23 and extruded foams that are thermoplastic petrochemical materials
24 utilizing a styrene monomer and processed by a number of
25 techniques, including, but not limited to, fusion of polymer spheres
26 (expandable bead polystyrene), injection molding, foam molding,
27 and extrusion-blow molding (extruded foam polystyrene).

28 “Expanded polystyrene food container” means a container, plate,
29 hot or cold beverage cup, tray, carton, or other product made of
30 expanded polystyrene and used for selling or providing a food or
31 beverage.

32 “Public school” means the same as that term is defined in
33 N.J.S.18A:1-1.

34
35 2. a. Except as otherwise provided in subsection b. of this
36 section, beginning one year after the effective date of
37 P.L. , c. (C.) (pending before the Legislature as this bill),
38 every public institution of higher education shall ensure that no
39 food or beverage packaged or contained in an expanded polystyrene
40 food container is sold, offered for sale, or otherwise provided in the
41 public institution of higher education .

42 b. Subsection a. of this section shall not apply to any food or
43 beverage that was filled and sealed in an expanded polystyrene food
44 container before a public institution of higher education received it.

45 c. The State Board of Education, in consultation with the
46 Department of Environmental Protection, may adopt, pursuant to
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11 hot or cold beverage cup, tray, carton, or other product made of
12 expanded polystyrene and used for selling or providing a food or
13 beverage.

14 “Public institution of higher education” means the same as that
15 term is defined in N.J.S. 18A:1-1.

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17 3. This act shall take effect immediately.

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STATEMENT

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22 This bill would require every public school and public institution
23 of higher education to ensure that no food or beverage packaged or
24 contained in an expanded polystyrene food container is sold,
25 offered for sale, or otherwise provided in the school or institution.
26 An “expanded polystyrene food container” is defined in the bill as a
27 container, plate, hot or cold beverage cup, tray, carton, or other
28 product made of expanded polystyrene and used for selling or
29 providing a food or beverage. The prohibition would not apply to
30 any food or beverage that was filled and sealed in an expanded
31 polystyrene food container before a school or public institution of
32 higher education received it.