

New Jersey's Plastic Pollution Reduction Act

*Prohibits provision or sale of single-use plastic carryout bags
and polystyrene foam food service products;*

*Limits provision of single-use plastic straws and single-use paper carryout bags;
Appropriates moneys from Clean Communities Program Fund for public education.*

Starting November 2021,
food service businesses would be
permitted to provide a plastic
straw to a customer only
upon request.*

Starting May 2022,
the ban on foam food products such as
clamshell takeout boxes and the ban on
plastic and paper bags takes effect.*



NJ Clean Communities funds of \$500,000 will be set aside each year for the first three years to help with statewide education effort and giveaway of reusable bags.



* More information on back!

New Jersey's Plastic Pollution Reduction Act

Bans plastic bags, like those found at grocery, retail, restaurants, etc. regardless of thickness.

Bans paper bags at supermarkets over 2,500 square feet in an effort to get shoppers to bring their own reusable bags. Grocery stores over 2,500 square feet that **ONLY** handle prepackaged food that does not require time or temperature controls for food safety are exempt from the ban on paper bags (e.g., Bed Bath & Beyond).

Bans polystyrene foam food service products, commonly known as Styrofoam, that are used for selling or providing a food or beverage, and includes, but not limited to, a food container, plate, hot or cold beverage cup, meat or vegetable tray, cutlery, or egg carton. (e.g., made to order sushi, deli sandwich trays).

Makes plastic straws available only upon request at restaurants.

Defines a reusable bag as one that is made of polypropylene, PET nonwoven fabric, nylon, cloth, hemp product, or other machine washable fabric; has stitched handles; and is designed and manufactured for multiple reuse.

Does the state law override local ordinances?

- Yes, once the product type's implementation date begins, the law will supersede and preempt any municipal or county rule. Local ordinances are in effect until the implementation of the state law for each product type. Existing ordinances for single-use bag and polystyrene food foam service products are active for 18 months. Existing local ordinances for straws are active for 12 months.
- Local ordinances cannot be enacted to be more stringent than state law.

What bags are exempt from the ban?

- Reusable plastic carryout bags with stitched handles
- Bags used solely to contain or wrap uncooked meat, fish, or poultry
- Bags used solely for loose items such as fruits, vegetables, nuts, coffee, grains, baked goods, candy, greeting cards, flowers or small hardware items
- Bags used solely to contain live animals, such as fish or insects sold in pet stores
- Bags used solely to contain food sliced or prepared to order, including soup or hot food
- A laundry, dry cleaning, or garment bag
- A bag provided by a pharmacy to carry prescription drugs
- A newspaper bag

What foam products are NOT included in the initial ban?

After the initial ban on foam products takes effect, other products made from the same polystyrene material would have another two-year grace period before being banned, starting in May 2024. They are:

- Disposable, long-handled polystyrene foam spoons for thick drinks (e.g., 7-11 slushy spoons)
- Small cups of two ounces or less if used for hot foods or foods that need lids.
- Meat and fish trays for raw or butchered meat, including poultry, or fish that is sold from a refrigerator (e.g, pre-packaged Perdue fresh chicken)
- Any food pre-packaged in polystyrene by the manufacturer (e.g., Cup of Noodles)

What are the penalties for not following the ban?

- Any business violating the Act would get a warning on first offense, a fine up to \$1,000 for a second offense and a fine of up to \$5,000 for a third or subsequent offense, to be collected through civil action.
- 70% of the penalties will be remitted to the State into the Clean Communities Fund.
- 30% of the penalties will be remitted to the municipality.



www.anjec.org