

SENATE No. 450

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to reduce plastic packaging waste.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Cynthia Stone Creem</i>	<i>Norfolk and Middlesex</i>	
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/10/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/17/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>3/5/2023</i>

SENATE No. 450

By Ms. Creem, a petition (accompanied by bill, Senate, No. 450) of Cynthia Stone Creem, Carmine Lawrence Gentile, Jason M. Lewis and John F. Keenan for legislation to establish the Sustainable Food Service Ware Act. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 503 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to reduce plastic packaging waste.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 21 of the General Laws, as appearing in the 2020 Official Edition,
2 is hereby amended by inserting the following section:

3 Section 68. (a) As used in this section, the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 “Biodegradable”, entirely made of organic materials such as wood, paper, bagasse or
6 cellulose; or bioplastics that meet the American Society for Testing and Materials D7081
7 standard.

8 “Compostable”, bioplastic materials certified to meet the American Society for Testing
9 and Materials standard D6400 or D6868.

10 “Food establishment”, an operation that stores, prepares, packages, serves, vends, or
11 otherwise provides food for human consumption. This includes without limitation restaurants
12 and food trucks.

13 “Recyclable”, material that can be sorted, cleansed, and reconstituted for the purpose of
14 using the altered form in the manufacture of a new product.

15 “Reusable”, food service ware that can be used more than once in the same form by a
16 food establishment.

17 (b) All retail food establishments shall use food service ware that is biodegradable,
18 compostable, recyclable, or reusable for any food prepared or packaged on premises.

19 (c) The department shall promulgate such rules and regulations as are necessary for the
20 enforcement of this section.