



13 specification by a recognized verification entity; and (3) conforms to any other standards deemed  
14 acceptable by the commissioner, provided additional, commissioner approved standards are as  
15 stringent at ASTM D6400; standards may be amended from time to time.

16 “Checkout bag”, a carryout bag provided by a store to a customer at the point of sale.

17 “Department”, the department of environmental protection.

18 “Marine degradable plastic bag”, a plastic bag that (1) conforms to the current ASTM  
19 D7081 standard specification for marine degradability; (2) is certified and labeled as meeting the  
20 ASTM D7081 standard specification by a recognized verification entity; and (3) conforms to any  
21 other standards deemed acceptable by the commissioner, provided additional, commissioner  
22 approved standards are as stringent at ASTM D7081; standards may be amended from time to  
23 time.

24 “Person”, an individual, trust, firm, joint stock company, corporation, cooperative,  
25 partnership, or association.

26 "Recyclable paper bag", a paper bag that is 100 per cent recyclable and displays the  
27 words "Reusable" and "Recyclable" in a highly visible manner on the outside of the bag.

28 “Reusable bag”, a bag with handles that is specifically designed and manufactured for  
29 multiple reuse and is either (1) made of cloth or other machine washable fabric; or (2) made of  
30 durable plastic that is at least 2.25 mils thick; or (3) made of other durable material.

31 “Retail establishment”, any retail store that satisfies at least one of the following  
32 requirements:

33 (a) a retail space of 4,000 square feet or larger or at least three (3) locations under the  
34 same ownership within the Commonwealth; or

35 (b) a retail pharmacy with at least five (5) locations under the same ownership within  
36 the Commonwealth; or

37 (c) a full-line, self-service supermarket that had annual gross sales in excess of  
38 \$1,000,000 during the previous tax year, and which sells a line of dry grocery, canned goods or  
39 nonfood items and some perishable items.

40 Section 2. (a) If a retail establishment provides plastic checkout bags to customers, the  
41 bags shall comply with the requirements of being compostable as well as marine degradable  
42 plastic bags.

43 (b) Nothing in this section shall be read to preclude any establishment from making  
44 reusable bags available for sale to customers or utilizing recyclable paper bags at checkout.

45 (c) The enforcement and penalty provisions of section 16 of chapter 21A shall apply to  
46 this chapter.

47 (d) The commissioner shall promulgate rules and regulations to implement this section.

48 Section 3. All of the requirements set forth in this act shall take effect 6 months after its  
49 effective date.