

Info Page on Single use Plastic and Paper Bag and Polystyrene Foam food service products Ban - NJ Law P.L. 2020, c117

- NJ STATEWIDE BAN BEGINS MAY 4, 2022

- NJ Stores or food service businesses may not sell or provide single-use plastic carryout bags to their customers
 - Store is defined as any grocery store, convenience store, liquor store, pharmacy, drug store or other RETAIL establishment
 - Food service business is defined as a business that sells or provides food for consumption on or off the premises, and includes but is not limited to any restaurant, cafe, deli, coffee shop, convenience store, movie theater, cafeteria, food truck, etc.

- NJ Grocery stores may not provide single-use paper bags (if the store occupies at least 2,500 square feet)
 - Grocery store is defined as a self service retail establishment that occupies at least 2,500 square feet and sells household foodstuffs for off-site consumption, etc.

- Stores and businesses may sell or provide **reusable** carryout bags that meet certain requirements
 - Carryout bag is defined as a bag that is provided by a store or food service business to a consumer for the purpose of transporting groceries, prepared foods, or retail goods; it does not include:
 - a bag used solely to contain or wrap uncooked meat, fish or poultry
 - a bag used to package loose items such as fruits, vegetables, nuts, coffee, grains, baked goods, candy, greeting cards, flowers or small hardware items
 - a bag used solely to contain food sliced or prepared to order, including soup or hot food
 - a bag used solely to contain live animals, such as fish or insects sold in a pet store
 - a laundry, dry cleaning or garment bag
 - a bag provided by a pharmacy to carry prescription drugs
 - a newspaper bag
 - similar bags as designated by the NJ DEP

- Polystyrene foam food service products and food sold or provided in polystyrene foam products will also be banned
 - Products that will be exempt for an additional 2 years until May 4, 2024
 - Disposable, long handled polystyrene foam soda spoons required and used for thick drinks
 - Portion cups of 2 ounces or less, if used for hot foods or foods requiring lids
 - Meat and fish trays for raw or butchered meat, including poultry or fish that is sold from a refrigerator or similar retail appliance
 - Any food product pre-packaged by the manufacturer with a polystyrene foam food service product
 - Any other polystyrene foam food service product as determined necessary by the NJ DEP

NJ state has the ability to adjust and waive certain of these requirements as determined necessary

Dispensing of single use plastic straws by a food service business was prohibited as of Nov 2021, except if a customer requested a straw - this did not include the ability for a consumer to buy plastic straws as in a grocery store or to receive a straw in a pre-packaged drink such as a juice box

Penalties are in place for violating the provisions of this law and will be enforced locally and through the state.

NJ DEP has developed many resources for businesses to assist them in complying - See the state's business focused website Business.NJ.gov as well as the NJ DEP website (www.nj.gov/dep/dshw/plastic-ban-law/)

NJ State will evaluate impacts and report on these impacts on a routine basis

For a full review of all the details go to the NJ DEP website, under law P.L. 2020, c117, at <https://nj.gov/dep/plastic-ban-law/docs/plastic-bag-law-c117.pdf>.

What does this mean for the consumer?

Plan for the Ban - helpful hints - stock up on reusable bags - fabric or coated bags, available in many stores or on-line

Keep a stash of bags in your car for unexpected trips

Get used to using them and try not to get frustrated - this is excellent for our environment and a small step in which we can all play an active part

Remember you will not be getting plastic bags at CVS, or paper bags at Shop Rite, best to just be prepared!