

HOUSE BILL 1442

M3

0lr3248
CF SB 840

By: **Delegates Jacobs, Anderton, Buckel, Cox, Ghrist, Hornberger, Krebs, Mautz, McComas, Otto, and Reilly**

Introduced and read first time: February 7, 2020

Assigned to: Environment and Transportation and Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2020

CHAPTER _____

1 AN ACT concerning

2 **Environment – Expanded Polystyrene Food Service Products – Definition**

3 FOR the purpose of altering the definition of “expanded polystyrene food service product”
4 to exclude certain egg cartons ~~shipped into or within the State~~ and cartons of eggs
5 from certain prohibitions relating to the food service products; and generally relating
6 to expanded polystyrene food service products.

7 BY repealing and reenacting, with amendments,

8 Article – Environment

9 Section 9–2201

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2019 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Environment

14 Section 9–2203

15 Annotated Code of Maryland

16 (2014 Replacement Volume and 2019 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Environment**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 9–2201.

2 (a) In this subtitle the following words have the meanings indicated.

3 (b) “Expanded polystyrene” means blown polystyrene and expanded and extruded
4 foams that are thermoplastic petrochemical materials utilizing a styrene monomer and
5 processed by a number of techniques, including fusion of polymer spheres (expandable bead
6 polystyrene), injection molding, foam molding, and extrusion–blow molding (extruded foam
7 polystyrene).

8 (c) (1) “Expanded polystyrene food service product” means a product made of
9 expanded polystyrene that is:

10 (i) Used for selling or providing food or beverages; and

11 (ii) 1. Intended by the manufacturer to be used once for eating
12 or drinking; or

13 2. Generally recognized by the public as an item to be
14 discarded after one use.

15 (2) “Expanded polystyrene food service product” includes:

16 (i) Food containers;

17 (ii) Plates;

18 (iii) Hot and cold beverage cups;

19 (iv) Trays; and

20 (v) Cartons for eggs or other food.

21 (3) “Expanded polystyrene food service product” does not include:

22 (i) Food or beverages that have been packaged in expanded
23 polystyrene containers before receipt by a food service business;

24 (ii) A product made of expanded polystyrene that is used to package
25 raw, uncooked, or butchered meat, fish, poultry, or seafood; [or]

26 (iii) Nonfoam polystyrene food service products; **OR**

27 **(IV) 1. CARTONS FOR EGGS THAT ARE MADE OF EXPANDED**
28 **POLYSTYRENE THAT ARE SHIPPED:**

29 **~~1.~~ INTO INTO THE STATE FOR PACKAGING; OR**

