

House Bill 2617

Sponsored by Representative SCHOUTEN, Senator DEMBROW; Representatives DEXTER, HELM, HERNANDEZ, NATHANSON, NOSSE, PRUSAK, REARDON, SALINAS, SANCHEZ (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits food vendor from using polystyrene container in selling, offering for sale, serving or dispensing prepared food to public.

Takes effect January 1, 2023.

A BILL FOR AN ACT

1
2 Relating to a prohibition on using polystyrene containers for prepared food; and prescribing an ef-
3 fective date.

4 **Be It Enacted by the People of the State of Oregon:**

SECTION 1. (1) As used in this section:

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6 (a) **“Food vendor” means a business, organization or person that, as a principal or regu-**
7 **lar activity, sells prepared food or offers prepared food for sale to the public, including, but**
8 **not limited to, a store, shop or other sales outlet, a restaurant, a grocery store, a super-**
9 **market, a delicatessen or a cart, truck or other vehicle from which the business, organiza-**
10 **tion or other person sells prepared food or offers prepared food for sale.**

11 (b)(A) **“Polystyrene container” means a cup or cup lid, bowl, plate or other container that**
12 **is:**

13 (i) **Made of a polystyrene plastic foam;**

14 (ii) **Made for the purpose of serving, containing, preserving or consuming prepared food;**

15 **and**

16 (iii) **Ordinarily used once for the purpose described in sub-subparagraph (ii) of this sub-**
17 **paragraph before being discarded.**

18 (B) **“Polystyrene container” does not include:**

19 (i) **A cooler or other container that is made of a polystyrene foam, that is intended for**
20 **more than one use and that is enclosed by a solid plastic shell;**

21 (ii) **A tray or container used solely to store, ship or otherwise transport an ingredient**
22 **or food product that is not prepared food; or**

23 (iii) **Polystyrene plastic material that is used solely for packing or protecting other items**
24 **during storage, shipping or other transportation.**

25 (c)(A) **“Prepared food” means food or a beverage that:**

26 (i) **A food vendor prepares on the food vendor’s premises or that another person prepares**
27 **and provides to the food vendor for sale to the public; and**

28 (ii) **A person may consume immediately or without the need for further or additional**
29 **preparation.**

30 (B) **“Prepared food” does not include meat, fish, eggs or produce, if the meat, fish, eggs**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 or produce are raw and have not been prepared for immediate consumption.

2 (2) A food vendor may not use a polystyrene container in selling, offering for sale, serving
3 or dispensing prepared food to a member of the public.

4 SECTION 2. This 2021 Act takes effect on January 1, 2023.

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