

**SENATE, No. 1486**

**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

INTRODUCED FEBRUARY 1, 2018

**Sponsored by:**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**Senator CHRISTOPHER "KIP" BATEMAN**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**SYNOPSIS**

Prohibits sale of expanded polystyrene food containers by public schools and public institutions of higher education.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 4/13/2018)**

1 AN ACT concerning expanded polystyrene food containers and  
2 supplementing Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6

7 1. a. Except as otherwise provided in subsection b. of this  
8 section, beginning one year after the effective date of  
9 P.L. , c. (C. ) (pending before the Legislature as this  
10 bill), every public school shall ensure that no food or beverage  
11 packaged or contained in an expanded polystyrene food container is  
12 sold, offered for sale, or otherwise provided in the public school.

13 b. Subsection a. of this section shall not apply to any food or  
14 beverage that was filled and sealed in an expanded polystyrene food  
15 container before a public school received it.

16 c. The State Board of Education, in consultation with the  
17 Department of Environmental Protection, may adopt, pursuant to  
18 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1  
19 et seq.), rules and regulations necessary to implement the provisions  
20 of this section.

21 d. As used in this section:

22 “Expanded polystyrene” means blown polystyrene and expanded  
23 and extruded foams that are thermoplastic petrochemical materials  
24 utilizing a styrene monomer and processed by a number of  
25 techniques, including, but not limited to, fusion of polymer spheres  
26 (expandable bead polystyrene), injection molding, foam molding,  
27 and extrusion-blow molding (extruded foam polystyrene).

28 “Expanded polystyrene food container” means a container, plate,  
29 hot or cold beverage cup, tray, carton, or other product made of  
30 expanded polystyrene and used for selling or providing a food or  
31 beverage.

32 “Public school” means the same as that term is defined in  
33 N.J.S.18A:1-1.

34

35 2. a. Except as otherwise provided in subsection b. of this  
36 section, beginning one year after the effective date of  
37 P.L. , c. (C. ) (pending before the Legislature as this bill),  
38 every public institution of higher education shall ensure that no  
39 food or beverage packaged or contained in an expanded polystyrene  
40 food container is sold, offered for sale, or otherwise provided in the  
41 public institution of higher education .

42 b. Subsection a. of this section shall not apply to any food or  
43 beverage that was filled and sealed in an expanded polystyrene food  
44 container before a public institution of higher education received it.

45 c. The State Board of Education, in consultation with the  
46 Department of Environmental Protection, may adopt, pursuant to  
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11 hot or cold beverage cup, tray, carton, or other product made of  
12 expanded polystyrene and used for selling or providing a food or  
13 beverage.

14 “Public institution of higher education” means the same as that  
15 term is defined in N.J.S.18A:1-1.

16

17 3. This act shall take effect immediately.

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#### STATEMENT

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22 This bill would require every public school and public institution  
23 of higher education to ensure that no food or beverage packaged or  
24 contained in an expanded polystyrene food container is sold,  
25 offered for sale, or otherwise provided in the school or institution.  
26 An “expanded polystyrene food container” is defined in the bill as a  
27 container, plate, hot or cold beverage cup, tray, carton, or other  
28 product made of expanded polystyrene and used for selling or  
29 providing a food or beverage. The prohibition would not apply to  
30 any food or beverage that was filled and sealed in an expanded  
31 polystyrene food container before a school or public institution of  
32 higher education received it.