
A BILL FOR AN ACT

RELATING TO POLYSTYRENE FOAM CONTAINERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that products made using
2 polystyrene foam are one of the most common kinds of litter
3 pollution in Hawaii. Polystyrene foam is ultra-light, which
4 prevents collection systems from capturing it and allows it to
5 easily accumulate on land and in waterways. The fragments of
6 polystyrene foam that are left leach styrene, a known
7 carcinogen, and other toxins that then poison the environment
8 and the local food chain. The sight of polystyrene products
9 littering Hawaii's landscapes serves as a detriment to the
10 State's number one industry, tourism. Polystyrene foam also
11 contributes to the potential death of marine animals and avian
12 populations through ingestion.

13 The purpose of this Act is to protect the State's economy
14 and environment by prohibiting the sale of and serving of
15 prepared food using polystyrene foam containers statewide.



1 SECTION 2. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 POLYSTYRENE FOAM CONTAINERS

6 § -1 Definitions. As used in this chapter:

7 "Polystyrene" means a thermoplastic petrochemical material
8 utilizing a styrene monomer, including all polystyrene, meaning
9 any styrene or vinyl chloride polymer that is blown into a foam-
10 like material. Polystyrene includes materials created from
11 techniques including the fusion of polymer spheres (expandable
12 bead polystyrene), injection molding, foam molding, and
13 extrusion-blow molding (extruded foam polystyrene).

14 "Polystyrene foam container" means a container that is made
15 using polystyrene.

16 "Prepared food" means food or beverages that are prepared
17 to be consumed on or off the premises of a restaurant or food
18 establishment.

19 "Restaurant" means an eating establishment, including but
20 not limited to coffee shops, cafeterias, sandwich stands, food
21 trucks, and private and public school cafeterias, that gives or



1 offers for sale food or beverages to the public, guests, or
2 employees, as well as kitchens and catering facilities in which
3 food or beverage is prepared on the premises for serving
4 elsewhere. The term "restaurant" includes a bar area within the
5 restaurant and outdoor areas of restaurants.

6 "Vendor" means any person, firm, or corporation engaged in
7 selling or offering for sale any polystyrene foam containers.

8 **§ -2 Prohibition on the sale and use of polystyrene foam**
9 **containers.** (a) No vendor operating within the State shall
10 sell any polystyrene foam containers.

11 (b) No restaurant operating within the State shall serve
12 prepared food using polystyrene foam containers.

13 **§ -3 Rules.** The department of health shall adopt rules
14 pursuant to chapter 91 necessary to implement this chapter,
15 including rules relating to enforcement and exemptions."

16 SECTION 3. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

19 SECTION 4. This Act shall take effect on January 1, 2019.

20



Report Title:

Polystyrene Foam Products; Prohibition

Description:

Prohibits the sale of and serving of prepared foods using polystyrene foam containers statewide. Takes effect 1/1/2019.
(SD1)

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