

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO FOOD AND DRUGS -- CONSUMER-PROVIDED TAKEOUT
CONTAINERS

Introduced By: Senators Gu, Paolino, Murray, Urso, Valverde, Appollonio, McKenney,
Ujifusa, and Thompson

Date Introduced: March 04, 2026

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1 SECTION 1. The General Assembly finds and declares that:

2 (1) Single-use food service ware including, but not limited to, takeout containers,
3 represents a significant and growing portion of the municipal solid waste stream in the United States
4 and Rhode Island, contributing to landfill disposal, litter, and environmental pollution.

5 (2) The United States environmental protection agency has identified containers and
6 packaging as one of the largest categories of municipal solid waste generated annually.

7 (3) Rhode Island's central landfill has finite remaining capacity, and reducing the volume
8 of disposable materials entering the waste stream is necessary to extend landfill life, reduce disposal
9 costs, and protect the environment.

10 (4) Disposable plastic food containers and packaging may contribute to environmental
11 contamination and the presence of microplastics in soil and water, and consumers increasingly seek
12 alternatives that reduce plastic waste.

13 (5) Many consumers prefer to use reusable, personally owned containers for takeout food
14 and beverages in order to reduce waste and to avoid potential exposure to single-use plastic food
15 packaging.

16 (6) The purpose of this act is to authorize restaurants and retailers to accept consumer-
17 provided reusable containers for filling or refilling under controlled, safe conditions, and to ensure
18 guidance and best practices are provided.

1 SECTION 2. Title 21 of the General Laws entitled "FOOD AND DRUGS" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 27.4

4 CONSUMER-PROVIDED TAKEOUT CONTAINERS

5 **21-27.4-1. Definitions.**

6 For purposes of this chapter:

7 (1) "Department" means the department of health.

8 (2) "Consumer-provided container" means a reusable receptacle, brought by a consumer
9 to an establishment, that is designed and manufactured to safely hold food or drink, is capable of
10 being effectively cleaned, and is made of materials suitable for repeated contact with food or drink
11 including, but not limited to, cups, bottles, jars, tubs, and similar durable containers, provided they
12 are structurally sound, free from cracks or contamination, and able to be filled or refilled without
13 creating a risk to food safety or cross contamination.

14 (3) "Establishment" means any and all eating and/or drinking establishments including, but
15 not limited to, restaurants, bars, taverns, lounges, cafeterias, lunch counters, drive-ins, roadside ice
16 cream and refreshments stands, fish and chip places, fried chicken places, pizzerias, food and drink
17 concessions, or similar facilities in amusement parks, bowling alleys, clubs, caterers, drive-in
18 theaters, industrial plants, race tracks, shore resorts or other locations, lunch carts, mobile canteens
19 and other similar vehicles, and other like places of business which furnish or provide facilities for
20 immediate consumption of food at tables, chairs or counters or from trays, plates, cups or other
21 tableware or in parking facilities provided primarily for the use of patrons in consuming products
22 purchased at the location.

23 **21-27.4-2. Consumer-provided food and beverage containers accepted.**

24 (a) On or before July 1, 2027, the department shall amend any and all rules and regulations
25 including, but not limited to, the Rhode Island food code, to permit establishments to fill or refill
26 consumer-provided containers with takeout food or beverages.

27 (b) The rules, regulations, and/or amendments adopted pursuant to this section shall:

28 (1) Be consistent with best practices recommended by the United States food and drug
29 administration regarding refillable food and beverage containers;

30 (2) Permit filling or refilling of a consumer-provided container by an employee or owner
31 of the establishment or the consumer;

32 (3) Authorize the department to require reasonable safeguards, which may include, but
33 shall not be limited to:

34 (i) Visual inspection of the consumer-provided container by an employee prior to filling or

1 refilling; and

2 (ii) Written operational procedures designed to prevent cross-contamination; and

3 (4) Not require establishments or the owners or agents thereof to sanitize consumer-
4 provided containers before filling or re-filling unless the consumer-provided container fails to pass
5 a visual inspection in accordance with § 21-27.4-3.

6 (c) Nothing in this section shall be construed to require an establishment to accept or fill a
7 consumer-provided container.

8 **21-27.4-3. Guidance materials.**

9 On or before July 1, 2027, the department shall:

10 (1) Produce and publish guidance materials for establishments providing that consumer-
11 provided containers are authorized for filling or refilling under this chapter;

12 (2) Include in the guidance materials best practices for:

13 (i) Examining consumer-owned containers;

14 (ii) Preventing cross-contamination;

15 (iii) Handwashing requirements;

16 (iv) Beverage refilling procedures; and

17 (v) Operational procedures consistent with the Rhode Island food code.

18 (3) Make the guidance materials publicly available electronically.

19 **21-27.4-4. Rulemaking authority.**

20 The department shall adopt administrative rules and regulations as necessary to implement,
21 interpret, or administer the provisions of this chapter.

22 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO FOOD AND DRUGS -- CONSUMER-PROVIDED TAKEOUT
CONTAINERS

- 1 This act would permit eating and drinking establishments to accept consumer-provided
- 2 containers to fill or refill with takeout food or beverages.
- 3 This act would take effect upon passage.

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