2023 -- H 5672

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO FOOD AND DRUGS -- SINGLE-USE PLASTIC STRAWS

Introduced By: Representatives McGaw, Bennett, Boylan, Kislak, Tanzi, Carson, Voas, Speakman, Donovan, and Messier
Date Introduced: February 17, 2023
Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

SECTION 1. The title of Chapter 21-27.2 of the General Laws entitled "Single-Use Plastic Straws" is hereby amended to read as follows:

CHAPTER 21-27.2

Single-Use Plastic Straws

CHAPTER 21-27.2

SINGLE-USE PLASTIC STRAWS, FOODWARE ACCESSORIES, AND CONDIMENTS

SECTION 2. Sections 21-27.2-1 and 21-27.2-2 of the General Laws in Chapter 21-27.2 entitled "Single-Use Plastic Straws" are hereby amended to read as follows:

21-27.2-1. Definitions.

As used in this chapter:

(1) “Food service establishment” shall have the meaning set forth in § 21-27-1.

(2) “Single-use foodware accessory” means all of the following single-use items provided alongside ready-to-eat food: utensils, which are defined as forks, knives, spoons, and sporks, chopsticks, condiment cups and packets, straws, stirrers, splash sticks, cocktail sticks.

(3) “Single-use plastic straw” means a single-use, disposable tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, used to transfer a beverage from a container to the mouth of the person drinking the beverage. “Single-use plastic straw” does not include a straw made from non-plastic materials, including, but not limited to, paper, pasta, sugar cane, wood, or bamboo.
"Standard condiment" means relishes, spices, sauces, confections, or seasoning that require no additional preparation and that are usually used on a food item after preparation, including, but not limited to, ketchup, mustard, mayonnaise, soy sauce, hot sauce, salsa, salt, pepper, sugar, and sugar substitutes.

21-27.2-2. Prohibited practices exception.

(a) A food service establishment shall not provide a single-use plastic straw or single-use foodware accessory to a consumer unless requested by the consumer.

(b) Upon request by a consumer, only the single-use foodware accessories required to consume the ready-to-eat food shall be provided to the consumer.

(c) A food service establishment shall not bundle single-use foodware accessories.

(d) A third-party delivery platform shall provide customers with the option of requesting single-use accessories or standard condiments, and only the single-use accessories or standard condiments that are requested by the consumer shall be delivered.

(e) Unwrapped single-use foodware accessories and standard condiments that are self-serve, and/or bulk dispensed standard condiments may be provided by food service establishments.

(f) The following entities are exempt from the provisions of this section: correctional facilities, licensed healthcare facilities, and residential care facilities.

SECTION 5. This act shall take effect on January 1, 2024.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO FOOD AND DRUGS -- SINGLE-USE PLASTIC STRAWS

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1 This act would mandate that food service establishments would only provide single-use
2 foodware accessories and standard condiments to a customer upon request.
3 This act would take effect on January 1, 2024.

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