

2023 -- H 5672

LC002037

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:

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

3 ~~CHAPTER 21-27.2~~

4 ~~Single-Use Plastic Straws~~

5 CHAPTER 21-27.2

6 SINGLE-USE PLASTIC STRAWS, FOODWARE ACCESSORIES, AND CONDIMENTS

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

9 **21-27.2-1. Definitions.**

10 As used in this chapter:

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

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

15 ~~(2)~~(3) "Single-use plastic straw" means a single-use, disposable tube made predominantly
16 of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant
17 sources, used to transfer a beverage from a container to the mouth of the person drinking the
18 beverage. "Single-use plastic straw" does not include a straw made from non-plastic materials,
19 including, but not limited to, paper, pasta, sugar cane, wood, or bamboo.

1 (4) "Standard condiment" means relishes, spices, sauces, confections, or seasoning that
2 require no additional preparation and that are usually used on a food item after preparation,
3 including, but not limited to, ketchup, mustard, mayonnaise, soy sauce, hot sauce, salsa, salt,
4 pepper, sugar, and sugar substitutes.

5 **21-27.2-2. Prohibited practices exception.**

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

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

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

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

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

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

18 SECTION 5. This act shall take effect on January 1, 2024.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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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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