

# Understanding the NJ Statewide Ban on Single-Use Carryout Bags and Polystyrene Foam Food Service Products Effective May 4, 2022



## How will this law impact my business?

### Ban on Single-Use Carryout Bags

The law prohibits all stores (including retail), food service businesses, and grocery stores from selling, or providing their customers with, single-use plastic carryout bags. In addition, grocery stores larger than 2,500 square feet may not provide or sell single-use paper carryout bags, and instead must provide or sell only reusable carryout bags.

**Reusable Carryout Bags** must be designed and manufactured for multiple reuses.



### Ban on Polystyrene Foam Food Service Products

The law prohibits all persons and food service businesses from selling or offering for sale any polystyrene foam food service product and prohibits all food service businesses from selling or providing any food served in a polystyrene foam food service product.

Single-use **plastic straws must be provided by request only.** 

## Are any businesses or products exempt under the new law?

**Certain products are exempt until May 4, 2024**, such as portion cups of two ounces or less and meat and fish trays for raw or butchered meat. Requests for hardships exemptions and waivers must be submitted to the NJDEP.

There are no exemptions for 501 (c)(3) organizations **in the statewide ban.**

## What will change in Summit as a result of the new law?

Similar ordinances have existed in Summit since January 1, 2021. While there is considerable overlap between Summit and New Jersey's regulations, **the statewide law supersedes local ordinances** and local governments cannot pass new regulations after the statewide law's effective date.

## How will it be enforced?

Under the new statewide law, **a business will be fined varying amounts after first, second, and subsequent violations.** The NJDEP, municipalities, and any entity certified under the County Environmental Health Act are authorized to enforce the plastic bag ban and polystyrene ban.

Full details at [www.nj.gov/dep/plastic-ban-law/](http://www.nj.gov/dep/plastic-ban-law/)