



NEW JERSEY BUSINESS ACTION CENTER HELPING BUSINESSES PREPARE FOR THE BAN

PLASTIC and PAPER CARRYOUT BAGS POLYSTYRENE FOAM FOOD SERVICE PRODUCTS

Erica Lockhart
Communications Specialist
NJBAC

Erica.Lockhart@sos.nj.gov
business.nj.gov/bags/plastic-ban-law



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NEW JERSEY BUSINESS ACTION CENTER

**“WE ARE FROM STATE GOVERNMENT AND
WE ARE HERE TO HELP YOUR BUSINESS GROW”**

Business Questions? NJBAC Has Answers.

- **The New Jersey Business Action Center (NJBAC)** is a business-first resource that can help you get answers from government agencies, direct you to appropriate officials or contacts, facilitate meetings and follow-ups with regulatory agencies and more, all at no cost and strictly confidential.
- **We are a business advocacy team within the Department of State**, dedicated to solving problems and maximizing growth opportunities.
- **NJBAC Business Advocate Experts** are available to assist businesses. The **“Ask Our Business Experts”** Live Chat feature operates Mon-Fri (8am-5pm), 1-800-Jersey-7
 - English and Spanish speaking



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OVER THIRTY YEARS OF SERVICE TO THE NEW JERSEY BUSINESS COMMUNITY

Three Offices Devoted to Business Advocacy

- **Office of Business Advocacy** – Help with real estate site searches, to find the right location whether growing or consolidating in response to the changing COVID environment.
- **Office of Small Business Advocacy** – From startups to Main Street, helps small businesses access a variety of resources and answer all their questions.
- **Office of Export Promotion** – Companies interested in global business activities can tap into a number of resources, like creating an export plan, guidance in identifying global export markets, guiding you through foreign custom procedures, and administers the SBA's New Jersey State Trade Expansion Program (STEP) grant program.





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HOW CAN THE NJBAC HELP YOU?

Think of the NJBAC as Your Connector

- **Connects** you with the technical assistance you need for a fiscal stability and business continuity, like writing a business plan.
- **Identifies** critical access to capital and local, state and federal grant and loan programs, like the SBA, EDA, CDFI's, and local banks.
- **Provides** guidelines for new rules and regulations, and operating your business safely.
- **Clarifies** State mandated employee benefits, like earned sick leave.
- **Identifies** the licensing and certification requirements you need to operate.





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HOW CAN THE NJBAC HELP YOU?

Think of the NJBAC as Your Connector

To all of the state departments, agencies and organizations that can directly answer your questions, solve your problems, provide you with resources and technical assistance.

- ✓ New Jersey Economic Development Authority
- ✓ New Jersey Treasury Department
- ✓ New Jersey Department of Labor and Workforce Development
- ✓ NJ Consumer Affairs Division
- ✓ New Jersey Department of Community Affairs
- ✓ New Jersey Small Business Development Centers
- ✓ New Jersey Department of Environmental Protection
- ✓ Programs available from your County or Municipality





business.nj.gov



- **Plan, Start, Operate, Grow** content crafted around where you are in your journey as a business.
- **Robust search function** providing immediate targeted answers.
- **Business Starter Kits** – jump start your development with one of these kits: food trucks, online commerce, cleaning services, and restaurants
- **Create a Business Plan** – Step by step process provided to help craft game plan, hone product, understand customer base and guide decision-making to set up business for success.
- **Filings and Accounting** – Find due dates for important license renewals, tax statements, and reporting forms, as well as information on how to file annual reports and access Premier Business Services.
- **Contract with the State** – Step by step process for many opportunities for a wide variety of business sectors to do business with the State.
- **Over 100 FAQs** detailing important state agency services for businesses.
- **Live Chat, powered by NJBAC Business Experts** – making contact with state government very easy.



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PLASTIC AND PAPER CARRYOUT BAGS POLYSTYRENE FOAM FOOD SERVICE PRODUCTS BAN

November 4, 2020

P.L. 2020 c.117 signed by Governor Phil Murphy

May 4, 2022

Effective date

- Effective May 4, 2022: All stores and food service businesses are banned from providing or selling single-use plastic carryout bags and polystyrene foam food service products to customers.
- Single-use paper carryout bags will be banned from being provided or sold by grocery stores that are 2500 square feet or larger.
- Effective November 4, 2021: Single-use plastic straws may only be provided on a by-customer-request basis. Food service businesses are required to keep an adequate supply of single-use plastic straws to satisfy customer requests.
- The new law supersedes all previous local, county or city ordinances that pertain to single-use plastic or paper carryout bags or polystyrene foam food service products.





WHAT BUSINESSES WILL BE AFFECTED?

The law pertains to all stores, grocery stores, & food service businesses

- A "Store" is any grocery store, convenience store, liquor store, pharmacy, drug store or other retail establishment.
- A "Grocery Store" is a self-service retail establishment of 2500 square feet or larger selling household foodstuffs for off-site consumption.
- A "Food Service Business" sells or provides food for consumption on or off premises, including establishments such as a restaurant, cafe, delicatessen, coffee shop, convenience store, grocery store, vending truck/cart, food truck, movie theatre or business or institutional cafeteria, including those operated by a government entity.





WHAT IS ALLOWED AND WHAT IS A REUSABLE BAG?

As of May 4, 2022:

- Reusable OR *Paper carryout bags – (*retailers less <2,500 sq. ft.) – may not be provided or sold by retail stores and food service businesses.
- Only ‘reusable’ carryout bags may be provided or sold by grocery stores of 2,500 square feet or larger.

The law defines reusable bags as ones that:

- ✓ are made of polypropylene fabric, PET non-woven fabric, nylon, cloth, hemp product, or other washable fabric, and
 - ✓ have stitched handles (traditional, conventional or ultrasonic stitching, and “T-shirt” design are acceptable), and
 - ✓ are designed and manufactured for at least 125 reuses.
- There is no recycled content requirement for paper carryout bags.



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REUSABLE BAG TYPES

**Polyethylene
Terephthalate (PET)
Non-Woven PET Bag**



Polypropylene (PP)

Non-Woven



T-shirt Bag



Woven



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EXEMPTIONS TO THE BAN

Exemptions from plastic and paper carryout bag bans:

- Bags used to contain or wrap uncooked meat, fish or poultry
- Bags used to package loose items
- Bags used to contain live animals
- Bags used to contain food sliced or prepared to order, including soup and hot food
- Laundry, dry cleaning or garment bags
- Bags provided by a pharmacy to carry prescriptions
- Newspaper bags
- Any similar bag, as determined by the Department (DEP) pursuant to rule, regulation, or guidance

Exemptions from ban on polystyrene foam food service products (expires May 4, 2024)

- Disposable, long-handled polystyrene foam soda spoons when required and used for thick drinks
- Portion cups of 2 oz. or less, if used for hot foods or foods requiring lids
- Meat and fish trays for raw or butchered meat, including poultry, or fish that is sold from a refrigerator or similar retail appliance
- Any food product pre-packaged by the manufacturer with a polystyrene foam food service product



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WHO ENFORCES THE LAW?

WHAT ARE THE PENALTIES?

- **The Department of Environmental Protection**, municipalities, and any entity certified by the “County Environmental Health Act”.
- **A person or entity that violates the law will be:**
 - warned for a first offense,
 - may be fined up to \$1,000 per day for the second offense,
 - and up to \$5,000 per day for the third and subsequent violations.
 - violations of a continuing nature constitute an additional, separate, and distinct offense for each day that is deemed a violation.
- **The NJDEP** has the ability to determine additional exemptions and waivers.
Contact by email: singleuseplastics@dep.nj.gov or call 609-984-4250.





WHERE TO FIND INFORMATION AND REUSABLE BAG RESOURCES

NJBAC Website: business.nj.gov/bags/plastic-ban-law

NJDEP Website: nj.gov/dep/plastic-ban-law/#faqs

The NJBAC and the NJDEP have developed online resources to assist businesses to comply with the law, such as,

- ❖ Frequently Asked Questions (FAQs)
- ❖ An Implementation Timeline
- ❖ A Chart of Establishments and Allowable Provisions
- ❖ A link to the Law

Vendor Clearinghouse of manufacturers and distributors of reusable and paper carryout bags that meet the requirements of the law.





VENDOR CLEARINGHOUSE

[Business.nj.gov/bags/plastic-ban-law](https://business.nj.gov/bags/plastic-ban-law)

A courtesy list of wholesale vendors of environmentally-sound products

- Resource for businesses to identify sources for purchase
- Business opportunity for vendors to showcase products

Reusable Carryout Bag Manufacturers and Distributors

Polypropylene Fabric, PET non-woven fabric, RPET fabric, Nylon, Polyester, Cloth, Hemp Product, Other washable fabrics

Resources to Identify Food Service Product Alternatives

Alternatives to polystyrene foam food service products (coming soon)





PARTNER AGENCIES AND ORGANIZATIONS



NJBAC: business.nj.gov/bags/plastic-ban-law

New Jersey Business Action Center is responsible for communicating with all businesses about their responsibilities under the law.



NJDEP: nj.gov/dep/plastic-ban-law

The New Jersey Department of Environmental Protection is responsible for the overall implementation of the law including the adoption of implementing regulations.



NJCCC: njclean.org; bagupnj.com

The New Jersey Clean Communities Council is responsible for developing and implementing a Statewide public information and education program, including limited distribution of free reusable bags.



FOR INFORMATION AND UPDATES

BUSINESS.NJ.GOV

Updates on the Plastic Bag & Polystyrene Foam Ban
FAQs

Vendor Clearinghouse

business.nj.gov/bags/plastic-ban-law

Weekly E-News Sign Up

Stay up to date on news affecting your business.

Talk to NJ BAC's Business Experts

“Live Chat”, Mon.-Fri., 8am-5pm

1-800-Jersey-7



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Questions?



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Erica.Lockhart@sos.nj.gov
Melanie.Willoughby@sos.nj.gov

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