

## Overview

In a state-wide effort to reduce single-use products and eliminate litter, New Jersey lawmakers have passed legislation banning single-use plastics, papers, and foam products. Effective November 4, 2021 plastic straws will be available “by request only.” The law enforces that all food service businesses shall only provide a single-use plastic straw upon request by the customer. Effective May 4, 2022, the ban on single-use carryout bags and polystyrene foam food service products will be implemented. The law prohibits all stores, food service businesses, and grocery stores from selling or providing their customers with single-use plastic carryout bags and prohibits polystyrene foam food service products from being sold or provided to customers (P.L. 2020, c. 117).

"Bag Up NJ" is the latest campaign from the New Jersey Clean Communities council. The state-wide campaign encourages consumers to bring their own reusable bags when they shop.



## Contacts

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## New Jersey's Single-Use Plastic Ban



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## Reusable Carryout Bags

To ensure multiple uses and a sustainable carryout bag, a reusable carryout bag is defined as a bag that is:

- Made of polypropylene fabric, PET nonwoven fabric, nylon, cloth, hemp product, or other washable fabric; and
- Has stitched handles; and
- Is designed and manufactured for multiple reuses.

All carryout bags must be washable and capable of withstanding multiple washes while maintaining usefulness and integrity. A minimum of 125 uses is required. Every reusable carryout bag must have handles stitched onto the bag, not glued, to qualify as a reusable carryout bag.



## Straws By Request Only

Effective November 4, 2021, the “by request only” rule will be implemented. The rule allows food service businesses to provide a single-use plastic straw to customers upon their request. Stores still may sell packages of single-use plastic straws and beverages pre-packaged by a manufacturer with a single use plastic straw such as juice boxes. All food service business must maintain an adequate supply of single-use plastic straws to provide at the request of customers.



## Polystyrene Foam Food Service Products

Effective May 4, 2022, the ban on polystyrene foam food service products will be implemented. The ban prohibits all food service businesses and individuals from providing or offering the sale of any polystyrene foam food service products or food in a polystyrene foam food service product.

The following list of polystyrene foam food service products are exempted through May 4, 2024:

- Disposable, long-handled polystyrene soda spoons when required/used for thick drinks
- Portion cups of two ounces 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



## Penalties and Enforcement

The Department of Environmental Protection, municipalities, and any entity certified by the County Environmental Health Act have the authority to enforce the single-use plastic and paper carryout bag and polystyrene foam food service product and plastic straw provisions of the law. Any person or entity that violates the law shall be subject to a warning for the 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 offense. Violations of a continuing nature constitute an additional, separate, and distinct offense for each day that is deemed a violation. Every store or entity in New Jersey that is subject to the state-wide law must comply with its requirements, regardless of where the store is located.

## Resources

- **Full Legislation:**  
[https://www.njleg.state.nj.us/2020/Bills/AL20/117\\_.HTM](https://www.njleg.state.nj.us/2020/Bills/AL20/117_.HTM)
- **NJ Department of Environmental Protection:**  
<https://www.nj.gov/dep/plastic-ban-law/>
- **NJ Clean Communities:**  
<https://www.njclean.org/>
- **Bag Up NJ:** [www.bagupnj.com](http://www.bagupnj.com)
- **Business Assistance:** <https://business.nj.gov>