

Polystyrene Foam Food Service Container Regulations: Comparison of State and MDI municipalities

bold red: differs from general pattern

Parameter	STATE	Bar Harbor	Mt. Desert	SW Harbor	Tremont
DEFINITIONS					
Polystyrene Foam:					
Expanded, Extruded, Blown	+	+	+	+	+
Oriented (clear) excluded	-	+	+	-	+
examples provided	(in defn of svc ware)	+	+	+	+
Polystyrene FFS Container	dispos.food.svc.cont	+	+	+	+
Provider (+:included)	covered estab. [1]	establishmt	establishmt	establishmt	establishmt
sells or distributes food	-	s, d	s, d	s,d	s,d
restaurants, schools, hospitals	+r +s +h	+r +s +h	+s +h	+r +s +h	+r +s +h
religious, non-profit, govt	+r	+r +g	+r +g	+r +g	+r
seasonal, temporary, on-site	(many) [1]	+s +t +o	+s +t +o	+s +t +o	+s +t
Food Packager	-	+	+	+	+
Prepared Food	-	+	+	+	+
Other definitions	(many) [2]	-	-	-	shall/may
BANS: serve/sell food					
packaging food	processing banned	+	+	+	+
sell/distrib containers	-	+	+	+	+
beverage stirrers	govt. functions	-	-	-	-
Exempt categories					
originating outside	+	+	+	+	+
uncooked meat/seafood/eggs	-	m,s	m, s	m,s	-
shipping elsewhere	+	+	+	+	+
customer-supplied	+	-	-	-	+
Exempt situations: decider					
emergency	department	select board	select board	select board	select board
necessary	+	+	-	+	-
Violations: Enforcer (+=designee)	rules?	ceo+	town mgr+	town mgr+	ceo+
enforcement delay	-	12/19	-	-	-
written warning	rules?	+	+	+	+
first in period (max)	≤100	100	100	100	100
subsequent in period (max)	n/a	200	200	200	200
definition of violation "period"	--	year	year	year	year
time span: multi-viols count as 1	--	day	day	day	day
payable	rules?	15d	15 days	15 days	15 days
appeal: superior court	rules?	30d	30 days	30 days	--
Severability	--	+	+	+	+
Passed					
method	04/30/19	01/15/19	05/08/19	11/13/18	05/14/19
vote	legislature, governor	council	ann twn mtg	spec twn mtg	ann twn mtg
Effective Date	senate: 23-10	5-2	unanimous	73-4	141-37
	01/01/21	pass+30d	05/08/19	04/22/19	10/01/19

1. **Food establishments:** factory, plant, warehouse or store in which food and food products are manufactured, processed, packed, held for introduction into commerce or sold, caregiver, marijuana dispensary, non-dairy/meat farm stands/markets, produce wash/clean/sorters

Eating establishments: entertainment/hospitality/recreation/restaurant/tourism industries; catering establishments; correctional facilities; hospital cafeterias; mobile eating places; pub/pvt schools; retail frozen dairy product establishments; workplace eating establishments; non-pkg'd vending machine prep.

Other: ag fair, farmers market, food pantry, church/community org, boarding home, retirement/nursing home, independent living place

2. consumer, political subdivision, service ware, state