



TOWN OF WEST NEW YORK

Guide for New Jersey's Ban on Single-Use Carryout Bags, Ban on Polystyrene Foam Food Service Products, and Plastic Straws by Request-Only (P.L. 2020, C117)



Town of West New York
Office of the Mayor
428-60th Street
West New York, NJ
Phone: 201-295-5119

Table of Contents

Introduction/law.....	1
Single-Use Plastic Straws.....	2
Alternatives to Single-Use Plastic Straws.....	2
Single-Use Carryout Bags.....	3
Exempted Bags.....	3
Reusable Carryout Bags.....	4
Polystyrene Foam Food Service Products.....	4
Exempted Products.....	4
Questions.....	5

Ban on Single-Use Carryout Bags, Ban on Polystyrene Foam Food Service Products, and Plastic Straws by Request-Only

On November 4, 2020, Governor Phil Murphy signed into law P.L. 2020, c.117¹, prohibiting the use of single-use plastic carryout bags in all New Jersey stores and food service businesses. Phase 1 of the law will go into effect on November 4, 2021, with plastic straws only to be given to customers when requested. Phase 2 will go into effect on May 4, 2022 where New Jersey businesses may not sell or provide single-use plastic carryout bags to their customers.

The new law supersedes and pre-empts all municipal and county rules, regulations, codes, or ordinances concerning the regulation or prohibition of single-use plastic or paper carryout bags, polystyrene foam food service products and single-use plastic straws. All New Jersey stores and entities are subject to the statewide law and must comply with the requirements, regardless of store location.

Any individual or entity that violates the law shall be subject to 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.

The Town of West New York created a quick guide for business owners and residents to help understand the law, requirements, and exemptions of the law.

Language used to put this guide together came from New Jersey's official site of the Department of Environmental Protection [NJDEP | Plastic Ban Law](#)

¹ An Act concerning single-use plastic carryout bags, single-use paper carryout bags, polystyrene foam food service products, and single-use plastic straws.

Single-Use Plastic Straws:



November 4, 2021, single-use plastic straws will be given to customers only when requested.

- Food Service businesses shall only provide a single-use plastic straw to a customer upon request by the customer.
- Food service businesses are required to keep an adequate supply of single-use plastic straws.
- Stores may continue to sell single-use plastic straws and provide/sell a beverage pre-packed by the manufacturer with a single-use plastic straw.

Alternatives to Single-Use Plastic Straws:

- Plant-based
- Bamboo
- Metal
- Paper
- Restaurants may allow customers to bring their own re-usable straws, such as silicone, glass or metal.

Single-use Plastic Bag and Polystyrene Foam Product Ban:



Effective May 4, 2022, no store in the State of New Jersey shall provide or sell single-use plastic carryout bags to customers. Grocery stores over 2,500 sq. ft shall not provide or sell single-use paper carryout bags to customers.

- “Store” - grocery, convenience, liquor, pharmacy, and retail establishments.
- “Food Service Business” - sells or provides food for consumption on or off the premises, including establishments such as a restaurant, café, delicatessen, coffee shop, convenience store, grocery store, vending truck or cart, food truck, movie theater or business or institutional cafeteria, including those operated by a government entity.
- “Grocery Store” - is a self-service retail establishment that occupies at least 2,500 square feet and sells household foodstuffs for off-site consumption.

Exempted Plastic Bags:

- A bag used solely to contain or wrap uncooked meat, fish and poultry.
- A bag used solely to package loose items such as fruits, vegetables, nuts, coffee, grains, baked goods, candy, greeting cards, flowers, bulk food or small hardware items.
- A bag used solely to contain live animals, such as fish or insects sold at pet stores.
- A bag used solely to contain food sliced or prepared to order, including soup or hot food.
- Laundry, dry cleaning and garment bag.
- A bag provided by a pharmacy to carry prescription drugs.
- A bag for newspapers.

- Plastic bags that are allowed to be sold are packages of paper bags, lawn bags and garbage bags from all Stores and Grocery Store

Reusable Carryout Bags:

- Polypropylene fabric, PET nonwoven fabric, nylon, cloth, hemp product, or other washable fabric
- Stitched handles
- Designed and manufactured for multiple uses.

Polystyrene Foam Product Ban:



Effective May 4, 2022, no person or food service business shall provide or sell a polystyrene foam food service product to customers.

- “Polystyrene foam food service products” is defined by a product made, in whole or in part, of polystyrene foam that is used for selling or providing a food or beverage, and includes but is not limited to a food container, plate, hot or cold beverage cup, meat or vegetable tray, cutlery, or egg carton.

Exempted Products: The following products are exempt until May 4, 2022 unless otherwise extended by the DEP

- Disposable, long-handed polystyrene foam soda spoons when required and used for thick drinks.
- Portion cups of two ounces or less, if used for hot foods or food 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.

Questions?

Please call 1-877-JERSEY-7 *English and in Spanish*

Live Chat <https://www.nj.gov/state/bac/bac.shtml>

For more details please visit <https://www.nj.gov/dep/plastic-ban-law/>

Vendor list for alternatives <https://business.nj.gov/bags/plastic-ban-law#List>

<https://www.nj.gov/dep/plastic-ban-law/>

<https://www.nj.gov/dep/plastic-ban-law/docs/bag-ban-waiver-and-cover-letter.pdf>

<https://www.bagupnj.com/>

Town of West New York: Sustainability Coordinator, Rosemarie Suarez

428-60th Street- Mayor's Office RM 1

201-295-5119

Rosezuares@westnewyorknj.org

Town of West New York: Health Director, Maria Alvarez

428-60th Street-Health Department RM 30

201-295-5028

malvarez@westnewyorknj.org