

103^D CONGRESS
1ST SESSION

H. R. 368

To prohibit the introduction of a plastic container into interstate commerce that does not contain a marking that identifies the type of plastic resin used to produce the container, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Ms. SNOWE introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the introduction of a plastic container into interstate commerce that does not contain a marking that identifies the type of plastic resin used to produce the container, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Plastic Container Iden-
5 tification Act of 1993”.

6 **SEC. 2. MARKING OF PLASTIC CONTAINERS.**

7 (a) IN GENERAL.—The introduction or delivery for
8 introduction into interstate commerce of any plastic con-

1 tainer that does not contain a marking that is in accord-
2 ance with subsection (b) is prohibited.

3 (b) CONTENT OF MARKING.—In order to meet the
4 requirement of this subsection, a plastic container shall
5 contain on the bottom of such container a molded plastic
6 marking that identifies the type of plastic resin used to
7 produce such container. Such marking shall consist of let-
8 ters placed below a number. The letters and numbers shall
9 be as follows:

10 (1) For polyethylene terephthalate, the letters
11 “PETE” and the number 1.

12 (2) For high density polyethylene, the letters
13 “HDPE” and the number 2.

14 (3) For vinyl, the letter “V” and the number 3.

15 (4) For low density polyethylene, the letters
16 “LDPE” and the number 4.

17 (5) For polypropylene, the letters “PP” and the
18 number 5.

19 (6) For polystyrene, the letters “PS” and the
20 number 6.

21 (7) For any other plastic resin, including multi-
22 layer, the letters “OTHER” and the number 7.

23 (c) PENALTIES.—A person who violates subsection
24 (a) shall be subject to the same penalties as if in violation
25 of section 301(a) of the Federal Food, Drug, and Cosmetic

1 Act (21 U.S.C. 331(a)), and a plastic container that does
2 not contain a marking that is in accordance with sub-
3 section (b) shall be subject to the seizure procedures con-
4 tained in section 304 of such Act (21 U.S.C. 334).

5 (d) DEFINITION OF PLASTIC CONTAINER.—As used
6 in this section, the term “plastic container” means a rigid
7 container made of synthetic or natural polymerized resins
8 or cellulose derivatives that is used to package a beverage,
9 food item, or other item and that retains its shape whether
10 full or empty.

11 (e) EXEMPTION.—A plastic container with a volume
12 of 8 ounces or less which is used to package pharma-
13 ceutical products is exempt from the requirement con-
14 tained in subsection (a).

15 (f) EFFECTIVE DATE.—Subsection (a) shall apply to
16 any plastic container that is introduced or delivered for
17 introduction into interstate commerce after January 1,
18 1995.

19 **SEC. 3. REPORT.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the Administrator of the Environmental
22 Protection Agency shall submit to Congress a report con-
23 taining—

24 (1) a plan for promoting, through educational pro-
25 grams and other methods, the recycling of plastic products

1 covered under section 2(a), as well as other plastic prod-
2 ucts, and

3 (2) recommendations for reducing the amount of non-
4 recyclable and nonbiodegradable plastic used in the manu-
5 facture of products.

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