

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

S

1

SENATE BILL 773

Short Title: Recyclable 6-Pack Rings.

(Public)

Sponsors: Senators Plexico; Perdue, Tally, and Ward.

Referred to: Environment and Natural Resources.

April 24, 1991

A BILL TO BE ENTITLED

AN ACT TO PERMIT RECYCLABLE PLASTIC YOKES OR RING TYPE HOLDING DEVICES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-399.2 reads as rewritten:

"§ 14-399.2. ~~Prohibition of nondegradable~~ Require use of degradable or recyclable plastic yokes or ring type holding devices.

(a) As used in this section, ~~'Degradable'~~ section:

(1) 'Degradable' means that within one year after being discarded, the yoke or ring type holding device is capable of becoming embrittled and/or decomposing by photodegradation, biodegradation, or chemo-degradation under average seasonal conditions into components other than heavy metals or other toxic substances as prescribed by the Resource Conservation and Recovery Act of 1976, Pub. L. 94-580, 90 Stat. 2795, 42 U.S.C. § 6901 **et seq.**, as amended.

(2) 'Recyclable' means can be accommodated in existing, effective programs to recover and reprocess into marketable goods.

(b) No person may sell or distribute for sale in this State any container connected to another by a yoke or ring type holding device constructed of plastic which is not ~~degradable.~~ degradable or recyclable. No yoke or ring type holding device that is recyclable shall have an orifice larger than one and three-fourths inches. The manufacturer of such yoke or ring type holding device shall use a nationally recognized symbol that shall be embossed on the yoke or ring type holding device for inspection indicating that the device is ~~degradable.~~ degradable or that the device is recyclable, or

1 both. The manufacturer shall register the symbol with the State with a sample of the
2 device.

3 (c) Any person who sells or distributes for sale a yoke or ring type holding
4 device in violation of this section shall be guilty of a misdemeanor punishable by a fine
5 of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00). In
6 lieu of a fine or any portion thereof or in addition to a fine, any violation of this section
7 may also be punished by a term of community service.

8 (d) Other than a manufacturer required to use and register a symbol under
9 subsection (b), a person may not be prosecuted under this section if, at the time of sale
10 or distribution for sale, the yoke or holding device bears a symbol which has been
11 registered with the State."

12 Sec. 2. This act becomes effective January 1, 1992.