

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 773

Environment and Natural Resources Committee Substitute Adopted 5/2/91

Short Title: Recyclable 6-Pack Rings.

(Public)

Sponsors:

Referred to:

April 24, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT RECYCLABLE PLASTIC YOKES OR RING TYPE
3 HOLDING DEVICES.

4 The General Assembly of North Carolina enacts:

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

6 "~~§ 14-399.2. Prohibition of nondegradable plastic yokes or ring type holding devices.~~
7 **Certain plastic yoke and ring type holding devices prohibited.**

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

9 (1) 'Degradable' means that within one year after being discarded, the
10 yoke or ring type holding device is capable of becoming embrittled
11 ~~and/or~~ or decomposing by photodegradation, biodegradation, or
12 chemo-degradation under average seasonal conditions into
13 components other than heavy metals or other toxic substances ~~as~~
14 ~~prescribed by the Resource Conservation and Recovery Act of 1976, Pub. L.~~
15 ~~94-580, 90 Stat. 2795, 42 U.S.C. § 6901 et seq., as amended.~~ substances.

16 (2) 'Recyclable' means that the yoke or ring type holding device is capable
17 of being collected and processed for reuse as a product or raw material.

18 (b) No person may sell or distribute for sale in this State any container connected
19 to another by a yoke or ring type holding device constructed of plastic ~~which is not~~
20 ~~degradable.~~ that is neither degradable nor recyclable. No person may sell or distribute
21 for sale in this State any container connected to another by a yoke or ring type holding
22 device constructed of plastic that is recyclable but that is not degradable unless such
23 device does not have an orifice larger than one and one-half inches. The manufacturer

1 of ~~such a~~ degradable yoke or ring type holding device shall use a ~~emboss or mark the~~
2 device with a nationally recognized symbol that shall be embossed on the yoke or ring type
3 holding device for inspection indicating that the device is degradable. The manufacturer
4 of a recyclable yoke or ring type holding device shall emboss or mark the device with a
5 symbol of the type specified in G.S. 130A-309.10(e) indicating the plastic resin used to
6 produce the device and that the device is recyclable. The manufacturer shall register the
7 symbol with the Secretary of State with a sample of the device.

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

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

17 Sec. 2. This act becomes effective 1 October 1991.