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Date: (Filing No. H- )

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 213, L.D. 289, Bill, “An Act To Prohibit the Use of Certain Disposable Food Service Containers”

Amend the amendment in section 1 in §1571 by striking out all of subsections 2 and 3 (page 1, lines 21 to 33 and page 2, lines 1 to 9 in amendment) and inserting the following:

**2. Covered establishment.** "Covered establishment" includes, but is not limited to:

A. A food establishment, as defined in Title 22, section 2152, subsection 4-A;

B. An eating establishment as defined in Title 22, section 2491, except that "covered establishment" does not include a hospital licensed under Title 22, chapter 405 or a so-called meals on wheels establishment funded in whole or in part directly or indirectly by the Department of Health and Human Services to provide meals at dispersed locations from central kitchen facilities;

C. An agricultural fair as defined in Title 7, section 81, subsection 1;

D. A farmers' market as defined in Title 7, section 415, subsection 1, paragraph A;

E. A food pantry, church or community organization that provides food or beverages without charge; and

F. A boarding home, a retirement home, an independent living place or a nursing home.

**3. Disposable food service container.** "Disposable food service container" means service ware designed for one-time use.

A. "Disposable food service container" includes service ware for take-out foods, packaged meat, eggs, bakery products and leftovers from partially consumed meals prepared by covered establishments.

B. "Disposable food service container" does not include polystyrene foam coolers or ice chests that are used for the processing or shipping of seafood.'

1 Amend the amendment in section 1 in §1572 in subsection 1 in the first line (page 2,  
2 line 19 in amendment) by striking out the following: "food" and inserting the following:  
3 'covered'

4 Amend the amendment in section 1 in §1572 in subsection 2 in the first line (page 2,  
5 line 22 in amendment) by striking out the following: "food" and inserting the following:  
6 'covered'

7 Amend the amendment in section 1 in §1572 in subsection 3 in the first line (page 2,  
8 line 27 in amendment) by striking out the following: "food" and inserting the following:  
9 'covered'

10 Amend the amendment in section 1 in §1572 in subsection 3 in paragraph B in the  
11 last line (page 2, line 34 in amendment) by striking out the following: "food" and  
12 inserting the following: 'covered'

13 Amend the amendment in section 1 in §1572 in subsection 3 in paragraph C in the  
14 2nd line (page 2, line 36 in amendment) by striking out the following: "food" and  
15 inserting the following: 'covered'

16 Amend the amendment by relettering or renumbering any nonconsecutive Part letter  
17 or section number to read consecutively.

18 **SUMMARY**

19 This amendment replaces the term "food establishment" with the term "covered  
20 establishment."

21 **SPONSORED BY:** \_\_\_\_\_

22 **(Representative TUCKER)**

23 **TOWN: Brunswick**