



THE TOWN OF PLYMOUTH

26 Court Street
Plymouth, Massachusetts 02360

Department of Public Health
(508) 747-1620 ext 10118

June 25, 2019

FROM: Dr. Nate Horwitz-Willis, Plymouth Department of Public Health

TO: All Plymouth Food Establishments to include: Restaurants, Retail Facilities, and Other Establishments Serving Food to the Public with Plastics or Styrofoam

RE: Mitigating Use of Plastics and Styrofoam through Voluntary Use of Consumer Reusable Containers

This memorandum serves as official guidance to allow for the voluntary use and acceptance of reusable containers by your consumers/patrons for food and/or drink consumption. This guidance is applicable for all those identified in the 'TO' field and for those who are in receipt of this document. The intent of this guidance is to assist with limiting or eliminating the use of single use plastics and Styrofoam containers as they are known to negatively impact human health over time and our natural environment to include our waterways. Rapid climate change also contributes to the leaching of contaminants from the containers into our environment. This guidance enables you an opportunity to help mitigate the negative impacts mentioned in this paragraph within the Town of Plymouth.

This guidance is in line with *Massachusetts General Law, Chapter 111, Public Health, Section 127A: State Sanitary Code*. Also, this guidance complements the *105 Code of Massachusetts Regulations 590 Chapter 4, Equipment, Utensils, and Linens, 4-101 Multiuse and 4-202 Cleanability*. Further, the following specific criteria must be met in order to remain in compliance with the laws and regulations mentioned in this paragraph:

- 1) The reusable containers can be either metal, glass, food grade silicon, bamboo, or any other plant fiber material. These materials are generally non-toxic and are easy to sanitize and generally are reliably constructed.
- 2) All consumers/patrons presenting the use of reusable containers in a food establishment must have them originate from a commercial vendor and they must not be damaged.
- 3) All consumers/patrons desiring to use a reusable container in a food establishment must wash and clean it before each use and present it in a sanitary condition deemed acceptable by food establishment personnel.
- 4) Food containers must be brought into an establishment to allow for an appropriate visual inspection of the container by food establishment personnel.
- 5) Consumers/Patrons must always check in with food establishment personnel to ensure they are able to use their reusable container.
- 6) Consumers/Patrons are responsible for the sanitary and constructed condition of their reusable container if an establishment opts into voluntary use for reusable containers.
- 7) Food establishments may voluntarily place signage, to make aware to consumers/patrons, that they accept reusable containers (based on item #1 in this paragraph) that are claimed to be and appear sanitary per a consumer/patron.

Food establishments are not required to provide reusable containers for consumers/patrons to use as a result of this guidance. All consumers/patrons are responsible for complying with the guidance described in this document when a food establishment chooses to engage in this voluntary guidance. This voluntary guidance is effective immediately this day of June 25, 2019.

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