



LAWS OF ALASKA

1990

Source

CSHB 532(Fin) am

Chapter No.

61

AN ACT

Requiring the placement of certain coding on certain plastic bottles and containers; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1, LINE 10

Approved by the Governor: May 16, 1990
Actual Effective Date: July 1, 1991

AN ACT

Requiring the placement of certain coding on certain plastic bottles and containers; and providing for an effective date.

* Section 1. AS 46.06 is amended by adding a new section to read:

Sec. 46.06.095. CODING REQUIRED. (a) A person may not manufacture, sell, or offer to sell a plastic bottle or a rigid plastic container unless a code that identifies the type of resin used to produce the bottle or container and that complies with (b) of this section is molded into or imprinted on or near the bottom of the bottle or container.

(b) The department shall establish by regulation the content and design for the code required under (a) of this section. The regulations and further amendments to those regulations shall be consistent with applicable federal requirements concerning plastic product labeling. Prior to the establishment of any applicable federal requirements concerning plastic product labeling, the department shall use the codification system designed by the Society of the Plastics Industry, Inc., including the following features:

(1) a code number placed within an equilateral triangle of arrows, and code letters placed below the triangle of arrows, in which

(A) the triangle is formed by three arrows with the apex of the point of each triangle at the midpoint of each arrow, rounded with a short radius;

Chapter 61

1 (B) the arrowhead of each arrow is at the midpoint of
2 each side of the triangle with a short gap separating the arrow-
3 head from the base of the adjacent arrow; and

4 (C) the triangle formed by the arrows depicts a clock-
5 wise path around the number;

6 (2) the following code numbers and letters to be used in
7 (1) of this subsection to identify types of resin:

8 (A) 1 and PETE, representing polyethylene terephthal-
9 ate;

10 (B) 2 and HDPE, representing high density polyethy-
11 lene;

12 (C) 3 and V, representing vinyl;

13 (D) 4 and LDPE, representing low density polyethylene

14 (E) 5 and PP, representing polypropylene;

15 (F) 6 and PS, representing polystyrene; and

16 (G) 7 and OTHER, representing all other plastic res
17 ins.

18 (c) The department shall maintain a list of the codes estab
19 lished under (b) of this section and provide a copy of the list upon
20 request.

21 (d) A person who violates (a) of this section is subject to
22 civil penalty of \$50 for each violation. Penalties imposed under this
23 subsection for a series of related violations by the same person may
24 not exceed \$500. The superior court may enjoin a person from violat
25 ing (a) of this section.

26 (e) In this section,

27 (1) "plastic" means a material made of polymeric organi
28 compounds and additives that can be shaped by flow;

29 (2) "plastic bottle" means a plastic container that
H

intended for single use and that

(A) has a neck smaller than the body of the container;

(B) accepts a screw-top, snap-cap, or other closure;

and

(C) has a capacity of not less than 16 fluid ounces or more than five gallons;

(3) "rigid plastic container" means a formed or molded container that is intended for single use, that is composed predominately of plastic resin, and that has a relatively inflexible finite shape or form having a capacity of not less than eight ounces or more than five gallons; "rigid plastic container" does not include a plastic bottle.

* Sec. 2. This Act takes effect July 1, 1991.