



Legislation Text

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Int. No. 571

By Council Members Gennaro, Louis and Brewer

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the selling of untethered plastic bottle caps

Be it enacted by the Council as follows:

Section 1. Section 16-404 of the administrative code of the city of New York, as amended by local law 64 for the year 2021, is amended to read as follows:

§ 16-404 Restrictions on untethered plastic bottle caps. a. Definitions. For purposes of this section, the following terms have the following meanings:

Retailer. The term “retailer” means any place that, in the regular course of business, sells a beverage in a single use beverage container to a consumer.

Single use beverage container. The term “single use beverage container” means an individual, separate bottle, jar, carton, or other vessel, however denominated: (i) in which 3 liters or less of a beverage is sold; (ii) is designed and intended to be used only once for drinking, transporting, or serving a beverage; and (iii) that has a cap which is primarily constructed of plastic. This term does not include a cup or other similar open or loosely sealed receptacle, nor does it include a small plastic bottle hospitality personal care product as described in title 32 of article 27 of the environmental conservation law.

b. On and after January 1, 2032, no retailer shall sell or offer for use to any person a single use beverage container which does not have: (i) a cap that is tethered to or contiguously affixed to such beverage container such that it prevents the total separation of the cap from the container when the container is opened by the consumer; or (ii) a cap that includes an opening from which the beverage can be consumed while the cap is

screwed onto or otherwise contiguously affixed to the container.

§ 2. This local law takes effect immediately.

MBB

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