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**SUBSTITUTE HOUSE BILL 2840**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Environmental Affairs (originally sponsored by Representatives J. Kohl, Rust, Casada, Brekke, Pruitt, Rasmussen, H. Sommers, Valle, Winsley, Leonard and Orr)

Read first time 02/07/92.

1 AN ACT Relating to plastic holding devices for containers; amending  
2 RCW 70.132.010; and adding a new section to chapter 70.132 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.132.010 and 1982 c 113 s 1 are each amended to read  
5 as follows:

6 The legislature finds that beverage containers designed to be  
7 opened through the use of detachable metal rings or tabs are hazardous  
8 to the health and welfare of the citizens of this state and detrimental  
9 to certain wildlife. The detachable parts are susceptible to ingestion  
10 by human beings and wildlife. The legislature intends to eliminate the  
11 danger posed by these unnecessary containers by prohibiting their  
12 retail sale in this state.

13 The legislature also finds that containers connected by plastic  
14 rings or other plastic holding devices are hazardous to the health and

1 welfare of the citizens of this state, are detrimental to certain  
2 wildlife, and create waste that must be disposed. The legislature  
3 intends to eliminate the danger posed by these plastic holding devices  
4 by prohibiting their retail sale in this state except in circumstances  
5 where they will decompose and can be made less harmful.

6 NEW SECTION. Sec. 2. A new section is added to chapter 70.132 RCW  
7 to read as follows:

8 (1) Except as provided in subsections (2) and (3) of this section,  
9 after December 31, 1993, a person may not sell or offer to sell any  
10 product in containers connected by plastic rings or other plastic  
11 holding devices.

12 (2) A person may sell or offer to sell products in containers  
13 connected to each other with a plastic holding device that decomposes  
14 by photodegradation, chemical degradation, or biodegradation within a  
15 reasonable period of time upon exposure to the elements if the device:

16 (a) Is designed or manufactured to be broken when a container is  
17 removed;

18 (b) Breaks simultaneously with the removal of the container; or

19 (c) Is approved for sale by the department of ecology as an  
20 experimental device. The department may approve a device as  
21 experimental only if the department determines that the device conforms  
22 with the intent of this subsection.

23 (3) Upon written request, the department may delay the application  
24 of this section to a particular class of containers if the person  
25 making the request demonstrates that a source of supply of devices  
26 meeting the intent of this section is not yet available but will be  
27 available within a reasonable period of time. If the department delays  
28 application of the requirements of this section, it shall establish a  
29 specific date for compliance.