Int. No. 1416

By Council Member Levine

A Local Law to amend the administrative code of the city of New York, in relation to the use of reusable beverage containers provided by customers at food service establishments

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 13 to read as follows:

SUBCHAPTER 13

CERTAIN REQUIREMENTS RELATED TO SINGLE-USE ITEMS

§ 20-699.7 Reusable beverage containers provided by customers. a. Definitions. As used in this section, the following terms have the following meanings:

Food service establishment. The term "food service establishment" has the meaning ascribed to such term by section 81.03 of the health code of the city of New York or any successor provision.

Reusable beverage container. The term "reusable beverage container" means a bottle, mug, cup or other container that is designed and manufactured to hold beverages and is capable of multiple reuse.

Single-use. The term "single-use" means a product that is designed and intended to be used only once for drinking or eating, and is generally recognized by the public as an item that is to be discarded after one use.

b. Any food service establishment in the city that serves beverages to customers in single-use containers may not refuse the request of a customer who has ordered a beverage to serve such beverage in a reusable beverage container provided by the customer in substitution for the single-use container provided by the food service establishment, provided that:

1. Such reusable beverage container is capable of and appropriate for serving such beverage, as determined based on the size, cleanliness, material, and any other relevant factors, of the reusable beverage container; and

2. Such beverage may be dispensed in a manner that complies with section 81.46 of the health code of the city of New York and all other applicable laws and regulations.

c. Every food service establishment in the city that serves beverages to customers in single-use containers shall conspicuously post signage informing customers that they are permitted to request the service of beverages in their own reusable beverage containers.

§ 2. This local law takes effect 60 days after it becomes law.

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