

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994
Part 161
PLASTIC PRODUCTS LABELING

324.16101 Definitions.

Sec. 16101.

As used in this part:

- (a) "Degradable" means capable of being broken down by biodegradation, photodegradation, or chemical degradation into component parts within 360 days under exposure to the elements.
- (b) "Label" means a molded, imprinted, or raised symbol on or near the bottom of a plastic product.
- (c) "Plastic" means any material made of polymeric organic compounds and additives that can be shaped by flow.
- (d) "Plastic bottle" means a rigid plastic container with a capacity of 16 ounces or more that has a neck that is smaller than the body of the container.
- (e) "Plastic product" means a plastic bottle and any other rigid plastic container.
- (f) "Rigid plastic container" means any container composed predominantly of plastic resin and having a relatively inflexible finite shape or form that directly holds a substance or material and has a capacity of 8 ounces or more.
- (g) "PETE" means polyethylene terephthalate.
- (h) "HDPE" means high density polyethylene.
- (i) "V" means vinyl.
- (j) "LDPE" means low density polyethylene.
- (k) "PP" means polypropylene.
- (l) "PS" means polystyrene.
- (m) "OTHER" means multilayer.
- (n) "D" means degradable.

History: 1994, Act 451, Eff. Mar. 30, 1995

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the Waste Management Division to the Director of the Michigan Department of Environmental Quality, see E.R.O. No. 1995-16, compiled at MCL 324.99901 of the Michigan Compiled Laws.

Popular Name: Act 451

Popular Name: NREPA

324.16102 Plastic products; labeling with code; list of label codes; copies of list.

Sec. 16102.

(1) All plastic products sold in this state shall be labeled with a code indicating the plastic resin used to produce the product. The code shall consist of a number placed within a triangle of arrows with letters placed below the triangle of arrows. The triangle shall be equilateral, formed by 3 arrows with the apex of each point of the triangle at the midpoint of each arrow, rounded with a short radius. The pointer or arrowhead of each arrow shall be at the midpoint of each side of the triangle with a short gap separating the pointer from the base of the adjacent arrow. The triangle, formed by the 3 arrows curved at their midpoints shall depict a clockwise path around the code number. The triangle of arrows shall be not less than 1/2 inch high or if the plastic product is designed so that a triangle or arrows of not less than 1/2 inch height cannot be added to the product, a smaller label may be used if the label can be easily read. The code shall appear on or near the bottom of the plastic product as follows:

- (a) 1 PETE.
- (b) 2 HDPE.
- (c) 3 V.
- (d) 4 LDPE.
- (e) 5 PP.
- (f) 6 PS.
- (g) 7 OTHER.
- (h) 8 D.

(2) The department shall maintain a list of the label codes provided in subsection (1) and shall provide a copy of that list to any person upon request.

History: 1994, Act 451, Eff. Mar. 30, 1995
Popular Name: Act 451
Popular Name: NREPA

324.16103 Additional staff prohibited.

Sec. 16103.

Additional staff shall not be hired by the department for the purposes of enforcing this part.

History: 1994, Act 451, Eff. Mar. 30, 1995
Popular Name: Act 451
Popular Name: NREPA

324.16104 Violation; civil fine; default; remedy.

Sec. 16104.

- (1) A person who violates this part is subject to a civil fine of \$500.00 per violation.
- (2) A default in the payment of a civil fine ordered under this part may be remedied by any means authorized under the revised judicature act of 1961, Act No. 236 of the Public Acts of 1961, being sections 600.101 to 600.9947 of the Michigan Compiled Laws.

History: 1994, Act 451, Eff. Mar. 30, 1995
Popular Name: Act 451
Popular Name: NREPA