

HANDOUT NUMBER 2
PROPOSED DEFINITION OF “RIGID PLASTIC PACKAGING CONTAINER”
May 17, 2011 RPPC Workshop
(For discussion purposes only)

~~(30t)~~ "Rigid Plastic Packaging Container" means any plastic package having a relatively inflexible finite shape or form, with a minimum capacity of eight fluid ounces or its equivalent volume and a maximum capacity of five fluid gallons or its equivalent volume, that is capable of maintaining its shape while holding other products, including, but not limited to, bottles, cartons, and other receptacles, for sale or distribution in the state.

~~(A1)~~ Rigid plastic packaging containers are capable of at least one closure (including but not limited to closure occurring during the production or manufacturing process) multiple re-closure, are sold holding a product, and are composed entirely of plastic except that rigid plastic packaging containers may have: with the exception of caps, lids, labels and other additives such as pigments, colorants, fillers, and stabilizers that are an integral part of the plastic polymer compound. Plastic caps and lids may be considered to be part of a rigid plastic packaging container at the product manufacturer's discretion.

(A) Caps, lids, labels, handles, hinges, and other incidental packaging elements made of non-plastic material; and

(B) Additives such as pigments, colorants, fillers, and stabilizers that are part of the plastic polymer compound.

(2) Plastic caps, lids, handles, and hinges may be included as part of a rigid plastic packaging container at a product manufacturer's discretion.

(3) For purposes of this definition, a plastic package shall be considered to have a “relatively inflexible or finite shape or form” if:

(A) It has essentially the same shape empty as full. A plastic package may be considered to have the same shape empty as full even if it is designed to be folded or collapsed into a more compact form when not holding a product, such as, but not limited to, collapsible acetate boxes or tubes; and

(B) It is not flexible plastic packaging composed of film plastic such as, but not limited to, that used in grocery and merchandise carryout bags, pouches, or bubble, shrink, or stretch wrap.

~~(B4)~~ The capacity total volume of the closed a container for purposes of determining whether it falls within the definition of a “rigid plastic packaging container” shall will establish if the container is within the eight ounce to five gallon size requirements. For those containers measured in liquid or fluid volume, such as fluid ounce, gallon, milliliter, or liter, the product manufacturer may use either the labeled volume or the volumetric volume. The metric equivalent for the following U.S. liquid measures is as follows: eight (8) fluid ounces is equivalent to 236.58823659006 milliliters, and five (5) gallons is equivalent to 18.927205892 liters. Containers for products which are labeled and sold by weight or an item count must be measured for their volumetric equivalency.

~~(C) "Flexible container" is a container that can be flexed, folded, and twisted, without the aid of tools, without damaging the container.~~

~~(D) "Rigid container" is a container which is not a flexible container and has essentially the same shape empty as full.~~

~~(E) If it is unclear whether a container is a rigid plastic packaging container, the Board will make that determination on a case by case basis. The Board will make that determination by considering, at a minimum, how the container compares to others that are clearly regulated or excluded by the program.~~