

Act No. 63  
Public Act of 1989  
June 27, 1989  
Filed by the Secretary of State  
June 27, 1989

**STATE OF MICHIGAN  
85TH LEGISLATURE  
REGULAR SESSION OF 1989**

Introduced by Rep. Kosteva

# **ENROLLED HOUSE BILL No. 4711**

AN ACT to amend sections 1 and 2 of Act No. 414 of the Public Acts of 1988, entitled "An act to require the labeling of certain plastic products; to provide for the powers and duties of certain state departments and officials; and to prescribe penalties and remedies," being sections 299.481 and 299.482 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Sections 1 and 2 of Act No. 414 of the Public Acts of 1988, being sections 299.481 and 299.482 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 1. As used in this act:

- (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) "Department" means the department of natural resources.
- (c) "Label" means a molded, imprinted, or raised symbol on or near the bottom of a plastic product.
- (d) "Person" means an individual, sole proprietor, partnership, association, corporation, or other legal entity.
- (e) "Plastic" means any material made of polymeric organic compounds and additives that can be shaped by flow.
- (f) "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.
- (g) "Plastic product" means a plastic bottle and any other rigid plastic container.
- (h) "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.
- (i) "PETE" means polyethylene terephthalate.
- (j) "HDPE" means high density polyethylene.
- (k) "V" means vinyl.
- (l) "LDPE" means low density polyethylene.
- (m) "PP" means polypropylene.
- (n) "PS" means polystyrene.
- (o) "OTHER" means multi-layer.
- (p) "D" means degradable.

Sec. 2. (1) On or after January 1, 1992, 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 code provided in subsection (1) and shall provide a copy of that list to any person upon request.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved .....

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Governor.