

Maine Climate Council

Removing Barriers to Reuse in
Maine's Food Code

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GOVERNOR'S OFFICE OF
Policy Innovation
and the Future



MAINE DEPARTMENT OF
Environmental Protection

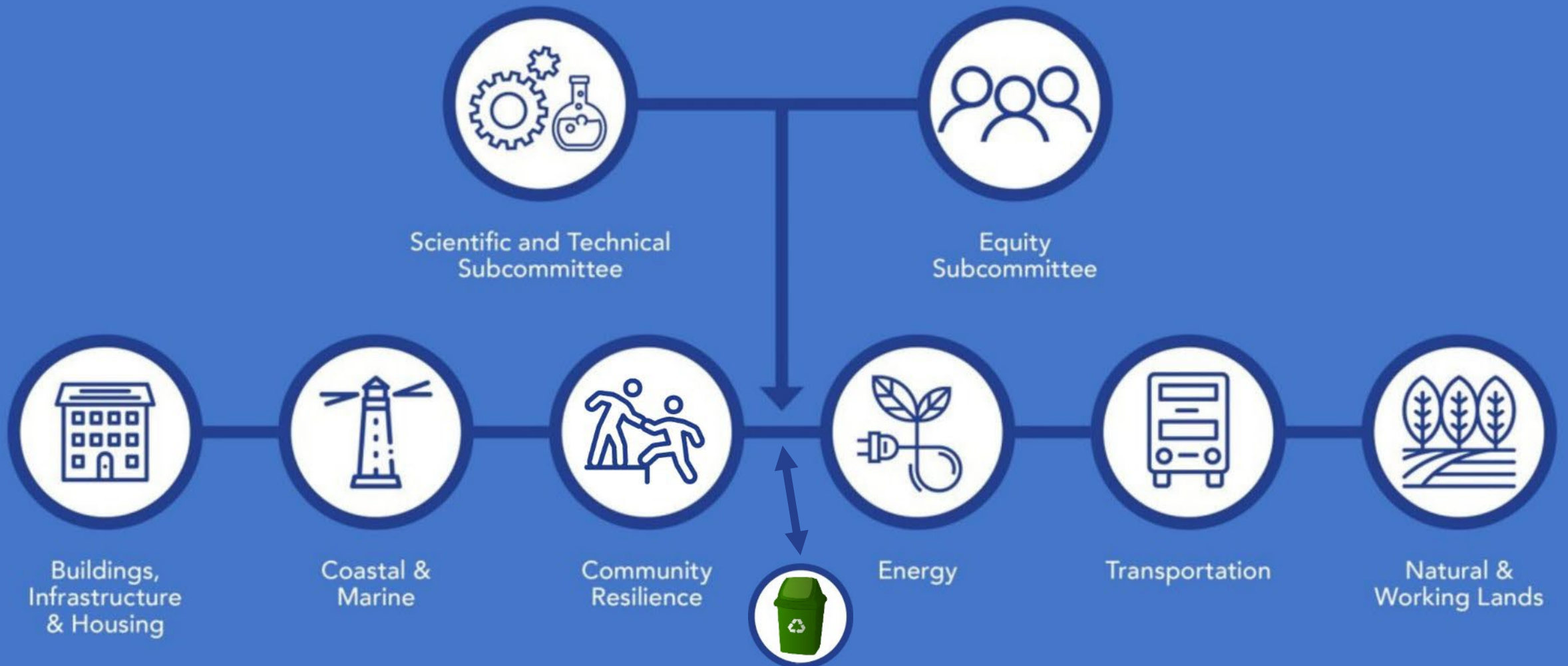
Tuesday, November 4, 2025

Maine Won't Wait Goals:



1. Reduce Maine's **greenhouse gas emissions**
2. Strengthen **resilience** to climate impacts
3. Create **jobs** and **economic prosperity**
4. Bring climate action to **all Maine people**

Maine Climate Council



Maine Won't Wait Strategies:

A _____

Embrace the future of transportation in Maine



B _____

Modernize Maine's buildings: energy-efficient, smart, and cost-effective homes and businesses



C _____

Transition to clean energy



D _____

Create jobs and grow Maine's economy through climate action



E _____

Protect the environment and natural and working lands and waters in Maine



F _____

Build healthy and resilient communities



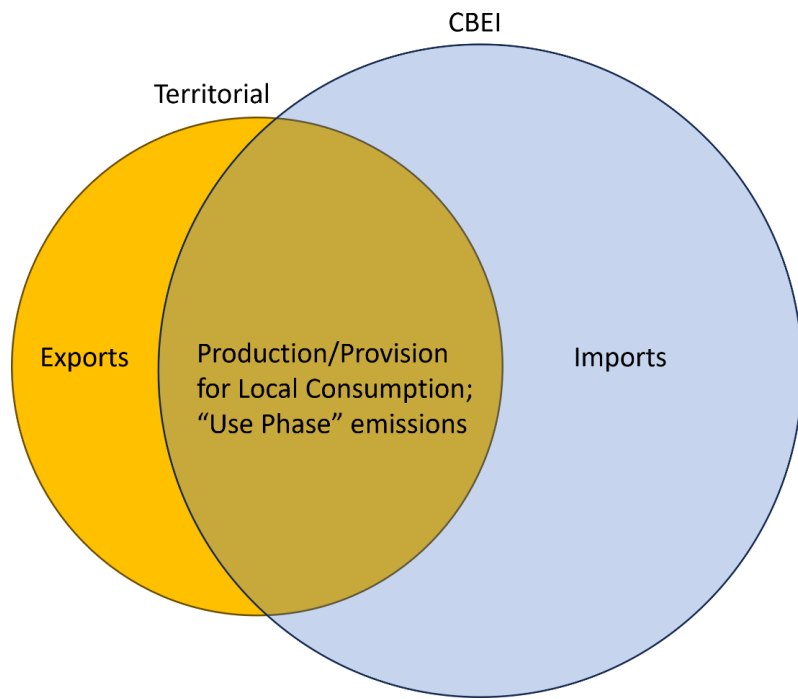
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Engage with Maine people on climate action

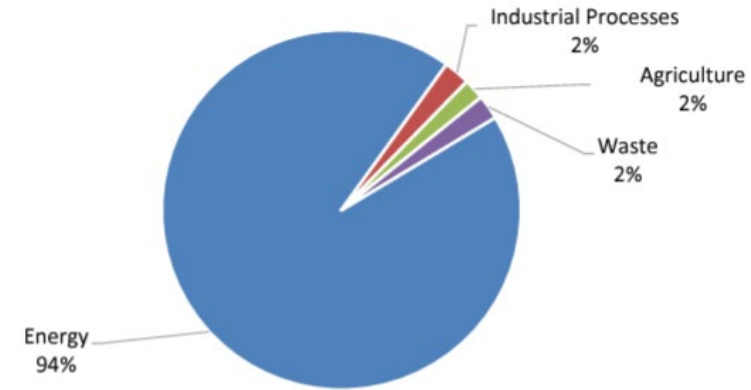


Bringing Materials into Climate Planning

- *Maine Won't Wait 2020* did not include recommendations to tackle emissions from waste, which contributes 2% to our sector-based inventory.



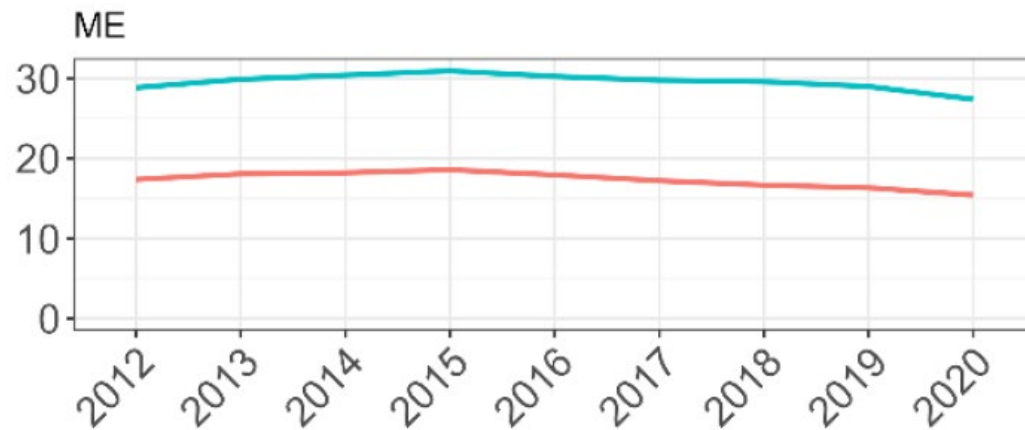
Source: EPA Consumption-Based Greenhouse Gas Inventories for Northeastern States



Maine's gross greenhouse gas emissions by source category, 2021 (includes biogenic emissions)

- Maine's updated climate action plan, *Maine Won't Wait 2024*, includes many recommendations to reduce emissions from waste (materials management).
- Most of these recommendations would achieve reductions in consumption-based emissions but would have minimal impact on sector-based emissions.

Reduce **waste**
and **emissions**
from **products** that
Maine people
buy and use



Source: EPA Consumption-Based Greenhouse Gas Inventories for Northeastern States

Maine Won't Wait Recommended Actions:

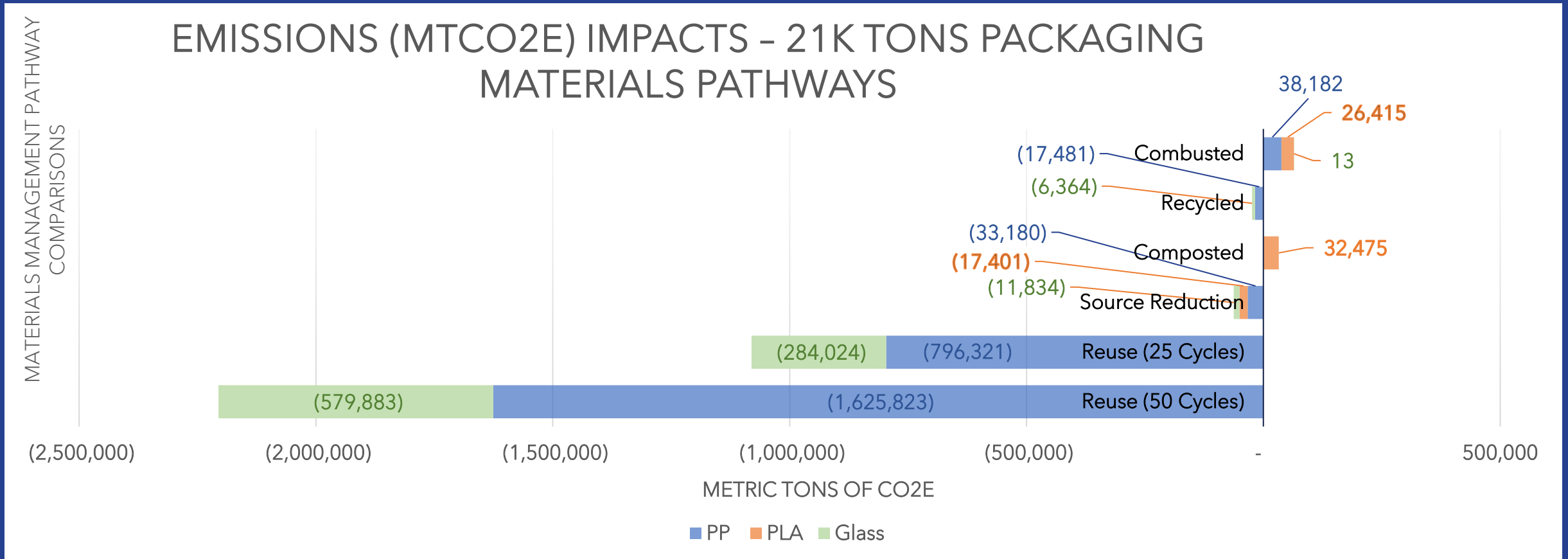
- Support **reuse, refill, and repair**
- **Lead by Example** at state facilities through food waste prevention, reuse and repair
- Develop a **consumption-based emissions inventory** for Maine's greenhouse gas reporting
- Coordinate and fund **regional waste management** planning
- **Increase access to waste reduction and diversion programs** through educational materials and tools

Material Consumption Impacts Global Emissions

- We may not think of fracking natural gas or logging when we enjoy takeaway food, but all single-use packaging is made from resources that must be extracted, refined, and transported.
- Designing and using systems where materials are reused instead of disposed after each use can significantly reduce emissions from resource extraction and use.



Compostable vs. Recyclable vs. Reusable Packaging



- Compostable (PLA) packaging is not preferable from an emissions standpoint, nor can it be managed through anaerobic digestion.
- Recycling has just a fraction of the emissions reduction potential of material reuse

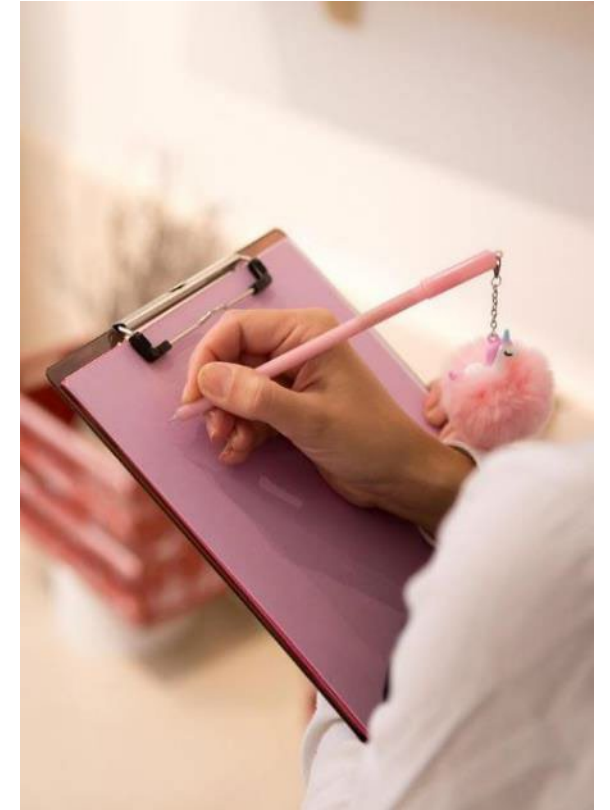
Tackling Takeout Waste

- Amidst the **COVID19 pandemic**, many municipalities saw **drastic increases** in waste generation - as high as 50% in some regions. Some shut down recycling programs.
- Researchers with the University of Maine Mitchell Center for Sustainability Solutions observed a particular **increase in takeout food** and began thinking about ways to reduce waste from takeout.
- The university pulled together a research group to study this issue and **identify solutions**.
- The group included researchers, representatives from Maine's **hospitality and waste sectors**, staff from Maine CDC Health Inspection Program and Department of Environmental Protection, and nonprofit advocates.



Updating Maine's Food Code Sections 3-304.17 and 4-603.17

- The research group found that sections of Maine's Food Code were **preventing businesses** from offering reusable containers for take-out.
- In 2021, **relevant sections** of Maine's food code were updated:
 - *Adopted* 3-304.17 of the 2017 FDA Food Code.
 - *Replaced* 3-304.17 and 4-603.17 of the 2013 Maine Food Code.
 - This enabled cafeterias, food trucks, and restaurants to provide customers with **reusable take-out food containers** to be returned for cleaning and reuse.
- In 2023, a small business approached a legislator to point out that although they had access to the same **cleaning and sanitizing equipment** as a restaurant, they were unable to use reusable containers because they sold **meal kits** and were not a restaurant.
 - The legislator brought forward LD 2091, *"An Act Regarding Businesses' and Consumers' Use of Returnable, Reusable and Refillable Containers for Food, Beverages and Nonfood Items"*



Maine's Reusable Packaging Law: 2023

- L.D. 2091 is now §219-C. *Returnable, reusable or refillable containers and packaging*, and offers additional flexibility and clarity.
- **Businesses have the right** to use or accept reusable packaging but don't have to.
- Customers can bring their own containers (non-food, shelf-stable, **food other than shelf-stable**)
- Businesses can sell food in returnable, reusable or refillable containers and packaging, and take containers back to clean and reuse for **the same or a different customer**.
 - Businesses can supply their own containers or work with a **third-party vendor**.
- Businesses have the **right to refuse** to fill a container that a customer brings in.
- Maine's Agriculture Department provides technical assistance and education to businesses and consumers on **best practices for safe use and reuse** of returnable, reusable or refillable containers.



Progress Towards Reuse

- The University of Maine received NOAA Funding for reducing marine debris at the source.
- Project includes reusable food service pilot in three coastal Maine communities.
- Communities have different populations, tourism intensity - will provide valuable data on what works to meet unique community needs.
- Although tourism dropped off briefly during the pandemic, Maine's economy **depends on tourism**, which is estimated to support over 130K jobs.
- Maine's population is roughly **1.4 million**; Maine had over **15 million visitors** in 2023 alone.
- Also, Reuse Maine has been formed - a volunteer coalition of local businesses, environmental non-profits, and community leaders working together to build a robust, integrated, and convenient reuse ecosystem in Maine.

reuse
MAINE



To engage with the Maine Climate Council,

Follow us on Instagram @maineclimatecouncil

Sign up for our newsletter



Read the plan!





Explore Maine.gov/climateplan



Explore an interactive map showing how climate change is impacting our state's landscape, economies and recreation.

Learn about *Maine Won't Wait*, our state's climate action plan to reduce greenhouse gas emissions and secure a strong future for our people and economy.

Mainers from every corner of the state are taking action and confronting climate change.

GUIDES TO CLIMATE ACTION & INCENTIVES

WHAT CAN YOU DO?

FOR **YOUR HOME**

WHAT CAN YOU DO?

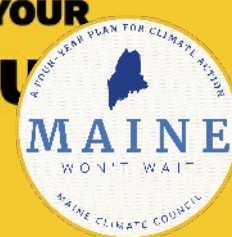
FOR **YOUR
VEHICLE**

WHAT CAN YOU DO?

FOR **YOUR BUSINESS**

WHAT CAN YOU DO?

FOR **YOUR
COMMUNITY**



Climate&Me

**A new initiative to
engage young Mainers
in climate action**

**Check out the website for
resources on how to get
involved**



Follow us on Instagram to learn
about upcoming events
[@MaineClimateCouncil](https://www.instagram.com/MaineClimateCouncil)

Connect with initiative lead
Abigail Hayne
abigail.hayne@maine.gov



**Information and inspiration for young Mainers about
climate change, the State's climate action plan, and how
youth can get involved and make a difference.**

