

2023 -- H 5086

LC000155

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --  
ENVIRONMENTAL MARKETING ACT

Introduced By: Representatives McGaw, Cortvriend, Carson, Speakman, Donovan,  
Ajello, Kislak, Bennett, Tanzi, and Cotter

Date Introduced: January 12, 2023

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 6-13.3 of the General Laws entitled "Environmental Marketing Act"  
2 is hereby amended by adding thereto the following section:

3 **6-13.3-1.1. Definitions.**

4 As used in this chapter, the following words and terms shall have the following meanings:

5 (1) "Compost" shall have the same meaning as defined in § 2-22-3.

6 (2) "Consumer product" shall have the same meaning as defined in § 6-57-1.

7 (3) "Free fluoride" or "ionic fluoride" means fluoride not bonded to carbon.

8 (4) "Organic fluorine" means fluorine bonded directly to carbon.

9 (5) "Total organic fluorine" means total fluorine minus free fluoride.

10 (6) "Package" shall have the same meaning as defined in § 23-18.13-3.

11 (7) "Packaging component" shall have the same meaning as defined in § 23 18.13-3.

12 (8) "Perfluoroalkyl and polyfluoroalkyl" or "PFAS" shall have the same meaning as  
13 defined in § 23-18.13-3.

14 SECTION 2. Section 6-13.3-2 of the General Laws in Chapter 6-13.3 entitled  
15 "Environmental Marketing Act" is hereby amended to read as follows:

16 **6-13.3-2. ~~Deceptive environmental marketing claims~~ Deceptive environmental**  
17 **marketing claims or sales.**

18 (a) It is unlawful for any person, in the course of that person's business, vocation or

1 occupation, to make any untruthful, deceptive, or misleading environmental marketing claims  
2 about a product or package sold or offered for sale in this state. For the purposes of this chapter,  
3 “person” means any individual, corporation, partnership, or other legal entity.

4 [\(b\) A person shall not advertise, market, sell, offer for sale, or distribute in this state a](#)  
5 [consumer product that is labeled with the term "compostable" if the product has a total organic](#)  
6 [fluorine concentration of greater than one hundred parts per million \(100 ppm\), or any product in](#)  
7 [violation of the provisions of chapter 18.13 of title 23.](#)

8 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --  
ENVIRONMENTAL MARKETING ACT

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1           This act would prohibit the marketing or sale of consumer products labeled as  
2 "compostable" if the product has a total organic fluorine concentration of greater than one hundred  
3 parts per million (100 ppm) or if the product is in violation of the provisions of chapter 18.13 of  
4 title 23 (Toxic Packaging Reduction Act).

5           This act would take effect upon passage.

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