

105 CMR: DEPARTMENT OF PUBLIC HEALTH

105 CMR 630.000: PLASTIC BAGS AND PLASTIC FILM

No person shall sell, offer for sale, or deliver, or offer for delivery, or give away any plastic bag or partial plastic bag intended for domestic or household use, or for packaging articles intended for domestic or household use, or which is so designed or decorated so as to encourage its use as a toy, the length and width of which when added together totals 25 inches or more and the opening of which when shaped into the form of a circle has a diameter of seven inches or more; and the material of which is less than one mil in thickness; unless such plastic bag bears the following warning statement, or such warning statement which the Department of Public Health has approved as the equivalent thereof:

"WARNING: To avoid danger of suffocation, keep this plastic bag away from babies and children. Do not use this bag in cribs, beds, carriages or play pens. This bag is not a toy."

Such warning statement shall be imprinted in a prominent place on the plastic bag or shall appear on a label securely attached to the bag in a prominent place, and shall be printed in legible type which shall be contrasted by typography, lay-out or color from the contents of the bag and from other printed matter on the bag, if any.

The size of the print of such statement shall be as follows:

Table 1

<u>Total length and width of bag</u>	<u>Size of print</u>
60 inches or more	At least 24 point
40 inches to, but not including 60 inches	At least 18 point
25 inches to, but not including 40 inches	At least 14 point

In the case of bags whose total length and width is more than 40 inches, the label shall be repeated at intervals of 20-inches or less.

Whoever violates any provision of 105 CMR 630.000 shall be punished by a fine of not more than \$100.00 for the first offense, nor more than \$500.00 for any subsequent offense.

REGULATORY AUTHORITY

105 CMR 630.000: M.G.L. c. 111, § 5D.