



DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
ENVIRONMENTAL PROTECTION & SUSTAINABILITY DIVISION

PLASTIC DISPOSABLE FOODWARE ORDINANCE NO. 5084

UMBRELLA EXEMPTION POLICY
FOR TEMPORARY EXEMPTION DUE TO SHIPPING AND SUPPLY DELAYS

Under Ordinance No. 5084, plastic disposable foodware is prohibited from use, sale, or provision in Maui County. Parties may apply to the Department of Environmental Management (DEM) for a Temporary Exemption Due To Shipping and Supply Delays. If a Wholesale Distributor receives Director's approval for specific products under this type of temporary exemption, their customers using or purchasing these products will be allowed the same exemption under the "Umbrella Exemption Policy," under the same terms and for the same duration of time.

* NOTE: These conditions apply ONLY to Wholesale Distributors and their customers that have been granted written approval by the DEM Director for this specific exemption type.

- In order to comply with this Policy, the **Wholesale Distributor** must provide their customers with:
 1. This "UMBRELLA EXEMPTION POLICY" sheet for the customer's reference.
 2. "ANNOUNCEMENT OF TEMPORARY WHOLESALER DISTRIBUTOR UMBRELLA EXEMPTION" sheet
 3. Template for the "NOTICE OF TEMPORARY EXEMPTION" to be posted in the customer's place of business, near point of sale.

- **Customers that are covered under the Umbrella Exemption** must post in an area visible to the public the "NOTICE OF TEMPORARY EXEMPTION" at all retail or food service establishment locations in order to remain in compliance with the Policy for the purposes of:
 - a) Ensuring wholesale foodware distributors are compliant with the Allowed Temporary Exemption(s); and
 - b) Notifying the public that the business is temporarily exempted from compliance with Ordinance No. 5084 for certain plastic products.

Please visit the Plastic Free Maui County web page at www.mauicounty.gov/plasticfree for more information regarding Plastic Disposable Foodware Ordinance No. 5084.

The Environmental Protection & Sustainability Division thanks you for working together toward a Plastic Free Maui County and can be reached by phone: (808) 270-7880, or by email: recycle.mau@mauicounty.gov.