

Basics of New Single-Use Utensils Law

[Bill S3195](#)

Overview

On January 20 of 2026, [Bill S3195](#) was passed and signed into law in the State of New Jersey. **Effective as of August 1, 2026, this bill prohibits food service businesses from providing single-use utensils and condiments to customers in an effort to reduce single-use utensils and condiments.** This law does NOT apply to napkins, but does apply to single-use utensils, condiment packets, and plastic straws.

Clean Communities Programs are tasked with running the educational programs for this law.

Who Has To Comply?

Food Service Businesses that must comply are:

- Casual Dining
- Full-Service Dine-In
- Full Service Take-Out

As defined in the law, full-service restaurants are food service businesses “whose primary NAICS classification in accommodation and food services is 722511, or any successor classification code as designated by the NAICS”

To determine this, please visit [NAICS Code Description](#), or scan the QR code.

Anything not included in the NAICS code is considered casual dining.

NAICS Code Description



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Exemptions

The following entities are permanently exempt from this:

- All public and nonpublic K-12 schools
- Health care facilities licensed under New Jersey’s Health Care Professional Responsibility and Reporting Enhancement Act
- All county and state correctional facilities

Food service businesses located in food courts are temporarily exempt until August 1, 2028.

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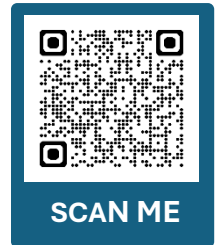
Rules to Follow

Item	Full-Service Dine-In	Full-Service Take-Out	Casual Dining (All)
Utensils	Must use reusable	Only if requested <i>online</i>	Only if customer asks
Plastic Straws	Only if requested	Only if requested	Only if requested
Condiments	Use bottles/cups	Only if requested <i>online</i>	Only if customer asks
Self-serve Condiment Stations	N/A	N/A	Allowed
Self-serve Utensil Stations	N/A	N/A	Not Allowed
Self-serve Utensil Dispensers	N/A	N/A	Allowed
Self-serve Plastic Straw Dispensers	N/A	N/A	Not Allowed
Self-serve Plastic Straw Stations	N/A	N/A	Not Allowed

Please refer to the following table as a quick reference guide for what businesses are allowed to distribute these materials in accordance with their classification.

For additional assistance in understanding this law, please visit [NJDEP| Get Past Plastic | Restaurant Guide](#) or scan the following QR Code. This webpage includes how to train staff and calculating restaurant savings.

NJDEP Restaurant Guide



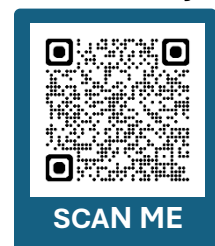
Education Tools

The MCMUA Clean Communities program has created a general business letter and flyer for business use. The purpose of these are to 1) educate the businesses on how to comply with this law and 2) inform customers that they need to request single-use plastics at select establishments.

For additional educational information, please visit [NJDEP| Get Past Plastic | Outreach Toolkit](#) or scan the following QR Code.

If you have any questions about this law, please reach out to the Morris County Clean Communities Coordinator at mchavanne@co.morris.nj.us.

NJDEP Food Service Flyers



Detailed List of Single-Use Rules Dependent on Food Service Classification

Single-Use Plastic Products in New Jersey

An item is considered “single-use” when it is typically used once and then promptly discarded.

	Casual Dining	Full-Service Dining	Food Courts	Schools	Retail Stores	Grocery Stores
Single-Use Utensils	📄	📄	E**	✓	📄	📄
Plastic Bags	🚫	🚫	🚫	N/A	🚫	🚫
Paper Bags	✓	✓	✓	N/A	✓	🚫
Polystyrene Foam	🚫	🚫	🚫	🚫	🚫	🚫
Plastic Straws	📄	📄	📄	📄	📄	📄
Condiment Packets	📄	📄	E**	✓	📄	📄
Utensil & Condiment Bundles	🚫*	🚫*	E**	✓	🚫*	🚫*
Napkins	✓	✓	✓	✓	✓	✓

* The ban on bundled utensils and condiments begins August 1, 2027.

** Rules for Casual Dining will apply beginning August 1, 2028.

KEY				
🚫 Banned	✓ Allowed	E Exempt	📄 Online Orders Only	📄 By Request Only

Visit the NJDEP Website at [NJDEP| Get Past Plastic | Home](#) for more information