

May 11, 2026

**To:** The Honorable Jesse Bjorkman, Chair  
Members, Senate Labor and Commerce Committee

**From:** Lindsay Stovall  
Director, State and Regulatory Affairs

**RE: HB 25 (Polystyrene Foodservice Ban) - OPPOSE**

The American Chemistry Council (ACC) must respectfully oppose HB 25, legislation that prohibits restaurants - including coffee kiosks, grocery delis, hospital and school food operations, caterers, and concession providers - from serving prepared food in polystyrene foodservice containers and prohibits the state from purchasing or using polystyrene foodservice ware starting January 1, 2027.

While ACC strongly supports efforts to reduce plastic waste and improve the recycling and recovery of plastic packaging, we believe HB 25 takes a misguided approach that would increase costs, fail to reduce waste, and create unintended consequences for businesses, consumers, and the state.

### **Increased Costs for Consumers and the State**

HB 25 would impose **significant costs on Alaska businesses, consumers, and taxpayers**. Alternative materials can cost up to 2–3 times more, increasing operating expenses for restaurants, small businesses, and food service providers — costs that could ultimately be passed on to consumers. The Pennsylvania Independent Fiscal Office reported that replacing polystyrene clamshells with alternative materials can increase costs by up to 193%, with similarly steep increases for trays, plates, and bowls.<sup>1</sup>

The bill would likely impose substantial and ongoing costs on the state. The fiscal note does not account for potential cost increases associated with shifting away from polystyrene foodservice containers to alternative materials. To help further inform cost impacts that would likely result from HB 25, ACC commissioned an independent economic impact analysis conducted by the Policy Navigation Group (PNG) in July 2025.<sup>2</sup> The study determined that a statewide ban on polystyrene food service ware would result in significant economic impacts for consumers, businesses, and state operations, including:

- Higher consumer costs due to the increased price of alternative materials. Data from the analysis showed BioPreferred **alternatives are up to 313% more expensive** and paper alternatives are up to **276% more expensive**.
- **Household spending on restaurant meals would rise by \$5.9 - \$11.4 million** annually as restaurants would be forced to switch to costlier alternative containers.

<sup>1</sup> Pennsylvania Independent Fiscal Office, *Economic Impact from Regulation of Single-Use Plastics* (June 2020). <https://www.ifo.state.pa.us/releases/381/Economic-Impact-fromRegulation-of-Single-Use-Plastics/>

<sup>2</sup> Policy Navigation Group, *Cost Impacts of Alaska's House Bill 25*, (July 2025). <https://acrobat.adobe.com/id/urn:aaid:sc:US:1c5b8b30-aa47-48d3-863a-ece179568087>

- **Increased operating expenses for restaurants and small businesses**, many of which depend on EPS products because they are affordable, lightweight, and offer strong insulating performance.
- Restaurants would face between **\$4.5 and \$8.6 million in annual lost revenue** due to a drop in consumer demand.
- **Higher procurement costs for state agencies**, which would be required to transition to more expensive alternative products. PNG specifically analyzed the potential cost impact of HB 25 on the Alaska Department of Corrections (DOC), finding **increased annual costs of \$1.8 million to switch to paper clamshells or \$2.6 million to switch to biodegradable clamshells**. These estimates do not account for additional costs to other state agencies that would also be impacted by the policy.

Together, these findings indicate that HB 25 would likely impose recurring and substantial economic burdens across Alaska.

### Operational and Implementation Concerns

HB 25 would restrict restaurants' ability to choose packaging that best meets their performance needs and budget constraints. Requiring a shift to alternative products will likely increase operating costs without guaranteeing comparable performance, particularly for very hot or cold foods and beverages. For businesses already operating on thin margins, these added costs could impose significant financial strain.

The bill also presents **significant implementation challenges**. Its exemption provisions are vague and subjective, with no clearly defined application process and clear criteria for determining what qualifies as an "undue financial or logistical hardship."

### Polystyrene Safety

It's also important to clarify the safety of polystyrene in foodservice applications. Polystyrene has been used in food packaging for decades and is approved by the U.S. Food and Drug Administration for food contact.<sup>3</sup> FDA rigorously evaluates all packaging materials to ensure that any potential migration into food is well within safe limits. Like all food packaging materials—whether glass, aluminum, paper, or plastic—very small amounts of substances can migrate into food. However, testing shows that any potential migration of styrene from polystyrene is extremely low—approximately 10,000 times below the FDA's acceptable daily intake level. **The U.S. Food and Drug Administration and the European Food Safety Authority have both concluded that polystyrene foodservice products are safe for their intended use and do not pose a risk to consumers.**<sup>4</sup>

### Won't Reduce Waste

Proponents of HB 25 have asserted that expanded polystyrene foodservice products are not recyclable; however, that characterization overlooks the fact that EPS can be effectively recovered through densification and recycling technologies. In fact, Insulfoam currently accepts polystyrene transport packaging for recycling in Anchorage.

While polystyrene foodservice packaging is not currently recycled in Alaska, many of the alternative foodservice products restaurants and state agencies would likely transition to under this bill also lack established recycling

<sup>3</sup> [CFR-2009-title21-vol3-sec177-1640.pdf](https://www.fda.gov/oc/ohrt/cfr-2009-title21-vol3-sec177-1640.pdf)

<sup>4</sup> <https://www.efsa.europa.eu/en/efsajournal/pub/9473>

infrastructure in the state.<sup>5,6,7</sup> Policymakers should carefully consider whether it is appropriate to single out one material based on the absence of current recycling access when the proposed substitutes face many of the same end-of-life management challenges. Rather than focusing on material bans, the discussion should center on expanding recycling and recovery infrastructure for all packaging materials used in the marketplace.

HB 25 would not reduce waste so much as shift the composition of the waste stream. All packaging materials carry environmental impacts across their lifecycle, including production, transportation, and disposal. Policies targeting a single material without corresponding improvements to waste management infrastructure are unlikely to reduce overall waste or litter. Evidence from similar policies shows that bans may reduce the targeted material, but **do not meaningfully reduce overall litter**, as other materials replace it.<sup>8,9</sup> Effective waste reduction requires comprehensive, system-wide solutions rather than material substitution.

### **A Better Approach: Improve Recycling for All Materials**

A more effective approach would focus on improving recycling and waste management systems for all materials. Investments in collection, sorting, and recycling infrastructure—paired with data-driven policies such as a statewide waste needs assessment—would deliver more meaningful and lasting environmental benefits than banning a single material.

ACC has been constructively engaged in packaging recycling legislation across several states—including California, Colorado, Oregon, Hawaii, and Washington—focused on reducing waste and improving recycling for all packaging materials. A practical first step would be to consider legislation similar to Hawaii’s HB 750, enacted last year, which requires a comprehensive waste “needs assessment” to inform future waste and recycling policy decisions. Such an assessment can help answer key questions, including:

- What materials are being collected and are they being recycled or composted?
- Who currently has access to refuse, recycling, and composting collection services?
- How are collection services arranged and funded and are there any improvements in services needed?
- How are collected materials currently being processed and marketed?

For the above-mentioned reasons, we ask you to **vote no on HB 25**. Thank you in advance for considering our views. ACC remains committed to working on policy approaches that seek to increase the recycling and recovery of all packaging materials and reduce plastic waste in the environment. If you have any questions or comments, please do not hesitate to contact me at 916-448-2581 or via email at [Lindsay Stovall@americanchemistry.com](mailto:Lindsay_Stovall@americanchemistry.com).

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<sup>5</sup> [Public Works – Recycling Information – City and Borough of Juneau](#)

<sup>6</sup> [recyclerightcard2020.pdf](#)

<sup>7</sup> [Central Recycling Facility | Fairbanks North Star Borough, AK](#)

<sup>8</sup> Office of the City Auditor, City and County of Honolulu, State of Hawaii, Single-Use Polystyrene Food Containers and Plastic Bag Study (December 2018).

<sup>9</sup> [PS\\_Ban\\_Study\\_Final\\_Report.pdf](#)

<sup>9</sup> Papp, A. & Oremus, K. (2025). Plastic bag bans and fees reduce harmful bag litter on shorelines. Science.