



HB 25

Restrict Polystyrene Containers in Restaurants and Food Service

Representative Andy Josephson

Senate Labor and Commerce Committee

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What Does HB25 Do?

- Bans the use of disposable polystyrene packaging materials by restaurants and other food service operations
- The State would also be banned from using or purchasing disposable polystyrene for food service, for example on the Marine Highway system
- Does not apply to packaged food prepared out of state, nor does it apply to reusable products
- Restaurants can apply to the Department of Environmental Conservation for exemptions including for hardship
- Effective date January 1, 2027

What is Polystyrene?

A type of synthetic hydrocarbon polymer. In other words- a plastic

Two main forms:

1. Extruded polystyrene foam (XPS), best known as brand name “Styrofoam”
 - Invented by Dow Chemical in 1941
 - “Closed cell”; more rigid, buoyant, moisture resistant, and durable
 - Used in construction materials, refrigeration, floats, etc.
2. Expanded polystyrene foam (EPS)
 - “Open cell”; lighter weight, less durable, not as water resistant
 - Used in packaging material, crafts, coolers, etc.
 - Less expensive than XPS

Examples of Polystyrene Containers



The Problem with Polystyrene

- Health Hazard
 - Primary chemicals, benzene and styrene, are known carcinogens
- Environmental Hazard
 - Mistaken as food by animals
 - Used as nesting material by birds
 - Does not biodegrade
 - Breaks down into microplastic form and lives forever
- Can rarely be recycled ("Type 6" plastic)



Polystyrene Food Ware Waste

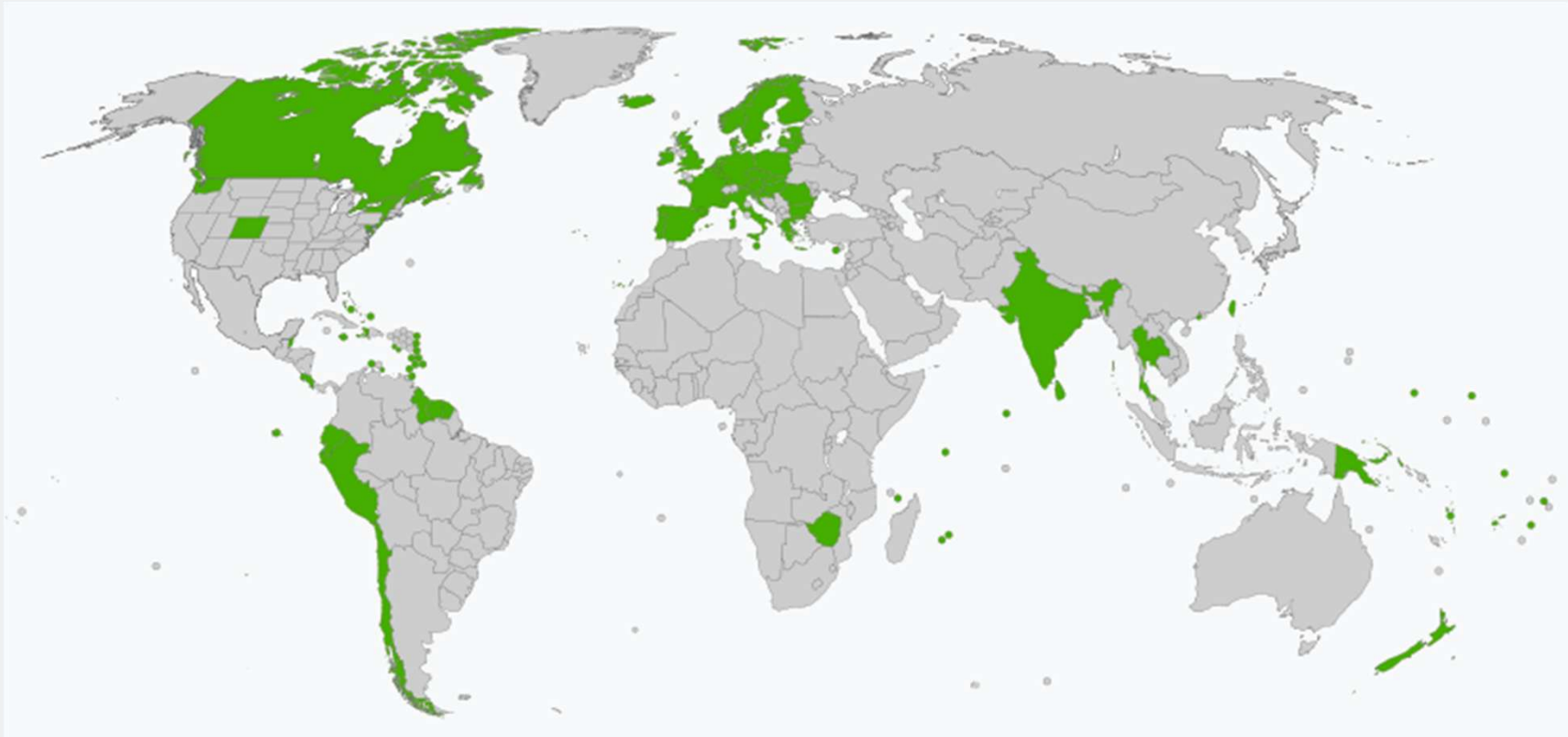
- Ocean Conservancy estimates that at least 5.6 billion pieces of plastic foam is used by Americans each year
- International Coastal Cleanup volunteers have collected 8.7 million pieces of plastic foam. This is their seventh most common item. (#1 and #2 are cigarette butts and plastic beverage bottles)
- Ocean Conservancy survey found that 22% of all U.S. takeout and food delivery orders included plastic foam food ware packaging.
- 80% of Americans reported receiving plastic foam food ware with their takeout and delivery orders in the preceding two-weeks
- At least 2.5 billion pieces of foam food ware are mistakenly put into recycling systems each year, contaminating the stream of materials

Global Trends Away from Polystyrene

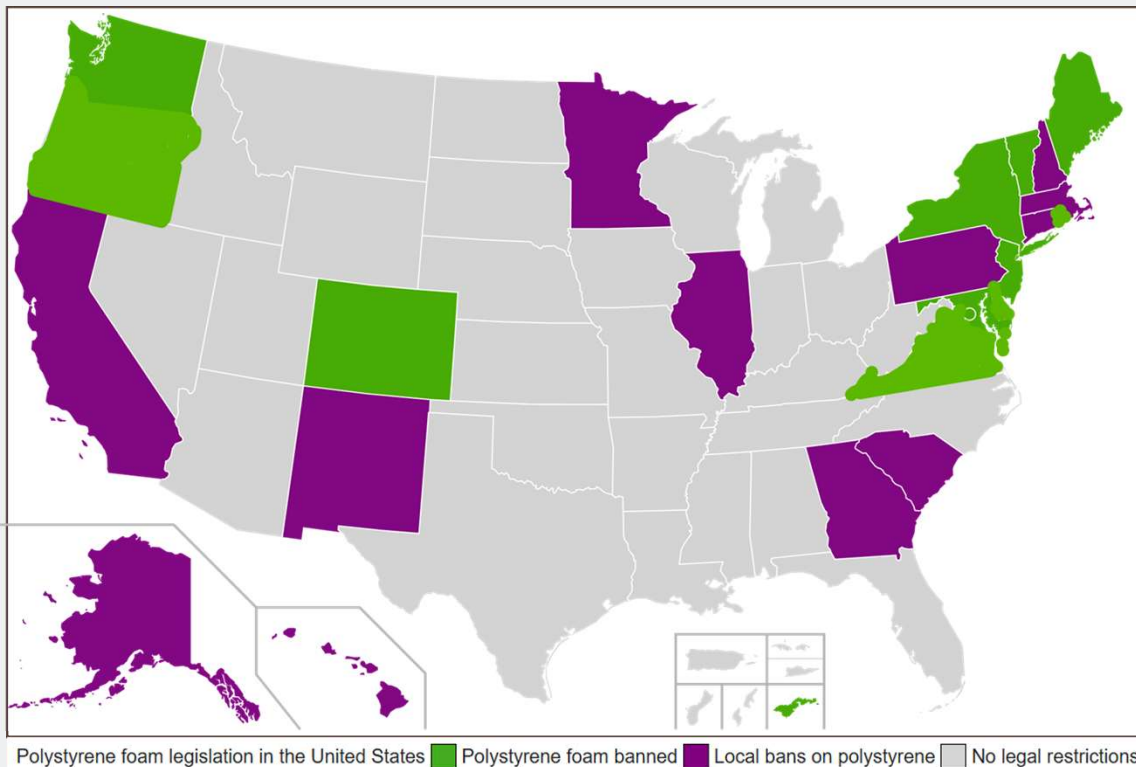
- Jon Huntsman invented the “clamshell” sandwich box in 1974, sold the design to major fast food chains, and died a billionaire
- Despite the benefits (keeping burgers warm, leak proof), McDonalds began phasing out polystyrene in the 1990s
- Last McD’s foam coffee cups eliminated in 2018



69 Countries Have Banned Polystyrene Food Ware



11 States, plus DC and American Samoa also have bans



- Ten states and the District of Columbia have added statewide bans since this bill was first introduced
- Twelve other states have partial or local bans
- Alaska is shown because of local bans in Bethel, Cordova, and Seward

Public Sentiment and Government Response

- Three-quarters of Americans are concerned about plastic foam litter
- Over 70% of Americans would support a national ban on foam food ware
- Maryland, the first state to ban restaurant polystyrene food ware, found a 65% decline in plastic foam food ware items collected as part of the International Coastal Cleanup
- The *Farewell to Foam Act* was introduced in the previous U.S. Congress; would have required food service providers, manufacturers, distributors, and retailers to transition to alternative materials by January 1, 2026

QUESTIONS?