



FOODSERVICE PACKAGING  
INSTITUTE®

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March 7, 2025

**House Bill 25 – “An Act relating to disposable food service ware; and providing for an effective date.”**

Dear Co-Chair Fields, Co-Chair Hall and Members of the House Labor & Commerce Committee,

Thank you for the opportunity to provide comments regarding *House Bill 25 - “An Act relating to disposable food service ware; and providing for an effective date”* (HB 25), which we respectfully oppose.

Founded in 1933, the Foodservice Packaging Institute (FPI) is the leading authority on foodservice packaging in North America. We support the responsible use of all foodservice packaging, while advocating for a fair and open marketplace for all materials. FPI’s core members include raw material and machinery suppliers as well as packaging manufacturers, which represent approximately 90 percent of the industry. Additionally, some distributors and purchasers of foodservice packaging are part of FPI’s affiliate membership.

FPI supports policies and programs that result in more recycling and/or composting of foodservice packaging. However, we oppose restrictions that limit the use of any foodservice packaging. We believe that each foodservice package must compete in the marketplace based on its own merits of product performance and suitability, price competitiveness and, of course, impact on the environment.

**It is important to recognize that HB 25 proposes both a ban on foam polystyrene and a mandate that all food service ware be “biodegradable or compostable”,** extending the proposed prohibitions to a broad range of food service ware. Furthermore, the current definition of “biodegradable or compostable” does not align with industry standards and may be unachievable.

We believe a free-market approach empowers restaurants to choose the most effective products that align with their business model, ensuring flexibility, efficiency, and cost-effectiveness. Based on various FPI surveys of foodservice operators, we know that cost and performance are two of the most important criteria in selecting products for their operations. Foam polystyrene food service ware may address those criteria.

We understand that foodservice packaging, like all products, impacts the environment. However, foam polystyrene in its very essence is foam, meaning that it is 95 percent air and utilizes very little resin. In addition to minimal material use, looking at impacts such as water and energy, foam polystyrene further demonstrates its value from an overall lifecycle perspective.

Recycled foam polystyrene can be turned into new products. The industry – through FPI’s Foam Recycling Coalition (FRC) – has proactively led efforts to increase the recycling of foam polystyrene. Thanks to the voluntary efforts of the FRC, approximately eight million additional people in the U.S. and Canada have access to foam polystyrene recycling. More information on foam polystyrene recycling opportunities and U.S. end markets is available [here](#).

FPI encourages the development of policy to support the expansion of infrastructure to improve the recovery of all foodservice packaging. Such a policy approach would work to amplify the efforts and progress of initiatives that support the circular economy, like the FRC, rather than introducing product restrictions that will have unintended consequences.

**As outlined above, it is our position that the proposed bans and restrictions on food service ware will have a negative impact on the foodservice industry, creating compliance challenges, limiting material choices and availability, and potentially increasing costs.**

We appreciate your consideration of this feedback and our opposition to HB 25.

Sincerely,

A handwritten signature in purple ink that reads "CPatterson".

Carol Patterson  
Vice President, Government Relations  
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