

## **Background for proposed Bylaw Sect. 8.14 REGULATION OF POLYSTYRENE & DISPOSABLE FOOD SERVICE CONTAINERS**

**Background:** This is a new bylaw for the Town of Reading that will prohibit food establishments within the Town from using or distributing disposable food service containers made from foam polystyrene or rigid polystyrene, or polystyrene cutlery or other polystyrene single-use disposable products.

What is polystyrene? Polystyrene is a particular type of plastic. It may be labeled with the recycling number “6” or “PS6.” It comes in two forms which, in the bylaw, are called foam polystyrene and rigid polystyrene.

- Foam polystyrene appears as a solid foam material. (It is sometimes called “Styrofoam” which is actually a Dow Chemical Co. trademark.) It is commonly used to make opaque cups, bowls, plates, trays, clamshell containers, meat trays, and egg cartons.
- Rigid polystyrene is commonly used to make clear clamshell containers, and clear or colored cups, plates, straws, lids, and utensils. It is relatively strong and stiff but brittle.

What is a polystyrene food service product? The bylaw addresses the kinds of items listed above that are provided as disposable, single-use cups, lids, plates, bowls, utensils, straws, clamshells, etc. for serving, consuming or transporting food or beverages for dining, take-out or delivery, or for leftovers from meals in a restaurant.


What is the problem?




- Polystyrene is based on styrene, a neurotoxin and probable carcinogen. It is the only plastic used in food packaging that is based on a carcinogen. Polystyrene resin usually contains a small percentage of residual styrene that can leach out of the plastic. Styrene leaching increases with temperature and with certain foods (alcohol, oils or fat).
- Polystyrene items harm wildlife. The foam form is often mistaken as food by both domesticated and wild animals.
- Polystyrene is not biodegradable. It fragments through mechanical action and photodegradation in the presence of light; the process takes an estimated 200+ years to complete.
- Polystyrene is almost never recycled due to its low value. The bulky foam form is not accepted in curbside recycling programs. The rigid form even when collected curbside is never recycled.

What is the fix?

The purpose of this bylaw is to limit the distribution of polystyrene food service containers and utensils by food establishments in the Town and to encourage establishments to switch to similar items made of healthier and more environmentally friendly materials, or to switch to reusable food service items, or to adopt other approaches that do not require such containers or utensils.

Appropriate alternative products are readily available from vendors and are already in common use. The same products are available in several other materials all of which are more eco-friendly and safer than polystyrene including alternative plastics that are recyclable. Indeed, the alternatives are more common in Reading than is polystyrene.

**Possible Alternatives to Polystyrene **:

- ❖ Paper
- ❖ Polyethylene Plastics 
- ❖ Aluminum
- ❖ Polypropylene Plastics 
- ❖ Compostable
- ❖ Miscellaneous Plastics 

Who is affected? This bylaw applies to food establishments which includes restaurants, mobile food vendors, caterers, public and private schools, farmers markets, civic or religious centers or facilities, any building owned by the Town of Reading, and any establishment requiring a permit to operate in accordance with the State Food Code.

Will it hurt? Not much.

Based on the recommendation from local businesses during our one-on-one engagement efforts, the Reading Climate Advisory Committee used a popular online, bulk retailer Webstaurant Store ([www.webstaurantstore.com](http://www.webstaurantstore.com)), to price generic takeout food containers. We have examined small and large items, purchased by the case, for polystyrene products and their alternatives. Prices were evaluated at a single case rate, and then a per unit price was calculated for comparison. The table shows the results and the differences on a per unit basis. Prices of cups which are intended to serve hot beverages includes the cost of paper sleeves. The table shows that the prices are comparable within pennies.

**Table 1: Cost comparison between polystyrene products and proposed alternatives**

Item	Description	Cost [\$/un.]	Cost dif. [¢]
8 oz. White Foam Coffee Cup	8 oz. White Foam Cup - 1000/case	0.049	
8 oz. Paper Coffee Cup	Choice 8 oz. White Poly Paper Hot Cup - 1000/case	0.036	
Sleeve for 8 oz cup	Choice 8 oz. Printed Coffee Cup Sleeve / Jacket / Clutch	0.026	+ ¢ 1.30
20 oz. White Foam Cup	Dart 20J16 20 oz. White Foam Cup - 500/Case	0.12	
20 oz. Paper Coffee Cup	Choice White Poly Paper Hot Cup - 20 oz. - 600/Case	0.08	
20 oz. Paper Coffee Sleeve	Choice 10-24 oz. Printed Coffee Cup Sleeve / Jacket / Clutch - 1200/Case	0.035	- ¢ 0.50
Polystyrene plate	Dart 9PWC Concorde 9" White NonLaminated Road Foam Plate - 500/case	0.065	
Sugarcane plate	EcoChoice Biodegradable, Compostable Sugarcane/Bagasse 9" Plate - 500/case	0.086	+ ¢ 2.10

Big Black Polystyrene Takeout Container	Genpak SN200-BK 9" x 9" x 3" Black Hinged Lid Foam Container	0.23	
Big Sugarcane Takeout Container	EcoChoice Compostable Sugarcane / Bagasse 1 Compartment Take-Out Box 9" x 9" x 3" - 200/Case	0.22	- ¢ 1.00
Small Polystyrene Takeout Container	Dart 50HT1 5" x 5" x 3" White Foam Hinged Lid Container - 500/Case	0.082	
Small Sugarcane Takeout Container	EcoChoice Compostable Sugarcane / Bagasse 5" x 5" x 3" Take-Out Container - 500/Case	0.11	+ ¢ 2.80
Polystyrene Fork	WeGo Black Polystyrene Fork Dispenser Refill - 1000/Case	0.037	
Polypropylene Fork	WeGo White Polypropylene Fork Dispenser Refill - 1000/Case	0.038	+ ¢ 0.10
Polystyrene Cutlery Pack	Visions Heavy Weight Black Wrapped Plastic Cutlery Pack with Napkin - 500/Case <b>NOTE: 25% sale</b>	0.06	
Polypropylene Cutlery Pack	Choice White Medium Weight Wrapped Plastic Cutlery Pack with Napkin and Salt / Pepper Packets - 500/Case	0.058	- ¢ 0.20

What is not covered? The following are not subject to the prohibitions of this bylaw:

- Prepackaged meat and produce trays, egg cartons, and other food or beverage products bought from or packaged by a supplier other than the food establishment. So, food purchased in polystyrene containers may be sold in those containers.
- There is no constraint on the sale of polystyrene food service items, such as picnic supplies, that are purchased by an individual for private use.
- There is no constraint on the sale of polystyrene items unrelated to food service such as packaging peanuts or freezer chests.

When will this bylaw be implemented? The bylaw will become effective six months after it is posted which would mean summer 2023. It will be administered by the Public Health Director who can authorize six-month waivers for those who need them.