Champion a Plastic Waste Free Illinois

SB100 (Fine) / HB2376 (Gong-Gershowitz)

What does the EPA-DISPOSABLE FOOD CONTAINERS bill do?

Removes polystyrene foam food ware from the Illinois market on January 1, 2024. Provides an extra year for compliance for small business and institutions like food pantries.

“Every day, people throw away tons of plastic ‘stuff’ — packaging, bags, takeout containers, and more. All of this waste clogs our landfills and incinerators, trashes our parks, litters our streets, and washes into our rivers and lakes, where it can persist in the environment for hundreds of years. Some plastic just doesn’t belong in 2023, especially single-use plastics. Scientists have discovered plastic pollution in every corner of the globe, from mountain tops to ocean trenches, and inside our own bodies. Styrene, a building block of polystyrene, is likely a human carcinogen, creating health risks in production, use, and disposal. And too often wildlife mistake plastic for food and are harmed or starve. It’s time to move beyond single-use plastic, by getting rid of the most harmful waste, and stopping the use of things we truly don’t need.” -Coalition for Plastic Reduction, 2023

Policy Details

- a retail establishment may not sell or distribute in this State a disposable food service container that is composed in whole or in part of polystyrene foam
- shall not apply to these establishments (food pantries, soup kitchens, not-for-profit corporations that provide food to needy individuals at no or nominal charge, federal, State, or local governmental agency that provides food to needy individuals at no or nominal cost)
- shall not apply to a restaurant with an annual gross income under $500,000 per location as stated on the restaurant’s income tax filing for the most recent tax year
Definition of Terms

This act defines “Disposable food-service container” meaning service ware for one time use. This terminology is most relevant to take-out food containers, bakery product packaging, and leftover take-home containers. Products used to transport, keep cool, or or contain raw meat and other perishable items are exempted. The definition of “Polystyrene Foam” in the text of the bill is blown polystyrene and expanded or extruded foams using a styrene monomer. Other terms defined include “Restaurant”, “Service Ware”, and “Retail Establishment”.

Impacts of Polystyrene

Polystyrene foam is known to have negative impacts on human health and environmental well-being. Small amounts may be eaten when styrene migrates into foods from packaging made of polystyrene (CDC). Hydrocarbons required in the production of polystyrene may react with nitrogen oxides creating a dangerous air pollutant (ozone) at ground level. Burning polystyrene for disposal causes byproducts that can harm the nervous system and emit styrene gas into the atmosphere.

In addition to endangering human health, polystyrene foam also harms the environment. Polystyrene breaks down slowly, and foam can release chemicals into the atmosphere that affect drinking water supplies. The production of polystyrene produces hazardous toxins and contributes to climate destabilization. The ozone-depleting chemicals hydrochlorofluorocarbons are often used in the production of expanded polystyrene (Children's Environmental Health Network).

The Takeaway

By taking action to ban this harmful material in consumable products that Illinoians come in contact with everyday, we can take steps to reduce environmental harm, disease, and chronic illness while leading Illinois businesses into the future of green commerce.