



BAN SINGLE-USE EPS FOAM FOOD-SERVICE CONTAINERS

Senate Bill ## | House Bill ##

DID YOU KNOW?

Foam containers made from expanded polystyrene (EPS) are a serious problem. Inexpensive, lightweight, and nearly indestructible, EPS litter is deposited into waterways and the oceans, where it degrades into increasingly smaller pieces, called microplastics. These pieces absorb toxic chemicals and are easily mistaken for food by marine life, injuring and killing fish, seabirds, and marine mammals.

Food containers, packaging, and plastic bags are the largest share of marine debris,ⁱ and EPS is a major component. In some locations, EPS is the largest share of litter in streams, and is the second largest type of debris on many beaches.ⁱⁱ Americans alone use a staggering 25 billion foam cups every year.ⁱⁱⁱ



We are facing a plastic pollution crisis. On our present course, there likely will be more plastic in the oceans than fish by weight within 30 years.^{iv}

EPS food containers are banned in Montgomery and Prince George's Counties, and bans go into effect in Annapolis, Baltimore, and Rockville this year. Foam food service products are easily replaced with a variety of recyclable and compostable alternatives already in wide use. In Montgomery and Prince George's Counties, surveys show that compliance is high, and businesses are using alternative products with little, if any, adverse impact.

Maryland must ban single-use EPS food-service containers statewide.

WHAT IS EPS?

Polystyrene is a petroleum-based plastic derived from styrene and benzene. Single-use food service containers and loose-fill packaging “peanuts” are made from expanded polystyrene (EPS). EPS is made from polystyrene beads stretched out through a steaming and molding process, which are then cut into a wide variety of products.

WHAT WILL THE BILL DO?

The bill would prohibit the sale of EPS food service products, and selling or serving food in these products, by food service businesses and schools. The prohibition would go into effect in January 2020.

A public information campaign would be conducted by the Maryland Department of the Environment both before and after the prohibition’s effective date, which would include outreach to affected businesses and schools. County health departments would handle enforcement. A temporary waiver would be available to businesses and schools based on undue hardship or practical difficulties.

WHY NOT RECYCLE EPS?

EPS foam is not conventionally recyclable. It’s very difficult to clean and is physically fragile, contaminating other, more valuable materials when put into collection bins at curbside. Most importantly, markets don’t exist for recycled food-service foam.^v Even if EPS could be recycled, that would not prevent the EPS foam litter which is so harmful to the marine environment. The best solution is to dramatically reduce our use of single-use EPS food containers by banning them statewide NOW!.

WANT TO KNOW MORE?

For more information or to volunteer, contact us:

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Image sourced from: Paulo Oliveira / Alamy Stock Photo

ⁱ <https://www.cleanwater.org/problem-marine-plastic-pollution>

ⁱⁱ https://www.cleanwater.org/files/publications/ca/cwa_fact_sheet_polystyrene_litter_2011_03.pdf

ⁱⁱⁱ <https://www.cleanwater.org/problem-marine-plastic-pollution> // www.earthday.org/2018/04/18/fact-sheet-how-much-disposable-plastic-we-use/

^{iv} <https://www.weforum.org/press/2016/01/more-plastic-than-fish-in-the-ocean-by-2050-report-offers-blueprint-for-change/>

^v Garcia, Kathryn. Determination on the Recyclability of Food-Service Foam. NYC Department of Sanitation, May 12, 2017.