



City of Albany

405 Kains Avenue, Albany, CA 94706
510.528.5710 • www.albanyca.org

NEWS BULLETIN

Polystyrene Foam Food Service Ware Banned by the City of Albany



THE CITY OF ALBANY has joined Berkeley, Emeryville, Hercules, Oakland, Richmond, San Francisco and nearly 100 additional cities nationwide in banning the use of polystyrene foam food service ware.

Albany's Ordinance, #08-02, goes into effect in September 2008 and requires a transition to the use of biodegradable, compostable and recyclable food service ware by all food vendors and City facilities.

The ban on polystyrene foam food service ware is intended to help further the efforts taken to date to "green" our city, with a goal to reduce Albany's impact on the environment. Many community members have expressed strong support for this program.

Passing this ordinance helps improve our quality of life, the natural environment, waterways and wildlife, and helps advance the City's goal of a 75% Waste Diversion Rate including reducing greenhouse gas emissions 25% below 2004 levels by the year 2020.

FREQUENTLY ASKED QUESTIONS

What is Polystyrene Foam and Why is it Banned?

Sometimes called Styrofoam (a Dow Chemical Company trademark), polystyrene foam is commonly used for disposable food service containers such as cups, plates and “clam-shell” boxes. Polystyrene can be harmful to the environment and to human health.

- The “life” of these containers is very short. Mostly, they are used once then thrown away. It floats and is easily blown from disposal sites even when disposed of properly.
- Polystyrene exists in the environment for years, breaking down into small, non-biodegradable pieces that are ingested by marine life and other wildlife, harming or killing them.
- Evidence suggests that a component of polystyrene foam, styrene, is a carcinogen and neurotoxin. It may leach from containers into food and drink, posing a potential health risk. Styrene has been detected in the fat tissue of every man, woman and child tested in a 1986 EPA study.
- Polystyrene manufacturing is the fifth largest creator of hazardous waste in the United States (*Environmental Protection Agency*) and compromises 15% of the litter collected in storm drains (*State of California*). Its environmental impacts were second highest, behind aluminum, in the cycle of product manufacturing, use and disposal of the products, the energy consumption, greenhouse gas effect, and total environmental effect (*California Integrated Waste Management Board*).

What is Biodegradable or Compostable Recyclable Food Service Ware?

“Biodegradable” means the entire product or package will completely break down and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time after customary disposal.

“Compostable” means all materials in the product or package will break down into, or otherwise become part of, usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner in an appropriate composting program or facility, or in a home compost pile or device.



“Recyclable” means the product can be recycled as a regular material accepted as part of the City’s Recycling Program, including plastic containers with the symbol 1-7.

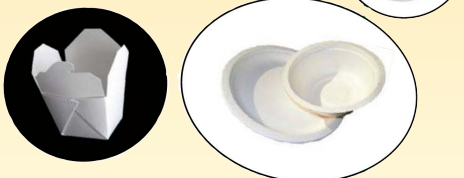
What are the Alternatives to Polystyrene Foam?

Alternatives are widely available and used in other cities with polystyrene foam bans. Many restaurants and cafes already use paper cups and plates because they are affordable and effective.

Alternative products include:

- Uncoated Paper
- Coated paper
- Cardboard
- Bio-products
- Other plastics

Bio-products are manufactured from renewable resources such as corn starch, sugar cane, or a combination of bamboo, tapioca and water. “Bio-plastics,” a subset of bio-products, are relatively new products with performance and physical characteristics of plastics but made from plant products and byproducts instead of petroleum. These products can be composted. Like plastic and paper products, many bio-plastics can be customized with business logos.



Where Are Alternative Food Service Products Available?

The City has a list of available biodegradable/compostable or recyclable food service ware and suppliers for food vendors at:

www.albanyca.org

or, e-mail to greenalbany@albanyca.org

Ask your current supplier for an alternative to styrofoam that is compostable or biodegradable.

Any Benefits for Food Service Providers?

Yes! This is an opportunity for your business to “green” its practices.

Businesses can also save money with simple changes to their waste services – here’s how:

Obtain organics/food scraps service. All food waste, food soiled paper, and compostable / biodegradable food service ware can go in the organics container.

Save Money! Organics service rates are subsidized by the City and are 50% less than trash rates. This allows you to reduce the size of your trash container & trash costs.

Ready to save money and reduce trash? Contact the service provider, Waste Management of Alameda County to obtain organics service: (510) 613-2104.

What is the Cost?

Generally, alternatives to polystyrene foam cost a few cents more per item and vary in price depending on the product type, weight, and durability. The actual cost to a food vendor to switch to an alternative product will be largely dependant on the amount and types of disposable food service ware the vendor currently uses. For example, compostable plastic cups (for cold drinks) and clamshells (for salads) are generally the same price as plastic cups and plastic clam shells, depending on the distributor. In instances that a vendor wishes to use a food service ware product that is not affordable, the food vendor may charge a “take out fee” to customers to cover the cost difference.

To Whom Does this Ordinance Apply?

All City of Albany facilities, franchises, contractors and vendors doing business in City facilities or on City projects within the City, and, to all retail food vendors — restaurants or retail food vendors, itinerant restaurants, pushcarts and food trucks; stores, shops, sales outlets or other establishments (including grocery stores and delicatessens) selling prepared food, either eaten on the premises or taken out.

What Food Service Containers are Banned?

All polystyrene foam used for disposable food service: containers and packaging, cups, plates, “clam-shell” boxes, bowls, trays, cartons, cups, lids, straws, forks spoons, knives and other items designed for one-time use, including items for take-out foods and/or leftovers.

Are there Exemptions?

- A food vendor may be exempt if the City Administrator finds that a suitable biodegradable or compostable recyclable alternative does not exist, and/or that imposing the requirements of this ordinance on that item or type of disposable food service ware would cause undue hardship.
- Also exempt: raw, butchered meats, fish and/or poultry sold from a butcher case or similar retail appliance.

What About Liability, Enforcement and Penalties?

If the City Administrator or his/her designee determines that a violation has occurred, a written warning notice of the violation will be issued to the Food Vendor. If subsequent violations occur, penalties apply, including escalating fines.