



FOAM BAN NOTICE

Mayor de Blasio announced that New York City's ban on single-use foam products went into effect January 1, 2019, following the dismissal of a lawsuit preventing the implementation of the ban. This means that food service establishments, stores, mobile food commissaries and manufacturers may not possess, sell, or offer for use single-service Expanded Polystyrene (EPS) foam food service articles or loose fill packaging, such as "packing peanuts" in New York City beginning in 2019. The de Blasio administration will work with businesses to ensure they understand the law and help them transition to new materials to replace foam products.

Banned Items:

Polystyrene foam single-service items including cups, bowls, plates, take-out containers, and trays.

Polystyrene loose fill packaging, commonly known as packing peanuts.

Exceptions:

Expanded polystyrene containers used for prepackaged food that have been filled and sealed prior to receipt by the food service establishment, mobile food commissary, or store.

Expanded polystyrene containers used to store raw meat, pork, fish, seafood or poultry sold from a butcher case or similar retail appliance.

Note: Foam blocks used as protective packaging in shipping are not covered under this law.

Affected Businesses:

This ban affects any business that sells or uses EPS and is located or operates within any of the five boroughs of New York City.

Small businesses with less than \$500,000 in gross income for the most recent tax year and non-profits may apply for hardship exemptions from the Department of Small Business Services (SBS) if they can prove that the purchase of alternative products not composed of EPS would create a financial hardship. SBS will begin accepting applications for hardship waivers in fall 2018. For more information, please visit nyc.gov/foamwaiver.

Alternatives:

There are many alternative packaging options available including aluminum, rigid plastics, uncoated paper, glass, and compostable items. DSNY encourages everyone to explore and use reusable, returnable and/or refillable containers. Contact your packaging distributor about alternatives to foam products.

For More Information:

Reach out to the New York City Department of Sanitation for more information by visiting www.nyc.gov/dsny or calling (212) 639-9675.

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