

1 [Support of Food Service and Packaging Waste Reduction Ordinance File Number: 160383]

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3 **Resolution urging the Board of Supervisors and the Mayor to adopt File**
4 **Number 160383, an Ordinance amending the Environment Code to prohibit the sale of**
5 **food service ware and other specified products including packing materials that are**
6 **made from polystyrene foam or that are non-recyclable and non-compostable.**

7 WHEREAS, The City and County of San Francisco has a duty to protect the
8 environment, the economy and the health of its citizens; and,

9 WHEREAS, Polystyrene foam (blown, expanded or extruded polystyrene) is an
10 environmental pollutant that is commonly used for packaging and as food service ware in the
11 City and County of San Francisco; and,

12 WHEREAS, Due to the physical properties of polystyrene foam, the U.S.
13 Environmental Protection Agency (EPA) states “that such materials can have serious impacts
14 upon human health, wildlife, and aquatic environment, and the economy; and,

15 WHEREAS, Polystyrene foam packaging and food service ware cannot be recycled
16 through San Francisco’s recycling (blue bin) collection program and is otherwise difficult or
17 impossible to recycle, and is not compostable. Compostable or recyclable packaging and
18 food service ware are an affordable, safer, more ecologically sound alternative; and,

19 WHEREAS, Disposable food service ware and packaging foam constitute a source of
20 litter on San Francisco’s street, parks, and public places, and the costs of managing litter is
21 substantial; and,

22 WHEREAS, The Bay Area Stormwater Management Agencies Association and
23 Caltrans found that between 8 to 15% of plastics in San Francisco storm drains are
24 polystyrene foam. The San Francisco Estuary Institute found that 8% of the microplastics
25 entering San Francisco Bay from wastewater treatment facilities are polystyrene foam. And a

1 recent study concluded that 71% of the microplastics found in the Los Angeles and San
2 Gabriel Rivers were polystyrene foam pieces; and,

3 WHEREAS, A new report by the Ellen MacArthur Foundation, World Economic Forum
4 and McKinsey & Company finds an increasing rate of plastics entering the oceans, and
5 predicts that by 2050, without significant action to reduce the flow of plastics, there will be
6 more plastic by weight in the oceans of the world than fish. A majority of these plastics
7 entering the oceans are from packaging including food and beverage containers, much of it
8 made with polystyrene foam; and,

9 WHEREAS, Polystyrene foam is a notorious pollutant that breaks down into smaller,
10 non-biodegradable pieces that are often mistaken for fish eggs by seabirds and other marine
11 life. Unlike harder plastics, polystyrene contains a chemical used in the production process
12 called "styrene" that is metabolized after ingestion and threatens the entire food chain,
13 including humans who consume contaminated marine wildlife; and,

14 WHEREAS, Styrene has been linked to cancer as well as reproductive and
15 developmental disorders by the National Research Council, and styrene leaches into food and
16 drink, according to the U.S. Food and Drug Administration; and,

17 WHEREAS, The general public typically is not warned or aware of any potential hazard
18 from styrene, particularly in the immigrant and non-English speaking community; and,

19 WHEREAS, Due to these concerns, more than 100 U.S. cities have enacted
20 ordinances banning or restricting the sale and/or use of polystyrene foam service ware and/or
21 packaging materials, and many local businesses and a number of national corporations have
22 successfully replaced polystyrene foam and other non-biodegradable food service ware and
23 packaging materials with alternative, cost-competitive products; and,

24 WHEREAS, The Department of the Environment has successfully implemented and
25 achieved nearly 100% compliance from the 5000 food establishments in the city with the 2007

1 Food Service Waste Reduction Ordinance, Chapter 16 of the Environment Code, that
2 prohibits the use of polystyrene foam and requires disposable food ware be compostable or
3 recyclable for serving prepared food. The Department has assisted businesses in identifying
4 the many affordable suitable polystyrene alternatives available; and,

5 WHEREAS, Supervisor London Breed has proposed and Supervisor Aaron Peskin has
6 co-sponsored a Food Service and Packaging Waste Reduction Ordinance that would expand
7 the 2007 ordinance to extend the prohibition to the sale or distribution of polystyrene foam and
8 non-compostable or non-recyclable food ware products. This new ordinance would also
9 prohibit the selling or distribution of polystyrene foam packaging, including polystyrene foam
10 "packing peanuts", and prohibit the sale or distribution of polystyrene foam coolers, ice chests
11 or similar containers, pool or beach toys, dock floats, mooring buoys, or anchor or navigation
12 markers; and,

13 WHEREAS, Restricting the use of polystyrene foam food service ware and requiring it
14 to be replaced with less hazardous, compostable, or readily recyclable products, and barring
15 the sale of polystyrene foam food service ware, packaging products, and other polystyrene
16 products will further protect the public health and safety of San Francisco's residents, as well
17 as its natural environment, waterways and wildlife; now, therefore, be it,

18 RESOLVED, That the Commission on the Environment urges the Board of Supervisors
19 and the Mayor to adopt the Food Service and Packaging Waste Reduction Ordinance (File
20 Number 160383) prohibiting the sale of food service ware and other specified products
21 including packing materials that are made from polystyrene foam or that are non-recyclable
22 and non-compostable; and, be it,

23 FUTHER RESOLVED, That the Commission on the Environment recognizes that the
24 Food Service and Packaging Waste Reduction Ordinance may help the City and County of
25 San Francisco meet its goal of Zero Waste by 2020 and fulfill Article 10 of the Environmental

1 Accords, in which the City committed with other cities around the globe to eliminate or restrict
2 the use of one chemical or environmental hazard each year.

3 I hereby certify that this Resolution was adopted at the Commission on the
4 Environment's Meeting on May 24, 2016.

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Anthony Valdez, Commission Affairs Manager

- Vote: 5-0 Approved
- Ayes: Commissioners Omotalade, Bermejo, Hoyos, Stephenson and Wald
- Noes: None
- Absent: Commissioner Wan