



CITY OF ARCATA

Polystyrene Foam Food Container Ordinance

Who Does this Ordinance Affect?

Any establishment, vendor, business, store, organization, group or individual:

(1) **dispensing** prepared food / beverage for dine-in or take-out (regardless of charge)
or

(2) **selling** polystyrene foam food containers and foam ice chests

Including, but not limited to:

- Cafeterias at schools and places of employment (regardless if open to the public)
- Caterers and clubs
- Convenience, liquor and grocery stores
- Mobile food vendors, carts, food kiosks and stands
- Restaurants, coffee shops, bars and pubs
- Events permitted by City of Arcata
- Retail stores
- Restaurant supply
- Party supply
- Drug stores
- Hardware stores
- Sporting goods



Ordinance Provisions

- Effective October 1, 2015, **no food provider shall dispense** prepared food or beverage using polystyrene foam food service ware, regardless of charge .
- Effective October 1, 2015, **no vendor in the City of Arcata shall sell or provide** polystyrene foam food service ware or foam ice chests/coolers.
- Polystyrene foam container includes cups, bowls, plates, trays, cartons, and hinged or lidded containers (clamshells); and polystyrene foam ice chests or coolers, unless wholly encased within a more durable material (e.g. metal with foam core).
- Food providers may choose alternative paper, plastic or reusable containers that best meet their needs.
- An exemption process is available for economic hardship caused by overstocked supplies that cannot be returned to distributors or for unique packaging needs.
- Items excluded from the ordinance include pre-packaged food such as raw eggs and raw meat; and pre-packaged food delivered to the provider and sold in the same container (e.g. ramen noodles in a foam cup).



What is Polystyrene Foam and Why is the City Banning It?

Expanded polystyrene foam (EPS) is a form of plastic that has been identified as a distinctive litter concern because it crumbles easily into small pieces, is lightweight, and easily windblown into streets and waterways that flow into the bay and eventually the ocean. It is difficult to collect by street sweepers and creek clean up volunteers. The particles are mistaken as food by birds, fish and wildlife, causing reduced food consumption and impaired intestinal tracts. Urban runoff pollutants attach to the particles and, if ingested by wildlife, can cause reproductive failure, disease or death. The ban should result in less foam litter, and result in improved water quality as required by the new Municipal Stormwater Permit.

