

# **FOAM BAN**

## **FREQUENTLY ASKED QUESTIONS**

### **Why did the District of Columbia ban foam food service products?**

The goal of the Foam Ban is to help protect the environment and human health by reducing foam litter in the Potomac and Anacostia Rivers, Rock Creek, and their tributaries. Foam food and beverage containers are one of the most common types of litter found in [trash traps](#) in the Anacostia River. Since foam is lightweight, wind and rain carry it from streets and sidewalks into storm drains where it goes directly into rivers and streams. Once in the water, foam breaks into small pieces that pollute the District's waterbodies, adhering to harmful toxics that bioaccumulate in the food chain when wildlife mistake the foam for food. Not only is foam litter unsightly, it has harmful effects on the health of the District's waterbodies, wildlife, and citizens.

The foam ban is an important part of the overall effort to restore District waterbodies so that residents can enjoy them for fishing, swimming, and boating and so that fish and wildlife will have healthy habitat where they can grow and thrive.

### **Is the District the only jurisdiction to ban foam products?**

More than 80 jurisdictions across 9 states have passed some form of a ban on foam, including San Francisco, CA, Portland, OR and Seattle, WA.

Neighboring jurisdictions of Montgomery County, MD and Prince George's County, MD in the Anacostia River watershed are also trying to reduce foam litter with foam bans that take effect in 2016.

### **Who is impacted by this law?**

Any business or organization located in the District of Columbia that sells or provides food or beverages at any time is regulated by the ban, including, but not limited to, the following:

- Restaurants
- Cafes and delis
- Carryouts
- Convenience stores
- Grocery stores
- Bakeries
- Coffee shops
- Bars and pubs
- Food trucks
- Farmer's markets
- Cafeterias

- Faith-based organizations that serve food
- Non-profit organizations that serve food
- Government agencies

### **What types of foam products are banned?**

The following types of foam food and beverage containers are banned (also known as food service ware):

- Cups
- Bowls
- Plates
- Trays
- Clamshells
- Other food service products designed for one-time use

### **What products are exempt from this law?**

- Foam that is not used for food or beverage service (for example, packing materials for shipping, like foam peanuts).
- Bags or boxes of foam cups, plates, bowls, etc. sold at stores for home/personal use.
- Foam packaging for raw meat, poultry, or seafood that will be consumed off-premises.
- Foam packaging for food or beverages that was filled and sealed outside of the District.

### **When does the District's foam ban take effect?**

January 1, 2016

### **Are there any other key dates?**

Yes, starting January 1, 2017, any business or entity located in the District of Columbia that sells or provides food or beverages may only use compostable or recyclable food service ware products. DOEE will issue regulations to define these terms and provide guidance about this requirement.

### **What do foam containers look like?**

Here are two examples of types of foam food and beverage containers:



**What types of products can I use to replace foam?**

Many products made of recyclable or compostable materials are available for serving or containing food and beverages, such as products made of rigid plastic, paper, aluminum foil, or plant-based resins.

**What types of products can I use for hot beverages and food?**

Several types of paper, aluminum, and rigid plastic containers will keep beverages and food secure and warm. Here are just a few examples of the variety of products available in non-foam materials:

Paper containers:





Aluminum containers:



Rigid plastic containers:



**How can I tell if a product is made from foam?**

Do not purchase or use items that have the following words in the product description:

- expanded polystyrene

- polystyrene
- foam
- #6 EPS

### **Where can I purchase foam alternatives that will comply with the law?**

Ask your current supplier for a list of alternative products. It is likely that they already offer food and beverage containers made of paper, rigid plastic, aluminum, or plant-based resins. DOEE's website also has a [list of vendors](#) at the bottom of the foam ban information page that carry foam alternatives.

### **Do alternative products cost more than foam products?**

Though alternative products may cost more, that cost, like the cost for foam products, is typically a very small percentage of the total cost of the food being served. Costs also depend on the type of product, supplier, and quantity ordered.

### **My company sells alternative food and beverage products. Who do I contact to be added to DOEE's vendor list?**

Contact Kate Judson at [kate.judson@dc.gov](mailto:kate.judson@dc.gov) or (202) 645-6988.

### **How can I report a business or organization that is using foam after the ban takes effect?**

Please report tips to DOEE's [Foam Ban tip line](#) or on the [DC 311 website or app](#), or call (202) 645-6988. All tips can be anonymous. A DOEE inspector will follow up by conducting an inspection of the establishment.

### **How will this law be enforced?**

DOEE conducted outreach to help regulated businesses understand the requirements and prepare to comply by January 1, 2016. DOEE conducts random inspections and responds to tips from the public. In addition to providing compliance assistance, DOEE will issue warnings and fines to noncompliant food service providers.

### **Who can I contact with more questions?**

Contact Kate Judson at [kate.judson@dc.gov](mailto:kate.judson@dc.gov) or (202) 645-6988.