

**District businesses are banned from selling or offering for sale certain products made from expanded polystyrene, commonly known as foam or Styrofoam™.**

**January 1, 2021:** The retail Foam Ban goes into effect and routine inspections begin.

**July 1, 2021:** The District begins issuing fines to retailers found to be in violation of the Foam Ban; fines range from \$100-\$800.



## FREQUENTLY ASKED QUESTIONS

### ► WHY DID THE DISTRICT OF COLUMBIA BAN FOAM PRODUCTS?

The Foam Ban is an important part of overall efforts to restore District waterbodies for residents to enjoy and so fish and wildlife have healthy habitat to grow and thrive. Foam litter is unsightly and has harmful effects on the health of the District's waterbodies, wildlife, and citizens. Foam is not recyclable and is one of the [most common types of litter](#) found 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, allowing these pieces and toxins attached to them to enter the food chain.

### ► WHERE DOES THE RETAIL FOAM BAN COME FROM?

The [Sustainable DC Omnibus Amendment Act of 2014](#) (the Act) banned the use of expanded polystyrene, commonly known as foam or Styrofoam™, in District businesses and organizations that serve food. In 2020, an [amendment to the Act](#) passed that prohibits the retail sale of certain foam products, including food ware, storage containers like ice chests and coolers, and loose-fill packaging materials like packing peanuts. Extending the Foam Ban to retail sales will further reduce the availability and consumption of foam in the District.

### ► IS THE DISTRICT THE ONLY JURISDICTION WITH A FOAM BAN?

More than 100 jurisdictions in the United States have passed some form of a ban on foam, including San Francisco, Seattle, and Portland. Our neighboring jurisdictions of Montgomery County, MD and Prince George's County, MD in the Anacostia River watershed are also working to reduce litter through foam bans that took effect in 2016. In 2020, Maryland became the first state to institute such a ban. Some of these jurisdictions' bans include the retail sale of foam and restrictions similar to those of the District.

### ► WHO HAS TO COMPLY WITH THIS LAW?

Any store or retail establishment in the District must comply with the ban on the retail sale of foam, including but not limited to:

- Grocery stores
- Drug stores
- Discount stores
- Specialty stores, like sporting goods and party supplies retailers
- Printing and shipping service locations



## ► WHAT PRODUCTS ARE BANNED FROM SALE?

The ban on the retail sale of foam includes but is not limited to the following products made from expanded polystyrene:



Food ware, including cups, plates, bowls, and clamshells



Storage containers like foam ice chests and coolers



Packaging materials, like packing peanuts and some foam inserts

## ► HOW CAN YOU IDENTIFY A BANNED FOAM ITEM?

Banned products can be identified with descriptions like extruded, expanded, or blown polystyrene, and the #6 resin identification code. Rigid #6 plastics, identified simply as polystyrene, are not banned under this law.

## ► WHAT PRODUCTS ARE EXEMPT FROM THE FOAM BAN?

Some foam packaging products are not made from expanded polystyrene, including some foam rollers and packaging inserts. These products are not banned under this law. Furthermore, the ban does not apply to products that arrive to stores from outside the District already packaged in or with foam, such as eggs in foam cartons, instant noodles in foam cups, or fragile products with protective foam packaging.

## ► HOW WILL THE FOAM BAN BE ENFORCED?

DOEE conducts random inspections and responds to tips from the public. In addition to providing compliance assistance, DOEE will begin issuing warnings after the ban goes into effect on January 1, 2021. Beginning July 1, 2021, DOEE will issue fines to retailers found to be in violation of the Foam Ban.

## ► HOW DO I REPORT A BUSINESS USING SELLING A BANNED FOAM PRODUCT?

You can report tips to DOEE's [tip line](#) or on the DC [311 website](#) or app, or call (202) 671-0080.

## ► WHO CAN I CONTACT WITH MORE QUESTIONS?

You can contact DOEE program staff at (202) 671-0080. You can also visit [doee.dc.gov/foam](https://doee.dc.gov/foam) for more information about the District's Foam Ban.



UPDATED DECEMBER 2020



202-671-0080 | [DOEE.DC.GOV/FOAM](https://doee.dc.gov/foam) | #FOAMFREEDC



★ ★ ★ DEPARTMENT  
OF ENERGY &  
ENVIRONMENT

WE ARE  
WASHINGTON  
GOVERNMENT OF THE  
DISTRICT OF COLUMBIA  
MURIEL BOWSER, MAYOR