



sanitation

OFFICIAL NOTICE

NYC Polystyrene Foam Packaging Law

Beginning January 1, 2019, certain expanded polystyrene (EPS) items will be banned from possession, sale, or use in NYC. Following the warning period, Notices of Violation will be issued and civil action may be taken. For more information, contact **311** or visit nyc.gov/foamban.

TIMELINE

**BAN
EFFECTIVE**

JAN. 1, 2019

**WARNING
PERIOD**

**BAN
ENFORCED**

JUL. 1, 2019

As of January 1, 2019, single-service foam items will be banned from possession, sale, or use in NYC.



Foam Takeout Containers



Foam Cups



Foam Packing Peanuts



Foam Plates & Bowls



Foam Trays

Banned Items

1. Polystyrene foam single-service items including cups, bowls, plates, takeout containers, and trays.
2. Polystyrene loose fill packaging, commonly known as packing peanuts.

Exceptions:

1. 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.
2. 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.

NYC Polystyrene Foam Packaging Law

Beginning January 1, 2019, certain expanded polystyrene (EPS) items will be banned from possession, sale, or use in NYC. Following the warning period, Notices of Violation will be issued and civil action may be taken. For more information, contact **311** or visit **nyc.gov/foamban**.



sanitation

How To Comply

- Effective January 1, 2019, do not possess, sell, or use any banned items as described above.
- To apply for a Hardship Waiver, please visit **nyc.gov/foamwaiver**.

Details: Small businesses (not part of a chain) with less than \$500,000 in gross income for the most recent tax year and nonprofits 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 undue financial hardship. SBS will begin accepting applications for hardship waivers in the fall of 2018.

Affected Businesses, Agencies, and Nonprofits

This ban affects food service establishments, mobile food commissaries, stores, manufacturers and distributors of polystyrene foam packaging that are located or operate within any of the five boroughs of New York City.

Alternatives

There are many alternative packaging options available including paper, plastic, aluminum, and compostable products. Contact your packaging distributor about alternatives to foam products.