

WARNING

You are receiving this warning because you are in violation of §16-329 (c) of the New York City Administrative Code.

This provision bans possession, sale or use of certain expanded polystyrene (EPS)—foam—items in New York City.

Effective January 1, 2019, banned items include:

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

Exceptions:

- (1) Polystyrene foam 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) Polystyrene foam containers used to store raw meat, pork, fish, seafood, or poultry sold from a butcher case or similar retail appliance.

Note: Polystyrene foam blocks used as protective packaging in shipping are not covered under this law.

Notices of Violation (NOV) will be issued for violations of this law beginning July 1, 2019.

This provision includes a warning period lasting from January 1, 2019 until July 1, 2019. Following the warning period, NOV's that carry a civil penalty will be issued and civil action may be taken.

How can violations be avoided?

- (1) Immediately discontinue the possession, use and sale of all single-use polystyrene foam items specified above.
- (2) Apply for a hardship waiver via NYC Small Business Services (SBS). Get more information at nyc.gov/foamwaiver.

For more information on this law, please visit nyc.gov/foamban or call 311.



sanitation

