

## Contra Costa County board votes to ban certain polystyrene products

December 5, 2018



The Contra Costa County Board of Supervisors voted Tuesday to implement a ban on certain polystyrene products, often called styrofoam.

After a six-month grace period, the new ordinance will prohibit any business in unincorporated Contra Costa County that prepares and sells food or beverages from using polystyrene food and beverage containers, which include plates,

trays, cartons, cups and clamshell-style containers. The ban is extended to county facilities and also to service providers such as private hospitals and care facilities.

The ordinance does not, however, prohibit the sale of styrofoam ice chests and packing peanuts.

Ten of 19 cities and towns in the county have already implemented similar polystyrene bans, the earliest in 1993. Richmond and San Pablo have bans that extend to polystyrene ice chests, peanuts and packaging materials.

**RELATED:** [Contra Costa County considers ban on polystyrene products](#)

There are 119 ordinances involving some type of polystyrene ban in California, according to the organization [Californians Against Waste](#), which supported the county's new ordinance.

The county did not just pass the ordinance to be consistent with other jurisdictions, but also to reduce trash in its waterways in order to be in compliance with its Municipal Regional Permit, according to county staff. Polystyrene products are made from potentially harmful chemicals, they said, and when the non-biodegradable products become litter, they tend to break down into smaller and smaller pieces, becoming difficult to clean from the environment and polluting the county's waterways and storm drain system.

Contra Costa County Supervisor John Gioia, who represents West County communities, advocated for a broader ban on polystyrene products in the county. For nearly three decades, Gioia has helped coordinate shoreline cleanups in Richmond and says he sees "tremendous amounts" of discarded styrofoam.

"This is clearly an important ordinance that we need to do," Gioia said.

The county's ordinance was opposed by the California Restaurant Association, which argues that polystyrene food and beverage containers keep foods fresh and safe for eating and drinking, that alternatives are costly for businesses and that the focus should be on reducing all litter, not just styrofoam.

Exhibit 1: Polystyrene Ban Ordinance Provisions within Contra Costa County (November 2018)												
Ordinance Provision (Note 2)	Richmond	San Pablo	El Cerrito	Walnut Creek	Pinole	Lafayette	Pittsburg	Hercules	Concord	Martinez	County Proposal	
											Option 1 (Note 3)	Option 2
Ban Use of Polystyrene Food Containers	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Ban Sale of Polystyrene Food Containers	Yes	Yes			Yes	Yes	Yes					Yes
Ban Sale of Ice Chests	Yes	Yes			Yes		Yes					Yes
Ban Sale of Packing Peanuts	Yes	Yes										Yes
Ban Sale of Packaging Materials	Yes	Yes										Yes
Ban City Depts, Vendors, From Using Polystyrene	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes		Yes	Yes
Grace Period to Comply			6 Months		6 Months	6 Months	12 Months		6 Months	24 Months	6 Months	6 Months
Compostable Provision	Yes	Yes	Yes				Yes		Yes			(Note 4)
Returnable or Reuseable Foodware Encouraged	Yes	Yes	Yes			Yes	Yes		Yes	Yes	Yes	Yes
Recyclable Provision	Yes	Yes	Yes			Yes	Yes		Yes	Yes	Yes	Yes
Include Service Providers (hospitals, care facilities)	Yes	Yes (Note 1)					Yes		Yes			
"Take Out Fee"	Yes		Yes				Yes				Yes	Yes
Exempt foods prepackaged outside city	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Exempt raw meat and egg containers	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes
Year Adopted	2013	2014	2014	2014	2018	2014	1993/2018	2008	2018	1993		

**Note 1:** This provision is in the city's ordinance, but is not enforced.

**Note 2:** A provision with a "Yes" indicates it is included in the City ordinance. A provision with a blank indicates it is not included in the City ordinance.

**Note 3:** Option 1 is recommended by staff.

**Note 4:** A possible "Yes" option if the alternative material is limited to paper based, compostable products. Staff does not recommend this option.