

**HB 2883 B STAFF MEASURE SUMMARY**

Carrier: Sen. Dembrow

**Senate Committee On Environment and Natural Resources****Action Date:** 05/23/19**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 3-1-1-0**Yeas:** 3 - Dembrow, Prozanski, Roblan**Nays:** 1 - Bentz**Exc:** 1 - Olsen**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Beth Patrino, LPRO Analyst**Meeting Dates:** 5/21, 5/23**WHAT THE MEASURE DOES:**

Prohibits a food vendor from using a polystyrene container in selling, offering for sale, serving, or dispensing prepared food to a member of the public. Defines "food vendor" as a business, organization, or person that sells prepared food to the public as their principal activity. Includes stores, shops, sales outlets, restaurants, grocery stores, supermarkets, delicatessen, food cart or other vehicle from which prepared food is sold. Establishes that "prepared food" does not include meat, fish, eggs, or produce, if the meat, fish, eggs, or produce are raw and have not been prepared for immediate consumption. Exempts from prohibition polystyrene coolers or containers intended to be reused and enclosed by a solid plastic shell; trays or containers used to store or ship an ingredient or a food product that is not prepared food; and polystyrene plastic material used solely for packing or protecting items during storage or shipping. Exempts from prohibition a food vendor meeting specified conditions for use and recycling, processing, conversion, or densification of containers following use. Takes effect January 1, 2021.

**ISSUES DISCUSSED:**

- Polystyrene not accepted in curbside recycling
- Persistence of polystyrene in the environment
- Harm to marine life from microplastic and toxins from breakdown of polystyrene
- Impacts from alternatives to polystyrene food containers
- Polystyrene recycling

**EFFECT OF AMENDMENT:**

Revises definition of "polystyrene container." Establishes exemption from prohibition on use of polystyrene container for food vendor meeting specified conditions for use and recycling, processing, conversion, or densification of container following use.

**BACKGROUND:**

Polystyrene is a plastic used to make a variety of products, including food packaging and packing materials. Products made from the foam version of polystyrene, which is often recognized by the brand name Styrofoam, include cups, plates, and takeout containers. Foam polystyrene is often used to keep prepared food hot, cold, or fresh, and is also used to cushion products, including food products, during transport and storage.

Cities and counties in California, Florida, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New York, Oregon, Texas, as well as the District of Columbia, have enacted full or partial bans on foam polystyrene products in restaurants and businesses. Currently, there are no state-level bans on polystyrene products.

House Bill 2883B would prohibit Oregon food vendors from using polystyrene containers in selling, offering for sale, serving, or dispensing prepared food to the public. The measure would allow a food vendor to use a

**HB 2883 B STAFF MEASURE SUMMARY**

polystyrene container if the vendor ensures the container is used only on the premises, is not taken off the premises, and the vendor collects and ensures delivery of all containers to a facility to be recycled, processed, or converted.