

SB 568 (Lowenthal)
POLYSTYRENE FOOD CONTAINERS
AS AMENDED 7/12/2011
BACKGROUND SHEET

PURPOSE

To help mitigate the detrimental effects polystyrene is having on our waterways, storm drains and marine life.

SUMMARY

SB 568 would prohibit a food vendor or restaurant on or after January 1, 2016 from dispensing prepared food to a customer in a polystyrene foam food container (a.k.a. Styrofoam). The compliance date for public schools is July 1, 2017.

The bill would also allow a school district that has a verifiable recycling program and recycles more than 60% of its foam foodware to continue to dispense food in foam after the ban goes in effect. This recycling program would have to be renewed every five years.

The bill would also allow a jurisdiction (City or County) to continue dispensing food in foam foodware if it adopts an ordinance establishing a recycling program for foam foodware containers and at least 60% of the foam food containers would be recycled. This recycling program would have to be renewed every five years.

BACKGROUND

Expanded polystyrene foam (EPS), commonly known as Styrofoam, is pervasive in the marine environment. Like most plastics, polystyrene is lightweight and floats. When littered, it is

carried from streets and through storm drains out to the ocean.

60-80 percent of all marine debris and 90 percent of floating debris are plastic. A study of beach debris at 43 sites along the Orange County coast found that EPS was the second most abundant form of beach debris.

In the environment, the containers break down into smaller and smaller pieces and are easily mistaken for food by marine animals.

EPS is not biodegradable.

The value of biodegradable food service packaging is two-fold, in that (1) institutional users can incorporate the packaging into new small-scale food composting collection systems without the labor and expense of separating the container from the food and (2) if the material is improperly disposed of blows out of trash cans, the negative impact on wildlife and storm drain systems is minimized with the material biodegrades.

There is virtually no meaningful food service EPS recycling in California. Because EPS foodware is contaminated from food residue, recycling is very limited. Food service EPS by its nature only has a useful life that can be measured in minutes or hours. Yet it takes centuries for it to decompose in a landfill if at all.

50 jurisdictions in California including Alameda, San Francisco, Oakland, Fremont, Hayward, Marin County, and Santa Cruz County have all successfully banned EPS. All of these jurisdictions' food vendors provide

their take out in alternative packaging including, paper, plastic, compostable materials, aluminum foil etc.

It is important to create a statewide policy and uniformity regarding this nuisance form of litter and marine pollution.

DANGERS OF POLYSTYRENE FOAM

Workers in polystyrene products manufacturing are exposed to many harmful chemicals, including Styrene, Toluene, Xylene, Acetone, Methyl Chloride, and Methyl Ketone.

Occupational exposure to styrene increases risk of lymphoma, leukemia, lung tumors, pancreatic cancer, urinary bladder cancer and other cancers. High rates of neurotoxicological effects have been reported in workers.

Public health is also impacted by the use of all polystyrene food containers. Styrene can migrate from polystyrene containers into food and beverages when heated or in contact with fatty or acidic foods. Styrene residues are found in 100% of all samples of human fat tissue. Styrene is a carcinogen in lab animal testing, a likely human carcinogen and a neurotoxin.

ADDITIONAL RESOURCES

Local Ordinances Banning Polystyrene Containers

Californians Against Waste

http://www.cawrecycles.org/issues/plastic_campaign/polystyrene/local

Facts and Research about Polystyrene and Styrofoam Litter

Clean Water Action California

<http://www.cleanwater.org/ca>

SUPPORT

SPONSOR: Clean Water Action
Miriam Gordon, Ph# 415-369-9170

Cosponsor: Surfrider Foundation
Angela Howe, Ph# 949-492-8170

American Federation of State, County and Municipal Employees (AFSCME)

- AcroSports
- AXE Restaurant
- Be Green Packaging, LLC
- Berkeley Chamber of Commerce
- Big Sur Bakery and Restaurant
- Big Sur Lodge
- Big Sur River Inn Restaurant
- Big Sur River Inn Store
- Big Sur Roadhouse
- Biosphere Industries
- Board of the Sonoma County Regional Climate Protection Authority
- Boku International, LLC
- Bowman Design Group
- Breast Cancer Fund
- Cabrillo College
- California Coastkeeper Alliance
- California Coastal Commission
- California Healthy Nail Salon Collaborative
- California League of Conservation Voters
- California Refuse Recycling Council (CRRC)
- California Resource Recovery Association
- California Rural Legal Assistance Foundation
- California School Nutrition Association
- Californians Against Waste
- Carpinteria Valley Chamber of Commerce
- Central Contra Costa Solid Waste Authority
- City of Belmont
- City of Calabasas
- City of Capitola
- City of Culver City
- City of Encinitas
- City of Long Beach
- City of Manhattan Beach
- City of Millbrae
- City of Monterey
- City of Oakland
- City of Palo Alto
- City of Pasadena
- City of Richmond
- City of San Clemente
- City of Santa Cruz Public Works Department
- City of Santa Monica

- City of Sebastopol
- City of Ventura
- City of West Hollywood
- City and County of San Francisco
- Classic Organic Farm & Market
- County of Los Angeles
- County of Monterey
- County of Santa Clara
- County of Santa Cruz
- County of Sonoma
- Deetjens Inn Restaurant
- Defenders of Wildlife
- East Bay Municipal Utility District
- Eco Greenwares
- EcoLayers, Inc.
- Ecology Action
- Egg Plantation Restaurant
- Endangered Habitats League
- Environment California
- Environmental Justice Coalition for Water
- Environmental Working Group
- Fernwood Resort and Redwood Grill
- Fremont Chamber of Commerce
- Gerlind Institute for Cultural Studies
- George's at the Cove (Restaurant)
- Global Gourmet Catering
- Great Beginnings for Black Babies, Inc.
- Greater Griffith Park Neighborhood Council
- Green Chamber of Commerce
- Greenleaf Project Management
- Heal the Bay
- Ike's Quarter Café
- Inn of the Seventh Ray
- Institute for Local Self-Reliance
- Los Angeles County Solid Waste Management Committee / Integrated Waste Management Task Force
- Karl Strauss Brewery Restaurants
- Kennon B. Raines (individual)
- Malibu Surfing Association
- Mar Vista Community Council
- Marin County Hazardous and Solid Waste Management Joint Powers Authority
- Marin Sanitary Service
- McConnell's Fine Ice Creams, Inc.
- Mediterranean Gourmet Pizza
- Mineta San Jose International Airport (Airport Environmental)
- Monterey Regional Waste Management District
- Napa Recycling and Waste Services
- Natural Resources Defense Council
- North Hills East Neighborhood Council
- North Hollywood North East Neighborhood Council
- Ocean Beach People's Organic Market
- O'Neill Sea Odyssey
- Orange County Interfaith Coalition for the Environment
- Passion Fish (Café)
- Physicians for Social Responsibility Los Angeles
- Planning and Conservation League
- Power Source Café
- Recology
- Rawvolution Café
- Revive Drinks
- Ripplewood Resort
- Sacramento Unified School District, Superintendent
- Salinas Valley Solid Waste Authority
- San Diego Coastkeeper
- Save the Bay
- Santa Clara Valley Water District
- Save Our Shores
- Sea Turtle Restoration Project
- Seventh Generation Advisors
- Sierra Club California
- Sierra Mar at Post Ranch Inn (Restaurant)
- Silver Lake Neighborhood Council
- Solid Waste Association of North America, California Chapters (SWANA)
- South Robertson Neighborhood Council
- Stone World Bistro
- StopWaste.Org (Alameda County Waste Management Authority)
- Tarzana Neighborhood Council
- Teens Turning Green
- The Plastic Pollution Coalition
- The Valley Women's Club
- The Watershed Project
- Town of Fairfax
- United States Green Building Council (California Advocacy Committee)
- Viv Biz Club
- Waste Connections Inc.
- West Los Angeles Neighborhood Council
- Worksafe, Inc
- World Centric
- Hundreds of Individual Petition Signers

OPPOSITION

-
- American Chemistry Council
 - California Chamber of Commerce
 - California Film Extruders and Converters Association
 - California Grocers Association
 - California Manufacturers & Technology Association
 - California Restaurant Association

- City of Lodi
- Dart Container Corporation
- Food Service Packaging Institute
- Industrial Environmental Association
- Irvine Chamber of Commerce
- Los Angeles County Business Federation
- National Federation of Independent Business
- Oxnard Chamber of Commerce
- Pactiv Corporation
- Society of the Plastics Industry
- The Dardanelle Group
- Valley Industry and Commerce Association

STATUS

Passed the Senate 21-15
Passed out of Assembly Natural Resources
6-3

STAFF CONTACT

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Version: August 9, 2011



**SB 568 (Lowenthal):
Growth for California Green Jobs and the Economy**

Forecasted Market Trends in Expanded Polystyrene (EPS)¹ and Alternatives:

- US green packaging demand will rise 3.9% annually through 2014, outpacing growth in overall packaging demand. Degradable packaging is expected to grow fastest.²
- The degradable plastics market is expected to be worth \$380 million by 2014, as demand in the US increases 16.6% a year through 2015. This growth is attributed to increased capacity, falling prices, and improved material performance.³
- The Wall Street Journal reports that bioplastics volume could grow 30% a year globally over the next ten years due to increasing demand for eco-friendly packaging.⁴
- EPS sales plunged by 7% in 2008 due to growing benzene prices, a key input to polystyrene production, which forced EPS producers to charge more for their product.⁵ The projected increase in demand for polystyrene packaging is less than 1% through 2015.⁶

SB 568 will significantly boost current growth in jobs in California related to manufacturing non-foam packaging. Decreased demand and shrinking jobs in the traditional foam packaging industry have been driven by consumer demand for more eco-friendly packaging and expansion in those industries. This trend is already increasing the number of jobs in non-foam packaging in California. If SB 568 passes, the projected increase in jobs related to non-foam packaging will be higher.

Fewer California Jobs in EPS Food Packaging Manufacturing than Non-Foam :

- The Alliance of Foam Packaging Recyclers Association estimates that there are 1,000 people employed manufacturing EPS in California, not all work in food packaging production. EPS is used not only to make cups and food containers, but also insulation boards, molds for metal casting, floatation devices, and transportation packaging.⁷
- According to the California Integrated Waste Management Board (CIWMB), 41% of polystyrene manufacturing is related to foam food ware and other goods nationwide.⁸

Companies that Make Non Foam Food Packaging Alternatives in California:⁹

1. Huhtamaki- Los Angeles & Sacramento (400-650 employees)
2. International Paper- Visalia (250-499 employees)
3. Fold Pak- Fresno (80 employees)
4. Biosphere - Carpentaria (50 employees)
5. Peninsula Packaging- Exeter (265 employees)
6. Pactiv- Santa Fe Springs, Red Bluff, City of Industry (approx. 550 employees)¹⁰
7. Dart Container- makes plastic containers 1, 5, and 6 in California¹¹

Companies that Make Foam Food Packaging Products in California:¹²

1. DART, Lodi(100 employees) and Corona (500 employees)
2. Pactiv-Fresno, Bakersfield, City of Industry (approx. 550 employees)

If 41% of polystyrene manufacturing is related to foam food ware, then out of the 1,000 EPS-related jobs reported in CA, there are approximately 400 jobs in CA related to foam food container manufacturing. However, we found that there are approximately 1,150 jobs related to manufacturing foam food packaging in California, compared to approximately 1800 jobs related to the manufacture of non-foam alternatives.

Questions? Contact Clean Water Action at (415) 369-9170. For more information about SB 568, visit our website at www.cleanwater.org/ca

¹ EPS is polystyrene that is foamed. People commonly refer to it as Styrofoam™ although that is a trade name for a Dow product used in transportation packaging.

² "Green Packaging to 2014." *Freedonia Industry Research*. Freedonia, Jan. 2011. Web. 7 June 2011. <<http://www.freedoniagroup.com/DocumentDetails.aspx?DocumentId=528646>>.

³ "Degradable Plastics to 2014." *Freedonia Industry Research*. Freedonia, Aug. 2010. Web. 7 June 2011. <<http://www.freedoniagroup.com/DocumentDetails.aspx?DocumentId=506288>>.

⁴ Stein, Mara Lemos, and Naureen S. Malik. "Just One Word: Bioplastics." *The Wall Street Journal*. Business News & Financial News, 18 Oct. 2010. Web. 07 June 2011.

⁵ "Paying More for Less." *PlasticsNews.com*. Plastics News Report, 13 Oct. 2008. Web. 7 June 2011. <<http://plasticsnews.com/headlines2.html?id=08101300104&q=expandable+polystyrene>>.

⁶ See note 3, supra.

⁷ *Use and Disposal of Polystyrene in California: A Report to the California Legislature*. Publication no. 432-04-003. Sacramento: California Integrated Waste Management Board, 2004. Print.

⁸ *Id.*, at 9-10

⁹ Information obtained via personal contacts, company websites, Manta.com and newspaper articles.

¹⁰ Pactiv information obtained via in person meeting with Pactiv- June 30, 2009, testimony provided by Pactiv on June 27, 2011 before the Assembly Natural Resources Committee, and information obtained from Manta.com. Information on Dart provided by Dart container in the media and testimony before the Assembly Natural Resources Committee on June 27, 2011.

¹¹ Dart representative, Michael Westervelt, testimony provided in San Jose City "green to go" city meeting on August 8, 2011

Support SB 568 [Senator Lowenthal]

Phase-out Expanded Polystyrene Foam Take-out Food Packaging



The Problem: Expanded polystyrene foam (EPS), often referred to as Styrofoam[®] is pervasive in the environment. It is extremely damaging throughout its lifecycle and is rarely recycled.

The environment is inundated with polystyrene. It is lightweight and breaks apart easily. EPS escapes litter cleanup and is widely dispersed on land and in waterways. It is often mistaken for food by birds, fish and other wildlife. EPS comprises 15% of street and storm drain litter. It's the most prevalent form of beach litter in California and degrades local communities.

Workers in polystyrene products manufacturing are exposed to many harmful chemicals, including Styrene, Toluene, Xylene, Acetone, Methyl Chloride, and Methyl Ketone. Occupational exposure to Styrene increases risk of lymphoma, leukemia, lung tumors, pancreatic cancer, urinary bladder cancer, prostate cancer, and colorectal cancer. High rates of neurotoxicological effects have been reported in workers.

Public health is threatened because styrene migrates from the containers into food and beverages when heated or in contact with fatty or acidic foods. Styrene residues are found in 100% of all samples of human fat tissue- every American is exposed through food and packaging. According to the federal government, Styrene is a carcinogen in lab animal testing and reasonably anticipated to be a human carcinogen. Low income communities are particularly impacted since fast food take-out relies significantly on foam containers.

Local jurisdictions spend millions cleaning litter. Caltrans spends approximately \$60 million a year to remove litter and debris from roadsides and highways, The County of Los Angeles (L.A.) spends \$18 million annually on litter cleanup and education. Southern CA jurisdictions that have to comply with state storm water regulations to get their trash discharges to zero have already spent billions of taxpayer dollars controlling, capturing, and removing trash.

Jobs will be gained. The two foam food container manufacturers in California both make non-foam containers in the state. Several companies manufacture alternative products in California, including Biosphere Products, Dart Container, Pactiv, Fold-Pak, Hutamachi, International Paper, and Peninsula Packaging. With 17% per year increased sales projected for alternative food packaging, the job growth opportunities for these companies are significant. Polystyrene sales are projected to remain flat.

There are similarly-priced and cheaper alternatives. Many restaurants use non-foam containers and have for a long time. Since 50 California jurisdictions have already implemented bans on EPS, there are many businesses that have switched. Research on-line shows that low-cost options are readily available, some are even cheaper than foam.

The Solution: SB 568 will eliminate a pernicious source of plastic pollution and increase jobs!

WORKSAFE

safety, health, and justice for workers

May 13, 2011

The Honorable Alan Lowenthal
State Capitol
Room 2032
Sacramento, CA 95814

Re: SB 568 – SUPPORT

Dear Senator Lowenthal:

On behalf of Worksafe, Inc., I am writing to express our strong support for SB 568, the ban on polystyrene takeout food containers. We believe that, in addition to its environmental and cost-saving benefits, this important legislation will help to protect California workers.

Worksafe is an Oakland-based organization dedicated to eliminating all types of workplace hazards. We advocate for protective worker health and safety laws and effective remedies for injured workers. We also engage in campaigns in coalition with unions, workers, community, environmental and legal organizations, and scientists to eliminate hazards and toxic chemicals from the workplace.

Studies demonstrate that polystyrene food containers are harmful to human health. The styrene in food containers leaches into the food when heated, or in contact with acids, or grease and oil. U.S. EPA scientists found Styrene in 100 percent of all human tissue samples in a 1986 study.

As is so often the case, these dangers to the general population are even more acute for the workers who must deal with the substance most directly and most often. Styrene is a possible human carcinogen and a known lab animal carcinogen, and workers exposed to it may suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation.

Of the 47 California jurisdictions that have enacted bans on polystyrene food ware, none have reported that any local businesses have closed up shop as a result. Most local ordinances have options for local businesses to make a claim of economic hardship, and none have exercised this option. Further, in San Francisco, two years after the passage of the polystyrene ban, a litter study showed a 36% decrease in polystyrene litter.

SB 568 is smart and responsible policy that will safeguard our health, the safety of our workers, and the environment we all share. You have our support and gratitude for spearheading this critical effort.

Sincerely,



Gail Bateson
Executive Director, Worksafe
55 Harrison St., Ste. 400
Oakland, CA 94607
(510) 302-1011

latimes.com/news/opinion/editorials/la-ed-foam-20110815,0,6006407.story

latimes.com

Editorial

The wrong kind of sea foam

The L.A. City Council should give its backing to SB 568, a bill to help curb the use of polystyrene food containers, which end up as tiny, polluting particles in our oceans.

August 15, 2011

Coastal cities can't keep plastic foam out of the ocean by themselves. The tiny bits of polystyrene from food takeout containers float from inland areas through storm water channels along with the rest of the urban runoff.

So it's heartening that legislation to ban most use of such containers managed to pass the state Senate in July despite strong opposition. The bill (SB 568) faces a more formidable hurdle in the Assembly Appropriations Committee, but it's been improved with provisions that allow a slower phase-out of the foam, and it should be passed. It would reduce plastics pollution in the ocean without having a noticeable effect on restaurants and consumers.

Better known by the trade name Styrofoam, polystyrene is particularly difficult to remove from the environment because it readily crumbles into ever-smaller pieces. Coastal cities in California face stringent water-quality rules that require them to keep all plastic trash out of the ocean, but the minuscule pieces of polystyrene pass easily through the screens designed to filter garbage from water channels. Relatively few cities accept polystyrene for recycling, and when it has been used to hold food, it must be cleaned first.

The Senate's version of the bill would have banned polystyrene from takeout containers as of Jan. 1, 2014, but the current version would give cities until 2016 to recycle at least 60% of the foam used by restaurants, or to ban the substance outright. Schools would be given an extra 18 months to comply. The polystyrene-manufacturing industry has been saying all along that recycling, not replacement, is the answer; the bill would give it the chance to prove its theory by helping municipalities reach the 60% goal.

In truth, California can live very easily without plastic foam. About 50 municipalities already have done away with it without causing eateries to close or noticeably raising the price of restaurant food. If McDonald's can use more environmentally friendly containers — the only polystyrene it has used since 1994 are the foam cups for hot beverages — so can other eateries.

Nor is the bill a job-killer. There already are more jobs in California for the manufacture of alternative food containers — cardboard, aluminum or recyclable or reusable plastic — than for foam containers. The industry is well-established in the state and ready to grow when demand increases.

The Los Angeles City Council is considering whether to support the bill, which goes before committee on Wednesday. That support is seen as crucial to persuading key Assembly members. Reducing foam trash is good for the city, the state and the ocean that Californians cherish. The council should support the bill and the Assembly should pass it.

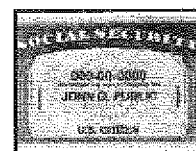
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New Policy in California

[Aug 2011]: Drivers with no DUIs in California may be eligible for \$9 per week car insurance.



New Policy in California

[Aug 2011]: Drivers with no DUIs in California may be eligible for \$9 per week car insurance.

LifestyleJournal.com

BBC NEWS

SCIENCE & ENVIRONMENT

20 June 2011 Last updated at 08:24 ET

World's oceans in 'shocking' decline

COMMENTS (237)



By Richard Black

Environment correspondent, BBC News

The oceans are in a worse state than previously suspected, according to an expert panel of scientists.

In a new report, they warn that ocean life is "at high risk of entering a phase of extinction of marine species unprecedented in human history".

They conclude that issues such as over-fishing, pollution and climate change are acting together in ways that have not previously been recognised.

The impacts, they say, are already affecting humanity.

The panel was convened by the International Programme on the State of the Ocean (IPSO), and brought together experts from different disciplines, including coral reef ecologists, toxicologists, and fisheries scientists.

Its report will be formally released later this week.

"The findings are shocking," said Alex Rogers, IPSO's scientific director and professor of conservation biology at Oxford University.

"As we considered the cumulative effect of what humankind does to the oceans, the implications became far worse than we had individually realised.

"We've sat in one forum and spoken to each other about what we're seeing, and we've ended up with a picture showing that almost right across the board we're seeing changes that are happening faster than we'd thought, or in ways that we didn't expect to see for hundreds of years."

These "accelerated" changes include melting of the Greenland and Antarctic ice sheets, sea level rise, and release of methane trapped in the sea bed.

Fast changes

"The rate of change is vastly exceeding what we were expecting even a couple of years ago," said Ove Hoegh-Guldberg, a coral specialist from the University of Queensland in Australia.

"So if you look at almost everything, whether it's fisheries in temperate zones or coral reefs or Arctic sea ice, all of this is undergoing changes, but at a much faster rate than we had thought."

But more worrying than this, the team noted, are the ways in which different issues act synergistically to increase threats to marine life.

Some pollutants, for example, stick to the surfaces of tiny plastic particles that are now found in the ocean bed.

This increases the amounts of these pollutants that are consumed by bottom-feeding fish.

Plastic particles also assist the transport of algae from place to place, increasing the occurrence of toxic algal blooms - which are also caused by the influx of nutrient-rich pollution from agricultural land.

In a wider sense, ocean acidification, warming, local pollution and overfishing are acting

together to increase the threat to coral reefs - so much so that three-quarters of the world's reefs are at risk of severe decline.

Carbon deposits

Life on Earth has gone through five "mass extinction events" caused by events such as asteroid impacts; and it is often said that humanity's combined impact is causing a sixth such event.

The IPSO report concludes that it is too early to say definitively.

But the trends are such that it is likely to happen, they say - and far faster than any of the previous five.

"What we're seeing at the moment is unprecedented in the fossil record - the environmental changes are much more rapid," Professor Rogers told BBC News.

"We've still got most of the world's biodiversity, but the actual rate of extinction is much higher [than in past events] - and what we face is certainly a globally significant extinction event."

The report also notes that previous mass extinction events have been associated with trends being observed now - disturbances of the carbon cycle, and acidification and hypoxia (depletion of oxygen) of seawater.

Levels of CO₂ being absorbed by the oceans are already far greater than during the great extinction of marine species 55 million years ago (during the Paleocene-Eocene Thermal Maximum), it concludes.

Blue planet

The report's conclusions will be presented at UN headquarters in New York this week, when government delegates begin discussions on reforming governance of the oceans.

IPSO's immediate recommendations include:

stopping exploitative fishing now, with special emphasis on the high seas where currently there is little effective regulation

mapping and then reducing the input of pollutants including plastics, agricultural fertilisers and human waste

making sharp reductions in greenhouse gas emissions.

Carbon dioxide levels are now so high, it says, that ways of pulling the gas out of the

atmosphere need to be researched urgently - but not using techniques, such as iron fertilisation, that lead to more CO2 entering the oceans.

"We have to bring down CO2 emissions to zero within about 20 years," Professor Hoegh-Guldberg told BBC News.

"If we don't do that, we're going to see steady acidification of the seas, heat events that are wiping out things like kelp forests and coral reefs, and we'll see a very different ocean."

Another of the report's authors, Dan Laffoley, marine chair of the World Commission on Protected Areas and an adviser to the International Union for the Conservation of Nature (IUCN), admitted the challenges were vast.

"But unlike previous generations, we know what now needs to happen," he said.

"The time to protect the blue heart of our planet is now."

Your comments (237)

Comments

This entry is now closed for comments

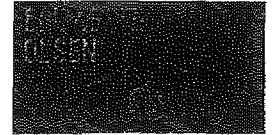
Editors' Picks [All Comments \(237\)](#)

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21ST JUNE 2011 - 7:31

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I'm with David Attenborough on this subject, yes we may well be a destructive influence in nature, but what will be destroyed is humanity not the planet. If we do continue to destroy our ecosystems it is human beings that will eventually go extinct. the planet and and its eco systems will all recover given enough time. Life arose from very humble beginnings and survived much worse devastations.



June 10, 2011

Government Says 2 Common Materials Pose Risk of Cancer

By GARDINER HARRIS

WASHINGTON — The government issued warnings on Friday about two materials used daily by millions of Americans, saying that one causes cancer and the other might.

Government scientists listed formaldehyde as a carcinogen, and said it is found in worrisome quantities in plywood, particle board, mortuaries and hair salons. They also said that styrene, which is used in boats, bathtubs and in disposable foam plastic cups and plates, may cause cancer but is generally found in such low levels in consumer products that risks are low.

Frequent and intense exposures in manufacturing plants are far more worrisome than the intermittent contact that most consumers have, but government scientists said that consumers should still avoid contact with formaldehyde and styrene along with six other chemicals that were added Friday to the government's official Report on Carcinogens. Its release was delayed for years because of intense lobbying from the chemical industry, which disputed its findings.

John Bucher, associate director of the National Toxicology Program, which produced the report, said evidence of formaldehyde's carcinogenicity was far stronger than for styrene and that consumers were more likely to be exposed to potentially dangerous quantities of formaldehyde.

The federal Occupational Safety and Health Administration warned in April that a hair-care product, Brazilian Blowout Acai Professional Smoothing Solution, contained unacceptable levels of formaldehyde, and salon workers have reported headaches, nosebleeds, burning eyes, vomiting and asthma attacks after using the product and other hair-straighteners.

Studies of workers like embalmers exposed to high levels of formaldehyde have found increased incidences of myeloid leukemia and rare cancers of the nasal passages and upper mouth.

Dr. Otis Brawley, chief medical officer at the American Cancer Society, said that formaldehyde is both worrisome and inescapable. "It's the smell in new houses, and it's in cosmetics like nail polish," he said. "All a reasonable person can do is manage their exposure and decrease it to as little as possible. It's everywhere."

Consumers can reduce their exposure to formaldehyde by avoiding pressed-wood products or buying only those that are labeled as U.L.E.F. (ultra-low-emitting formaldehyde), N.A.F. (no added formaldehyde) or C.A.R.B. (California Air Resources Board) Phase 1 or Phase 2 compliant.

Styrene is mostly a concern for workers who build boats, car parts, bathtubs and shower stalls. Studies of workers exposed to high levels of styrene have found increased risks of leukemia and lymphoma and genetic damage to white blood cells. There is also some evidence that styrene increases the risks of cancer of the pancreas and esophagus among styrene workers, the report found. Consumers can be exposed to styrene from the fumes of building materials, photocopiers and tobacco smoke.

As for styrene's presence in plastic utensils and other consumer products, Dr. Brawley likened the risk from such products to that of coffee and cellphones — uncertain and slight.

An industry spokesman said the action will hurt small businesses.

"It will unfairly scare workers, plant neighbors and could have a chilling effect on the development of new products," said Tom Dobbins of the American Composites Manufacturers Association. "And our companies are primarily small businesses, and this could hurt jobs and local economies."

Cal Dooley, president and chief executive of the American Chemistry Council, a trade association that represents companies that make and use polystyrene and formaldehyde, rejected the report's conclusions. "We are extremely concerned that politics may have hijacked the scientific process," he said.

Some in the industry have promised to continue fighting the report, and will appeal elements of its findings. But some manufacturers already have begun using alternatives to formaldehyde in their products.

This is the 12th cancer list released by the toxicology program at the National Institutes of Health, and each has been controversial. In 2000, controversy erupted over the ninth report's listing of secondhand smoke and tanning beds. The 11th report's listing in 2005 of naphthalene, which is used in mothballs, caused similar concern.

That this latest report would warn about formaldehyde and styrene has been suspected by industry since shortly after the release of the previous report, and industry groups have fought the process behind its release ever since. As a result, the government added numerous public comment periods to the process, and even after it was written, officials at the Department of Health and Human Services delayed the report's release for months to cope with industry

complaints.

“Industry held this report up for four years,” said Jennifer Sass, a senior scientist at the Natural Resources Defense Council. “They have tried to create the impression that there was real scientific uncertainty here, but there’s not.”

The report also lists aristolochic acids, found in plants and sometimes used in herbal medicines, as a known carcinogen and added to the list of probable carcinogens other substances like captafol (a fungicide no longer sold in the United States), finely spun glass wool fibers (used in insulation), cobalt-tungsten carbide (used in manufacturing), riddelliine (plants eaten by cattle, horses and sheep) and ortho-nitrotoluene (used in dyes).

Aristolochic acids are sometimes used in herbal medicines to treat conditions like arthritis and gout. In 2001, the Food and Drug Administration warned against the use of products containing aristolochic acids after seeing an increase in kidney disease among users. Products using the chemical are Rheumixx and BioSlim Doctor’s Natural Weight Loss System Slim Tone Formula.

Glass wool fibers are finely spun fibers of glass that form a mass resembling wool. They are commonly used for insulation or filtration, and people can be exposed to them when they install or remove insulation during home improvement projects. Animal studies have shown that glass wool fibers cause lung tumors, but there is little evidence from human studies of a risk.

A FEW EXAMPLES OF NON-FOAM CONTAINERS MANUFACTURED BY DART AND PACTIV

Our Caps Show What You're Serving...
Now Show That You're Conserving.

CONEX RECYCETE

♻️ Made With 20% Post-Consumer Recycled PETE ♻️

Learn more about Dart's commitment to sustainability at www.dart.com.
 Discover the benefits of Dart's recycled PETE containers for your business.
 Contact us today for more information.

DART

DART CONEX
Clear Caps

These clear caps provide you and your customers with the quality you demand, along with a clear window of view into the beverage. They are made from 100% recycled PETE, which is a strong and durable material. They are also easy to use and clean, making them a great choice for your business.

Available in 16 Sizes

To ensure the perfect fit, Dart offers caps for different cup sizes. From 2.5 oz to 16 oz, we have the right cap for your needs. Contact us today for more information.

Look for Recycled

Our clear caps are made from 100% recycled PETE, which is a strong and durable material. They are also easy to use and clean, making them a great choice for your business.

DART

DART StayLock
Clear Hinged Lid Containers

These clear hinged lid containers are perfect for serving a wide variety of foods. They are made from 100% recycled PETE, which is a strong and durable material. They are also easy to use and clean, making them a great choice for your business.

DART

DART CONEX
Complements
Perfect Containers and Lids

These clear complements containers and lids are perfect for serving a wide variety of foods. They are made from 100% recycled PETE, which is a strong and durable material. They are also easy to use and clean, making them a great choice for your business.

DART

5 popular items, available in 10 sizes.

DART SHOWTIME
Clear Hinged Lid Containers

These clear hinged lid containers are perfect for serving a wide variety of foods. They are made from 100% recycled PETE, which is a strong and durable material. They are also easy to use and clean, making them a great choice for your business.

DART

DART PARTY CUPS
Display Shipper

When it's time to party, Dart delivers!

Our Party Cup display shipper is the perfect solution for your business. It is made from 100% recycled PETE, which is a strong and durable material. It is also easy to use and clean, making it a great choice for your business.

Stock Number: 16ERBSH

16 Party Cups (16 oz) - 16 Party Cups (12 oz) - 16 Party Cups (8 oz) - 16 Party Cups (4 oz)

16 Party Cups (16 oz) - 16 Party Cups (12 oz) - 16 Party Cups (8 oz) - 16 Party Cups (4 oz)

DART

EarthChoice

EarthChoice Products

These EarthChoice products are perfect for serving a wide variety of foods. They are made from 100% recycled PETE, which is a strong and durable material. They are also easy to use and clean, making them a great choice for your business.

PACTIV

www.pactiv.com

Designing Your
Curbside & To-Go Program

These containers are perfect for serving a wide variety of foods. They are made from 100% recycled PETE, which is a strong and durable material. They are also easy to use and clean, making them a great choice for your business.

PACTIV

**COMPARISON OF COSTS-
LOWEST COST POLYSTYRENE FOAM CONTAINERS VERSUS LOWEST COST ALTERNATIVES**

	Polystyrene Product (Lowest price, various suppliers)	Cost per unit	Non-foam Product (Lowest price, various suppliers)	Cost per unit	Difference in Marginal Cost
10 oz Cup	Foam Dart 1000 ct \$19.99	\$0.020	Plastic Dart 2500 ct \$56.99	\$0.023	\$0.003
12 oz Cup	Foam Dart 1000 ct \$22.49	\$0.022	Plastic Dart 1000 ct \$25.99	\$0.026	\$0.004
16 oz cup	Foam Dart 1000 ct \$32.49	\$0.032	Plastic Dart 1000 ct \$35.94	\$0.036	\$0.004
12 oz Bowl	Foam Dart 500 ct \$17.49	\$0.035	Plastic Genpak 1000 ct \$41.99	\$0.042	\$0.007
16 oz Bowl	Foam Dart 500 ct \$19.49	\$0.039	Plastic Genpak 1000 ct \$69.99	\$0.070	\$0.031
6" Plate	Foam Dart 1000 ct \$29.99	\$0.030	Paper AJM 1000 ct \$19.99	\$0.020	(\$0.010)
9" Plate	Foam Dart 500 ct \$17.99	\$0.036	Paper AJM 1000 ct \$25.87	\$0.026	(\$0.010)
6" Hinge Container	Foam Dart 500 ct \$18.99	\$0.038	Plastic 500 ct \$31.99	\$0.064	\$0.026
9" Hinge Container	Foam Dart 200 ct \$14.49	\$0.072	Plastic 200 ct \$24.99	\$0.125	\$0.053

12,000

EXAMPLES OF NON-FOAM FOOD PACKAGING MANUFACTURED IN CALIFORNIA

Clean Water Action – July 2011

FOLD-PAK, Fresno – 80 employees



International Paper- Visalia – 150 employees



Penninsula Pkg., Exeter- 265 employees



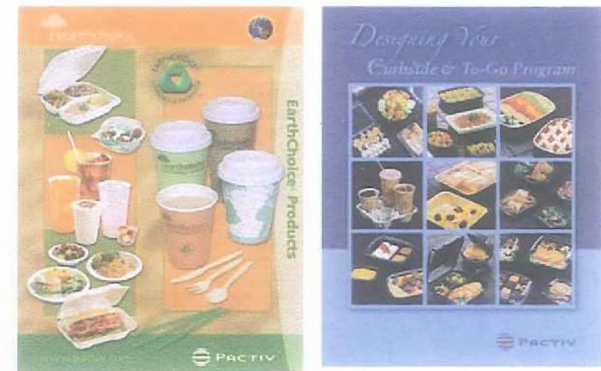
BIOSPHERE, Carpinteria 50 employees



HUHTAMAKI Inc. (Chinet Products)- Commerce, Los Angeles, Sacramento- 400-650 employees



PACTIV, Santa Fe Springs, Bakersfield, La Mirada, Red Bluff, City of Industry, Fresno - approx. 900 employees



EXISTING POLYSTYRENE FOOD-WARE BANS IN CA

1. City of Alameda
2. City of Albany
3. City of Aliso Viejo
4. City of Berkeley
5. City of Burbank
6. City of Burlingame
7. City of Calabasas
8. City of Capitola
9. City of Carmel
10. City of Del Rey Oaks
11. City of Emeryville
12. City of Fairfax
13. City of Fremont
14. City of Half Moon Bay
15. City of Hercules
16. City of Huntington Beach
17. City of Laguna Beach
18. City of Laguna Hills
19. City of Laguna Woods
20. City of Livermore
21. City of Los Angeles
22. County of Los Angeles
23. City of Malibu
24. County of Marin
25. City of Millbrae
26. County of Monterey
27. City of Monterey
28. City of Newport Beach
29. City of Oakland
30. County of Orange
31. City of Pacific Grove
32. City of Pacifica
33. City of Palo Alto
34. City of Pittsburg
35. City of Richmond
36. City of Riverbank
37. City of San Bruno
38. City of San Clemente
39. City and County of San Francisco
40. County of South San Francisco
41. City of San Jose
42. City of San Juan Capistrano
43. County of San Mateo
44. City of Santa Monica
45. City and County of Santa Cruz
46. City of Scotts Valley
47. City of Seaside
48. County of Sonoma
49. County of Ventura
50. City of West Hollywood

2632



COUNTY OF LOS ANGELES Sacramento Legislative Office

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WILLIAM T FUJIOKA
Chief Executive Officer

ALAN FERNANDES
Chief Legislative Advocate

June 23, 2011

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The Honorable Wes Chesbro, Chair
Assembly Natural Resources Committee
State Capitol, Room 2141
Sacramento, CA 95814

**RE: SENATE BILL 568 (LOWENTHAL), AS INTRODUCED – SUPPORT
RELATING TO FOOD CONTAINERS**

Dear Assembly Member Chesbro:

The Los Angeles County Board of Supervisors supports SB 568.

Existing law requires all rigid plastic bottles and rigid plastic containers sold in the state to be labeled with a code that indicates the resin used to produce the rigid plastic bottle or rigid plastic container.

SB 568 would prohibit a food vendor from dispensing prepared food to a customer in a polystyrene foam food container. It defines "food vendor" to include a restaurant or retail food and beverage vendor, an itinerant restaurant, vehicular food vendor, caterer, as well as a grocery store or a delicatessen. SB 568 does not include correctional facilities, county- or city-operated juvenile facilities or other State or local correctional institutions.

The bill complements local government waste management and environmental protection programs already underway throughout California. The Los Angeles County Board of Supervisors has directed the Department of Public Works (DPW) to phase out the use of expanded polystyrene (EPS) food packaging at all County operations, to include restricting the purchase and use of all EPS food containers at County facilities, offices, County-managed concessions, and by commercial food and beverage suppliers at County-permitted or -sponsored events. In addition, the Board has directed DPW to investigate expanding this phase-out to include retail food service establishments throughout the unincorporated areas of the County.

I respectfully request that you vote "AYE" on SB 568.

Sincerely,

Donna Seitz
Legislative Advocate

Cc: Senator Lowenthal
Each Member and consultant, Assembly Natural Resources Committee



CALIFORNIA TEAMSTERS PUBLIC AFFAIRS COUNCIL

1127 ELEVENTH STREET, SUITE 501
SACRAMENTO, CALIFORNIA 95814

(916) 446-0291

FAX (916) 446-9321

E-MAIL: INFO@TEAMSTERCTPAC.ORG

WWW.CATEAMSTERS.COM

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SHANE GUSMAN
LEGISLATIVE REPRESENTATIVE

To: All Members of the Assembly Appropriations Committee

From: Barry Broad
Shane Gusman

Date: August 11, 2011

Subject: SB 568 (Lowenthal)-SUPPORT

The California Teamsters Public Affairs Council supports SB 568 by Senator Alan Lowenthal.

SB 568 would prohibit a food vendor from dispensing prepared food to a customer in a polystyrene foam food container after January 1, 2016 unless the local government or school district adopts a recycling program that can recycle at least 60% of its polystyrene foam food containers.

Polystyrene containers are clearly bad for the environment and they pose a potential health risk for consumers and workers. This material can take hundreds of years to deteriorate, taking up limited landfill capacity. When littered, the material finds its way into the ecosystem and can harm animals that ingest it. Polystyrene is also reasonably anticipated to be a carcinogen. This poses a particular risk to workers who are exposed to the material on a constant basis.

We urge your "aye" vote on SB 568.

cc: Senator Lowenthal



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UNITE HERE! Local 11

EXECUTIVE DIRECTOR

Madeline Janis, Esq.

August 9, 2011

Assembly Member Felipe Fuentes
9300 Laurel Canyon Blvd.
First Floor
Arleta, CA 91331-4314

SUPPORT: Senate Bill 568 (Lowenthal): Polystyrene Foam Takeout Food Packaging

Dear Assembly Member Fuentes,

The Los Angeles Alliance for a New Economy (LAANE) wants to express its support of Senate Bill 568, which would reduce litter and waste generated from polystyrene (also known as Styrofoam™) foam takeout food packaging by prohibiting a food vendor from dispensing prepared food to a customer in a polystyrene foam food container. Polystyrene (also known as Styrofoam™) takeout food and beverage containers are used once for a short time before they become waste and end up in our already stretched landfill system, and often litter our beaches. **This is an urgent issue for the city and state to address** and we encourage you to support the passage of this very important bill.

Polystyrene packaging is pervasive in the environment, is extremely damaging throughout its lifecycle, and is rarely recycled. With over 3 million tons of waste going already going to landfills and incinerators every year in the City of Los Angeles alone, we simply cannot afford to continue this.

At a time when local agencies are facing budget challenges, the costs incurred to deal with polystyrene litter and waste clean-up are significant. But this goes beyond being just an economic issue. As a non-profit organization with over 16 years of experience advocating for a new economy based on good jobs, thriving communities and a healthy environment we also see SB 568 as a social justice issue. Studies demonstrate that polystyrene food containers are harmful to human health. The styrene in food containers leaches into the food when heated, or comes in contact with acids, grease, and/or oil. U.S. EPA scientists found Styrene in 100 percent of all human tissue samples in a 1986 study. As is so often the case, these dangers to the general population are even more acute for the workers who must deal with the substance most directly and most often. Styrene is a possible human carcinogen and a known lab animal carcinogen, and workers exposed to it may suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation.

The Los Angeles Alliance for a New Economy supports Senate Bill 568 which represents a determined statewide effort to reduce litter, eliminate costly waste, particularly in our city budget, prevent the proliferation of marine debris, and protect human health and welfare.

Sincerely,

Greg Good, Don't Waste LA Project Director
Los Angeles Alliance for a New Economy

cc: Mayor Villaraigosa, Council Member Garcetti, Council Member Perry,
Council Member Reyes, Council Member Krekorian, Council Member
Rosendahl, Council Member LaBonge, Council Member Koretz, Council
Member Cardenas, Council Member Alarcon, Council Member Parks, Council
Member Wesson, Council Member Englander, Council Member Huizar,
Council Member Zine

Senator Kevin De León



Pacoima Beautiful

ENVIRONMENTAL EDUCATION. LEADERSHIP DEVELOPMENT & ADVOCACY

August 11, 2011

Assembly Member Felipe Fuentes
9300 Laurel Canyon Blvd., First Floor
Arleta, CA 91331-4314

SUPPORT: Senate Bill 568 (Lowenthal): Ban on Polystyrene Foam Takeout Food Packaging

Dear Assembly Member Fuentes,

Pacoima Beautiful wants to thank you again for co-sponsoring our successful neighborhood clean up last Saturday. We all had a fun time and the neighborhood looks much better.

In the spirit of that event, Pacoima Beautiful wants to express its support of a bill which recently made it out of the State Senate and into the Assembly: Senate Bill 568, which bans some of the stuff we found most difficult to clean up: Styrofoam food containers. We encourage you to support it in the Assembly Appropriations Committee and on the Assembly floor.

We feel strongly that SB 568 is a social justice issue. The National Toxicology Program recently designated Styrene, a major component of Styrofoam, as a "likely human carcinogen," which means it can cause cancer, especially to workers in the industry. Workers exposed to it may suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation. For consumers, the styrene in food containers leaches into the food when heated, or in contact with acids, or grease and oil. We all know we're not supposed to put it in the microwave, but people still do. In a 1986 study, U.S. EPA scientists found Styrene in 100 percent of all human tissue samples. That means it affects us all.

We really know now how much of an environmental nightmare Styrofoam is, crumbling into pieces and impossible to pick up off our streets and beaches. There are comparably-priced alternatives available from the same companies who make polystyrene, which are easier to clean up and safe for workers and consumers. In the 47 cities and counties who have banned polystyrene in California, no restaurant has filed for financial hardship. It also promotes green job growth for people making alternative, safer containers.

Pacoima Beautiful supports Senate Bill 568 which represents an effort to reduce blight on our streets, eliminate costly waste, particularly in our city budget, prevent the proliferation of marine debris, and protect human health and welfare. We appreciate your vigorously representing our community by supporting it like Senator Alex Padilla has already done.

Sincerely,

Nury Martinez
Executive Director

cc: Mayor Villaraigosa, Council Member Garcetti, Council Member Perry,
Council Member Reyes, Council Member Krekorian, Council Member Rosendahl,
Council Member LaBonge, Council Member Koretz, Council Member Cardenas,
Council Member Alarcon, Council Member Parks, Council Member Wesson,
Council Member Englander, Council Member Huizar, Council Member Zine, Senator Alex Padilla

August 9, 2011

Assembly Member Felipe Fuentes
9300 Laurel Canyon Blvd., First Floor
Arleta, CA 91331-4321

Support: Senate Bill 568 (Lowenthal): Ban on Polystyrene Foam Takeout Food Packaging

Dear Assembly Member Fuentes,

Trashbusters USA would like to thank you for inviting us to be part of the Mission Hills clean up. It was an exciting event and helped Trashbusters USA become more involved within the community, and most importantly, helped make it cleaner.

In spirit of the event, Trashbusters USA would like to support the Senate Bill 568, which bans the use of Styrofoam (Polystyrene) food containers in California. We encourage you to support it in the Assembly Appropriations Committee and on the Assembly floor. This bill will not only help our state become a cleaner and eco-friendly environment, but there will also be a decrease in health issues in the long run.

As an organization that is geared towards environmental awareness, we feel strongly that SB 568 is a social justice issue. The National Toxicology Program recently designated Styrene, a major component of Styrofoam, as a "likely human carcinogen," which means it can cause cancer, especially to workers in the industry. Workers exposed to it may suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation. The effects are not only felt by the producers, but by consumers as well. For consumers, the styrene in food containers leaches into the food when heated, or in contact with acids, or grease and oil. Many people lack the awareness of the dangers of microwaving Styrofoam. In a 1986 study, U.S. EPA scientists found Styrene in 100 percent of all human tissue samples. This lack of knowledge then leads to greater health risks for adults as well as children.

Styrofoam does not only introduce health risks but also, it increases the amount of environmental damage. Styrofoam is hard to decompose, and therefore we see it in our streets crumbling to pieces and becoming part of the cities. There are comparably-priced alternatives available from the same companies who make polystyrene, which are easier to clean up and safe for workers and consumers. There are companies who have started to make a difference by introducing recyclable products, such as the company Eco-Products. If we could allow for these companies to become intergraded within our city businesses then the city would see a change. Not just that, but also the producers and consumers would benefit from reduced styrene exposure.

Trashbusters USA greatly supports Senate Bill 568 which represents an effort to reduce blight on our streets, eliminate costly waste, particularly in our city budget, prevent the proliferation of marine debris, and protect human health and welfare. We appreciate your vigorously representing our community, and hope that you will continue to do so by endorsing this Bill 568 as well.

Sincerely,

Pablo Martinez
Trashbusters USA
P.O. Box 921687
Sylmar, CA 91392
trashbustersusa@yahoo.com
(818) 306-0105



May 13, 2011

The Honorable Alan Lowenthal
State Capitol
Room 2032
Sacramento, CA 95814

Re: SB 568 – **SUPPORT**

Dear Senator Lowenthal:

On behalf of Worksafe, Inc., I am writing to express our strong support for SB 568, the ban on polystyrene takeout food containers. We believe that, in addition to its environmental and cost-saving benefits, this important legislation will help to protect California workers.

Worksafe is an Oakland-based organization dedicated to eliminating all types of workplace hazards. We advocate for protective worker health and safety laws and effective remedies for injured workers. We also engage in campaigns in coalition with unions, workers, community, environmental and legal organizations, and scientists to eliminate hazards and toxic chemicals from the workplace.

Studies demonstrate that polystyrene food containers are harmful to human health. The styrene in food containers leaches into the food when heated, or in contact with acids, or grease and oil. U.S. EPA scientists found Styrene in 100 percent of all human tissue samples in a 1986 study.

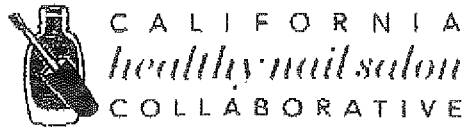
As is so often the case, these dangers to the general population are even more acute for the workers who must deal with the substance most directly and most often. Styrene is a possible human carcinogen and a known lab animal carcinogen, and workers exposed to it may suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation.

Of the 47 California jurisdictions that have enacted bans on polystyrene food ware, none have reported that any local businesses have closed up shop as a result. Most local ordinances have options for local businesses to make a claim of economic hardship, and none have exercised this option. Further, in San Francisco, two years after the passage of the polystyrene ban, a litter study showed a 36% decrease in polystyrene litter.

SB 568 is smart and responsible policy that will safeguard our health, the safety of our workers, and the environment we all share. You have our support and gratitude for spearheading this critical effort.

Sincerely,

Gail Bateson
Executive Director, Worksafe
55 Harrison St., Ste. 400
Oakland, CA 94607
(510) 302-1011



July 18, 2011

The Honorable Senator Alan Lowenthal
State Capitol, Room 2032
Sacramento, CA 95814
Fax (916) 327-9113

SB 568 (Lowenthal), Phase Out Polystyrene Take Out Food Containers ---Support

Dear Senator Lowenthal:

The California Healthy Nail Salon Collaborative (Collaborative) strongly supports SB 568 -- a state-wide phase out of foam take out food packaging -- because of both the human health threat associated with these products and the environmental blight they cause.

The Collaborative comprises over 60 organizations and individuals. We focus on improving the occupational safety and health of nail salon workers through an integrated approach of policy advocacy, research, outreach, and education strategies. The nail salon community in California includes approximately 94,000 nail salon technicians, most of whom are immigrant women of reproductive age. The Collaborative advocates for the elimination of hazardous chemicals in nail products including dibutyl phthalate, toluene and formaldehyde, to name a few.

Polystyrene food containers threaten human health. Styrene leaches from foam containers into the food when heated, or in contact with acids, or grease and oil. According to a report to Congress in June 2011, the National Toxicology Program of the U.S. Department of Health and Human Services finds that Styrene is reasonably anticipated to be a human carcinogen. The report lists polystyrene packaging as one of the exposure pathways.

Given the focus of our work on reducing harmful chemical exposures to an immigrant worker community, we are particularly concerned with the potential impacts of Styrene on other vulnerable groups such as pregnant women, infants, and small children. In addition, workers exposed to styrene suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation.

Polystyrene products have severe impacts on our environment. Polystyrene comprises 15% of storm drain litter according to the California and the Department of Transportation, and because of its physical nature is harder to control or clean up. As a result, local jurisdictions currently spend millions of taxpayer dollars annually on this litter problem. Clearly the best way to address this problem is to eliminate it at the source. Recycling doesn't control litter and it's expensive. Bans work. Two years after the passage of the polystyrene food-ware ban in San Francisco, a litter study showed a 36% decrease in polystyrene litter.

Low income communities are the most impacted. Because the fast food industry has been slow to transition to low-cost non-foam alternatives, low income neighborhoods (where fast food restaurants are more prevalent than non-fast food) are more exposed to styrene-leaching food containers. In neighborhoods with less funding for street sweeping and litter control, foam litter also contributes to urban blight.

August 15, 2011

The Honorable Alan Lowenthal
California State Senate
State Capitol, Room 2032
Sacramento, CA 95814

SB 568 (Lowenthal) Phase Out Polystyrene Take Out Food Containers

Dear Senator Lowenthal:

Black Women for Wellness strongly supports SB 568 - a statewide phase out of polystyrene, (also known as Styrofoam™) foam from take-out food packaging. This light-weight product easily breaks into small pieces, littering our neighborhoods and ocean waters causing detrimental effects on our eco system as well as exasperates the health of African American women, girls and our families.

The harmful effects of polystyrene are not equal. African American women on average eat out at least one day a week, increasing our risk for exposure. Low income and people of color communities often live in food deserts, which can increase the use of take-out containers in general. The scores of fast food restaurants in many African American communities, coupled with the decrease likelihood of scheduled street cleaning, results in an abundance of litter from the use of polystyrene lingering in our streets and in our parks. Workers, both those in our community and those manufacturing take-out containers have higher exposure to these chemicals that are linked to: leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation.

When polystyrene is heated, or in contact with acids, grease, or oil, it leaches from the containers into our food, showing up in 100% of human tissues samples. According the National Toxicology Program in a report to Congress, polystyrene is reasonably anticipated to be a **human carcinogen**. The report lists polystyrene packaging as one of the exposure pathways. Sadly African American women & our communities suffer from adverse health disparities with high rates of mortality and morbidity from cancer.

Local governments spend millions annually cleaning litter, funding that could otherwise go towards programs suffering from cuts including education, health services and other government services. There are many alternative, cost neutral products on the market including, paper, and compostable products available. Of the 47 jurisdictions that have ban polystyrene including Alameda, Oakland and San Francisco, none reported local businesses suffered economic hardship related to the bans. By phasing out polystyrene, California can be the center of alternative manufacturing and attract new sustainable packaging businesses due to the local demand.

Black Women for Wellness supports SB 568 and thanks you for introducing this important measure in pursuit of a healthy California for all of our families.

Sincerely,

Nourbese Flint M.A.W.H.
Program Manager -Black Women for Wellness

*The physician and health advocate voice for a world free from nuclear
and a safe, healthy environment for all communities.*

August 1, 2011

The Honorable Alan Lowenthal
California State Senate
State Capitol, Room 2032
Sacramento, CA 95814



RE: Support of SB 568 (Lowenthal) Phase Out Polystyrene Take Out Food Containers

Dear Senator Lowenthal:

On behalf of the 5,000 members and supporters of Physicians for Social Responsibility-Los Angeles (PSR-LA), I write in support of SB 568 - a state-wide phase out of foam take out food packaging. Polystyrene (also known as Styrofoam™) packaging is light weight and breaks easily into small pieces that escape litter cleanup efforts and degrade neighborhoods. In addition, these containers threaten the health of workers in the packaging industry, as well as consumers. PSR-LA is a nonprofit physician and health advocate organization founded in 1980, working to protect public health from toxic threats to the environment.

Styrene leaches from foam containers into the food when heated, or in contact with acids, grease, and oil. According to a report to Congress in June 2011, the National Toxicology Program of the U.S. Department of Health and Human Services finds that Styrene is reasonably anticipated to be a **human carcinogen**. The report lists polystyrene packaging as one of the exposure pathways. In addition, workers exposed to styrene suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation.

In addition, local jurisdictions currently spend millions of taxpayer dollars annually cleaning litter, funding that could otherwise go towards filling the huge gaps in local government programs that have been harmed by continuing state and local budget deficits.

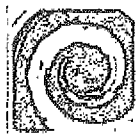
Paper, other types of plastic, and even some compostable products are available in the same price range as foam- some are cheaper. Of the 50 jurisdictions that have enacted bans on polystyrene food ware, none are reporting local businesses suffer economic hardship related to the bans. Many businesses throughout California already provide take-out food and beverages in non-foam containers.

By phasing out foam, California will propel the job growth for manufacturers of alternative packaging choices and attract new sustainable packaging businesses, due to increased local demand for their products.

Our members support SB 568 and thank you for introducing this important measure.

Sincerely,

Martha Dina Argüello
Executive Director
213-689-9170 | marguello@psr-la.org



Green Chamber of Commerce

July 27, 2011

Senator Alan Lowenthal
State Capitol, Room 2032
Sacramento, CA 95814

RE: SB 568 - Polystyrene Food Containers – GREEN CHAMBER OF COMMERCE SUPPORT

Dear Senator Lowenthal,

The Green Chamber of Commerce would like to inform you of our support for bill SB 568. This bill has a vast and diverse range of support from cities such as Pasadena, Culver City, Santa Monica, Palo Alto, Sonoma and San Francisco; environmental organizations such as the Environmental Defense Fund and Environment California; business organizations such as the Fremont Chamber of Commerce and Berkeley Chamber of Commerce; restaurants such as Karl Strauss Brewery Restaurants and George's at the Cove; and nonprofit organizations such as the Breast Cancer Fund and Heal the Bay. This vast and widespread support demonstrates a diverse constituency for prioritizing the environment and public health over the unnecessary continued use of disposable carcinogen polystyrene containers.

Polystyrene is a triple threat. It is ever-present in landfills and our beaches. Polystyrene production causes air pollution. And styrene has negative effects on human health, according to a 2000 US EPA report. It's past time to phase out this product.

California has always been a leader in environmental and human health in the United States. The Green Chamber of Commerce would like to see California pass SB 568 to ignite a nationwide movement to ban polystyrene that will protect the health of the oceans, marine organisms, and citizens.

Please let us know if there is any way we can assist you in passing this bill through the State Assembly. Should you have any questions regarding our support of the bill, please feel free to contact me.

Sincerely,

Stacie Shepp
Executive Director | Green Chamber of Commerce
stacie@greenchamberofcommerce.net



July 5, 2011

The Honorable Alan Lowenthal
California State Senate
State Capitol, Room 2032
Sacramento, CA 95814

SB 568 (Lowenthal) Phase Out Polystyrene Take Out Food Containers ---Support

Dear Senator Lowenthal:

The Environmental Justice Coalition for Water, a network of more than 50 environmental grassroots and intermediary organizations working to empower communities and promote equity, strongly urges your support for SB 568 (Lowenthal) - a state-wide phase out of foam take out food packaging. Polystyrene (also known as Styrofoam™) packaging is light weight and breaks easily into small pieces that escape litter cleanup efforts and degrade neighborhoods. In addition, these containers threaten the health of workers in that industry as well as consumers.

Styrene leaches from foam containers into the food when heated, or in contact with acids, or grease and oil. According to a report to Congress in June 2011, the National Toxicology Program of the U.S. Department of Health and Human Services finds that Styrene is reasonably anticipated to be a **human carcinogen**. The report lists polystyrene packaging as one of the exposure pathways. In addition, workers exposed to styrene suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation

In addition, local jurisdictions currently spend millions of taxpayer dollars annually cleaning litter, funding that could otherwise go towards filling the huge gaps in local government programs that have been harmed by continuing state and local budget deficits.

Paper, other types of plastic, and even some compostable products are available in the same price range as foam- some are cheaper. Of the 50 jurisdictions that have enacted bans on polystyrene food ware, none are reporting local businesses suffer economic hardship related to the bans. Many businesses throughout California already provide take-out food and beverages in non-foam containers.

By phasing out foam, California will propel the job growth for manufacturers of alternative packaging choices and attract new sustainable packaging businesses, due to increased local demand for their products.

309 Alameda Blvd.
West Sacramento, CA 95691

(916)371-3853
Fax (510)444-2502

Our members support SB 568 and thank you for introducing this important measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbie Davis", with a stylized flourish at the end.

Debbie Davis,
Legislative Analyst
Environmental Justice Coalition for Water



**President's Circle
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Waste Management, Inc.

Zero Waste Communities

The views expressed in this letter do
not necessarily represent those of
the Sponsors listed above.



215 L Street - Suite C-216
Sacramento, CA 95814
916-441-2772
info@crra.com
www.crra.com

**California
Resource
Recovery
Association**

March 28, 2011

Honorable Joe Simitian, Chair
Senate Environmental Quality Committee
State Capitol
Sacramento, California 95814
FAX: (916) 322-3519

RE: SB 568 (Lowenthal) Recycling: Polystyrene Food Containers - Support

Dear Senator Simitian and Committee Members:

The California Resource Recovery Association, founded in 1974, is California's statewide recycling association. It is the oldest and one of the largest non-profit recycling organizations in the United States. CRRA is dedicated to achieving environmental sustainability in and beyond California through Zero Waste strategies including product stewardship, waste prevention, reuse, recycling and composting. CRRA advances local, regional and state wide waste reduction efforts which result in critical environmental and climate protection outcomes. CRRA's more than 500 members represent all aspects of California's reduce-reuse-recycle-compost economy. Our members work for over 100 cities, counties and municipal districts, as well as hauling companies, material processors, non-profit organizations, state agencies, and allied professionals.

SB 568 would prohibit the distribution and use of expanded polystyrene (EPS, also known as Styrofoam™) carry-out food containers by food vendors for prepared food. While these containers are designed for single use by consumers, their impacts on the environment are long term, harmful and expensive. EPS containers are light weight and highly subject to air born litter. They migrate easily to waterways and ultimately to the ocean where it breaks into small pieces that persist in the environment. Marine life from the bottom to the top of the food chain mistake foam pieces for food, negatively impacting fisheries and the ecosystems upon which they rely.

EPS is the second most abundant form of debris on California beaches. To date, 48 California jurisdictions have banned EPS take-out food containers. It's no wonder, since California jurisdictions spend millions of taxpayer dollars each year cleaning litter from streets, storm drains, waterways and beaches. The County of Los Angeles, for example, spends \$18 million annually to clean litter from streets and storm drain catch basins and over \$4 million each year cleaning beaches. Cal Trans spends about \$65 million a year removing litter from roadsides and highways.

Recycling of used EPS food containers is not viable due to a host of barriers, including but not limited to contamination with food and incompatibility with the mixed collection recycling systems that are common throughout California. We know of no California jurisdiction that currently accepts EPS food containers in its curbside collection program.

Please vote YES on SB 568 and help California reduce the use of this badly designed product.

Sincerely,

Julie Muir

Julie Muir
President

Cc: Senator Alan Lowenthal



May 4, 2011

Honorable Alan Lowenthal
California State Senate
State Capitol Room 2032
Sacramento, CA 95814

Subject: Notice of Support – SB 568 (Lowenthal) Recycling: Polystyrene Food Containers (A-04/14/2011)

Dear Senator Lowenthal:

I am pleased to inform you that the Santa Clara Valley Water District (District) supports your SB 568 that would prohibit food vendors from dispensing prepared food to a customer in a polystyrene foam container. The District manages wholesale drinking water resources and provides stewardship for the county's watersheds, including 10 reservoirs, hundreds of miles of streams and groundwater basins. The water district also provides flood protection throughout Santa Clara County.

The District supports SB 568's requirement to eliminate the use of polystyrene or 'Styrofoam' containers in the distribution of prepared food from restaurants and vendors. Like most plastics, polystyrene is lightweight and floats. When disposed of improperly, it often ends up in creeks and waterways, or is carried from streets and through storm drains out to the ocean.

Alternatives to polystyrene food containers are widely available and include paper, plastic, compostable materials, and aluminum foil. While not all of these alternatives are equally "environmentally friendly," most provide at least some advantage over Styrofoam in terms of their impact on the marine environment, because they are less likely than polystyrene to break into smaller and smaller pieces and be mistaken for food by marine animals. In addition, most alternatives are likely to biodegrade faster than polystyrene, which does not degrade in the environment or degrades very slowly.

Finally, SB 568 will support the water resources stewardship goals of the District, protect bay ecosystems, and support clean, safe water in creeks and streams in Santa Clara County and throughout California. It could also help reduce costs for litter clean up statewide.

We appreciate the leadership you have provided on this issue. If there is any way we may be of assistance in the passage of this measure, please do not hesitate to contact me at your convenience.

Sincerely,

Tom Martinez
Manager, State Government Relations



CALIFORNIA COASTAL COMMISSION

4 MONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



April 14, 2011

The Honorable Senator Alan Lowenthal
State Capitol, Room 2032
Sacramento, CA 95814

RE: SB 568- SUPPORT

Dear Senator Lowenthal:

On behalf of the California Coastal Commission, I am writing to inform you that the Commission has unanimously voted to support your bill, SB 568. This legislation would prohibit any food vendor, after January 1, 2013, from dispensing prepared food to a customer in a polystyrene foam food container.

Expanded polystyrene foam and non-foam polystyrene (aka Styrofoam) is pervasive in the marine environment, extremely damaging throughout its lifecycle, and is rarely recycled. These materials are frequently used for take-out food containers.

Because it is lightweight and floats, Styrofoam is easily swept from streets and through storm drains out to the ocean. Fifteen percent (15%) of street and highway litter ending up in storm drains is polystyrene. EPS is the second most abundant form of beach debris. In the environment, the containers break down into small pieces that are easily mistaken for food by marine wildlife.

The Coastal Commission's Action plan on reducing land based sources of marine debris recommended three priority actions for the state. These were incorporated into the OPC's Marine Litter Reduction Strategy. One of the three priority actions for the state is to enact bans on "bad actor" sources of marine litter including polystyrene foam. Therefore, SB 568 grew directly out of the work done by the Commission, was later captured by the OPC in its marine debris reduction resolution and strategy, and now being realized in SB 568.

The Commission's interest in this policy area is grounded in Coastal Act Section 30004 (b), as follows, emphasis added:

Section 30230 Marine resources; maintenance

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. *Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

The practical effect of SB 568 would be to reduce, but not eliminate, the number of polystyrene containers that find their way into the waste stream, and would therefore reduce the number of these containers ending up in the marine environment. Once in the marine environment, polystyrene does not biodegrade; it simply breaks down into smaller and smaller pieces that continue to disrupt the food chain and have harmful effects on wildlife. Although polystyrene can be recycled, food contamination interferes with its recovery. As a result, many facilities that accept polystyrene will only accept product packaging.

If SB 568 is enacted, polystyrene from outside of California as well as other types of non-biodegradable plastics will still contribute to ocean debris, but some percentage of food vendors will replace these containers with products made from biodegradable materials. Therefore, prohibiting the use of polystyrene containers in California would have a direct beneficial effect on the marine environment, and may encourage other states to pursue similar policy.

We look forward to working with you toward the enactment of this important piece of legislation.

Sincerely,

Sarah Christie
Legislative Director
California Coastal Commission

Senator Alan Lowenthal
State Capitol, Room 2032
Sacramento, CA 95814
Fax: (916) 327-9113

August 8th, 2011



B.E.A.C.O.N.

**Beach Erosion Authority for
Clean Oceans and Nourishment**

A California Joint Powers Agency

RE: SUPPORT: Senate Bill 568 (Lowenthal): Polystyrene Foam Takeout Food Packaging

Dear Senator Lowenthal:

On behalf of BEACON (Beach Erosion Authority for Clean Oceans and Nourishment), I want to express our support of Senate Bill 568. Polystyrene (also known as Styrofoam™) takeout food and beverage containers are used once for a short time before they become waste, and often litter. Senate Bill 568 proposes to reduce litter and waste generated from polystyrene foam takeout food packaging by prohibiting a food vendor from dispensing prepared food to a customer in a polystyrene foam food container.

I also believe this to be a social justice as well as an environmental issue. Studies demonstrate that polystyrene food containers are harmful to human health. The styrene in food containers leaches into the food when heated, or in contact with acids, or grease and oil. U.S. EPA scientists found Styrene in 100 percent of all human tissue samples in a 1986 study.

As is so often the case, these dangers to the general population are even more acute for the workers who must deal with the substance most directly and most often. Styrene is a possible human carcinogen and a known lab animal carcinogen, and workers exposed to it may suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation.

Polystyrene packaging is pervasive in the environment, is extremely damaging throughout its lifecycle, and is rarely recycled. Because it is lightweight, floats, and easily breaks into small pieces, polystyrene packaging is easily carried from streets through storm drains to the ocean where it constitutes the second most abundant form of beach debris littering urban California beaches.

At a time when local agencies are facing budget challenges, the costs incurred to deal with polystyrene waste clean-up are significant. This is especially true of Southern California communities with impaired waterways that are required by the US Environmental Protection Agency (EPA) to reduce litter. Since 2001, Southern California cities have spent in excess of \$1.7 billion removing trash from our storm drain systems, in order to comply with EPA stormwater regulations.

BEACON supports Senate Bill 568 which represents a determined statewide effort to reduce litter, eliminate costly waste, prevent the proliferation of marine debris and protect human health.

Sincerely,

Brian Brennan, Executive Director
BEACON

Member Agencies

City of Carpinteria
City of Goleta
City of Oxnard
City of Port Hueneme
City of San Buenaventura
City of Santa Barbara
County of Santa Barbara
County of Ventura

Santa Barbara Address:

105 East Anapamu, Suite 201
Santa Barbara, CA 93101

Ventura Address:

501 Poli St.
Ventura, CA 93001

Telephone:

(805) 654-7740

Facsimile:

(805) 652-0865

Email:

Office@beacon.ca.gov

Internet:

<http://www.beacon.ca.gov>



Great Beginnings for Black Babies, Inc.

301 North Prairie Avenue, Suite 515 • Inglewood, California • 90301
 Phone (310) 677-7995 • Fax (310) 677-1041 • www.gbbb.org • 95-4482112

Mission

To reduce infant mortality by encouraging women to seek early and continuous prenatal care, encourage healthy lifestyles, and promote the healthy development and growth of babies, children, youth and families.

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 Barbara Walden
 Bishop Johnnie Young

Executive Director

Rae Jones

Founders

Virginia Hunter, RN, PhD
 Zola Jones, RN, MPA

July 27, 2011

The Honorable Senator Alan Lowenthal
 State Capitol, Room 2032
 Sacramento, CA 95814

SB 568 (Lowenthal), Phase Out Polystyrene Take Out Food Containers --- Support

Dear Senator Lowenthal:

Great Beginnings for Black Babies, Inc. supports SB 568 -- a state-wide phase out of foam takeout food packaging because of both the human health threat associated with these products and the environmental blight they cause.

For more than 20 years, Great Beginnings for Black Babies (GBBB) has infant mortality by encourage healthy lifestyles among women, infants, children, men and their families. Polystyrene food containers threaten human health.

We are particularly concerned with the potential impacts on vulnerable populations, such as pregnant women, infants, and small children. In addition, workers exposed to styrene suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation.

In addition, Polystyrene products have severe impacts on our environment. Polystyrene comprises 15% of storm drain litter according to the California and the Department of Transportation, and because of its physical nature is harder to control or clean up. As a result, local jurisdictions currently spend millions of taxpayer dollars annually on this litter problem. Clearly the best way to address this problem is to eliminate it at the source.

Because the fast food industry has been slow to transition to low-cost non-foam alternatives, low income neighborhoods (where fast food restaurants are more prevalent) are more exposed to styrene-leaching food containers. In neighborhoods with less funding for street sweeping and litter control, foam litter also contributes to urban blight.

Paper, and other types of plastics are price-comparable alternatives to foam containers. For all of these reasons, we support SB 568 and thank you for introducing this important measure.

Sincerely,

Rae Jones
 Executive Director



EcologyAction

Innovation • Partnership • Community

Senator Alan Lowenthal
State Capitol, Room 2032
Sacramento, CA 95814

6 May 2011

Fax: 916-327-9113

SB 568 (Lowenthal) Ban On Polystyrene Take Out Food Containers ---Support

Dear Senator Lowenthal:

Ecology Action of Santa Cruz strongly urges your support for SB 568 (Lowenthal)- a state-wide ban on foam take out food packaging. Polystyrene (also known as Styrofoam™) packaging is light weight and breaks easily into small pieces that escape litter cleanup efforts and are widely distributed in the environment. Hundreds of wildlife species mistake foam pieces for food. Neighborhoods, beaches, and parks are degraded by foam litter.

Due to the problems with polystyrene in the environment, many forward-thinking programs and public agencies have incorporated a polystyrene take out container phase-out into their mandatory and voluntary programs. The business community has responded positively in those areas, and now it is time to level the playing field for businesses throughout the state.

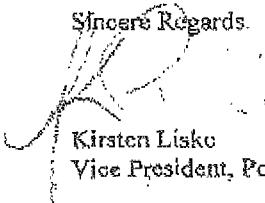
Specific examples of areas where businesses have already successfully phased out use include Santa Cruz County, where there was a voluntary program for years that transitioned to a mandatory phase-out ordinance several years ago. The phase out has been successfully completed with no significant negative reports from businesses.

One of the supporting factors for moving the ordinance from voluntary to mandatory was the success of the Monterey Bay Area Green Business Program requiring a phase out of polystyrene take out containers for restaurants and food service establishments that wished to voluntarily become Certified as Green Businesses. There are almost 300 Certified Green Businesses in the Monterey Bay Area, and over 2,500 certified green businesses (most small to medium sized) in California who have voluntarily phased out polystyrene.

These successes show that it is possible for small to medium size businesses to phase out use of polystyrene and phase in the use of more sustainable materials with no significant impact on their bottom line or the health of their business. Its time to level the playing field for these businesses by enacting the approach outlined in SB 568.

We thank you for introducing this important measure and encourage its passage. If there are any questions or comments about our support or the information provided above, please do not hesitate to contact me at (831) 515-1325.

Sincere Regards,


Kirsten Lisk
Vice President, Pollution Prevention and Zero Waste Programs

cc: Senator Blakeslee via fax 916-445-8081.
Save Our Shores Executive Director Laura Kasa, 831-462-6070



Just Transition Alliance

2810 Camino del Rio South Suite 116, San Diego, CA 92108

(619) 573-4934 Office • (619) 546-9910 Fax

www.jtalliance.org

August 8, 2011

Alliance Partners:

Asian Pacific
Environmental
Network (APEN)

Canadian
Communications,
Energy and
Paperworkers
(CEP)

Farmworker
Environmental
Justice Network
(FEJN)

Indigenous
Environmental
Network (IEN)

Northeast
Environmental
Justice Network
(NEJN)

Southwest
Network for
Environmental
and Economic
Justice
(SNEEJ)

United Steel
Workers of
America
Local -675
Local -296

Staff:

José Bravo
Toscano
Executive
Director

Karina Flores
Office
Administrator

David Gonzalez
Program
Associate

The Honorable Senator Alan Lowenthal
State Capitol, Room 2032
Sacramento, CA 95814

SB 568 (Lowenthal) Phase Out Polystyrene Take Out Food Containers --- -Support

Dear Senator Lowenthal:

Our organization, the Just Transition Alliance, strongly urges your support for SB 568 (Lowenthal)- a state-wide phase out of foam takeout food packaging. Polystyrene (also known as Styrofoam™) packaging is light weight and breaks easily into small pieces that escape litter cleanup efforts and are widely distributed in the environment. Hundreds of wildlife species mistake foam pieces for food. Neighborhoods, beaches, and parks are degraded by foam litter and by the process of manufacturing since it releases toxic substances into the air and water.

Polystyrene comprises 15% of storm drain litter according to the California and the Department of Transportation (Cal Trans). Local jurisdictions currently spend millions of taxpayer dollars annually cleaning litter. Some jurisdictions, including San Luis Obispo and Richmond, enacted bans in response to foam clogging storm drains and causing flooding.

Eliminating polystyrene is the best way to solve the foam litter problem.

In San Francisco, two years after the passage of the polystyrene food-ware ban, a litter study showed a 36% decrease in polystyrene litter. While other forms of packaging may become more prevalent as litter, they don't break down easily into small pieces and are easier to clean up using typical litter control methods. Recycling doesn't control litter and it's expensive.

Polystyrene food containers threaten human health. Styrene leaches from foam containers into the food when heated, or in contact with acids, or grease and oil. According to a report to Congress in June 2011, the National Toxicology Program of the U.S. Department of Health and Human Services finds that Styrene is reasonably anticipated to be a **human carcinogen**. The report lists polystyrene packaging as one of the exposure pathways. In addition, workers exposed to styrene suffer increased risk of leukemia,

Frontline Workers and Fenceline Communities United for Justice

lymphoma, and neurological problems such as loss of hearing, balance, and spatial orientation. In addition, if we reduce the exposure of styrene, then we can reduce health care costs for California workers and consumers who are exposed to this possible carcinogen.


Low income communities are the most impacted. Because the fast food industry has been slow to transition to low- cost non-foam alternatives, low income neighborhoods (where fast food restaurants are more prevalent than non-fast food) are more exposed to styrene-leaching food containers. In neighborhoods with less funding for street sweeping and litter control, foam litter also contributes to urban blight.

Phasing out foam will boost jobs in California's already growing sustainable packaging industry. There are California-based manufacturers of non foam food containers, including International Paper, Hutamachi, Biosphere, even Dart and Pactiv, the two California-based manufacturers of foam food ware. Growth in compostable packaging is expected to be 17% per year through 2015, while polystyrene packaging will stagnate at less than 1% over the next 4 years. By phasing out foam, California will propel the job growth for all of these manufacturers and attract new sustainable packaging businesses, like Worldcentric (a supporter of this bill).

There are price-comparable alternatives to foam containers. Paper, other types of plastic, and even some compostable products are available in the same price range as foam- some are cheaper- see www.cleanwater.org/ca for a price comparison. Of the 50 jurisdictions that have enacted bans on polystyrene food ware, none are reporting local businesses suffer economic hardship related to the bans. Many businesses throughout California already provide take-out food and beverages in non-foam containers. In many cases, businesses have actually received a positive reaction from their customers for switching to non-foam containers since a lot of individuals are aware of the impact that foam has on the environment and health.

Our members support SB 568 and thank you for introducing this important measure.

Sincerely,



José Bravo Toscano
Executive Director



UNNC

4 August 2011

Assembly Member Mike Davis
Administrative Offices West
700 State Drive
Los Angeles, CA 90037

SUPPORT: Senate Bill 568 (Lowenthal): Polystyrene Foam Takeout Food Packaging

Dear Assembly Member Davis,

The United Neighborhoods Neighborhood Council (UNNC) wants to express its support of Senate Bill 568 and encourages you support it in the Assembly Appropriations Committee and on the Assembly floor.

We feel strongly that SB 568 is a social justice issue. The National Toxicology Program recently designated Styrene, a major component of Styrofoam, as a "likely human carcinogen," which means it can cause cancer, especially to workers in the industry. Workers exposed to it may suffer increased risk of leukemia and lymphoma and neurological problems such as loss of hearing, balance, and spatial orientation. For consumers, the Styrene in food containers leaches into the food when heated, or in contact with acids, or grease and oil. We all know we're not supposed to put it in the microwave, but people still do. In a 1986 study, U.S. EPA scientists found Styrene in 100 percent of all human tissue samples. That means it affects us all.

We all know how much of an environmental problem Styrofoam is, crumbling into pieces and being impossible to pick up off our streets and beaches. There are comparably-priced alternatives available from the same companies who make polystyrene, which are easier to clean up and safe for workers and consumers. In the 47 cities and counties who have banned polystyrene in California, not a single restaurant has filed for financial hardship. It also promotes green job growth for people making alternative, safer containers.

The United Neighborhoods Neighborhood Council supports Senate Bill 568, which represents an effort to reduce blight on our streets, eliminate costly waste -- particularly in our city budgets -- prevent the proliferation of marine debris, and protect human health and welfare. We appreciate your vigorously representing our community by supporting it like our Senator Kevin De León did.

Sincerely,

Stevie Stern, President
United Neighborhoods of the historic Arlington Heights, West Adams and Jefferson Park
Neighborhood Council (UNNC)

cc: Mayor Villaraigosa, Council Member Garcetti, Council Member Perry,
Council Member Reyes, Council Member Krekorian, Council Member Rosendahl,
Council Member LaBonge, Council Member Koretz, Council Member Cardenas,
Council Member Alarcon, Council Member Parks, Council Member Wesson,
Council Member Englander, Council Member Huizar, Council Member Zine

Senator Kevin De León

Phasing out foam will boost jobs in California's already growing sustainable packaging industry. There are California-based manufacturers of non foam food containers, including International Paper, Hutamachi, Biosphere, even Dart and Pactiv, the two California-based manufacturers of foam food ware. Growth in compostable packaging is expected to be 17% per year through 2015, while polystyrene packaging will stagnate at less than 1% over the next 4 years. By phasing out foam, California will propel the job growth for all of these manufacturers and attract new sustainable packaging businesses, like Worldcentric (a supporter of this bill) due to increased local demand for their products.

There are price-comparable alternatives to foam containers. Paper, other types of plastic, and even some compostable products are available in the same price range as foam- some are cheaper- see www.cleanwater.org/ca for a price comparison. Of the 50 jurisdictions that have enacted bans on polystyrene food ware, none are reporting local businesses suffer economic hardship related to the bans. Many businesses throughout California already provide take-out food and beverages in non-foam containers.

For all of these reasons, we support SB 568 and thank you for introducing this important measure.

Sincerely,



Catherine A Porter, JD



June 16, 2011

The Honorable Wesley Chesbro
Chair, Assembly Natural Resources Committee
1060 N Street, Room 164
Sacramento, CA 95814

RE: SB 568 (Lowenthal) Recycling: polystyrene food containers - SUPPORT

Dear Chair Chesbro,

The Solid Waste Association of North America (SWANA), the largest association of solid waste professionals (7,700 members), is committed to advancing the practices of environmentally and economically sound management of municipal solid waste. On behalf of their California Chapters, I am writing to **SUPPORT SB 568 (Lowenthal)** regarding the recycling of polystyrene food containers.

SB 568 would prohibit a food vendor, on and after January 1, 2016, from dispensing prepared food to a customer in a polystyrene foam food container and would define related terms. The bill would provide that a food vendor that is a school district is not required to comply with the bill's requirements until July 1, 2017, and would allow a food vendor that is a school district to dispense prepared food to a customer in a polystyrene foam food container after that date if the governing board of the school district elects to adopt a policy to implement a verifiable recycling program for polystyrene foam food containers. The bill would also allow a food vendor to dispense prepared food to a customer in a polystyrene foam food container after January 1, 2016, in a city or county if the city or county elects to adopt an ordinance establishing a specified recycling program for these types of containers

SB 568 will provide multiple benefits, including establishing uniform policy Statewide rather than varying restrictions in different jurisdictions, and significantly reducing one of the most abundant types of litter.

For these reasons, SWANA **SUPPORTS SB 568 (Lowenthal)** and urges your "aye" when it is heard in committee.

Sincerely,

Dressa Wallace
Legislative Advocate

Cc: Members and Consultants, Assembly Natural Resources Committee
The Honorable Alan Lowenthal

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LEGISLATIVE TASK FORCE

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