



Expanded Polystyrene Ban Ordinance

Frequently Asked Questions

1. **Why is Los Gatos moving towards an adoption of a Foam Food Container Ordinance to phase out expanded polystyrene (EPS) foam food service ware, commonly known as Styrofoam™?**

Litter impacts our communities and threatens water quality and wildlife in our local creeks and Bay. Twenty-six creeks in the Bay Area, including Guadalupe River and Coyote Creek in San Jose, have been declared as impaired by trash by the State Water Resources Control Board. The EPS phase out will help decrease litter in these creeks.

2. **Why will the ordinance only focus on EPS foam food service ware, not paper or rigid plastic containers?**

Paper, other natural fibers, and rigid plastic do not present the same kind of litter problem for our creeks. Paper and natural fibers degrade and, thus, are not persistent in the environment. Rigid plastic is highly durable but does not break apart the way EPS does. Reducing the use of EPS foam food service ware will decrease the amount of this particular pollutant in our environment. EPS foam food containers, such as cups and clamshells, float when in water, making them a highly visible form of litter. Since EPS food containers tend to break into many small pieces and never degrade, they are easily carried by street storm drains to local rivers and creeks, and eventually impact the San Francisco Bay and the ocean.

3. **Who will be affected by this ordinance?**

In Los Gatos, all food establishments will be required to switch to a non-foam food service ware alternative, including: restaurants, delis, cafes, corporate cafeterias, supermarkets and grocery stores that serve prepared food, mobile and street food vendors, bars and pubs, caterers, and coffee shops.

4. **What are the alternatives to EPS foam food service ware, and where can I purchase them?**

There are many alternatives to EPS. Some are paper or rigid plastic, and others are made of organic materials such as corn, potato, or sugar cane fiber. Restaurant supply stores and common retail stores carry alternative products. As a courtesy, the Town has developed a list of vendors.

5. Do alternative products cost more than EPS?

Costs will depend on where, what, and the volume of your purchase, with most products competitively priced. In some cases, paper and rigid plastic can be less expensive than EPS. Please see the cost study conducted by The City of San Jose for product pricing information. Additionally, restaurants can join cooperative organizations in order to purchase in bulk which can decrease cost.

6. How will this ordinance be enforced?

All food establishments are expected to comply on their effective ordinance date. The Town will work with individual food establishments to achieve compliance through education and outreach. Non-compliant food establishments will be subject to increasing levels of enforcement that may include citations.

7. Why not just recycle foam food service ware?

Unfortunately, there are no effective and efficient ways to recycle EPS. This is due to the low market value of the material and the high rate of food contamination, which makes it impossible to recycle.

8. Have other cities phased out EPS foam food service ware?

71 California cities and local agencies have now adopted EPS bans according to [Californians Against Waste](#).