

HB 2883 STAFF MEASURE SUMMARY

House Committee On Energy and Environment

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/19, 2/21

WHAT THE MEASURE DOES:

Prohibits a food vendor from using a polystyrene container in selling, offering for sale, serving, or dispensing prepared food to a member of the public. Becomes operative January 1, 2020. Defines "food vendor" as a business, organization, or person that sells prepared food to the public as their principal activity. Includes stores, shops, sales outlets, restaurants, grocery stores, supermarkets, delicatessen, food cart or other vehicle from which prepared food is sold. Exempts from prohibition polystyrene coolers or containers intended to be reused and enclosed by a solid plastic shell; trays or containers used to store or ship an ingredient or a food product that is not prepared food; and polystyrene plastic material used solely for packing or protecting items during storage or shipping. Authorizes Oregon Department of Environmental Quality (DEQ) to impose a civil penalty of up to \$250 per violation. Directs penalties to be deposited into the General Fund. Authorizes DEQ Director to adopt rules or take action before the operative date to enact prohibition. Takes effect 91 days after 2019 sine die.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

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

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

House Bill 2883 would prohibit Oregon food vendors from using polystyrene containers in selling, offering for sale, serving, or dispensing prepared food to a member of the public.