



# TOWN OF BROOKLINE

## DEPARTMENT OF PUBLIC HEALTH

---

11 Pierce Street, Brookline, Massachusetts, 02445  
Telephone: (617) 730-2300 Facsimile: (617) 730-2296  
[www.brooklinema.gov](http://www.brooklinema.gov)

---

### **POLYSTYRENE FACT SHEET: Article 8.32: Prohibition of the Use of Polystyrene-Based Disposable Food Containers**

In November 2012, Town Meeting members voted to prohibit the use of polystyrene-based disposable food and beverage containers. The following information outlines how this change may impact you.

#### **What is Polystyrene?**

Polystyrene is a plastic commonly used to make containers and lids for food and beverage. Polystyrene can come in a variety of forms ranging from foam products, often referred to as “Styrofoam,” to a thin and rigid plastic, as seen with coffee cup lids. Beginning December, 2013, food service establishments will not be allowed to use any form of polystyrene to package or serve food within Brookline. Polystyrene products are often labeled with the #6 plastic icon as shown below.



There are four general categories of containers impacted by this ban:

1. Lids and cups,
2. “Clamshell” style take-out containers,
3. Meat, poultry, and fish packaging, and
4. Polystyrene rigid clear plastic containers (commonly used to package sushi).

Check with your supplier to find out if the containers you currently provide are made from polystyrene and if they sell an acceptable non-polystyrene alternative.

#### **What Are the Acceptable Alternatives?**

1. #1 plastics (PETE-polyethylene)
2. #5 plastics (PP-polypropylene)
3. #7 plastics (other/mixed plastics)
4. Paper/Cardboard products
5. Aluminum containers (lids must be foil or acceptable plastic, not polystyrene)
6. Biodegradable and/or compostable containers

Acceptable alternatives often have one of the icons below printed on the side or bottom of the container.



### **Who Sells Acceptable Alternatives?**

Below is a partial list of vendors that sell non-polystyrene alternative products.

1. Tri Mark United East: Their line of Bio-Plus Earth products is certified by the Green Restaurant Council (800-556-7338)
2. Amazon.com
3. Biomasspackaging: *food trays, deli/takeout containers, cups, lids*
4. Hubert: *Compostable foam meat trays*
5. Pactiv: *Corn based compostable meat tray packing*
6. Eco-Products: *cups, lids, takeout containers*
7. US Eco Products: *takeout containers*
8. Dart: *cups, lids, containers*
9. Vegware: *plant based cups, lids, containers*
10. Another option for meat, poultry, and fish packaging is the MINIPAK TORRE line of vacuum sealer machines

### **When Does the Regulation Take Effect?**

December 1, 2013

### **What Happens if You Do Not Comply?**

According to the town by-laws, failure to comply can result in a \$50 fine for each violation cited.

### **Waiver Allowance:**

In the event that compliance by December, 2013 is not feasible for an establishment due to unavailability of alternative containers or economic hardship, an establishment may apply for a waiver through the Director of Public Health and Human Services. If approved, this waiver will allow the establishment an extra six months to comply with the by-law.

If an establishment is still unable to comply after the initial six month waiver period, the establishment may apply to extend the waiver for one additional six months.

***If you have any questions about this new by-law, please call the Brookline Health Department at 617-730-2300.***