

New York could ban plastic foam containers statewide under Cuomo proposal

December 18 2019, by Denis Slattery



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Gov. Andrew Cuomo is proposing a statewide ban on plastic foam containers, including products like coffee cups and packing peanuts.

The foam prohibition would include items like single-use food containers that are already outlawed in New York City and allow the state Department of Environmental Conservation to limit or ban other packaging material considered harmful to the environment.

"Styrofoam is one of the most common pollutants and a [public health](#) hazard that impacts humans and the environment alike," Cuomo said. "From takeout containers to packing peanuts, this material is everywhere, and it will continue to pollute our waters and harm our wildlife for generations to come if we do not act. With this proposal, we can build on our nation-leading initiatives to protect the environment and move New York another step closer to a greener, more sustainable future."

Cuomo said the measure would bar the distribution and use of expanded polystyrene foam containers used for prepared foods or beverages, including by restaurants, caterers, [food trucks](#), delis and grocery stores. It would also prohibit the sale of polystyrene loose-fill packaging, commonly known as packing peanuts.

Prepackaged food sealed prior to receipt at a restaurant or supermarket and packaging for uncooked or raw meat, fish or eggs would be exempt under the new law.

Fines for violating the law would start at \$250. Second, third and fourth violations would lead to fines of \$500, \$1,000 and \$2,000 respectively.

New York City began enforcing its ban on single-use foam plates, cups, takeout containers, packing peanuts and other items this summer.

Cuomo's plan to take the ban statewide, which follows a prohibition on single-use [plastic bags](#) slated to go into effect next year, got a thumbs up from environmental advocates.

"Polystyrene is both a threat to public health and a menace to the environment—nearly impossible to recycle, polystyrene is frequently within the top 10 items found during beach cleanups," said Liz Moran, the environmental policy director for the New York Public Interest Research Group. "While details to the proposal are still needed, NYPIRG applauds the governor for seeking to tackle polystyrene pollution."

State Sen. Todd Kaminsky, the chairman of his chamber's Environmental Conservation Committee, said Democrats in the legislature look forward to working with the governor on the issue.

"I am confident the ban on Styrofoam would be welcomed by the legislature as we are all aware that we have a solid waste crisis and that Washington is doing very little to nothing about it," Kaminsky said. "Following on our plastic bag ban ..., it is important that we continue to make progress and move from a disposable ... society to one that focuses on sustainability and protecting our planet for the next generation."

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Citation: New York could ban plastic foam containers statewide under Cuomo proposal (2019, December 18) retrieved 27 April 2024 from <https://phys.org/news/2019-12-york-plastic-foam-statewide-cuomo.html>

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