



FOODSERVICE PACKAGING
INSTITUTE®

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March 11, 2021

Committee on Environment and Natural Resources
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

Written Testimony: Opposition to LD 226

Dear House Energy & Environment Committee,

Thank you for the opportunity to provide written testimony in opposition to LD 226 - An Act to Limit the Use of Hydrofluorocarbons to Fight Climate Change. In particular, we are opposed to the prohibitions related to "Polystyrene extruded sheet" includes foam polystyrene made into food-service items.

Founded in 1933, the Foodservice Packaging Institute (FPI) is the leading authority on foodservice packaging in North America. FPI supports the responsible use of all foodservice packaging, while advocating an open and fair marketplace for all materials. FPI collects, maintains and disseminates science-based information related to the industry and its products. Our members include: raw material and machinery suppliers, manufacturers, distributors and purchasers of foodservice packaging. FPI represents approximately 90 percent of the industry.

FPI believes in reducing waste, recycling or composting foodservice packaging and protecting public health through the use of sanitary, single-use items. We support policies and programs that result in more recycling and/or composting of foodservice packaging and oppose restrictions that limit the use of any foodservice packaging. We believe that each foodservice package must compete in the marketplace based on its own merits of product performance and suitability, price competitiveness and, of course, impact on the environment.

A free-market approach allows restaurants and other foodservice establishments to determine the most effective product that fits their business model. Based on various FPI surveys of foodservice operators, we know that performance and cost are the two most important criteria in selecting products for their operations. Foam polystyrene foodservice containers can address those criteria. And in many cases, these items have been essential to the survival of foodservice operations during the COVID-19 pandemic, allowing for safe and affordable takeout and delivery transactions. Banning these containers would limit choice and strain foodservice operations throughout Maine.



We recognize that foodservice packaging, like all products, impacts the environment. However, foam polystyrene's impact is more limited than one might think. Foam polystyrene in its very essence is foam, meaning that it is 95% air and utilizes very little resin. In our view, it is important to evaluate the environmental impacts of all packaging materials, including foam polystyrene, in a fair and holistic manner. Utilizing a level playing field across all packaging materials, helps to avoid unintended consequences.

According to the latest available data from the Environmental Protection Agency (EPA), paper and plastic foodservice packaging items make up only 1.5 percent of municipal solid waste materials discarded in landfills. Foam polystyrene represents only a small portion of this overall percentage. Along with our members, we are working to increase recycling and prevent these valuable resources from ending up in landfills.

The industry – through the Foodservice Packaging Institute's Foam Recycling Coalition (FRC) – has proactively led efforts to increase the recycling of foam polystyrene. Recycled foam polystyrene is often in demand, due to its lower cost when compared to creating polystyrene from virgin materials. Thanks to the voluntary efforts of the FRC, approximately six million additional people in the U.S. and Canada have access to foam polystyrene recycling. More information on foam polystyrene recycling opportunities and U.S. end markets is available [here](#).

FPI recommends the exclusion of foodservice packaging from LD 266 and the development of policy approaches to support the expansion of recycling and composting infrastructure to improve the recovery of all foodservice packaging.

Thank you for your consideration of this written testimony.

Sincerely,



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