

## Article II. **Expanded Polystyrene (EPS) Food Serviceware and Packaging Reduction**

## Article III. **Single-Use Plastic Beverage Straw and Stirrer Reduction**

### **Frequently Asked Questions**

#### **What is the purpose of the bylaws?**

The purpose of these bylaws is to eliminate the usage of single-use EPS food serviceware and packaging and single-use petroleum-based plastic straws and stirrers by all food establishments, retail stores, and Town buildings/premises in the Town of Lexington. By restricting the sale and distribution of these products and promoting the use of reusable or compostable products instead, this bylaw will help protect public health and the natural environment, waterways and wildlife.

#### **What are EPS food serviceware and packaging? What are single-use petroleum-based plastic straws and stirrers?**

The following pages have examples of these.

#### **When do the bylaws take effect?**

For food establishments, retail stores, and Town buildings/premises with a floor area of at least 10,000 square feet, the bylaws will take effect on January 1, 2020. For those with a floor area of less than 10,000 square feet, the bylaws will take effect on July 1, 2020.

#### **Is there a way I can save money?**

Yes, especially in the case of straws, your establishment can stop providing straws automatically and only supply them on customer request. You can advertise and support customers who bring in their own reusable items to obtain your products, like coffee cups, take-out containers, and bags. This also supports the intention of the bylaws, to reduce the use of single-use plastics overall. Studies show constantly increasing consumer appreciation for businesses that prioritize the health and environmental benefits of waste reduction.

#### **Do I need to have special straws for patrons with disabilities?**

No, the Lexington Commission on Disability (COD) supports the use of *plant-based* plastic straws. These straws have the same look, feel and function as petroleum-based plastic straws that establishments are currently using, with the benefit of not coming from fossil fuels. These types of straws are also referred to as compostable, corn-based, and/or made from Polylactic Acid (PLA). The COD recognizes that some patrons may need individualized personal options.

#### **When we replace harmful petroleum-based plastics with compostable items, how can we be sure they are compostable?**

Compostable materials are those that are made entirely of organic materials such as wood, paper, bagasse, cellulose or plant-based plastic that meet the American Society for Testing and Materials (ASTM) International Standard D6400, or its replacement, or that are Certified Compostable by the Biodegradable Products Institute (BPI).

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### **Frequently Asked Questions (continued)**

#### **Where can I purchase these compostable items?**

You current supplier might carry some items. Other suppliers of compostable items include; [www.webstaurantstore.com](http://www.webstaurantstore.com), [www.ecoproductsstore.com](http://www.ecoproductsstore.com), [www.goinggreenservices.com](http://www.goinggreenservices.com), [www.restaurantware.com](http://www.restaurantware.com), [www.vegwareus.com](http://www.vegwareus.com), [store.worldcentric.com](http://store.worldcentric.com), and [www.costco.com](http://www.costco.com).

#### **Can establishments be fined for noncompliance?**

Yes, any food establishments, retail stores, and Town buildings/premises selling or distributing EPS food serveware or packaging, or single-use petroleum-based plastic straws or stirrers in violation of these bylaws shall be subject to a non-criminal disposition fine as specified in Appendix A of the Regulations for Enforcement of Town Bylaws under GLG C.

#### **Are there any exceptions?**

In the event that compliance with these bylaws is not feasible by January 1, 2020 for an establishment, (or by July 1, 2020 for an establishment with a floor area less than 10,000 square feet,) because of either unavailability of alternative products or economic hardship, the Town Manager or Town Manager's designee may grant up to two 6-month waivers upon application of the owner or owner's representative.

#### **What will be the impact of these bylaws?**

Due to the use of petroleum, benzene, styrene and other harmful chemicals in its production, the manufacturing and improper disposal of EPS could have detrimental impacts on the environment and human health. (More information on EPS at <https://www.sierraclub.org/massachusetts/polystyrene-food-packaging>.)

After its short-lived use, EPS and petroleum-based plastic straws and stirrers are not recyclable in municipal programs, do not degrade in landfills, persist for hundreds of years and can accumulate in the environment and wildlife. Reducing single-use petroleum-based plastics reduces the use of fossil fuels, thereby reducing greenhouse gas emissions.

## Article II. Expanded Polystyrene (EPS) Food Serviceware and Packaging Reduction

Below shows the most common EPS food serviceware products that are no longer allowed to be sold or distributed in all food establishments, retail stores, and Town buildings/premises in the Town of Lexington beginning in 2020. It is important to evaluate all EPS items distributed and/or sold in your establishment to understand how the regulations might affect you.



### Best Single-Use Alternative

*Reusables* are the cheapest and best alternative.

For single-use items, while all types of plastics other than EPS are allowed, *compostables* (featured) are the best alternative.



**Not Allowed**  
EPS food service items



**Not Allowed**  
EPS egg cartons



**Not Allowed**  
EPS food packaging items



**Not Allowed**  
EPS coolers



**Note: EPS is often marked as #6. All #6 polystyrene plastics (regular or expanded) are *not* recyclable in municipal programs.**

### Article III. Single-Use Plastic Beverage Straw and Stirrer Reduction

This shows the beverage straws and plastic stirrers that are no longer allowed to be sold or distributed in all food establishments, retail stores, and town buildings/premises in the Town of Lexington beginning in 2020.



#### Best Single-Use Alternative

Straws made of reusable or compostable materials  
(Plant-based plastic/PLA and paper straws featured )



#### Not Allowed

All types of plastic straws (except certified compostable plastic)



#### Best Single-Use Alternative

Stirrers made of reusable or compostable materials  
(compostable stirrers featured)



#### Not Allowed

All types of plastic stirrers (except certified compostable plastic)

**Note: Plastics in the forms of straws or stirrers are *not* recyclable in municipal programs due to their small size.**