News Release

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Contact: Warren Robinson (202) 249-6516
Email: Warren_Robinson@americanchemistry.com

NYC Restaurant Owners, Business Leaders, and Community Members Voice their Opposition to the Foam Foodservice Ban at Public Hearing

Concerned citizens fill City Hall to object to a proposal that would raise costs and increase waste, urge recycling as an alternative

NEW YORK (November 25, 2013) – Today, local restaurant owners, business leaders and concerned New Yorkers spoke out against a bill to ban the sale of polystyrene foam foodservice at a public hearing at City Hall. Introduced and supported by the Bloomberg Administration earlier this year, the bill has faced mounting objections from businesses, unions, community leaders and taxpayers due to its costs to restaurant owners and ineffectiveness at reducing solid waste.

“This bill will have serious implications not only for New York City small businesses, but upstate New York manufacturers,” said Mike Durant, New York State Director of the National Federation of Independent Business. “Product bans imposed absent solid scientific backing like this are threatening the viability of small businesses within the City and across New York. The very fact that New York City is looking to threaten thousands of jobs and small businesses is alarming.”

The City’s business owners spoke about the potential for increased costs and reduced bottom lines if the Council moves forward on the proposed ban.

“Polystyrene foam is the best option for my business because it keeps my food fresh and at the same time, it allows me to charge a fair price,” said Jimmy Moncion, owner of Nelson Paella Restaurant in Brooklyn. “The cheapest alternative is much more expensive than polystyrene foam – plus, they don’t work as well for my customers. If this ban goes through, it will mean cutting workers so that I can keep my doors open.”

More than 2,000 NYC-based small businesses have written to their City Council representatives to express disapproval of the ban and explain how purchasing more expensive alternatives would hurt their business. According to a recent study published by MB Public Affairs, for every $1.00 now spent on polystyrene foam products, businesses would have to spend nearly $2.00 on the alternatives. These alternative products often do not insulate as well as foam, which can lead to businesses using more cups or using a sleeve that further raises costs and increases solid waste.

“Dart has been working diligently for months on a plan for foam polystyrene recycling in New York City,” said Michael Westerfield from Dart Container Corporation. “We’ve offered to commit significant resources for a comprehensive recycling program. Cities across the country recycle polystyrene and there is no reason why New York City can’t launch a similar initiative. We urge
the City Council to support T2013-7195 which will include foam polystyrene in the residential recycling program.”

Recognizing the impact this bill will have on upstate manufacturing – where 1,300 jobs are at stake – state officials, including Senator Michael F. Nozzolio and Assembly Minority Leader Brian Kolb, have urged the City Council to reconsider the proposed ban.

“This proposed legislation demonstrates that New York State is not open for business. The ripple effect from a ban on polystyrene foam in New York City would be devastating for the entire state of New York. Not only would this ban kill jobs at upstate manufacturing companies, but it would drive up costs for restaurants and food service establishments using polystyrene products, which ultimately hurts the consumer,” said Assembly Republican Leader Brian Kolb. “I have continued to urge Mayor Bloomberg to consider alternative measures, including instituting a recycling program to help preserve jobs in our communities and rein in the cost of doing business.”

At the hearing, business organizations from across the state expressed concern to Council members about the economic costs associated with the proposal. "The Business Council of New York State is pleased to join with large and small businesses from across New York State to urge the City Council to reject an ill-conceived prohibition to a widely used, safe, clean, and recyclable product," said Darren Suarez, Director of Government Affairs for The Business Council.

Styrene toxicology expert George Cruzan also testified at the hearing about the scientific consensus that polystyrene foam foodservice products are completely safe for consumers. Based on scientific tests over five decades, government safety agencies have determined that polystyrene is safe for use in foodservice products. In 2011, Dr. Linda Birnbaum, Ph.D., Director, U.S. National Toxicology Program told the Associated Press that the levels of styrene from polystyrene containers “are hundreds if not thousands of times lower than have occurred in the occupational setting...In finished products, certainly styrene is not an issue.”

For more information on the impact of a polystyrene foam ban, the potential for recycling and how to get involved, please visit www.putalidonitnyc.com.

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