

**DATE:** April 21, 2023

**TO:** All Legislators

**FROM:** Rep. Katrina Shankland, Rep. Kristina Shelton, Sen. Chris Larson, Sen. Jeff Smith

**RE: Co-sponsorship of LRB-0905/1, relating to: prohibiting food and beverages from being served in foam polystyrene packaging.**

**DEADLINE: Friday, May 5 at 4:00 P.M.**

The Environmental Protection Agency estimates that Americans throw away 25 billion polystyrene foam, or Styrofoam, coffee cups every year. That's about 80 cups per person annually, making it the primary source of urban litter and pollutant of our waterways. Further, Styrofoam doesn't biodegrade and sticks around, polluting our environment for over 500 years.

Styrofoam not only harms our environment, but human health as well. According to the Centers for Disease Control and Prevention (CDC), Benzene, a chemical found in polystyrene foam, is a known carcinogen, normally found in cigarette smoke. Another chemical in Styrofoam, Styrene, is listed as a toxic substance on the CDC website and has been found in 100% of all human fat tissue tested.

Under this bill, polystyrene foam products, with exceptions, would be phased out in Wisconsin over one year. We need cleaner alternatives to help us reduce the total amount of polystyrene foam clogging up our landfills for centuries at a time. Studies done in Takoma Park, Maryland, a town which banned the use of polystyrene foam in 2014, found that some alternative products were actually cheaper than the polystyrene foam product.

Currently, at least eight states have laws to phase out the use of polystyrene foam. Wisconsin should join Maryland, Maine, Vermont, New York, New Jersey, Colorado, Virginia, and Washington and return to our state's roots as a national leader in conservation.

We're not just what we eat, but what we eat out of. By reducing our state's dependence on polystyrene foam, we can improve public health while protecting the environment.

If you would like to co-sponsor this bill, **please reply to this email** no later than **Friday, May 5 at 4:00 P.M.**

**Analysis by the Legislative Reference Bureau**

*This bill prohibits an operator of a retail food business from serving food and beverages in foam polystyrene packaging. The prohibition under the bill does not apply to either of the following: 1) containers enclosing food or beverage that have been filled and sealed outside the state; or 2) containers used for packaging raw meat, poultry, fish, or seafood to be consumed off the premises where sold. Under the bill, the Department of Agriculture, Trade and Consumer Protection may grant a waiver from the prohibition lasting up to one year after the bill takes effect to a retail food business operator. DATCP may grant a waiver under the bill if doing so is necessary to avoid an undue hardship or practical*

*difficulty for a retail food business operator that is not common among similarly situated retail food business operators.*