



## Legislation Text

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### Res. No. 120

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation which would provide tax incentives for food-service businesses to use environmentally-friendly alternatives to disposable food ware made from polystyrene foam and other non-recyclable or non-biodegradable materials.

By Council Members Mark-Viverito, Dromm, Fidler, Williams, Rodriguez and Nelson

Whereas, The City of New York has a duty to protect the natural environment, the health of its citizens, and the economy; and

Whereas, Using environmentally-friendly biodegradable, compostable, or recyclable disposable food service ware is an effective way of reducing the negative environmental impact of such food ware; and

Whereas, Polystyrene foam, also known as Styrofoam, and other non-biodegradable or non-recyclable materials, are commonly used in food ware in New York City; and

Whereas, Polystyrene foam is a non-biodegradable and virtually non-recyclable pollutant that stays in landfills and waterways for centuries; and

Whereas, Polystyrene foam is a notorious pollutant that breaks down into smaller, non-biodegradable pieces that are ingested by marine life and other wildlife thus injuring or killing them; and

Whereas, Styrene, a component of polystyrene foam, is a suspected carcinogen and neurotoxin that medical evidence suggests leaches from polystyrene foam containers into food and drink; and

Whereas, Disposable food service ware made from non-biodegradable materials other than Styrofoam, such as certain plastics, is made from non-renewable sources and often not accepted for recycling, also leading to substantial environmental pollution; and

Whereas, Due to these concerns, many municipalities, including San Francisco and Seattle, have banned the use of Styrofoam food containers and required the use of biodegradable/compostable or recyclable alternatives, and businesses in those cities have successfully adopted safer and more environmentally-friendly alternatives; and

Whereas, Separate legislation, Bill No. A.0428/S.02832, has been introduced to prohibit the use of disposable Styrofoam food service ware by any person or entity that has a contract with a state agency or municipality; and

Whereas, There are substitutes for, or alternatives to, polystyrene foam and other environmentally-harmful food service ware that adequately serve the needs of the food service industries and the consumer, and these substitutes or alternatives are readily obtainable and recyclable or biodegradable; and

Whereas, Environmentally-friendly alternatives are typically priced about 5 percent to 40 percent more than less environmentally-friendly options; and

Whereas, Food-related businesses and consumers in New York City are already struggling in the current economy and unable to absorb significant additional food costs; and

Whereas, Providing food-service businesses with incentives to restrict the use of polystyrene foam and other environmentally-harmful food service containers and encourage the use of biodegradable, compostable or recyclable alternatives in New York City will further protect the public health and safety of its residents, natural environment and wildlife; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation which would provide tax incentives for food-service businesses to use environmentally-friendly alternatives to disposable food ware made from polystyrene foam and other non-recyclable or non-biodegradable materials.

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