




MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna B. Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: January 29, 2018

SUBJECT: City Council Bill No. 17-0117
Food Service Facilities – Polystyrene Foam Products

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 17-0117 for the purpose of prohibiting food service facilities from using disposable food service ware made from polystyrene foam; defining certain terms; imposing certain penalties; providing for a special effective date; and generally relating to the use of polystyrene foam products for food service purposes.

As currently written, the bill does not provide detail on exactly which polystyrene products will be prohibited. For example, it is unclear whether pre-packaged products in polystyrene sold for home consumption are prohibited. Similar legislation in Montgomery County, MD (Bill No. 41-14, §48-53) clearly notes to which products the legislation does not apply. BDC recommends adopting similarly clear wording to Bill No. 17-0117 so that businesses may understand which products are prohibited.

BDC is also concerned about Bill No. 17-0117 taking effect 90 days after enactment as too quick to allow businesses to comply; however, it is our understanding that an amendment to the bill will allow for an 18 month phase-in period, which BDC believes will be sufficient.

As currently written, the bill specifies criminal penalties for violators. BDC does not support any criminal penalties for violators of this requirement, if enacted.

Education and outreach to affected businesses is not contemplated in the legislation as written; however, BDC will work with our partners at the Health Department to educate businesses on compliance with the law, if enacted.

BDC has no objection to Bill No. 17-0117, but submits the preceding comments for consideration by the committee.

Cc: Kyron Banks, Mayor's Office