

## Support HB 533

Expanded polystyrene food service containers; prohibition on dispensing, civil penalty  
Delegate Betsy Carr

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### Reasons to support House Bill 533

1. According to the National Toxicology Program and the International Agency for Research on Cancer, styrene, the main ingredient in styrofoam, is a likely human carcinogen, which can leach into the food and beverages contained in styrofoam containers, especially when it is heated.
2. In mice, styrene has caused lung tumors. In people, exposure to styrene increases the risk for leukemia and lymphoma. Workers exposed to styrene suffer higher rates of cancer, and female workers may have increased risk of miscarriages.
3. Styrofoam becomes litter more than any other waste product; it makes up 10 percent to 40 percent of litter found in streams, though styrofoam only accounts for 1 percent of all waste. In 2014, 28.5 million pounds of U.S.-made styrene entered the environment.
4. Littered styrofoam never fully degrades; rather, it bioaccumulates up the food chain affecting the fish, oysters and crabs that may consume them and humans who eat seafood.

### Overview

Prohibits the dispensing by a food vendor of prepared food to a customer in a single-use expanded polystyrene food service container, as defined in the bill. The bill requires certain chain restaurants to stop using such containers by July 1, 2023, and sets the date for compliance by all food vendors as July 1, 2025. The bill exempts certain institutions, including correctional facilities and public schools, from the definition of "food vendor" and provides a process by which a locality may grant consecutive one-year exemptions to individual food vendors on the basis of undue economic hardship. The bill provides a civil penalty of \$50 for each day of violation, to be collected in a civil action brought by the Attorney General or the relevant locality. The penalties collected are to be deposited in the Litter Control and Recycling Fund or to the treasury of the relevant locality, as appropriate. Finally, the bill directs the Department of Environmental Quality to post to its website information on compliance and the filing of complaints.



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This position was taken by Virginia Conservation Network (VCN)'s Legislative Committee and Board of Directors and is supported by Virginia's conservation community. For a complete list of VCN positions, visit [www.vcnva.org/bill-tracker](http://www.vcnva.org/bill-tracker). VCN is committed to building a powerful, diverse, and highly-coordinated conservation movement focused on protecting our Commonwealth's natural resources today and for tomorrow.