



BOARD OF HEALTH
100 MAPLE AVENUE
SHREWSBURY, MASSACHUSETTS 01545-5398



Telephone: 508-841-8512
Fax: 508-841-8414

February 27, 2019

RE: Polystyrene Reduction Bylaw – Town of Shrewsbury

Dear Food Establishment:

The attached Polystyrene Reduction Bylaw was adopted at a Special Town Meeting on October 22, 2018.

This bylaw will go into effect on January 1, 2020.

In summary, this bylaw is to promote safe, reusable, and sustainable alternatives. It will also enhance both public and environmental health and reduce waste management issues.

If you have any questions, please contact the Health Department at 508-841-8512.

Sincerely,

Stephen A. Vigeant

Stephen Vigeant, Chairman
Shrewsbury Board of Health

Attachment

cc: Town Manager's Office
Board of Selectmen's Office
Health Department file

***Article 8:**

Polystyrene Reduction Bylaw

Board of Health recommends approval of Article 8.
Finance Committee voted 7 – 1 in favor of Article 8.

VOTED a motion to end debate and vote the motion under Article

VOTED a motion to adopt the following Polystyrene Reduction bylaw:

ARTICLE 8C: Polystyrene Reduction Bylaw

SECTION 1.

“Director”, the Director of Public Health Services or the Town Manager/Board of Selectman designee.

“Disposable Food Service Container” means single-use disposable products for serving or transporting prepared, ready-to-consume food or beverages, including without limitation, take-out foods and/or leftovers from partially consumed meals prepared by a food establishment. This includes, but is not limited to, plates, cups, bowls, trays, hinged or lidded containers, straws, cup lids, or utensils. It does not include single-use disposable packaging for unprepared foods.

“Food Establishment” means any operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a food establishment for purposes of this ordinance.

“Expanded Polystyrene” means blown polystyrene (polystyrene that has been expanded or “blown” using a gaseous blowing agent into a solid foam) and expanded and extruded forms, which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion blow molding (extruded foam polystyrene).

“Prepared Food” means any food or beverage prepared on the food establishment’s premises, using any cooking or food preparation technique. Prepared food does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation. Prepared food may be eaten on or off the food establishment’s premises.

SECTION 2.

Food establishments are prohibited from dispensing prepared food to customers in disposable food service containers made from expanded polystyrene.

SECTION 3.

- (a) The Director may promulgate rules and regulations to implement this section.
- (b) Each Food Establishment as defined in Section 1, above, located in the Town of Shrewsbury shall comply with this bylaw.
 - (1) If it is determined that a violation has occurred the Director shall issue a warning notice to the Food Establishment for the initial violation.
 - (2) If an additional violation of this bylaw has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the Food Establishment.

- (3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:
- A) \$50.00 for the SECOND offense paid with twenty one (21) days to the Department of Health.
 - B) \$100.00 for the THIRD offense and all subsequent offenses.
- (4) No more than one (1) penalty shall be imposed upon a Food Establishment within a seven (7) calendar day period.
- (5) A Food Establishment shall have fifteen (15) calendar days after the date that a notice of violation is issued to pay the penalty.
- (6) All subsequent offenses may be penalized by a non-criminal disposition as provided in the General Laws, Chapter 40, Section 21D.

All of the requirements set forth in this bylaw shall take effect January 1, 2020. In the event that compliance with the effective date of this bylaw is not feasible for a Food Establishment because of either unavailability of alternative food service containers or economic hardship, the Director may grant a waiver of not more than six (6) months upon application of the owner or the owner's representative. The waiver may be extended for one (1) additional six-month period upon showing of continued infeasibility as set forth above.

**The Town of Shrewsbury's
Polystyrene Reduction Bylaw was
enacted for the following reasons:**

- Polystyrene foam (commonly referred to as Styrofoam, a Dow Chemical Company trademarked form of polystyrene foam insulation) is a common environmental pollutant and non-biodegradable substance commonly used as food service ware.
- Polystyrene foam is non-renewable, non-recyclable, and non-compostable.
- Environmental Protection Agency has found that the polystyrene manufacturing process is the fifth largest creator of hazardous waste in the United States.
- Alternative cost-effective biodegradable, compostable and/or reusable food service ware is readily available. Such alternatives are less toxic and more environmentally friendly than polystyrene foam.
- Use of biodegradable, compostable food, and/or re-useable service ware will reduce the waste stream and reduce waste costs.

**It is your responsibility to know the
entirety of the bylaw:**

The information provided in this brochure is only a summary of the Town of Shrewsbury's Polystyrene Reduction Bylaw.

Please refer to the Polystyrene section contained within the General Bylaw document at the following link:

<https://shrewsburyma.gov/360/Town-Bylaws>

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**BUILDING A HEALTHIER
SHREWSBURY**

A Summary of
the Town of Shrewsbury's

**Polystyrene
Reduction Bylaw**



Regulating the use of Polystyrene Foam
Disposable Food Service Ware by
Food Service Establishments in the
Town of Shrewsbury



What does this bylaw enforce?

The Polystyrene Reduction Bylaw bans all food service establishments from using Expanded Polystyrene foam (commonly referred to as Styrofoam) when preparing, selling or providing food and beverages in the Town of Shrewsbury.

Who does this bylaw apply to?

Food Service Establishments

What is the Effective Date?

JANUARY 1, 2020

Examples of unacceptable products:

Expanded Polystyrene



NOT ACCEPTABLE

Examples of acceptable products

- Plastics made from non-expanded Polystyrene (preferably recyclable and compostable)
- Paper products (preferably recyclable and compostable)
- Cardboard (preferably recyclable and compostable)
- Metal and aluminum foil (preferably recyclable)
- Glass (preferably recyclable)

Products made from non expanded Polystyrene may be used. Products that are recycled, recyclable and compostable are preferable. For a list of products that are certified compostable, visit the Biodegradable Products Institute website:

<http://products.bpiworld.org/>



ACCEPTABLE

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