



**TOWN OF BROOKLINE
DEPARTMENT OF PUBLIC HEALTH**

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Our vision is an inclusive community that is healthy, safe, connected & equitable for all!

Dr. Swannie Jett, DrPH, MSc
Director of Public Health
& Human Services

FACT SHEET: Article 8.32: Sustainable Food Containers and Packaging

In May 2018, Town Meeting members voted to prohibit the use of Polystyrene (Plastic #6), also known as “Styrofoam” and Polyvinyl Chloride (Plastic #3) for packaged items beginning in 2019. The town also banned Polyethylene Terephthalate (Plastic #1) for food containers, cups and lids beginning in 2020.

The following information outlines section 8.32.2 paragraphs (c) and (d), which will be enforced beginning on January 1, 2019.

Section 8.32.2 states:

- ❖ Retail establishments and caterers are prohibited from selling or distributing foam polystyrene food service ware to customers.
- ❖ Retail establishments are prohibited from selling or distributing polystyrene foam packing material to customers.

Examples:



Foam polystyrene food service ware, packing materials, and coolers are no longer permitted for sale or distribution.

(Over)

What are acceptable alternatives?

- 🍃 Compostable and/ or biodegradable materials
- 🍃 Paper / cardboard products
- 🍃 Aluminum containers (lids must be foil or acceptable plastic)
- 🍃 #1 plastics (PETE-polyethylene)
- 🍃 #5 plastics (PP-polypropylene)
- 🍃 #7 plastics (other/mixed plastics)



Where can acceptable alternative be purchased?

- | | |
|-----------------------|-----------------------|
| 🍃 Be Green Packaging | 🍃 Mr. Takeout Bags |
| 🍃 BioMass Packaging | 🍃 Pactiv |
| 🍃 Dart | 🍃 TriMark United East |
| 🍃 Eco Products | 🍃 Vegware |
| 🍃 Fabri-Kal Greenware | 🍃 WB Mason |
| 🍃 Hubert | |

Please note that not all products sold by these companies comply with Article 8.32. Contact the Department of Public Health with any questions.

What happens if you do not comply?

1. A warning notice will be issued for the initial violation.
2. Any violation that occurs within one year of the initial violation will result in a penalty.
 - a. \$50 for the first offense
 - b. \$100 for the second and all subsequent offenses
3. No more than one (1) penalty shall be imposed upon a Retail Establishment within a seven (7) calendar day period.

Waiver Allowance

In the event that compliance is not feasible for an establishment due to unavailability of reasonable alternatives and compliance would cause significant economic hardship, an establishment may apply for a waiver through the Director of Public Health or designee. If the establishment is approved they will be waived for no more than one (1) year.

If the establishment is still unable to comply after the initial waiver period, the establishment may re-apply to extend the waiver prior to the expiration of the current waiver. The Health Department Director's decision to grant or deny an exemption or extension shall be in writing and shall be final

If you have any questions about the update to this by-law, please feel free to call Matthew Charette with the Health Department at 617-730-2642 or by email at MCharette@BrooklineMa.gov.