


Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** January 31, 2019

**SUBJECT:** Fiscal Impact Statement – Polystyrene Food Service and Loose Fill Packaging Prohibition Amendment Act of 2019

**REFERENCE:** Draft Bill as shared with the Office of Revenue Analysis on January 31, 2019

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**Conclusion**

Funds are sufficient in the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill.

**Background**

Beginning in 2016, the District banned the use of expanded polystyrene (Styrofoam) containers by food service businesses<sup>1</sup> in the District.<sup>2</sup> The Department of Energy and Environment (DOEE) implements and enforces the ban on these products as well as a ban on other food service products that cannot be recycled or composted.

The bill expands the polystyrene ban to prohibit the sale of polystyrene food service or loose fill packaging<sup>3</sup> products at retail establishments in the District. Retail establishments must stop selling these products by July 1, 2020.

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<sup>1</sup> These businesses include restaurants, cafes, delis, coffee shops, supermarkets, food trucks, etc. regardless of whether the food is for consumption on or off the premises.

<sup>2</sup> Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531 et seq.).

<sup>3</sup> Polystyrene loose fill packaging is commonly referred to as packing peanuts.

The Honorable Phil Mendelson

FIS: "Polystyrene Food Service and Loose Fill Packaging Prohibition Amendment Act of 2019," Draft Bill as shared with the Office of Revenue Analysis on January 31, 2019

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill. DOEE enforces the current bans related to food service businesses and will utilize this same enforcement staff to enforce this Act's prohibitions on retail sales of polystyrene products. DOEE can absorb any costs associated with enforcement, advertising, and education with its existing budgeted resources. The prohibition begins on July 1, 2020, giving DOEE time to fully establish its enforcement policies and processes for the recently implemented polystyrene and disposable food service product bans before beginning enforcement of the Act's retail business ban.