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Contact: Sarah Gould / 914-589-4487

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MORE THAN 1,000 NYC RESTAURANT OWNERS PETITION MAYOR DE BLASIO TO REVERSE BAN ON FOAM FOODSERVICE PRODUCTS

Petitioners from five boroughs call on Mayor to support small businesses.

(New York, NY) – The Restaurant Action Alliance announced today that more than one thousand small business owners from New York City’s five boroughs have signed a petition demanding Mayor de Blasio reverse his ban on foam foodservice products. The ban – which went into effect on July 1st but will not be enforced until January – is considered a serious threat to the future of restaurants and bodegas that rely on cost-effective products to stay operational. The Mayor defied his own campaign promise to strengthen the City’s small business infrastructure by enforcing the ban.

A lawsuit brought against the Mayor, Sanitation Commissioner Garcia, and the Department of Sanitation, which challenges the legality of the decision to not recycle foam, has been submitted for deliberation. A recent decision by the court denied the Natural Resources Defense Council a stake in the lawsuit, stating the group had “neither a claim nor a defense” relevant to the question at hand: whether the City’s ban on foam was arbitrary and capricious in light of evidence that foam can be recycled instead.

“The Restaurant Action Alliance believes steadfastly that the City’s decision to ban foam was based not on evidence or fact, but on fulfilling political agendas. Foam is 100% recyclable and there is a robust national market for recycling the takeout cups and containers tens of thousands of New Yorkers use every day. Denying foam’s recyclability is like denying the sky is blue. It just doesn’t make sense,” said RAA leader and former City Council member Robert Jackson.

The ban on foam takeout cups and containers will hit small restaurant owners disproportionately. Noting the high price of foam alternatives, some owners estimate their costs will more than double, forcing them to lay off employees, raise prices, or potentially close up shop. Adding insult to injury, the City chose to ban only 20% of the City’s polystyrene and landfill

the remaining 80%, even though the City had an offer to recycle 100%. The same offer would have generated revenue and reduced landfill costs. All at no cost to the City.

Other large US cities – like Denver – have established successful foam recycling programs. Just last week it was announced that Denver residents and commercial companies would be able to add polystyrene foam foodservice packaging, egg cartons, meat trays, and protective packaging to the City’s recycling loads.

“It’s still a shock to me that the Mayor would continue supporting the ban of foam. The alternatives costs me more than I can afford – and I don’t know how I’m going to stay in business. I thought Mayor de Blasio was for One City – I guess that was just a good line,” said Astrid Portillo, owner of Mi Pequeno El Salvador Restaurant in Jackson Heights.

Oral arguments in RAA’s lawsuit are expected in the coming weeks, with a final decision coming later this year.

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