

Allowed



Not Allowed



Town of Maynard Polystyrene Bylaw



INFORMATION FOR BUSINESS OWNERS

Chapter 45 of the Town of Maynard By-Laws prohibits the use and distribution of expanded and clear or rigid polystyrene in food service ware and packaging material in the Town of Maynard. This by-law was approved by voters at the 2021 Annual Town Meeting, and went into effect July 26, 2022.



Frequently Asked Questions

Q: What is the purpose of the bylaw?

A: The purpose of this Bylaw is to prohibit the use and distribution of expanded and clear or rigid polystyrene in food service ware and packaging material in the Town of Maynard.

Q: What is Polystyrene?





A: Polystyrene is a synthetic resin, used chiefly as lightweight rigid foams and clear solid containers.

- **Clear or Rigid polystyrene** is generally used to make clear clamshell containers, cups, clear or colored lids, and utensils. It is identified by the printed or embossed code 
- **Foam polystyrene** (expanded, EPS) includes white foam coffee cups, take-out foam clamshells, foam packing peanuts, and disposable coolers. It also has code 

Q: When did the bylaw take effect?

A: The bylaw took effect for food and retail establishments on July 26, 2022.

Q: What are alternatives to polystyrene?

A: Acceptable options include paperboard, bagasse (a plant fiber made from sugarcane), aluminum, or certain plastics like  PETE,  HDPE, or  PP. Avoid using any container made from or lined with  plastic.

Ask your distributor for approved alternatives or visit [greenmaynard.org/green-resources](https://www.greenmaynard.org/green-resources) to see a list of Alternative Packaging to Meet the Maynard Bylaws.

What the Chasing Arrows Really Mean

That triangle on your takeout container doesn't mean it's recyclable. It's just a code number for what type of plastic it is—not whether your local recycler accepts it.

Q: Will businesses be fined for noncompliance?

A: Yes, any food or retail establishments using or distributing polystyrene in violation of this bylaw shall be subject to a non-criminal disposition fine as specified in Appendix A of the Regulations for Enforcement of Town Bylaws under M.G.L Chapter 40, Section 21D and the Bylaw for Non-Criminal Disposition of Violations.

The following penalties shall apply:

1st offense: Warning only

2nd offense: \$50 fine

3rd offense: \$100 fine and appearance before the Board of Health

4th and each subsequent offense: \$200 fine

Q: Are there any exceptions?

A: Yes, there are several exemptions.

- The bylaw does not apply to non-commercial retail establishments.
- Food and goods packaged or prepared outside the Town of Maynard are exempt from the provisions of this Bylaw, provided such food or goods are not altered, packaged, or repackaged within town limits.
- Coolers and ice chests that are wholly encapsulated in a durable material and intended for reuse are exempt from the provisions of this Bylaw.

Q: Is my establishment responsible for composting biodegradable packaging?

A: No.

Other Questions?

We are here to help.

Office of Municipal Services

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Concerns About Polystyrene's Impact on Health and Environmental Pollution

The United States Environmental Protection Agency “considers ‘styrene’ in Expanded Polystyrene (EPS) to have **serious impacts upon wildlife and the aquatic environment**. Due to its lightweight nature, EPS foam is a common component of street litter. It breaks down readily in sunlight into a powdery microplastic. This means that EPS foam that gets blown out of trashcans and landfills—or was never correctly disposed of—fast becomes an **environmentally damaging microplastic**.

While EPS is technically ‘recyclable’ there is, to date, no meaningful recycling of EPS foam due to high food contamination rates and an undeveloped market to clean, handle and process the material. This results in it clogging up landfills, where it decomposes anaerobically, **releasing harmful toxins into the environment**.

... As well as being damaging to the environment, **the EPA and International Agency for Research on Cancer also consider styrene to be a “possible human carcinogen”** that can have serious impacts upon human health and, due to its further-reaching, impacts the economy.

Beyond its risk as a carcinogen, styrene has also been linked in studies to **vision and hearing loss, impaired memory and concentration, and nervous system effects**.

Styrene can pass from polystyrene containers into food and beverages when heated or in contact with fatty or acidic foods, to the extent that **styrene residues have been found in 100% of all samples of human fat tissue.”**

—Carmine Esposito, National Waste Associates

<https://www.nationalwaste.com/blog/eps-foam-regulations-will-you-be-compliant-in-2022>.

Accessed Nov. 17, 2023.