

Who Do the EPS Food Service Ware Requirements Apply To?

- Do you make EPS food service ware?
- Are you the owner or licensee of an EPS food service ware brand or trademark?
- Do you sell these products?
- Do you import or distribute these products?

CalRecycle can provide compliance assistance.

Packaging and Plastic Reforms

The EPS food service ware requirements are part of California's Plastic Pollution Prevention and Packaging Producer Responsibility Act reforms, which set strong requirements for producers to reduce single-use plastic packaging and food service ware, and ensure that all of it is recyclable or compostable.

For more information on the definition of producer, see PRC section 42041(w).

Use Less. Reuse, Recycle and Compost the Rest.

California's Packaging
Extended Producer
Responsibility Law

California's Expanded Polystyrene (EPS) Food Service Ware Requirements

What You Need
to Know



Find more detailed information on the law and EPS requirements.



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EPS Food Service Ware Requirements

California's Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB 54, 2022) restricts producers from selling, distributing, or importing EPS food service ware, like plastic foam takeout containers and cups, in California unless certain recycling rates are met.

To continue selling EPS food service ware in the state, EPS food service ware producers must demonstrate that all EPS meets a 25% recycling rate as of January 1, 2025.

- **This rate has not been met.**
- **EPS food service ware producers can no longer sell or distribute EPS food service ware.**

The law uses a phased compliance schedule. Producers have time to adjust and improve recycling systems as recycling rate requirements are phased in over time.

What Products Are Affected?

EPS single-use food service ware includes:

- Trays, plates, bowls
- Lids, cups, clamshells
- Hinged or lidded containers

See PRC section 42041(e)(1)(B).

Who Must Comply?

Producers must comply with the restriction. Producers may include those who:

- Are the owner or licensee of EPS food service ware brands or trademarks sold or distributed in California.
- Are the sellers or distributors of food service ware in California.

Additional guidance is being developed. See PRC section 42041(w).

Who Is Exempt?

Small producers, retailers, and wholesalers may qualify for an exemption based on size, revenue, number of retail locations, and market share. See PRC section 42060.

Many alternative single-use and reusable materials that are not impacted by this restriction are available in the marketplace.

Compliance Schedule

The sale, distribution, or import restrictions remain in place unless EPS food service ware producers demonstrate the following recycling rate requirements for all EPS:

- 25% on and after Jan. 1, 2025 (not met, restrictions in effect)
- 30% on and after Jan. 1, 2028
- 50% on and after Jan. 1, 2030
- 65% on and after Jan. 1, 2032
- Annually thereafter

Compliance Support



Contact
CalRecycle



Contact the
producer
responsibility
organization.

Report Concerns



Report concerns to
trigger additional
compliance support
from CalRecycle.

