

SB 54 Expanded Polystyrene (EPS) Food Service Ware Guidance for Impacted Businesses and Establishments

Plastic Pollution Prevention and Packaging Producer Responsibility Act

August 26, 2026

What are the EPS food service ware requirements?

Under California law, producers are restricted from selling, offering for sale, distributing, or importing EPS food service ware in or into California. These requirements took effect January 1, 2025, because producers did not demonstrate that they met the statutorily required recycling rates. For more information, refer to [Public Resources Code \(PRC\) section 42057\(i\)](#).

How does this affect you?

EPS food service ware such as plastic foam cups, plates or takeout containers may no longer be available for purchase in California. Businesses that currently use EPS containers and other EPS food service ware products will need to shift to more reusable, recyclable or compostable materials for their food service ware. This change is designed to reduce plastic waste.

While CalRecycle cannot promote a particular material replacement, many materials on the market today are suitable for food service ware. CalRecycle recommends businesses and other establishments that use or sell EPS food service ware prioritize switching to reusable products or selecting materials that are recyclable or compostable as authorized by SB 54. Shifting to recyclable, compostable, or reusable materials may ensure compliance with SB 54 and help reduce negative environmental impacts.

What is your role?

Producers of EPS food service ware are prohibited from selling it in or into California. For entities that are not producers and sell or use EPS food service ware, the following information may be helpful:

- Review the definition of ‘producer’ as defined in [PRC section 42041\(w\)](#), and [14 California Code of Regulations \(CCR\) section 18980.1.1](#).
 - For additional information, refer to the “Who do these requirements apply to?” section in this guidance document.
- Conduct evaluations to help determine your regulatory obligation for each unique EPS food service ware item under your scope.
- Consult with industry organizations and the Producer Responsibility Organization (PRO), Circular Action Alliance, for support or educational materials to help you determine who the producer is for a particular EPS food service ware item, and alternative material options.

How can you prepare?

To prepare for this transition:

- Review your current use of EPS food service ware.



- For additional information, refer to the “What EPS food service ware products are affected?” section in this guidance document. If you have existing stock of EPS food service ware from prior to January 1, 2025, and are not a producer, you may be able to use up that stock, but you should prepare to transition to a different type of food service ware.
- Identify and switch to alternative materials that satisfy legal requirements. Products may vary, so purchasers should work closely with suppliers to evaluate whether products they use are subject to the legal requirements.
- Stay informed on additional guidance and resources provided by CalRecycle.
- Share information about EPS food service ware still being sold, offered for sale, distributed, or imported in or into California on the [EPS Public Reporting System](#).
 - It is illegal for producers of EPS food service ware to sell those items after January 1, 2025. You can help identify producers illegally selling EPS food service ware in California by reporting it.

Who do these requirements apply to?

If you are a manufacturer, owner or licensee of a brand or trademark, seller, or distributor of EPS food service ware, you may be considered a producer. The sales and distribution restrictions apply to businesses and other establishments that meet the definition of producer. For more information on the definition, refer to PRC sections [42041\(w\)](#) and [42060](#), and [14 CCR section 18980.1.1](#).

What EPS food service ware products are affected?

Single-use food service ware items include trays, plates, bowls, clamshells, lids, cups, utensils, stirrers, hinged or lidded containers, and straws. For example, clamshell takeout containers and to-go cups are food service ware and are subject to the EPS food service ware requirements described in PRC [section 42057\(i\)](#).

For a full definition of EPS food service ware, refer to PRC [section 42041\(k\)](#). Single-use food service ware items are defined in PRC [section 42041\(e\)\(1\)\(B\)\(i\)](#).

Additional Resources

For more information regarding the EPS food service ware restriction

- Visit [EPS Food Service Ware Webpage](#)

Get the latest updates on California’s Packaging Producer Responsibility Law

- Subscribe to the [listserv](#)

For questions about assistance

- Contact us via email PackagingCompliance@CalRecycle.ca.gov.