

Compliance Guidance for Owners or Licensees of Private-Label Expanded Polystyrene Food Service Ware

Plastic Pollution Prevention and Packaging Producer Responsibility Act

August 26, 2026

What are the expanded polystyrene (EPS) food service ware requirements?

Under California's Plastic Pollution Prevention and Packaging Producer Responsibility law, producers are restricted from selling, offering for sale, distributing, or importing EPS food service ware in or into California. The restriction 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?

As an owner or licensee of a branded or trademarked EPS food service ware item, you may be considered a 'producer.' For more information on:

- The definition of producer, refer to [PRC section 42041\(w\)](#) and [14 California Code of Regulations 18980.1.1](#).
- Who may be exempted, refer to [PRC section 42060](#)

CalRecycle has published guidance and information assistance on producer identification consistent with the statute and regulations. You may also reach out to industry organizations and the producer responsibility organization, Circular Action Alliance (CAA), for support. CAA also offers educational webinars and other guidance to help businesses determine who qualifies as the producer for a specific item of covered material.

What if you are a producer?

If you are a producer, you are prohibited from selling, offering for sale, distributing, or importing EPS food service ware in or into California. For more information, see CalRecycle's:

- [Producer Guidance webpage](#)
- [Brochure on California's EPS food service ware requirements](#)

What if you are not a producer?

If you believe you are not considered a producer, you can find additional details in CalRecycle's:

- [Guidance - Impacted Businesses and Establishments](#)

What is EPS food service ware?

EPS food service ware refers to both:

- EPS as defined in [PRC section 42041\(k\)](#), and
- Single-use food service ware items as defined in [PRC section 42041\(e\)\(1\)\(B\)](#).

EPS food service ware items include trays, plates, bowls, clamshells, lids, cups, and hinged or lidded containers.



For example, clamshell takeout containers and to-go cups are considered food service ware and are subject to the EPS sales and distribution restriction outlined in [PRC section 42057\(i\)](#).

Additional Resources

For more information regarding the EPS food service ware restriction:

- Visit the [EPS Food Service Ware Webpage](#)
- Subscribe to the [listserv](#)
- Contact us via email at PackagingCompliance@CalRecycle.ca.gov.