



City of Coral Gables
CITY COMMISSION MEETING
October 12, 2021

ITEM TITLE:

Resolution. A Resolution of the City Commission of Coral Gables, Florida supporting the Florida Department of Agriculture and Consumer Services' rulemaking process to phase-out the use and sale of polystyrene products in regulated Food Establishments.

BRIEF HISTORY:

Expanded polystyrene ("polystyrene"), a petroleum by-product commonly known as Styrofoam, is neither readily recyclable nor biodegradable and can take thousands of years to degrade in the environment. Products made from polystyrene have little value, are not accepted in single stream recycling facilities, and cause serious harm and death to wildlife.

The City of Coral Gables ("City") has, and continues to, support the reduction and elimination of polystyrene products for the benefit of the environment, as evidenced by Ordinance No. 2016-08, Resolution No. 2019-250, City of Coral Gables, FL v. Florida Retail Federation, Inc. et al., the City's ongoing prohibition on the use of polystyrene products by special event permittees, and the City's commitment not to use polystyrene products or allow its vendors to do so.

Commissioner Nikki Fried recently announced the Florida Department of Agriculture and Consumer Services ("Department") has begun rulemaking to phase out the use of polystyrene products in Florida grocery stores, markets, convenience stores, and other regulated businesses.

The Department's draft rule, 5K-4.045, would begin a multi-year phase-out of polystyrene packaging beginning in 2022, with a maximum allowable amount of polystyrene to be sold or distributed decreasing each year. Based on the phase-out plan, full elimination of polystyrene products in regulated businesses would occur by 2028. The draft rule would also require regulated entities to file an annual report of the amount of polystyrene sold or distributed that year. The Department is currently undergoing the rulemaking process, to include workshops and public comment periods. The rule would be established and enforced through the Department's statutory authority, Chapter 500.90, Florida Statutes.

ATTACHMENT(S):

1. Draft Resolution