

AMERICAN LEGION AUXILIARY



American Legion Auxiliary New Mexico Girls State

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Bill No: SB15

Committee: A

Status:

Passed by: Committee House Senate Governor

Tabled by: Committee House Senate Governor

Other: _____

Simple Title of Bill: Bill

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BILL

71st SESSION – AMERICAN LEGION AUXILIARY NEW MEXICO GIRLS STATE – 2018

INTRODUCED BY

AN ACT

**RELATING TO THE PURPOSE OF BANNING FOOD SERVICE FACILITIES FROM THE
USE OF WARE MADE FROM POLYSTYRENE FOAM (ALSO KNOWN AS
STYROFOAM); DEFINING CERTAIN TERMS; INFLICTING CERTAIN PUNISHMENTS;
PROVIDING FOR A CERTAIN EFFECTIVE DATE; ESSENTIALLY RELATING TO THE
USE OF POLYSTYRENE PRODUCTS IN FOOD SERVICE FACILITIES.**

BE IT ENACTED BY THE LEGISLATURE OF THE AMERICAN LEGION AUXILIARY NEW
MEXICO GIRLS STATE:

"Ware" means single-use disposable products used in the restaurant, food service, and
food sales industries for serving, transporting, or packaging prepared, ready-

1 to-consume, or uncooked food or beverages, this includes but is not limited to plates,
2 bowls, trays, cups, and to-go boxes.

3 "Food Service Facilities" means an operation that provides food for human consumption,
4 including but not limited to any
5 establishment requiring a permit to operate in accordance with the State Food Code.

6 "Polystyrene" means a brittle synthetic polymer composed of repeated styrene units.
7 Polystyrene has a wide variety of uses, especially as a solid foam for insulation and
8 packaging.

9 Food Service Facilities shall be banned from distributing/selling food or drink in disposable
10 containers that is made from polystyrene foam due to the environmental and health issues
11 that polystyrene engenders. The environmental issues that polystyrene engenders include
12 but are not limited to the endangering of wildlife, it not being biodegradable, The
13 Department of Sanitation concluded that expanded polystyrene cannot be recycled, despite
14 the fact that many of the containers display the recycling symbol, also polystyrene sitting in
15 a landfill releases methane gases. The health issues that polystyrene engenders include
16 but are not limited to the fact that the styrene from polystyrene is classified as a carcinogen
17 to humans according to the National Research Council, polystyrene also causes mucous
18 membrane and eye irritation, and gastrointestinal effects. Polystyrene leaches into food and
19 drink especially when paired with liquid
20 and heat, a polystyrene container's toxins (like benzene and styrene) seep into the
21 contents. But even with cold or dry food, contact with polystyrene is unhealthy. A huge
22 portion of our food contains styrene contamination. Polystyrene is very light and crumbles
23 easily, it's extremely easy for it to end up out in our woods, rivers, and prairies. Once it's
24 there, it's there to stay, as it is not biodegradable. Polystyrene will break down into
25 microscopic styrenes and other harmful chemicals, and that will linger in the

1 soil and water for years. It's an especially serious problem in our world's oceans, as fish
2 ingest the hazardous chemicals for styrene, which humans then ingest when eating the
3 fish.

4 Any Food Service Facility found guilty of distributing/selling food or drinks in ware made
5 from polystyrene shall be punished by a fine of not more than \$5000 or by imprisonment for
6 a definite term not to exceed 12 months, or both. The alternatives would instead be paper
7 or plastic ware to use.

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9 All laws, acts, provisions, or parts of laws contained in the Constitution of the State of New
10 Mexico in conflict with any provision of this act are hereby repealed.

