



# Fact Sheet

## Foodware Containers and Polystyrene Foam

The 2023 Senate Bill 543 (ORS 459.465 to 459.477) prohibits food vendors from using polystyrene foam containers for prepared food, prohibits the sale of polystyrene foam containers or polystyrene foam packing peanuts, and prohibits the sale of foodware containers with added PFAS, effective Jan. 1, 2025.

### Food vendors may not use:

Polystyrene foam containers for prepared food



### Sales prohibited for:

Polystyrene foam containers



Polystyrene foam packaging peanuts



Foodware containers with intentionally added PFAS



### Translation or other formats

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# Frequently Asked Questions

## Are any industries exempt from these requirements?

No, the law does not exempt any specific industries, and it does not authorize DEQ to make exemptions.

## What kinds of shipping materials are prohibited to sell?

The law prohibits the sale of polystyrene foam packaging peanuts in or into Oregon. It does not prohibit "polystyrene plastic material, other than polystyrene foam packaging peanuts, that is used solely for packing or protecting other items during storage, shipping or other transportation." (459.465)

## Does the PFAS requirements apply to durable items?

Under some circumstances SB 543 (and ORS 459.465 to 459.477) applies to durable foodware containers. ORS 459.474 prohibits the sale or distribution of foodware containers when PFAS substances are intentionally added to the containers. Foodware containers are items used for serving or containing prepared food. For the restriction to apply, the container 1) must be used for serving or containing prepared food and 2) the PFAS substances were intentionally added to the container.

## Do the PFAS requirements apply to other items that contact food?

If the "other items" are used for serving or containing prepared food, the restriction would apply. The restriction would not apply toward items used for other purposes, such as preparing the food.

## Can businesses use existing inventory after Jan. 1, 2025?

No, business may not use or sell prohibited materials after Jan. 1, 2025.

## Contact

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