

June 3, 2025

The Honorable Gavin Newsom
1021 O Street, Suite 9000
Sacramento, CA 95814
cc: Zoe Heller, Director CalRecycle

Re: Polystyrene Foam Food Service Products - Enforcement

Dear Governor Newsom,

When you served as mayor of San Francisco, you successfully banned polystyrene [foam food service and packaging products in 2007](#) and worked to ensure the law was strictly enforced. Now that you are governor and state law has banned polystyrene foam food service products, we are writing to urge you to enforce the statewide ban with the same level of commitment as when you served as mayor.

It's been more than five months since polystyrene foam food service products were legally banned in California on January 1, 2025. Since then, violations of the law continue to contribute to plastic pollution and microplastics, endangering the health and safety of Californians and our environment. **The 93 undersigned organizations and businesses urge you to direct CalRecycle to immediately implement and fully enforce this ban.**

Polystyrene foam is one of the [worst forms of plastic pollution](#) affecting our state and, despite some deceptive claims, polystyrene is not recyclable. The lightweight, plastic material quickly breaks up into tiny microplastic pieces and is easily picked up by the wind, making its way into our environment. In the ocean, polystyrene is mistaken for food and is [often ingested](#) by marine animals. Polystyrene's major ingredient is [styrene](#), a probable [human carcinogen](#), and the chemical can lead to vision and neurological problems. The toxic chemicals in polystyrene are especially concerning since they can [easily leach into food and beverages](#). For more information on the health issues of polystyrene foam, please see the Beyond Plastics' fact sheet [here](#), as well as the April 2025 report from Oceana [here](#).

CalRecycle has the clear authority and legal obligation to communicate, implement, and enforce the ban, yet the agency has been mostly silent since January 1, with the exception of a [brief communication](#) bulletin on April 4, 2025, stating:

"To continue selling expanded polystyrene (EPS) food service ware in the state, EPS food service ware producers must demonstrate that all EPS covered material meets a 25% recycling rate as of January 1, 2025. To date, this requirement has not been met. As a result, EPS producers are prohibited from selling, offering for sale, distributing, or importing EPS food service ware, like single-use takeout containers and cups, in or into California."

As you're aware, polystyrene foam is listed separately in the law, [SB 54 section 2 42057 \(i\)](#), and is not tied to the adoption of the final regulations. [According to SB 54, article 5. 42080 - 42084](#). CalRecycle has the authority to enforce and fine companies who sell or distribute polystyrene foam food service products up to \$50,000 a day, per violation, for non-compliance. Yet, polystyrene foam food service products [are still being sold and used](#) in California and can be found on the shelves at retailers, such as Smart & Final stores, as well as in restaurants, cafes, and fast food establishments throughout the state. In addition, these products can also still be purchased and shipped to California via e-commerce sites, including Amazon.

We would like an opportunity to meet with your staff in the Governor's office to discuss the lack of enforcement of this critical ban. Please contact Susan Keefe, Beyond Plastics Southern California Director, at susankeefe@bennington.edu to arrange a mutually convenient time. Thank you for your attention and consideration of this matter.

Sincerely,

Susan Keefe
Southern California Director
Beyond Plastics

Dianna Cohen
CEO & Co-Founder
Plastic Pollution Coalition

Jackie Nuñez
Advocacy & Engagement Manager
Plastic Pollution Coalition and Founder of The Last Plastic Straw

Aminah Taariq-Sidibe
Manager of End Plastics Initiative
Earthday.org

Marcel R. Howard
Zero Waste Program Manager - US/CAN
Global Alliance for Incinerator Alternatives (GAIA)

Peter Blair
Policy and Advocacy Director
Just Zero

Judy Sorey
Volunteer/Legislative Advocate
350BayAreaAction

Christina Hildebrand
President
A Voice for Choice Advocacy

Svetlana Jacobs
VP of Localization
Adapt Global

Jessica Walden
Owner
Amis de la Terre Zero waste Market

Dr. Kakha Nadiradze
President
Association for Farmers Rights Defense, AFRD

Diane Landry
Director
Bainbridge Island Zero Waste

Cheryl Auger
President
Ban SUP (Single Use Plastic)

Kristel Rietesel
Admin
Bay Area Clean Air Coalition

Peggy Ann Berry, PhD, RN
Executive Director
Between the Waters

Paula Wildermuth
Beyond Plastics Palm Desert

Fawn Liebengood
Founder
Blue Ocean Warriors

Grant Mathis
COO
Botanic Amenities

Yayoi Koizumi
Co-Founder
BYO-US Reduces

Kim Tollman
Owner
Caffe Yoga

Bekah Estrada
Southern California Director
California Interfaith Power & Light

Vanessa Forsythe RN MSN
Policy Committee Co Chair
California Nurses for Environmental Health & Justice

Tony Hackett
Policy Associate
Californians Against Waste

Sarah Erlich, Esq.
Policy Advisor
Center for Environmental Health

Barbara Weckesser
Treasurer
Cherokee Concerned Citizens

Dennis Arp
Justice Lead
Citizens' Climate Lobby SoCal Tri-Counties Chapter

Andria Ventura
Legislative and Policy Director
Clean Water Action

Suzanne Hume
Educational Director & Founder
CleanEarth4Kids.org

Janet Cox
CEO
Climate Action California

Ayn Craciun
Director of Policy
Climate Action Campaign

Rhea Kuhlman
Co-chair
Climate Justice Group, First Unitarian Universalist Church of San Diego

Lisa Swanson
Policy Chair
Climate Reality Project Orange County

Kathi King
Director of Outreach and Education
Community Environmental Council

Andrea Wald
Co-Founder
Community for Natural Play Surfaces

Patty Oh
Executive Director
Cool OC

Maya Rommwatt
Director of Campaigns and Programs
Defend Our Health

Chris Cogan
Consultant
Dendrite Consulting

Mia Mora
Founder
Do More Group

Cecilia Canales
Justice Promoter
Dominican Sisters

S. Cecilia Canales
Justice Coordinator
Dominican Sisters of Mission San Jose

Kendra Paulding
Executive Director
ECOSLO (Environmental Center of San Luis Obispo)

Tristan Miller
Manager
Edge City Networks

Roger Luckmann
Co-chair Policy Committee
Elders Climate Action

Dr. Ann Blake
Founder & Principal
Environmental & Public Health Consulting

Meredith Keet
Founder/CEO
Ethos Santa Cruz, LLC

Yvette Arellano
Director
Fenceline Watch

Jamie Lake
Owner
Fill up Buttercup

Tina Tran
Sr Accountant
Fundamental.ai

Jennifer Lynch
Self
GoodasDirt.com

Val Schull
Water Equity and Ocean Program Director
GreenLatinos

Jan Warren
Chair
Interfaith Climate Action of Contra Costa County

Lisa Ryder
Sustainability Consultant
Irvine Green Business Program

Joseph Prichard
Creative Director, Principal
Kilter

Lori Mendez, Esq., MAS-MBC (SIO-2018)
Founder and Principal Attorney
Lori R. Mendez, A.P.L.C.

Charles Miller
Chair
Los Angeles Climate Reality Project

Kurt Lieber
President
Marine Conservation

James R Monroe
Owner
Monroe Science Educational Services

Shirley Freriks
Lead
Nevada County Climate Action Now

Michael Mulligan
Legislative analyst
NorCal Elder Climate Action

Bailey Hall
Board Member / Legislative Chair
Northern California Recycling Association

Kurt Lieber
President
Ocean Defenders Alliance

Rebecca Aguilar
Marketing Director
Oceanic Preservation Society

Rhonda Berry
Founding President & CEO
Our City Forest

Eva Cicoria
Founder, President
Paddle Out Plastic

Eden Eisenbarth
CFO
Petsport

Tevin Hamilton
EJCAP Coalition Coordinator
Physicians for Social Responsibility-LA

Alejandra Warren
Executive Director
Plastic Free Future

Kimberly Corona
Founding Member
Plastic Free Marin

Alejandra Warren
Co-lead
Reusable San Mateo County

Ben Eichenberg
Staff Attorney
San Francisco Baykeeper

Penny Owens
Education Director
Santa Barbara Channelkeeper

Pauline Seales
Organizer
Santa Cruz Climate Action Network

Ron Askeland
Co-leader
SD-SEQUEL

Camilla Lombard
Co-Founder
Sea Forager

Shell Cleave
Founder
Sea Hugger

Brad Nahill
President
SEE Turtles

Miriam Gordon
Reuse Director
Story of Stuff Project

Jennifer Savage
California Policy Associate Director
Surfrider Foundation

Morganna Johnson
Policy Committee Chair
Surfrider Santa Cruz Chapter

Marilyn Price
Co-Chair
Sustainable Mill Valley

Alyssa Pace
Communications Lead
Sway

Kayla Dudley
Owner
Terra Nova Eco

Diane Dulmage
Emergency Preparedness Committee Chair
The Shores

Sam Pearse
Campaigns Director
The Story of Stuff Project

Harrison Kay
Co-Founder
To Go Green

Joanie Steinhaus
Ocean Program Director
Turtle Island Restoration Network

Claire Weber
Co-Founder Volunteer
Waste Free Santa Cruz

Linda Valente
WasteNOT Plastic Nevada County

Dr. Jennifer Brandon
CEO
Wild Beacon Consulting

Anne Middleton
Associate Director
WILDCOAST

Sakurako Yazawa
Founder
Yoga for You

Yayoi Koizumi
Founder
Zero Waste Ithaca

Leslie Lukacs
Executive Director
Zero Waste Sonoma

