

# COLORADO'S 2024 POLYSTYRENE BAN

Find out which food establishments are included in the January 1, 2024, ban on polystyrene food containers and cups

## THE POLYSTYRENE BAN applies to:

**RETAIL FOOD ESTABLISHMENTS** (defined as businesses that prepare or package food for human consumption either directly or through a delivery service; the food can be eaten on or off the premises of the food establishment) including:

- Restaurants
- Fast food establishments
- Cafeterias
- Schools\*
- Prisons

\* While schools should transition away from polystyrene products for foods, the law stipulates that jurisdictions cannot enforce the law against schools that do not comply. Transitioning to reusable trays, cups, and utensils will prevent food from making contact with toxic foam trays, and [can save schools thousands of dollars each year](#). The largest challenge of transitioning to reuse in schools is finding staff to support reuse programs.

## BANNED EXPANDED POLYSTYRENE CONTAINERS INCLUDE:

- Hinged food containers (aka clamshells)
- Plates
- Bowls
- Cups
- Trays



## EXEMPTIONS to the POLYSTYRENE BAN (local ordinances may affect eligibility for exemption)

- Farmers markets and roadside markets
- Private homes and boarding houses
- Kitchens selling food products directly to consumers under the Colorado Cottage Foods Act
- Hospital and health facilities
- Child care centers
- Hunting camps and outdoor recreation locations
- Food or beverage wholesale manufacturing, processing, or packaging plants
- Motor vehicles used solely for the transport of food
- Coffee or tea shops serving only hot beverages and pastries
- Establishments serving only prepackaged or commercially prepared food requiring no preparation other than the heating of food within its original container
- Automated food merchandising enterprises dispensing pre-packaged food
- Packaging of drugs, medical devices, or dietary supplements regulated by the U.S. Food and Drug Administration