

## Communication from Public

**Name:** Tim James

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**Council File No:** 21-0064

**Comments for Public Posting:** November 2, 2022 The Honorable Mitch O'Farrell Chair, Energy, Climate Change, Environmental Justice, and River Committee  
200 North Spring Street Los Angeles, CA 990012 RE: Expanded Polystyrene Products Ordinance Dear Councilmember O'Farrell,  
On behalf of Los Angeles grocers, I write with requests to ensure the Expanded Polystyrene (EPS) Products Ordinance meets intend sustainability goals without unnecessarily adding to implementation costs or eliminating for sale specific food products that will not be initially available in compliant packaging. As an industry we have worked in collaboration with several dozens of other California cities to ensure similar ordinances reduce their unintended consequences. In the Los Angeles ordinance it will be critical to allow a 6-month implementation process from the finalization of the ordinance and a feasibility exemption process for products for which alternatives are not immediately available. Grocers will require at least six months from the passage of the ordinance to come into compliance. This is the same amount of time granted in well over one hundred other ordinances in California. Without the full six months challenges to packaging availability and increased costs due a marketplace rush will take place. Especially with a jurisdiction the size of Los Angeles and shortened implementation it is likely to create a run on the market both limiting supply and increasing costs. We request the date certain in the ordinance, which is likely to allow less than four months, be changed to six months from ordinance completion. There are still many products which are important for consumers that cannot be fully or quickly moved out of EPS packaging. California jurisdictions that have passed similar ordinances have allowed a process by which specific products can receive temporary exemptions based on feasibility, availability and cost of alternative packaging options. These exemptions are applied for and approved by the jurisdictions for usually one year at a time. Without an exemption process there are products which may no longer be available that consumers rely on. Thank you for your consideration and we look forward to these adjustments to avoid consumer disruption and unnecessary cost increases to food products. Sincerely, Tim James  
Director, Local Government Relations California Grocers Association cc: Members, Energy, Climate Change,

## Environmental Justice, and River Committee