



June 2, 2011

Mayor Jose Esteves
City of Milpitas
455 East Calaveras Boulevard
Milpitas, California 95035

Dear Mayor Esteves:

On behalf of Consumer Alliance for a Strong Economy (CASE), we strongly urge you to reconsider any efforts to ban polystyrene (PS) food and beverages containers in the City of Milpitas.

We represent over 10,000 members – entrepreneurs, small business owners, farmers and consumers – who are concerned about public policy issues that impact their businesses, their lives and their future. CASE is unique because it is a true grassroots non-partisan organization formed by real people to make sure California's economy is not harmed by ill-conceived political agendas.

CASE recognizes that bans are likely to hurt small businesses in Milpitas because they limit choice and increase the cost to do business. PS is one of the most cost-effective materials for foodservice containers used by local restaurants, coffeehouses, yogurt shops, fast food and take-out facilities, and catering operators. It costs 2 to 3 times less than paper-based compostable or reusable products. A ban is simply a hidden tax on small business owners who must pass the cost on to their customers.

While we applaud your endeavor to reduce litter in the South Bay region, CASE is opposed to any legislative or regulatory attempt to ban PS food and beverage containers under the misconception that litter is a problem caused by a particular material or category of packaging. The reality is that litter is the result of irresponsible consumer behavior.

Additionally, many local businesses are willing to do their part to reduce litter by working together with civic leaders and community groups to implement recycling programs such as those in Milpitas. PS foodservice containers are recyclable whereas no other foodservice materials (paperboard, composite paper/plastics or biomaterials) can make that claim.

In conclusion, CASE opposes any efforts to ban PS foodservice containers in Milpitas. Rather than taking an approach which would hurt local small businesses, Milpitas should focus its efforts on education to alter consumer behavior and encourage local recycling of PS foodservice containers.

Sincerely,

Cristina Rivera
Executive Director, CASE