Disposable Food Service Ware Ordinance
Proposed Amendments

February 28, 2022
Background

• City Council adopted the Disposable Food Service Ware Ordinance in October 2021
• Reduce waste from single-use plastic foodware
• 13 jurisdictions have adopted the same model ordinance
• New state laws AB 1276 and AB 1200 regulate foodware
New State Law AB 1276

• Requires consumers to request single-use accessories and condiments
• Accessories cannot be bundled
• Directs local governments to enforce
New State Law AB 1200

Prohibits the sale of *any* plant-based food packaging containing PFAS starting January 1, 2023
### Alignment with AB 1276

<table>
<thead>
<tr>
<th>#1</th>
<th>CURRENT ORDINANCE REQUIREMENT</th>
<th>NEW AB 1276 REQUIREMENT</th>
<th>RECOMMENDED CHANGE TO ORDINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All food facilities may offer single-use accessories to customers.</td>
<td>Food facilities can offer single-use accessories only at drive-throughs and public airports.</td>
<td>Only drive-throughs and public airports can offer single-use accessories.</td>
</tr>
</tbody>
</table>
## Alignment with AB 1276

<table>
<thead>
<tr>
<th>CURRENT ORDINANCE REQUIREMENT</th>
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<tr>
<td>Food facilities may distribute accessories using dispensers and open containers at self-serve areas.</td>
<td>Food facilities may have accessories available at refillable dispensers that dispense one item at a time.</td>
<td>Food facilities may use refillable dispensers that dispense one item at a time. Open containers no longer an option.</td>
</tr>
</tbody>
</table>
## Alignment with AB 1276

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<td>No reference explicitly allowing food facilities to use refillable bulk condiment dispensers.</td>
<td>Food facilities are explicitly allowed to use refillable bulk condiment dispensers.</td>
<td>Ordinance to explicitly allow for use of refillable bulk condiment dispensers.</td>
</tr>
</tbody>
</table>
## Alignment with AB 1200

**#4**

<table>
<thead>
<tr>
<th>CURRENT ORDINANCE REQUIREMENT</th>
<th>NEW AB 1200 REQUIREMENT</th>
<th>RECOMMENDED CHANGE TO ORDINANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plates, bowls, food trays, clamshells, and other containers must not contain PFAS.</td>
<td>Prohibits the sale of any paper foodware in the state containing PFAS on January 1, 2023.</td>
<td>Sunset the PFAS requirements on December 31, 2022 and look to the State to enforce the prohibition of PFAS.</td>
</tr>
</tbody>
</table>
Next Steps

Pending Council adoption, staff will continue to conduct outreach to food facilities ahead of the October 1, 2022 enforcement start date.
Thank You

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More information at: cityofsancarlos.org/foodware

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1. Join the Zoom meeting by going to Zoom.com or calling 1-669-900-9128 and enter Meeting ID # 882 5614 0939; and

2. Virtually raise your hand by clicking on the “Raise Hand” icon at the bottom of your screen. If joining by phone, press *9.

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