

# 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

#1

## CURRENT ORDINANCE REQUIREMENT

All food facilities may offer single-use accessories to customers.

## NEW AB 1276 REQUIREMENT

Food facilities can offer single-use accessories only at drive-throughs and public airports.

## RECOMMENDED CHANGE TO ORDINANCE

Only drive-throughs and public airports can offer single-use accessories.





# Alignment with AB 1276

#2



## CURRENT ORDINANCE REQUIREMENT

Food facilities may distribute accessories using dispensers and open containers at self-serve areas.

## NEW AB 1276 REQUIREMENT

Food facilities may have accessories available at refillable dispensers that dispense one at a time.

## RECOMMENDED CHANGE TO ORDINANCE

Food facilities may use refillable dispensers that dispense one item at a time. Open containers no longer an option.

# Alignment with AB 1276

#3



## CURRENT ORDINANCE REQUIREMENT

No reference explicitly allowing food facilities to use refillable bulk condiment dispensers.

## NEW AB 1276 REQUIREMENT

Food facilities are explicitly allowed to use refillable bulk condiment dispensers.

## RECOMMENDED CHANGE TO ORDINANCE

Ordinance to explicitly allow for use of refillable bulk condiment dispensers.

# Alignment with AB 1200

#4

## CURRENT ORDINANCE REQUIREMENT

Plates, bowls, food trays, clamshells, and other containers must not contain PFAS.

## NEW AB 1200 REQUIREMENT

Prohibits the sale of any paper foodware in the state containing PFAS on January 1, 2023.

## RECOMMENDED CHANGE TO ORDINANCE

Sunset the PFAS requirements on December 31, 2022 and look to the State to enforce the prohibition of PFAS.







# 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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