



OFFICE OF
SUSTAINABILITY

COUNTY OF SAN MATEO

Disposable Food Service Ware Ordinance Proposed Amendment

County of San Mateo Board of Supervisors
January 25, 2022

Disposable Food Service Ware Ordinance

- Adopted in February 2020
- Reduce single-use plastic foodware waste
 - Pervasive pollutants with harmful effects
- Moving to:
 - Non-plastic, compostable, natural fiber (e.g., paper) foodware free of PFAS (a.k.a. "forever chemical")
 - Distribution of accessories (e.g., straws, utensils, etc.) only when needed
- 13 cities (and counting) adopted County's Ordinance as a model ordinance



New State Law - AB 1276

Upon Request Only



- Requires consumers to request single-use accessories and condiments
- Accessories cannot be bundled
- Impacts 3rd party food delivery services (e.g., Door Dash, GrubHub)
- Directs local governments to enforce



Recommendation for Alignment with AB 1276

#1

Current Ordinance Requirement

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



New AB 1276 Requirement

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



Recommendation for Ordinance Amendment

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

Recommendation for Alignment with AB 1276

#2

Current Ordinance Requirement

Food facilities may distribute accessories using dispensers and open containers at self-serve areas for consumers to grab-and-go.



New AB 1276 Requirement

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



Recommendation for Ordinance Amendment

Food facilities would be allowed to use refillable dispensers that dispense one item at a time. Open containers no longer an option.



Recommendation for 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.

Recommendation for Ordinance Amendment

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



New State Law - AB 1200

Recommendation for Alignment

- Prohibits sale or distribution of paper-based food packaging using PFAS
 - Includes foodware used to serve ready-to-eat food
- Recommendation for Ordinance amendment:
 - Sunset current PFAS requirements in County Ordinance on Dec 31, 2022
 - Align to State requirements, effective Jan 1, 2023
- Look to State to enforce starting on Jan 1, 2023



County Ordinance Implementation

Recommendation for Ordinance Amendment

- Extend enforcement start date to provide additional time for food facilities to comply
 - **Current date:** Mar 25, 2022
 - **Proposed new date:** Oct 1, 2022

Helping our food facilities successfully transition

- Multi-lingual education & technical assistance
- Financial incentives
- Partnerships with community-based organizations





Recommendation

Repeal Chapter 4.107 of the San Mateo County Ordinance Code and adopt a new Chapter 4.107 regulating the use of disposable food service ware by food facilities to align with new state laws

Questions?

