



Report on a proposed ordinance  
addressing single-use plastics and  
disposable food service ware

1/28/2020

Item 24: Single Use Plastics

Referral No. 2019-11



## COUNTY OF MONTEREY HEALTH DEPARTMENT

### Unincorporated Monterey County's Food Operators:

- ▣ 468 Permitted Food operations
- ▣ 143 “Brick and Mortar” Food facilities
- ▣ 143 mobile food preparation units (MFPU's)
- ▣ 182 annual temporary food vendors
- ▣ Also includes “non-profit” food operations (fund raisers)



## State and Local Municipal Legislation:

### ▣ City of Monterey

- Dine-IN facilities require non-disposable food service ware; take out required to be compostable/recyclable

### ▣ City of Salinas

- Food vendors must provide biodegradable, compostable, or recycled disposable food service ware

### ▣ City of Pacific Grove

- Dine-IN facilities require non-disposable food service ware; take out required to be BPI (Biodegradable Product Institute) certified compostable food service ware



# COUNTY OF MONTEREY HEALTH DEPARTMENT

## ▣ City of Carmel-by-the-Sea

- Prohibits restaurants and food vendors from providing CFC (chlorofluorocarbons) processed food packaging and polystyrene food packaging; provides that restaurants and food vendors use exclusively biodegradable, compostable, or recycled products for packaging;
- Single use straws are to be provided only upon customer request; single use to-go utensils may only be provided if requested by a customer; requires all restaurants and food vendors using disposable food service ware use biodegradable, compostable (American Society of Testing and Materials certified), or recycled products





# COUNTY OF MONTEREY HEALTH DEPARTMENT

## State of California

- ❑ SB 54 (The California Container Recycling and Litter Reduction Act) and AB 1080 (Solid Waste: packing and products), which address plastic on a large scale and not just the food industry. These pieces of legislation would require all single-use plastic packaging and products in California to be reduced or recycled by seventy-five percent (75%) by 2030.
- ❑ Assembly Bill 1162 (AB 1162: Lodging establishments: personal care products: small plastic bottles) establishes a timeline for lodging establishments to phase out small plastic bottles for personal care products.
- ❑ AB 1884 (Food Facilities: single use plastic straws) provides that a full-service restaurant shall not provide plastic straws unless requested by a consumer. This is limited to establishments that provide food on premises and where consumers are escorted to an eating area.
- ❑ The Board recently sent letters of support for AB 1080 and SB 54 to State Senator Allen and Assemblymember Gonzales; both of these bills address plastics packaging at the “upstream” manufacturer/packing point.



- State retail food code addressing single-use articles notes that “temporary” food facilities must provide single use articles (California Retail Code, Chapter 11, Section 114353).
  - This code as written would allow recyclable/compostable products to be used.



## Outreach Efforts/Community Engagement

- ▣ Food Safety Advisory Committee brief to be scheduled
- ▣ Monterey County Hospitality Association to be scheduled
- ▣ Pacific Grove Chamber of Commerce to be scheduled
- ▣ Community Hospital of the Monterey Peninsula to be scheduled-Chris Vicioso
- ▣ Monterey Chamber of Commerce Pebble Beach Company to be scheduled-Dawn Mathes



## Outreach Efforts/Community Engagement

- ▣ Shake Enterprises to be scheduled- Chris Shake
- ▣ Reps from MBAY Aquarium, SurfRiders MBAY Chapter, Salinas Valley Recycles, and Sustainable Monterey County were engaged
- ▣ Inform at Inspections





## Outreach Efforts/Community Engagement

- ▣ EHB reached out to survey unincorporated food facilities
  - Many already increasing use of alternative materials for single use utensils
  - Paper bags being implemented; 25 cents per bag
  - Soups may be an issue as paper containers have a limited timeframe to hold adequately
  - Overall biggest issue/concern is client/customer understanding
  - EHB informed each facility we will continue to reach out



## Considerations

- ▣ -Exemptions in situations like skilled nursing for patients with compromised mobility.
- ▣ -One challenge is that many compostables look like plasticware and end up in the wrong containers.



## Next Steps

- Continue to engage stakeholders
- March Board date for consideration of draft ordinance



## Notes

- Create model ordinance (template) for cities
- The industry expects these regulations and customers are generally happy to do their part for the environment