

# COUNTY OF SAN MATEO'S DISPOSABLE FOOD SERVICE WARE ORDINANCE ENFORCEMENT BEGINS ON MARCH 25, 2022

## DISPOSABLE FOOD SERVICE WARE ORDINANCE (ORDINANCE) OBJECTIVES



REDUCE SINGLE-USE  
PLASTICS AND  
OTHER WASTE



IMPROVE THE HEALTH  
AND SAFETY OF OUR  
COMMUNITY MEMBERS



KEEP OUR  
WATERWAYS  
CLEAN AND SAFE

## WHO WILL BE AFFECTED?

This Ordinance will impact food facilities that operate within the unincorporated areas of San Mateo County that provide prepared food to the public.

**Food Facility:** An entity that has a valid health permit with the County of San Mateo (County) for distributing food/beverages to the public. Examples include restaurants, mobile food trucks, temporary food facilities (e.g., street fairs, etc.), farmers' markets, catering operations, private schools, and other operations.

**Prepared Food:** Food/beverage prepared on-site at the food facility using any cooking or food preparation technique (e.g., mixing, heating, blending, chopping, grilling, etc.).

Cities within San Mateo County have the option of adopting the County's Ordinance, in which case, food facilities within the city will need to comply.

## AFFECTED ITEMS

Disposable food service ware refers to one-time/limited-number-of-use items associated with food. This includes, but is not limited to:

Bowls	Napkins	Tooth/Cocktail Picks
Plates	Straws	Condiment Packets
Clamshells and Other Containers	Cup Sleeves	Stirrers
Cups	Cup Spill Plugs	

## SUMMARY OF REQUIREMENTS

### 1. ACCESSORIES

Accessories such as straws, stirrers, cup spill plugs, condiment packets, utensils, napkins, etc. shall be provided only:

- When requested by the consumer;
- When the consumer accepts an offer by the food facility; or
- At a self-serve area and/or a dispenser.

Additionally, accessories shall be distributed unbundled as separate individual units. Take-out food delivery services that allow customers to order digitally (i.e., online) shall provide clear options for customers to ask for accessories.

### 2. POLYSTYRENE

Polystyrene disposable food service ware (all #6 plastics, Styrofoam) will continue to be banned.



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SUSTAINABILITY  
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### 3. NOT ALLOWED

Plastics, either traditional (petroleum-based) or compostable (a.k.a. bioplastics or PLA), are **not** allowed for:

**Accessories:** Straws, stirrers, utensils, and cocktail/toothpicks (and packaging that these individual items are wrapped in, if any)

**Larger Items:** Plates, bowls, cups, food trays, clamshells, boxes, deli containers, and other containers. These items can be lined with compostable plastic, but they must be certified by Biodegradable Products Institute or another approved 3rd party.



### 4. ACCEPTABLE MATERIALS

Include non-plastic, compostable, natural fiber-based materials such as paper, sugarcane, wheat stalk/stem, bamboo, wood, hay, etc.

**Larger Items:** Plates, bowls, cups, food trays, clamshells, boxes, deli containers, and other containers must also be certified by Biodegradable Products Institute (BPI) or another approved 3rd party to ensure they breakdown into compost and are free of harmful fluorinated chemicals.

The County will have available a guide with information on approved disposable food service ware.



Look for the BPI logo on the items or their packaging.



### EXEMPTIONS

- Disposable food service ware made from aluminum.
- Disposable plastic straws may be provided only upon request to consumers with medical needs. Healthcare facilities may distribute disposable plastic straws without a request from patients.
- Drive-through areas of food facilities may distribute straws and cup sleeves without a request from the consumer.
- If no reasonably feasible disposable food service ware alternative exists, item may be exempt.

### ENFORCEMENT

The County's Office of Sustainability will be enforcing the Ordinance within unincorporated areas of San Mateo County and any additional jurisdictions that adopt the County Ordinance.

### TIMELINE



The Ordinance was adopted by the County's Board of Supervisors on February 25, 2020. The Ordinance was updated in February 2021 to extend the enforcement start date from March 25, 2021 to **March 25, 2022** for food facilities operating in unincorporated areas of San Mateo County.

### QUESTIONS?



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<https://www.smcsustainability.org/food-ware>