

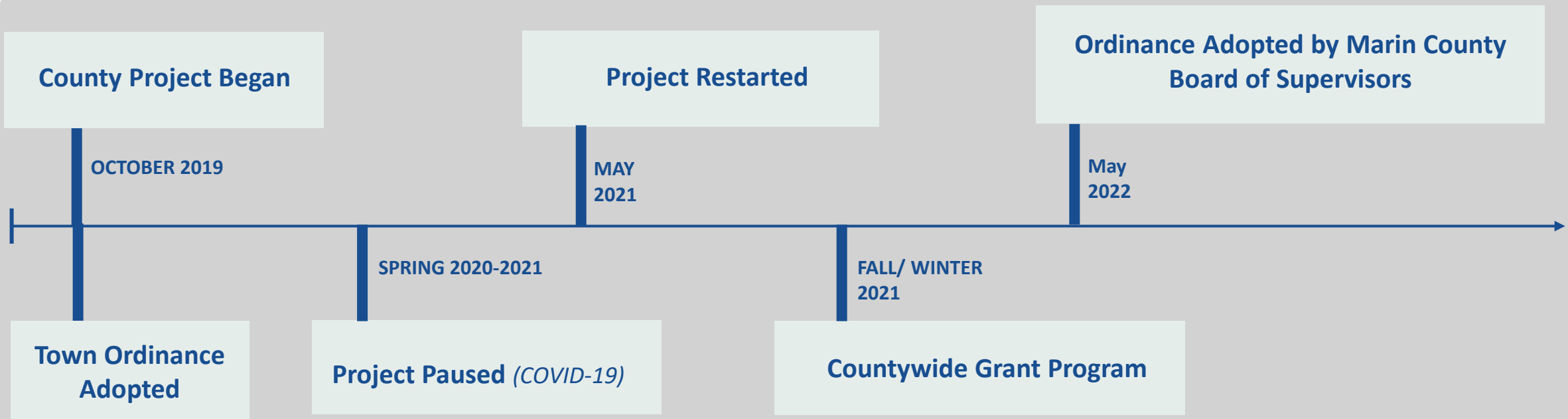


Town of Fairfax
Council Meeting
March 1, 2023

REUSABLE FOODWARE ORDINANCE



BACKGROUND



WHY A FOODWARE ORDINANCE?

- Plastic waste and litter left on streets and sidewalks collects in gutters, storm drains, and creeks and, ultimately, **gets discharged into San Francisco Bay and Pacific Ocean.**
- Reduction of plastics at the source by encouraging reuse and recyclable or compostable materials would **reduce litter and debris** from going into the landfills.
- Adoption of a clear consistent foodware ordinance would **provide guidance and clarity** to businesses and the community who want to do the right thing but are unclear on what that is.
- Adoption of the ordinance would also assist the Town and local businesses in **complying with recently adopted state legislation** focused on waste reduction.

WHY A FOODWARE ORDINANCE? REPLACING DISPOSABLES

- Improves environment:
 - **Reduces litter, chemicals in foodware, and amount of waste being sent to landfill**
- Less GHGs and use of resources to produce, transport, and dispose
- Switching to reusables saves money!



WHY A FOODWARE ORDINANCE?

DISPOSABLE FOODWARE EXAMPLES

- Bowls, Plates, Clamshells, and Other To-Go containers
- Cups
- Straws
- Utensils
- To-Go Accessories
 - Napkins, cup sleeves, lids, condiment packets, cup spill plugs, stirrers, tooth/cocktail picks, etc.

KEY ORDINANCE FEATURES

- **Applies to All Food Vendors**
 - Except public or private school cafeterias
- **Ordinance Enforcement:**
 - Not until November 10, 2023 (18 months after initial County of Marin adoption)
- **To-Go Foodware Must Be:**
 - Fiber-based, BPI-certified compostable (no bio-plastic)
 - Aluminum allowed
- **Dine-In Foodware Must Be:**
 - Reusable
 - Exceptions allowed for specified items, such as paper napkins, paper straws, and foil wrappers
 - Plastic stirrers, cocktail sticks, plugs and toothpicks banned

KEY ORDINANCE FEATURES CONTINUED

- **To-Go Accessories:**
 - Only upon request or at take-out station
 - Must be fiber-based compostable, when available
- **Disposable Cup Itemized Charge**
 - 25 cents (with exceptions), retained by food vendor
- **Front and Back of House 3-Stream Collection Containers**

STAKEHOLDER ENGAGEMENT

- **County Public Engagement ran from 10/2019-1/2022**
- **Stakeholder Meetings**
 - Formal Resident and Business Workshop Meetings
 - Spanish translation services offered & recorded
 - 20+ meetings, including restaurant owners, various chamber of commerce groups (including the Council of Chambers), Latinx business leaders, disability advocates, haulers and processors, food inspectors, advocacy groups, etc.
- **Resident Survey (provided in both English and Spanish)**
 - 338 responses
- **Food Vendor Survey (provided in both English and Spanish)**
 - 97 responses
- **County accepted public comments on draft ordinance from 2/2020-11/2021**
- **Letter to all food vendors countywide**
- **FAQ and matrix of compliant alternatives**
- **Variety of publications, including flyers and press releases**

STAKEHOLDER ENGAGEMENT COUNTYWIDE GRANT PROGRAM

- **Ran from 07/2021-11/2021**
 - Open to all food vendors in Marin County
 - Businesses could receive \$100-\$500 to voluntarily adopt requirements and receive technical assistance
- **Program Highlights**
 - 25% of businesses are using grant funds to purchase reusable foodware products
 - 19% of the businesses called and visited were provided Spanish in-language assistance
 - Several businesses showed appreciation for the education and compliance guidance around the new ordinance



"I'm glad
we are
getting the
support we
need to
make these
changes"

Veronica Salazar

STAKEHOLDER ENGAGEMENT OUTREACH AND MESSAGING



IT'S TIME TO SAY GOODBYE TO SINGLE-USE PLASTIC FOODWARE

Replacing single-use disposable products with reusable containers can decrease litter, lessen harm to marine life, and lower the greenhouse gas emissions associated with producing disposables in the first place.

Our local organic compost facility cannot accept synthetic materials. Bio-plastic foodware, commonly labeled as "compostable," is not always compostable or degradable and may contain toxic chemicals. Such items are screened out by Marin County composting facilities and sent to landfill. Likewise, many plastics and plastic-lined papers are no longer marketable to recyclers and must be landfilled.

Community members are calling for a better solution.





Tired of trash?

It's time to choose reusable


Help us eliminate single-use disposables in Marin County!

REUSABLE FOODWARE ORDINANCE: HOW IT WORKS

 Bring Your Own Reusable is **BEST**



When dining-in at a restaurant, reusable foodware and utensils must be provided. Customers are allowed to bring their own clean containers for take-out.

 Compostable or Aluminum is **OK**



All take-out foodware (plates, containers, cups, utensils, straws) must be natural-fiber compostable or all-aluminum, and only available upon request. An itemized charge of \$0.25 will be added for disposable cups.

 Plastic & Plastic-Lined Paper are **BANNED**



Plastic and plastic-lined paper containers are banned. Many paper containers are lined with thin plastic film and cannot be recycled or composted. Bio-plastics labeled as "compostable" are NOT allowed.



Did you know? Restaurant customers in Marin County are allowed to bring their own reusable containers for take-out!

Please scan the code at right or visit us online to learn more about how to use reusables with your next takeout order.



COUNTYWIDE APPROACH & ENFORCEMENT

- Enforcement begins on November 10, 2023 (18 months after County's initial adoption)
- County Environmental Health Services will take proactive approach in education and enforcement
 - Cost would be passed through to businesses via Food Inspection Fees
 - EHS may grant a citation waiver for undue hardship circumstances
- County will maintain a temporary exempt product list on its website
- The one-time enforcement fee for the Town would be waived if the ordinance is adopted by May 10, 2023

STAFF RECOMMENDATIONS

- Move Section 8.72.080(A) of the Town Code regarding the prohibition on the sale of polystyrene foam coolers and ice chests within the Town to Section 8.16.030(C)
- Introduce reusable foodware ordinance to replace the existing Town Code Chapter 8.72 Single-Use Foodware Reduction in its entirety
- Authorize the Town Manager to execute the agreement between the County and Town regarding enforcement of the foodware ordinance



THANK YOU
QUESTIONS?



APPENDIX SLIDES

PURCHASING GUIDE

COUNTY OF MARIN
REUSABLE FOODWARE FOR DINE-IN

These are not complete lists nor does the County endorse or recommend specific manufacturers or distributors but provides these resources for informational purposes. This list will be periodically updated. If you are a manufacturer or distributor and would like your product to be considered for inclusion on this list, please email

[Webstaurant Store - webstaurantstor](#)
[International Tableware -](#)
[Katom Restaurant Supply, Inc -](#)

Updated 1-23-23

Reuse is the best choice for your triple bottom line — profit, planet, and people. Research shows that reusables can save restaurants up to \$22,000 every year.

CASE STUDY
COMFORTS

Annual Savings \$14,000
 Annual Waste Reduction 2.4 Tons (that's four polar bears!)
 Disposable Packaging Eliminated 265,000 Pieces

TO LEARN MORE ABOUT SAVING MONEY, VISIT WWW.RETHINKDISPOSABLE.ORG.

ReThink Disposable CLEAN WATER FUND

Vendor	Product	Size	Material	Image	Colors	Estimated Price	Comments
Baskets							
Artisan Collection™ 9" Oval Basket	Oval Metal Basket	9" Oval	Powder Coated over Steel		Black	\$10.68 ea	
9" x 7 1/4" x 2 3/4" Oval Natural-Colored Rattan Basket	Rattan Oval	11" x 1 1/2" round	Rattan		Natural	\$2.99 ea	
Acopa 9" x 6" Oval Chrome Wire Basket	Oval Chrome Wire	Acopa 9" x 6"	Chrome		Silver	\$3.98ea	

Studies have shown that replacing disposable with earth-friendly and money-saving reusable foodware can dramatically reduce your operational cost.

REUSABLE COST SAVINGS

CLEAN WATER ACTION FACT SHEET

Net Cost Impact* of switching from disposable to reusable food ware items for dine-in

Numbers are based on case studies of *ReThink Disposable* certified food businesses.

J&J Hawaiian invested \$557 to replace:

- Disposable Paper Food Clamshells with Reusable Plates & Bowls
- Disposable Paper Food Trays with Reusable Baskets
- Disposable Plastic Utensils with Silverware
- Disposable Wooden Chopsticks with Reusable Plastic Chopsticks
- Disposable Plastic Water & Paper Soda Cups with Reusable Glasses
- Disposable Plastic Sauce Cups & Lids with Reusable Sauce Cups

ANNUAL NET COST SAVINGS:
\$20,517



Kirk's Steakhburgers invested \$220 to replace:

- Disposable Paper Trays with Reusable Baskets
- Disposable Paper Soda Cups with Reusable Cups
- Disposable Plastic Water Cups with Reusable Cups

ANNUAL NET COST SAVINGS:
\$3,981



New York Pizza invested \$170 to replace:

- Disposable Paper Plates with Reusable Metal Pizza Trays
- Disposable Plastic Utensils with Reusable Silverware
- Disposable Plastic Water Cups with Reusable Glasses

ANNUAL NET COST SAVINGS:
\$3,043

**Net Cost Impact takes into account any upfront and ongoing costs associated with the purchase and care of reusable items and capital improvements needed to carry out ReThink Disposable's recommendations. Net cost savings are based on avoided disposable foodware purchases.*

NOTE: With the exception of Kirk's Steakhburgers, the above restaurants had no mechanized dishwashing.

Rene Rose invested \$636 to replace:

- Disposable Plastic Plates with Reusable Plates
- Disposable Plastic Bowls with Reusable Bowls
- Disposable Plastic Sauce Cups & Lids with Reusable Sauce Cups
- Disposable Plastic Water Cups with Reusable Glasses

ANNUAL NET COST SAVINGS:
\$22,122



Shish Grill invested \$80 to replace:

- Disposable Foam Cups for soda and water with Reusable Glasses
- Disposable Plastic Sauce Cups with Reusable Sauce Cups

ANNUAL NET COST SAVINGS:
\$974

PLASTIC VS. COMPOSTABLE COST COMPARISONS

Item	Plastic Per Unit Cost	Compostable Per Unit Cost
16 oz. Cold Cup	\$0.06	\$0.08
Clamshell To-Go Container	\$0.19	\$0.20
Plastic Utensils (fork, spoon, knife)	\$0.03	\$0.04
Take-Out Bag	\$0.02	\$0.05
Hot Cup Sleeve	\$0.03	\$0.03
Food Wrap	\$0.01	\$0.02
Straw	\$0.01	\$0.02
Plates	\$0.10	\$0.09
Bowl	\$0.08	\$0.07
Stirrer	<\$0.01	<\$0.01

TEMPORARY EXEMPT PRODUCTS

TEMPORARY EXEMPT PRODUCT

This list will be reviewed and updated annually by the County. When a compliant alternative to a product becomes available, the County will update this list and the product will be subject to enforcement within six (6) months of list posting. The County will inform food service facilities of updates to this list as a part of regular enforcement activities of the County's Reusable Foodware Ordinance.

- Hot Cup (i.e., beverage or soup)
- Hot / Cold Cup Lid
- Food Container Lid
- Rotisserie Dome Container
- Sandwich Wedge Container
- Sushi Tray
- Baked Goods Box
- Bottled Juice / Beverage Container (ONLY for beverages made on-site)

Last Updated: 2/22/22