



## Assembly Bill 1276: Reduce Unnecessary Food Accessories

### SUMMARY

AB 1276 will build on California's existing efforts to combat waste from single-use items. Providing food and beverage accessories *only* upon request to customers will significantly reduce unnecessary waste and save businesses and local governments money.

### BACKGROUND AND PROBLEM

Every year in the United States, an estimated 561 billion disposable foodware items are used, resulting in a whopping 4.9 million tons of waste.<sup>1</sup> Unused food accessories including utensils, straws, napkins, condiment packages, and otherwise clog landfills, complicate recycling, and pollute streets and waterways in our communities.

The COVID-19 pandemic has increased takeout and food delivery, which restaurants are relying upon to stay afloat. The use of disposable food accessories has contributed to a 250-300% increase in single-use plastics and a 30% increase in waste.<sup>2</sup> Currently, many food facilities and food delivery services provide single-use food and beverage accessories regardless of whether or not they are needed. Most customers do not want them or have reusable items at home and/or in their workplaces; as a result, these accessories are usually discarded without being used.

Furthermore, global health experts and U.S. health officials agree that there's no evidence that COVID-19 can spread through food or food packaging.<sup>3</sup>

Restaurants in the U.S. spend \$19 billion purchasing disposable foodware items. California restaurants that have voluntarily made the transition to a combination of by request and reusable foodware have been proven to save between \$3,000 and \$21,000 per year<sup>4</sup>, while reducing waste and greenhouse gas emissions.

California's local governments and taxpayers spend over \$428 million annually in ongoing efforts to clean up and prevent litter in streets, storm drains, parks and waterways.<sup>5</sup> Recyclers are now faced with a worsened crisis, as the vast majority of these non-recyclable single-use food accessories debase recycling systems and can contaminate many commercial compost facilities. This increases costs to collection, sorting, processing and disposal for cities and ratepayers.

Many of these food accessories are made of plastic, and the increasing surge in plastic use exacerbates health risks predominantly in communities of color and/or low-income communities. The production of plastic emits greenhouse gases and harms communities near oil refineries, plastic production facilities, and

<sup>1</sup> [Overbrook Foundation. "The Dirty Truth About Disposable Foodware" February 2020](#)

<sup>2</sup> [The Economist. "Covid-19 has led to a pandemic of plastic pollution" June 23, 2020](#)

<sup>3</sup> [United Press International. "FDA: No evidence COVID-10 spreads through food, food packaging" February 19, 2021](#)

<sup>4</sup> [ReThink Disposable](#)

<sup>5</sup> [NRDC. "The Annual Cost to California Communities of Reducing Litter That Pollutes Our Waterways" August 2013](#)

landfills or incinerators. As such, steps must be taken to protect the public health of these communities.

## SOLUTION

In order to address this issue, AB 1276 expands the plastic straws upon request law to include more single-use foodware accessories, other food facilities, and third-party delivery platforms. Specifically, this bill:

- Prohibits a food facility or third-party delivery platform from providing single-use foodware accessories unless requested by a consumer;
- Prohibits food facilities from bundling single-use foodware accessories.
- Provides food facilities the flexibility to offer single-use foodware accessories to drive-through consumers *only*.
- Allows food facilities located within public airports to offer single-use foodware accessories to consumers.

Source reduction is by far the most efficient and cost-effective way to protect resources and communities, and help California reach its waste diversion and climate goals. Reducing unnecessary food accessories is a simple solution and a win-win for reducing waste in the first place, saving businesses money, and relieving recyclers, composters and local governments from the complications and costs associated with it.

## SUPPORT

Clean Seas Lobbying Coalition (Sponsor)  
The 5 Gyres Institute  
The Center for Oceanic Awareness, Research  
and Education (COARE)  
Heal the Bay

Northern California Recycling Association  
(NCRA)  
Plastic Oceans International  
Plastic Pollution Coalition  
Save Our Shores  
Seventh Generation Advisors  
UPSTREAM  
Wishtoyo Chumash Foundation  
Zero Waste USA  
Active San Gabriel Valley  
Agromin  
Alliance of Nurses for Healthy Environments  
American Refuse  
Audubon California  
Azul  
Ban SUP  
Breast Cancer Prevention Partners  
Burrtec  
Cafe Aquatica  
California Association of Zoos and Aquariums  
California Catholic Conference  
California Coastkeeper Alliance  
California Compost Coalition  
California Interfaith Power & Light  
California League of Conservation Voters  
California Product Stewardship Council  
California Reuse Collective  
Californians Against Waste  
CALPIRG  
Cal-Waste  
Center for Biological Diversity  
Center for Environmental Health  
ChicoEco, Inc, DBA ChicoBag Company  
City of Arcata  
City of Berkeley  
City of Beverly Hills  
City of Fremont  
City of Half Moon Bay  
City of San Francisco  
City of Santa Cruz  
City of Sunnyvale  
City of Los Angeles Councilmember, 13th  
District, Mitch O'Farrell  
City of Los Angeles Councilmember, 5th  
District, Paul Koretz

City of Los Angeles Councilmember, 2nd District, Paul Krekorian  
City of Thousand Oaks  
County of Los Angeles  
Clover Flat  
County of Los Angeles  
County of San Francisco  
City of Thousand Oaks  
CLEANFLEETS.NET  
Clean Water Action  
Climate Reality LA  
Community Environmental Council  
Compost Manufacturing Alliance  
Courage California  
Ecology Center  
Elders Climate Action, NorCal/SoCal Chapters  
Families Advocating for Chemical & Toxins Safety (FACTS)  
Founder of Joshua Tree Music Festival  
Friends Committee on Legislation of California  
Goodwerks  
Green Mary  
Green Valley Community Farm  
Greentown Los Altos  
Grubhub  
Habits of Waste  
Klean Kanteen  
League to Save Lake Tahoe  
Marin County Board of Supervisors  
Marin Sanitary Service  
Maury's Bagels & Appetizing  
MINT + CRAFT Cafe and Mercantile  
Monterey Bay Aquarium  
Muuse  
Napa Climate Now  
Napa Recycling and Waste Services  
National Stewardship Action Council  
Natural Resources Defense Council (NRDC)  
Oceana  
Ocean Conservancy  
Orange County Coastkeeper  
Pier 23 Cafe Restaurant & Bar  
Pleasanton Garbage Service, Inc.  
Ponce's Mexican Restaurant  
RAISE High Road Restaurants  
Race to Zero Waste

Rainbow Grocery Cooperative, Inc.  
Real Good Fish  
Recology  
ReFuel  
Republic Services  
Resource Renewal Institute  
RethinkWaste  
Robin's Restaurant  
Santa Barbara Channelkeeper  
Sea Hugger  
Seventh Generation  
Shizen and Tataki Restaurants  
Sierra Club California  
Sierra Nevada Brewing Co.  
Super Cocina  
Surfrider Foundation  
Sustain LA  
Sustainable St. Helena  
TechNet  
The Bay Foundation  
The Last Plastic Straw  
The Nature Conservancy  
The Nectary  
The Refill Shoppe  
The Story of Stuff Project  
The Trust for Public Land  
Town of San Anselmo  
Tracy Delta Solid Waste Management, Inc.  
UberEATS  
Vision Recycling  
Wisdom Supply Co.  
Zanker Recycling  
Zero Waste Sonoma  
350 Humboldt: Grassroots Climate Action  
350 Silicon Valley  
350 South Bay Los Angeles  
350 Southland Legislative Alliance

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