

Reducing Single-Use Foodware Accessories

In 2021 the California Legislature passed AB 1276 into law, expanding the prior “straws on request only” law to also now include single-use cutlery, condiment packs and chopsticks. Affected entities include all retail food operations as well as food delivery platforms. The purpose of AB 1276 is to reduce excess packaging and reduce food waste from unwanted condiment packs.

Under the law:

- Single-use foodware cannot be bundled or packaged in a way that prohibits the customer from taking only the item desired.
- A food facility using a third-party food delivery platform must list on its menu the availability of single-use foodware accessories and standard condiments and only provide those items when requested.
- The following single-use items can only be provided when requested by the customer:
 - Utensils (forks, knives, spoons, and sporks)
 - Chopsticks
 - Condiment cups and packets
 - Straws, stirrers and cocktail sticks
- Disposable foodware accessories can be offered to drive-thru customers and within airports.
- AB 1276 does not apply to correctional facilities, school cafeterias, residential and health care facilities.

The law takes effect June 1, 2022. Food operators not in compliance are subject to fines of \$25/per day (\$300 annual max). StopWaste is assisting its member agencies with outreach to affected entities on AB 1276 requirements, while also supporting the development of reusable foodware infrastructure such as dishwashing services, and creating a model reusable foodware ordinance for Alameda County in the upcoming fiscal year.

For more resources on reducing disposable foodware, visit: www.stopwaste.org/reusablefoodware

To view a copy of the AB 1276, visit: leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1276



As of June 1, 2022, single-use foodware items including utensils, condiment packets, and straws may only be provided to customers upon request.