



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

BUSINESS TOOLKIT

Business Toolkit Overview

This toolkit serves as a guide in supporting food vendors to comply with the adopted Reusable Foodware Ordinance in Marin County. This toolkit includes compliance goals, ordinance details, benefits of the ordinance, common FAQs, and free available resources.

Business Compliance Goals

Get your business in compliance with the Marin County Reusable Foodware Ordinance by switching from plastic and plastic-lined paper to reusable containers, natural fiber compostable or all aluminum to-go products, as well as implementing a charge of \$0.25 for each disposable cup distributed. Goals for business compliance include:

- Identifying prohibited products and replacing with alternatives (prioritizing purchasing reusable foodware)
- Learning and applying innovative best practices in implementing reusable foodware systems
- Training food service staff on new ordinance requirements
- Learning about advantages of compliance including environmental and health benefits, as well as cost savings to food vendor owners
- Promoting alternative/reusable foodware at your business such as posters, flyers, table tents, window clings, product lists and social media graphics!

Which Jurisdictions are Affected by the Ordinance?

Jurisdiction	Participating in Countywide EHS Program	Adoption Date and Link to Ordinance
Unincorporated Marin	Yes	Adopted 5/10/22[PDF]
Tiburon	Yes	Adopted 8/17/22[External]
Belvedere	Considering 10/9/23	
Corte Madera	No; Town will enforce their own ordinance.	Adopted Town Specific Ordinance (9/19/23)[External PDF]
Fairfax	Yes	Adopted 4/5/23[External PDF]
Larkspur	Yes	Adopted 5/3/23[External PDF]
Mill Valley	Yes	Adopted 4/17/23[External PDF]
Novato	Yes	Adopted 5/9/23[External PDF]
Ross	Yes	Adopted 6/15/23[External PDF]
San Anselmo	Yes	Adopted 4/11/23[External PDF]
San Rafael	Yes	Adopted 5/15/23[External PDF]
Sausalito	Yes	Adopted 5/9/23[External PDF]

Key Components of the Reusable Foodware Ordinance

The ordinance was adopted on May 10, 2022 and is in effect. Enforcement will begin on November 10, 2023.

1. **This ordinance applies to all entities selling prepared food to the public in the County.** This includes restaurants, grocery stores and delis, bakeries, carry-out, quick services, farmers markets, food trucks, and any other business with a health permit (excluding public and private schools).
2. All takeout disposable foodware must be natural-fiber compostable (no bio plastics).
 - Takeout foodware (e.g., plates, bowls, cups, trays) must be certified by the Biodegradable Products Institute (BPI).

Takeout foodware accessories (e.g., utensils, straws, stirrers, condiment cups, tray liners, etc.) must be natural-fiber compostable and only available “upon request” or at takeout station.

- Aluminum is allowed.
3. Reusable foodware and utensils must be used if a customer is dining in at a restaurant.
 - Dine-in customers must be served on reusable foodware (e.g., plates, bowls, cups, trays) and utensils.
 - Natural-fiber compostable accessories are allowed.
 4. A \$0.25 charge for disposable cups.
 - To be retained by the Food Vendor.
 - Charge must be itemized on customer receipt.
 - Exemptions for Cal Fresh/SNAP and WIC customers.
 5. Garbage, Recycling, and Organics bins must be in front (for customers) and back of house (for employees) with graphic-rich signage.

Terms

The following terms defined below are used throughout this document and in the ordinance text:

- Compliant Non-Reusable Foodware means that an item or product intended for disposal after one use and is: (1) accepted by the County through its composting collection program as Compostable as identified by the Deputy Director of Environmental Health Services or their designee; (2) is certified by either BPI Certified or other third party product certification recognized by the County through its Deputy Director of Environmental Health Services or their designee to ensure the item is free of harmful chemicals including but not limited to Fluorinated Chemicals, that may have been used in foodware manufacture, and is (3) made entirely of Natural Fiber, as defined that term is below, and including but not limited to paper, wood, or sugarcane fibers.
- Compliant Foodware Accessory means that an item or material is (1) accepted in County composting collection program as Compostable; and is (2) made entirely of Natural Fiber.
- Compostable plastics or biodegradable plastics/bioplastics means the disposable products developed from polylactic acid (PLA), which require a specific set of conditions to compost and/or biodegrade that do not exist in the County or the region. These products are considered non-compliant. Bioplastics are sometimes labeled as, “compostable”, “biodegradable”, “bio-based” or “PLA”.
- Food vendors means all vendors as described in the California Retail Food Code section 113789. This includes but is not limited to a: restaurant, bar, grocery store, delicatessen, bakery, food service establishment (carry out, quick service, full-service), food truck, itinerant restaurants, pushcart, farmers market, caterer, microenterprise home kitchen operations, cottage food operations, selling Prepared Food to be consumed on and off the premises located or operating

within the County.

- Natural fiber compostable means a plant-based, non-synthetic fiber, including but not limited to paper, wood, bamboo, palm leaf, wheat straw, or sugarcane. Natural Fiber does not include plastic or plastic coating of any kind.
- Reusable foodware: Foodware and foodware accessories, including plates, bowls, cups, jars, trays, glasses, straws, stirrers, condiment cups, utensils, etc. that are manufactured of durable materials and specifically designed and manufactured to be washed and sanitized and to be used repeatedly over an extended period and are safe for washing and sanitizing according to applicable regulations.

Benefits of Implementing Foodware Ordinance

The Reusable Foodware Ordinance affords many benefits for your business in Marin County, including:

- Cost savings – While there are some additional up-front costs, food vendors save money by avoiding the purchase and disposal costs of single-use items. Food vendors can also experience cost savings by reducing hauling services due to the reduction in volume of landfill items.
- Environmental benefits – Replacing single-use disposable products with reusable containers can decrease litter, prevent harm to marine life, and lower the greenhouse gas emissions associated with producing disposables in the first place.
- Health benefits – The Reusable Foodware Ordinance only allows natural fiber-based foodware that is free of all intentionally added fluorinated chemicals. Fluorinated chemicals are synthetic chemicals commonly used in disposable foodware as coatings that help the materials be heat and grease resistant. These chemicals can persist in the environment for a very long time and can impact human health.

Resources

The following resources are useful when understanding the Reusable Foodware Ordinance:

- [Marin County Reusable Foodware Ordinance](#)
- [A Tool for Finding Compliant Alternatives](#)
- [Marin County Foodware Ordinance Temporary Exempt Product List](#)
- [Frequently Asked Questions](#) about the Reusable Foodware Ordinance
- [Compliant Foodware Product Guide](#) (helpful resource for Foodware), developed by Zero Waste Marin
- Sustainable Packaging Coalition's [Guidance for Reusable Packaging](#)
- [Upstream Solutions](#) offers a directory for reuse services, as well as case studies of restaurants who created in-house reusable programs instead of contracting with third-parties
- [Cost-Benefit Foodware Calculator](#) from Rethink Disposable: Find current annual usage and cost of a disposable foodware item and project reductions and cost savings that can be achieved by implementing a reusable product.

Who can I contact with questions regarding the Reusable Foodware Ordinance?

- Email foodware@marincounty.org or call Marin County Environmental Health Services at 415-473-6907

Additional FAQs

Why should my business participate: Why is plastic a problem?

- Disposable foodware, including cups, utensils, plates, and clamshells, are used less than 30 minutes before being placed into the landfill.
- Disposable foodware pollute streets, beaches, and storm drains at higher rates than other items.
- The environmental damage from plastic littering decreases biodiversity, human health both physically and mentally, and pollutes diminishing natural eco-systems.

Why are compostable plastics or bio-plastics prohibited?

The County's ordinance prohibits the use of bio-plastic foodware because:

- Most bio-plastics contain harmful chemicals such as PFOs and PFAs.
- Bio-plastics do not always break down during the composting process.
- Bio-plastics look a lot like their plastic counterparts during the composting process which can challenge compost sorting and contaminate waste streams, including soil remediation.
- When bio-plastics end up in oceans and bays, they behave similar to regular plastics in the way they decompose, harming marine life and bio-diversity.

Locally, nearly 90 percent of Marin's organic material (food scraps, food soiled paper, and yard trimmings) is processed locally at the WM EarthCare™ Compost Facility located on the Redwood Landfill in unincorporated Novato. The facility produces compost approved for organic farming which cannot accept bio plastics.

How long do I have until my business must comply?

Enforcement of the ordinance begins on November 23, 2023.

What are the penalties for not complying?

- \$100.00 for a first violation
- \$200.00 for a second violation within 12 months
- \$500.00 for third and additional violations within 12 months

Nonpayment of any assessed violation for longer than one year shall constitute a nuisance and be subject to the nuisance abatement procedures in Marin County Code Chapter 1.05, including payment of civil penalties of up to \$2,500 per violation per day and enforcement and other abatement costs incurred by the County.

Are there exemptions in the Ordinance? If so, what are they?

The following exemptions are included in the Ordinance:

- Food facilities can use disposable food service ware that is made entirely of aluminum.
- Disposable, single-use plastic straws may be provided only upon request to consumers with medical needs. Healthcare facilities may distribute disposable, single-use plastic straws without a request from patients.
- Drive-through areas of food facilities or delivery service platforms may distribute straws and cup sleeves without a request from the customer.
- The County will annually review and publish a list of food service ware items for which there is not yet a commercially available and effective alternative. Items on this list will not be subject to enforcement. [Marin County Foodware Ordinance Temporary Exempt Product List](#)

Are reusable items safe to use?

According to the most recent information published by the CDC, reusable foodware is safe to use for both (1) dine-in and (2) take-out/delivery services provided by service providers (e.g., Dishcraft, DispatchGoods, SparkISF, etc.) even during COVID- 19, as long as food vendors and service providers abide by California Public Health Code, local COVID-19 safety guidelines, and other applicable regulations.

Is it safe for customers to bring their own reusables?

Yes. Under recent legislation [AB 619](#), customers can bring their own reusables (cups or containers) to be filled by the food facility by meeting three requirements:

1. Consumer-owned containers must be isolated from the serving surface, or the surface must be sanitized after each filling.
2. Food facility is required to prepare, maintain, and adhere to written procedures that addresses cross-contamination prevention and wastewater disposal.
3. Food facility shall ensure compliance with handwashing requirements specified in California Retail Food Code (CRFC).

What foodware materials are considered fiber based?

- Fiber-based foodware materials include bamboo, sugarcane, wheat stock, and non-coated paper.
 - As a reminder, look for key words such as "fiber based", "unlined", and "uncoated".
- All foodware (not accessories) must be certified by the Biodegradable Products Institution (BPI).
- Compostable plastic products are not compliant with the ordinance.
 - Be sure to avoid "PLA", "PFAS", "Compostable Plastic", and "Plastic-lined" products.

What kind of foodware items are available for hot food?

Currently hot cups and bowls are exempt, but there are compliant fiber-based clamshells and plates that can be used. This list contains many acceptable products that are not lined with bioplastics and are fiber based: [Allowable Foodware and Foodware Accessory List](#).

Are there extra costs for washing reusables? Are there savings on water usage?

Water usage through industrial grade and commercial dish washers are engineered to be water and energy efficient.

- By mitigating costs to reusables instead of disposables, businesses save an average of \$500 - \$1500 per year depending on the volume of orders according to studies from ReThink Disposables.
- Restaurants using a three-compartment sink can lessen water usage by investing in a [platescrape](#), a water and time saving tool that is utilized in lieu of a pre-rinse spray valve. This tool eliminates the need to pre-wash.

Is manufacturing reusable items less costly than manufacturing disposables?

Reusable items are designed to be more durable so they can be used repeatedly, and the environmental footprint of their manufacture is almost always higher than of a disposable item on a one-to-one basis. However, the long-term benefits are considerable.

- By reusing the item multiple times, the 'impact per use' comes down over time.
- The continued use of disposables, which requires investment in new materials and efforts to increase recycling and composting rates, comes at a higher cost over time.

Case Studies

Businesses across the country have successfully demonstrated it's both possible and beneficial to switch to reusable. In fact, food service vendors have seen lifecycle cost savings, an average \$3k – 7k annually, by switching from disposable to reusable foodware. ReThink Disposable, a nonprofit that works with restaurants to make the switch from disposables to reusables, reports that restaurants were able to achieve more in savings than the cost of making the switch in just the first year, and most restaurants achieved significant savings over time.

CASE STUDY 1

Cybelle's Pizza located in San Francisco offers takeaway and dine-in food services. In 2018, 50% of their business catered to take-out and delivery with approximately three hundred transactions per day. By switching from disposable paper plates, pizza boxes, cups to reusables for dine-in customers and removing multiple napkin dispensers to a single, centrally located dispenser, in one year, Cybelle's Pizza:

- Reduced their waste by 2,146 pounds
- Saved \$1,579 with minimal set up costs of \$84.43

The full report can be found [here](#).

CASE STUDY 2

Oren's Hummus located in multiple location in California, offers takeaway and dine-in food services. In 2021, take-out orders represented 98% of their transactions. Single-use plastic portion cup with lid for condiments served to dine-in guests were replaced with stainless steel portion cups. By making one change across all restaurant locations, in one year, Oren's Hummus:

- Reduced their waste by 527 pounds
- Saved \$1,720 with minimal set up costs of \$278

The full report can be found [here](#).

ADDITIONAL CASE STUDIES:

- [ReThink Disposables Case Studies](#)

CASE STUDY: Cybelle's Pizza



BUSINESS PROFILE

Name: Cybelle's Pizza
Business Type: Fast casual pizza by the slice
Location: San Francisco, CA
On-site dining: 20 seats
Take-out: Yes
Ware washing: Three-sink system
Employees: 10

Cybelle's Pizza is a fast casual Bay Area pizza chain with eight locations. The restaurant that participated in the program is located in a very urban area of San Francisco. 50% of their business caters to take-out and delivery and they do about 300 transactions per day. Customers select from a menu board and place orders with the cashier. The cashier asks if the order is for dine-in or to go. Tables are generally bussed by staff but a trash can is available to the customers as well.



Having a single, efficient, centrally-located napkin dispenser with signage reduced napkin usage.

Packaging Practices prior to Rethink Disposable:

- Pizza served on disposable paper plates and individual pizza slice boxes for on-site dining
- Disposable plastic water cups used at the self-serve water station
- Bulk napkin dispensers on every table



Ayman, the owner of Cybelle's Pizza on Bush Street has been challenged to implement reusable food service ware in his fast-paced grab and go style of restaurant. 50% of his business caters to delivery and customers grabbing a quick slice to go. However, he recognized the potential for cost savings if he were to implement reusables for his on-site diners.

Recommendations Implemented:

- Replaced disposable paper plates and pizza boxes with reusable plate for dine-in
- Replaced disposable plastic cups with reusable cups for the self-serve water station
- Reduced napkin usage by placing one centrally located efficient napkin dispenser

The **Rethink Disposable** recommendations targeted disposable packaging for the dine-in portion of the business. The long and late hours and turnover in staff and drivers made this business a unique challenge. The use of reusable items is easiest during lunch, more difficult at dinner with more customers and a less committed evening staff, and extremely difficult during late night/early morning hours and on weekends due to the "lively" crowd that comes in at those times. Even faced with these challenges, the results of this program showed a significant drop in disposables. Ayman will continue to work with staff to increase usage of reusables during the late night and weekend shifts.



Disposable paper plates were replaced with reusable ones.

Ayman Shehadel, owner: "This is a great help to small businesses to lower the cost of operation through reduced purchasing costs and reduced disposal costs."

Results:

Recommendation	Products Replaced or Minimized	% Disposable Reduction	Payback Period	Annual Savings (after payback period)	Annual Waste Reduction
Reusable plates for pizza slices and other menu items for dine-in	Paper plates	62.5%	15 days	\$1,141	1,795 lbs.
Reusable cups at the self serve water station for dine-in customers for every shift except late night	7 oz. Plastic cups	40%	2.2 months	\$278	164 lbs.
Replace napkin dispensers on every table with an efficient centrally located napkin dispenser	Napkins	40%	3.8 months	\$160	188 lbs.
			TOTAL	\$1,579	2,146 lbs.

THE BOTTOM LINE

- 162,946 disposable items reduced per year
- \$1,579 annual cost savings after payback period
- 2,146 pounds of annual waste reduction
- Minimal set up costs totaled \$84.43

ReThink Disposable is a Clean Water Fund program conducted in partnership with local businesses and government agencies. Generous support for the program is provided by a changing list of public and private funders. To learn more about the program, its partners, and funders, visit: www.rethinkdisposable.org.



Tel. 415.369.9160 ext 308
ReThinkDisposable@cleanwater.org
www.rethinkdisposable.org



CASE STUDY:

Oren's Hummus



BUSINESS PROFILE

Name: Oren's Hummus

Locations: Palo Alto, CA

On-site Dining:

Pre-pandemic = 48

During pandemic = 70
outdoor and 22 indoor

Take-out: Yes, 98%

Warewashing: Yes

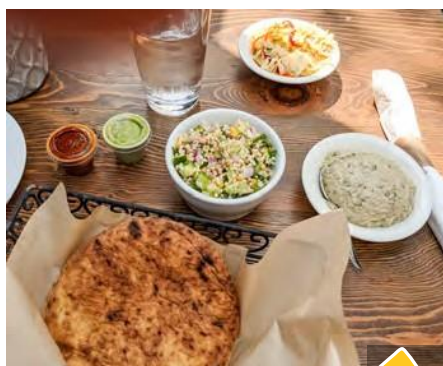
Employees: 20

Packaging Practices prior to ReThink Disposable:

- Single-use plastic portion cup with lid for condiments served to dine-in guests

Recommendations Implemented:

- Stainless steel portion cups used for dine-in guests



Before and After: Oren's is 100% reusable for dine-in by switching to stainless steel sauce cups.



It all started with a craving for a large plate of creamy hummus, like back home in Tel Aviv. Today, Oren Dobronsky, his wife Nancy, and the rest of their team run a catering service, packaged delights, and multiple restaurant locations. Since the start of the COVID-19 pandemic, Oren's has served over 7,000 meals to first responders and those in need.

By making just one change, across all restaurant locations, Oren's eliminates the annual use of **130,357 pieces** of single-use plastic packaging, reduces their trash generation by 527 pounds, and earns an ongoing net cost savings of nearly **\$1,720** annually. To make this switch, Oren's invested a mere \$278 for 1,100 stainless steel cups. This investment was subsidized by a grant from the City of Palo Alto to support the city's zero waste mission.

THE BOTTOM LINE

- \$1,720 in total annual net cost savings
- 130,357 single-use plastic items reduced per year
- 527 pounds of annual waste reduction

"These metal cups are amazing."

— Mike, Oren's Hummus Manager



ReThink Disposable Specialist
Ariel Fournier with Mike,
Oren's Hummus Manager



ReThink Disposable is a program of Clean Water Action and Clean Water Fund conducted in partnership with local businesses and government agencies. Generous support is provided by a changing list of public and private funders. To learn more about the program, its partners, and funders, visit: www.rethinkdisposable.org



CLEAN WATER FUND Tel. (415) 369-9160 ext 308 • ReThinkDisposable@cleanwater.org • www.rethinkdisposable.org



Promotional Materials

The following promotional materials are available showcase your business's compliance with the Reusable Foodware Ordinance and educate your customers. Promotional materials include signage, posters, table cards, and flyers.



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.

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.

WHAT TO EXPECT

The Ordinance was adopted by the County of Marin in May, 2022 and is in effect.

It is expected to also be adopted by some or all Marin County cities and towns. Enforcement begins November 2023, 18 months after Ordinance adoption. Outreach will continue until then to ensure that our communities are equipped and ready to comply with the ordinance in November 2023, and to give businesses time to use up their existing supplies and obtain compliant products.

For more information, including a copy of the draft ordinance, please visit:



Reusables Guidance

for Marin County Food Service Establishments

Did you know, restaurant customers in Marin County are allowed to bring their own reusable containers for take-out! What does this mean for businesses?

From California Retail Food Code 114121:

- ▶ Customers may bring their own clean, reusable* containers to be filled with purchased food. Qualifying containers are designed for reuse and suitable for the food purchased.
- ▶ Businesses must keep written procedures to prevent cross contamination. These procedures must be available to inspectors upon request.
- ▶ Employees must wash hands after handling customer containers.
- ▶ Customer containers should be filled in a contamination free process. If the customer container comes in contact with a food contact surface, the surface must be sanitized immediately after.
- ▶ Consumer containers that are not food specific (e.g. water bottles, flasks, or canteens) may be filled at a water vending machine or system.



Please scan the code at left or visit us online to learn more.

www.marincounty.org/foodware



Tired of trash?

It's time to choose
reusable

Help us eliminate single-use
disposables in Marin County!

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.



www.marincounty.org/foodware

goodbye single-use disposables

Help us wave goodbye to waste!

In an effort to reduce plastic waste in Marin County and protect our precious local marine ecosystems, we're making some big changes:

1

All of our food service ware is now 100% compostable (made of natural fiber) or 100% recyclable (all aluminum).

2

Take-out containers, utensils, and napkins are now available only by request.

3

Disposable cups are available for 25¢.

4

Customers are welcome to bring their own reusable cups and containers!



Learn more at

www.marincounty.org/foodware

bring in your own reusables!

Help us wave goodbye to waste!

We share our customers' desire to reduce waste from single-use disposable products. As part of a broader waste reduction effort, we're inviting our guests to bring in reusable containers from home. With your support, we can make a real difference!

Acceptable containers must be:

- Empty
- Pre-cleaned and dry
- Big enough to contain all of your food
- Safe and suitable for the food you order

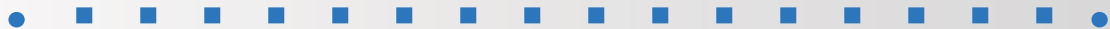


Learn more at

www.marincounty.org/foodware



It's time to choose **reusable**



Help us eliminate single-use
disposables in Marin County!