



The City of Mill Valley invites you to provide comments on Draft Reusable Foodware Regulations

The County of Marin has developed a Draft Ordinance establishing regulations requiring the use of reusable and compostable foodware materials (e.g., plates, bowls, cups, utensils, and trays) at restaurants, grocery stores and delis, bakeries, carry-out, mini marts, farmers markets, food trucks, and other businesses requiring a health permit. The Draft Ordinance prohibits the use of single-use plastic foodware items; proposes a \$0.25 charge for disposable cups (with exemptions available for Cal Fresh/SNAP and WIC customers); and establishes overall process for implementation and enforcement.

Your input is important to us! The Mill Valley community is invited to provide comments on the Draft Ordinance at two upcoming meetings. Public comments will be used to further refine the Draft Ordinance and help determine the community's interest in implementing the draft regulations within city-limits.

<u>Local businesses:</u>	<u>Local residents and community members:</u>
March 10, 2020 1:30-3:00pm Community Center Mountain View Room 180 Camino Alto, Mill Valley, CA	March 16, 2020 7:00pm City Council Meeting Mill Valley City Hall 26 Corte Madera Ave, Mill Valley, CA

Why Focus on Food and Foodware?

The largest source of waste comes from food. In addition, reducing the amount of disposable items we consume not only is better for the environment, it reduces the amount of litter in the community and lowers the amount of greenhouse gas inputs used to produce the disposable product in the first place.



What Businesses will be Subject to the Regulations?

The Draft Ordinance applies to all entities selling prepared food to the public including: restaurants, grocery stores and delis, bakeries, carry-out, quick services, farmers markets, food trucks, and any other business with a health permit. Once the County adopts the Draft Ordinance, the other 11 local Marin County jurisdictions will work to adopt the same regulations for each local jurisdiction.

Summary of Draft Ordinance

The Draft Ordinance contains five key features:

1. All takeout disposable foodware (e.g., plates, bowls, cups, trays) must be natural-fiber compostable (no bio plastics), certified by the Biodegradable Products Institute (BPI). Aluminum is allowed.
2. Reusable foodware and utensils must be used if a customer is dining in at a restaurant. Natural-fiber compostable accessories can be provided upon request.
3. A \$0.25 charge is proposed for disposable cups. Exemptions are available for Cal Fresh/SNAP and WIC customers.
4. Natural-fiber compostable straws and other foodware accessories (utensils, napkins, stirrers, cup sleeves, etc.) may be available upon request or at a takeout station.
5. Garbage, Recycling, and Organics bins must be in front and back of house with graphic-rich signage to allow customers and employees to properly sort waste, as required by State Law (AB341, AB1826, SB1383).

Why Are Composting Rules Different in Marin than Other Bay Area Cities?

There is only a limited amount of synthetic material that can be composted in Marin because Redwood Landfill produces organic compost that can be used on Marin's local organic farms and ranches; the remaining materials go into landfill. Marin County's compost facility and local Marin County haulers therefore do not accept many commonly labeled "compostable" materials such as bio-plastics due to their synthetic nature.

Why Doesn't Marin County Compost Bio-Plastics?

Bio-plastic foodware is not necessarily compostable or degradable, and some may contain toxic materials.

- Some bio-plastics may contain harmful chemicals such as PFOs and PFAs.
- When non-compostable bio-plastics enter compost processing facilities, they contaminate the waste stream.
- Bio-plastics do not always break down during the composting process.
- Bio-plastics look a lot like their plastic counterparts during the composting process.
- When bio-plastics end up in oceans and bays, they behave similar to regular plastics in the way they decompose, potentially harming marine life.
- As a California Department of Food and Agriculture Organic Compost Facility, WM EarthCare™'s compost facility is regularly inspected and sampled. Synthetic materials, such as bio-plastics are not allowed as an organic input material.



Next Steps/Timeline

Marin County is collecting public comments in order to develop a model ordinance that can be adopted by all Marin jurisdictions. Currently, the County is collecting comments and feedback on the Draft Ordinance until the end of March, 2020. The Draft Ordinance will then be refined based on public comments, and scheduled for possible adoption by the County's Board of Supervisors later this year (April/May timeframe). Local jurisdictions will then consider adoption of the model ordinance after County adoption (summer/fall 2020).

Why Consider a Countywide Ordinance?

Adopting the County's model ordinance allows for a uniform approach for implementation and reduces customer/business confusion by providing consistent requirements. Adopting the same ordinance also allows the City to utilize the County's services to conduct enforcement through its Food Service Inspectors. Enforcement is contingent on adopting the County's model ordinance.

For more Information:

Download the Draft Ordinance:

<https://www.marincounty.org/depts/cd/divisions/environmental-health-services/reusable-foodware-ordinance>

To submit written comments on the Draft Ordinance:

Businesses and residents within Mill Valley city limits: Danielle Staude, dstaude@cityofmillvalley.org

Businesses and residents outside Mill Valley city limits: Rebecca Ng, RNg@marincounty.org