

**The Summary:** Pursuant to Ordinance # 07-004 of the City of Emeryville, all food vendors, such as restaurants, cafés, delis and caterers, who use disposable food service-ware must switch to compostable food service-ware by January 1, 2008. The ordinance covers all food prepared within the City of Emeryville for eventual sale either in or outside of the City limits. Types of food service-ware covered by the ordinance include, but are not limited to, containers, plates, utensils, lids, cups, boxes, straws, etc.

### What are compostable alternatives to polystyrene and regular plastics?

Instead of being made with petroleum, compostable products are made from plant sources and come in two types – paper and "bio-plastic." Paper products, such as coated or uncoated paper containers or plates can be made from trees, sugarcane and bamboo. "Bio-plastic" products, such as cups, containers and utensils are made from plant-based starches like corn, rice or potatoes and can appear identical to regular plastics, so look for "compostable" product labeling. See wholesale food-ware distributor list at link below.

# What is wrong with Styrofoam® and regular plastic food service-ware?

Non-compostable plastics such as polystyrene and polyethylene end up in landfills, waterways and the ocean. They break down into smaller and smaller pieces which are often mistaken for food and ingested by marine mammals, birds, and fish. Regular plastic food service-ware is difficult to recycle and medical evidence also suggests that chemicals such as styrene in some plastics are carcinogenic and may leach into food or drink.

Are there exceptions to these requirements? The food vendor must use compostable food service-ware, unless the City finds that a compostable alternative does not exist for that item. Additionally a food vendor may apply to the City Manager for an exemption based on un-due hardship. Food pre-packaged outside the City and sold in Emeryville is also exempt. Recyclable food service-ware such as aluminum foil may also be used. (Questions? Contact info below)

#### What are the penalties for non-compliance?

Violations can result in fines: 1st = \$100, 2nd = \$200, 3rd and each subsequent incident = \$400. Enforcement is done by the City of Emeryville, not the County Health Inspector. Enforcement is complaint-driven, meaning anyone may notify the City of violations. (To make a complaint call the number below after January  $1^{st}$ , 2008.)

#### What can a business do to reduce food service-ware waste?

Food vendors can allow customers to bring their own mugs for drinks; restaurants can use reusable dishes and cups instead of disposable ones for "eat-in" customers. Food vendors can sign up for organics recycling service at the business to turn used food packaging and food scraps into compost.

## Want to start organics recycling service?

For this and any other questions regarding the ordinance, recycling services or other environmental issues, call the City of Emeryville Environmental Program at: **596-3728** 

or visit: <u>www.emeryville.org/community/environment/EcoFoodWare.html</u>