



REUSABLE & COMPOSTABLE FOODWARE ORDINANCE BUSINESS OVERVIEW



This overview is designed to support and educate food vendors about the proposed Reusable and Compostable Foodware Ordinance in Napa County. It provides information on compliance goals, ordinance details, benefits, common FAQs, and available free resources.



Business Compliance Goals

The Napa County Board of Supervisors is considering the adoption of a Reusable and Compostable Foodware Ordinance. This ordinance would require businesses to switch from single-use plastic foodware and plastic-lined paper products to reusable foodware for dine-in services, and to natural fiber certified compostable items or fully recyclable aluminum or glass for to-go orders.

Additionally, businesses must charge customers \$0.25 for each single-use compostable item, up to a maximum of \$1.00 per order.

The goals for business compliance include:

- **Using reusable foodware for onsite dining.** Implementing innovative best practices to integrate reusable foodware into standard business operations.
- **Identifying approved products for to-go orders.**
- **Training food service staff** on the new ordinance requirements (e.g., allowing customers to bring their own containers, by-request-only items, charges, and potential discounts).
- **Understanding the cost-saving advantages and environmental benefits** of complying with the ordinance.
- **Promoting reusable foodware** to customers using posters, flyers, table tents, window decals, product lists, social media graphics, and more.

Key Components of the Reusable Foodware Ordinance

The Napa County Board of Supervisors will consider the Reusable and Compostable Foodware Ordinance in fall 2024. If adopted, enforcement would begin approximately one year after adoption, allowing time for education, training, and compliance.

1. Ordinance Goals

The primary objective of this ordinance is to transition from disposable to reusable foodware. The key provisions include:

- Requiring reusable foodware for dine-in services at restaurants.
- Switching to certified compostable disposable take-out foodware, available by request only.
- Implementing a \$0.25 charge for each disposable cup, container, or compostable foodware item, with a maximum charge of \$1.00 per order. Businesses may also offer discounts to customers who bring their own foodware.
- Banning plastic and polystyrene disposable foodware.

2. Applicability

This ordinance applies to all entities that sell prepared food to the public within Napa County, including but not limited to:

- Restaurants, stores, grocery stores, delis, bakeries, quick-service establishments, farmers markets, food trucks, hotels, movie theaters, bed and breakfast inns, bars, cocktail lounges, tasting rooms, catering kitchens, commissaries, special events, and any similar business that processes, prepares, stores, serves, or provides food to customers, and that generates sales or use tax.

3. Requirements for Dine-In Services

- Dine-in customers must be served using reusable foodware (e.g., plates, bowls, cups, trays) and utensils.
- Take-out containers must be made of natural fiber and certified compostable.

Key Components of the Reusable Foodware Ordinance

4. Take-Out Foodware Requirements

- All disposable take-out foodware (e.g., plates, bowls, cups, trays) and utensils must be made of certified compostable natural fiber.
- Take-out foodware must be certified by the Biodegradable Products Institute (BPI).

5. Charges for Disposable Foodware

- Businesses must charge customers up to \$0.25 per disposable foodware item (plates, bowls, cups, trays), with a maximum of \$1.00 per receipt.
- The charge must be itemized on the customer's receipt.
- Exemptions apply for customers using Electronic Benefit Transfer (EBT) cards (e.g., CalFresh/SNAP, CalWORKs) and for Women, Infants, and Children (WIC) program participants.

6. Waste Sorting and Management

- If customers are required to bus their own foodware, businesses must provide clearly labeled Landfill, Recycling, and Organics bins in both front-of-house (for customers) and back-of-house (for employees) areas, using graphic-rich signage to help with waste sorting.
- To reduce costs, businesses may opt for employee-only sorting of the three waste streams in the back-of-house, which will eliminate the need for customer-facing bins and reduce waste contamination.

Benefits of Implementing the Foodware Ordinance

The Reusable and Compostable Foodware Ordinance offers several benefits for your business in Napa County, including:

1. Cost Savings

While there may be initial up-front costs, businesses can save money by avoiding the ongoing purchase and disposal costs associated with single-use items. Reducing reliance on disposables also leads to lower waste-hauling expenses, as less waste is sent to landfills. Additionally, using reusables protects businesses from the unpredictability of supply chain issues and price fluctuations in the disposable goods market.

2. Environmental Benefits

Switching from single-use disposable products to reusable containers reduces litter, helps prevent harm to marine life and other wildlife, and significantly lowers the greenhouse gas emissions associated with producing disposable foodware.

3. Health Benefits

The ordinance mandates the use of natural fiber-based foodware that is free from intentionally added fluorinated chemicals, also known as "Forever Chemicals." These synthetic chemicals, often used in disposable foodware for heat and grease resistance, can persist in the environment and in the human body for extended periods, posing potential health risks.

TERMS

Compliant Foodware Accessory means that an item or product is intended for disposal after one use and is: (a) accepted by the County through its haulers collection program as Compostable ; (b) is certified by either BPI Certified or other third party product certification (c) the item is free of harmful chemicals including but not limited to Fluorinated Chemicals, that may have been used in the foodware manufacture process, and (d) is made entirely of Natural Fiber, as defined that term is below, and including but not limited to paper, wood, bamboo, or sugarcane fibers. Additionally, aluminum and glass are acceptable.

Compostable plastics or biodegradable plastics means that 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 includes all operations that carry a food permit from the Napa County Planning, Building, and Environmental Services (PBES) Department. This includes but is not limited to a: grocery store, delicatessen, bakery, vehicle or mobile unit-based vendor, drive-in, drive-thru, coffee shop, cafeteria, short-order café, luncheonette, grill, sandwich shop, hotel, movie house, theater, bed and breakfast inn, tavern, bar, cocktail lounge, tasting room, nightclub, roadside stand, takeout food place, industrial feeding establishment, catering kitchen, commissary, special event, food market, farmers market, produce stand, food stand, or similar place in which food or drink is prepared for sale, or for service on the premises or elsewhere, and any other establishment or operation where food is processed, prepared, stored, served, or provided to customers and that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax (Part 1.5, commencing with Section 7200, of Division 2 of the California Revenue and Taxation Code).

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.

RESOURCES

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

1. Websites to find compliant packaging:

- Webstaurant Store - <https://www.webstaurantstore.com/>
- International Tableware - <https://www.itinow.com/>
- Katom Restaurant Supply, Inc - <https://www.katom.com/>
- Eco Products - <https://ecoproducts.com/>
- World Centric - <https://www.worldcentric.com/>

2. Plastic free restaurants – <https://www.plasticfreerestaurants.org/>

3. Sustainable Packaging Coalition’s [Guidance for Reusable Packaging](#)

4. [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.

5. [StopWaste Resources & Help](#) provides guidance on setting up required services, setting up indoor bins, and sorting materials correctly.

6. Rethink Disposable’s [Reusable Foodware Purchasing Guide](#)

For questions regarding the Reusable and Compostable Foodware Ordinance, email Ryan.Melendez@countyofnapa.org or Brian.Bordona@countyofnapa.org with the subject line “Napa County Foodware Ordinance” or call Napa County Planning, Building and Environmental Services at 707-253-4417.



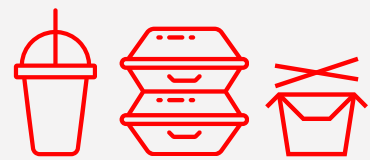
REUSABLE & COMPOSTABLE FOODWARE ORDINANCE FEATURES



By replacing single-use disposable products with reusable or compostable alternatives, we can reduce litter, protect wildlife, and lower the greenhouse gas emissions generated by producing disposable items.

Our community is calling for a more sustainable solution. Let's take action together.

NO PLASTICS, STYROFOAM OR PLASTIC-LINED PAPER (INCLUDING BIOPLASTICS)



TAKE-OUT

All take-out disposable foodware must be either **aluminum** or **compostable**



Customers pay a 25¢ fee per disposable foodware item (maximum \$1.00 per order)

*Customers can "bring your own" foodware

DINE-IN

Reusable foodware and utensils must be used if a customer dines at a restaurant



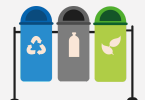
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Compostable foodware accessories must be available upon customer request



IF CUSTOMERS ARE BUSSING THEIR OWN FOODWARE:

Recycling, garbage & **compost** bins are required with clear signage



NEXT STEPS

The Ordinance will be considered by the Napa County Board of Supervisors in fall 2024. If adopted, enforcement is expected to begin approximately one year later. Similar legislation is anticipated to be introduced and adopted by the individual cities and town within Napa County. Following adoption, ongoing outreach will be conducted to ensure that local communities and businesses are fully informed and prepared to comply with the Ordinance. This outreach will continue from the date of adoption until enforcement begins, allowing businesses time to deplete existing supplies and transition to compliant products. For more resources, visit countyofnapa.org.

SCAN HERE FOR MORE INFO:

