



SENATOR JOSH NEWMAN (SD-29)

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SB 552 (Newman): Reducing Restaurant Dine-In Food Ware Waste

[As Introduced February 16, 2023]

Co-Sponsor: Californians Against Waste
Surfrider Foundation
Clean Seas Lobbying Coalition

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SUMMARY

SB 552 would reduce the waste created by single-use disposable food ware by requiring California food facilities to provide reusable service ware and food ware accessories to consumers dining on-premise.

ISSUE

Across the US, an estimated 561 billion single-use food ware items are used every year, generating approximately 4.9 million tons of waste. Approximately 20% of this single-use disposable food ware is generated by customers dining on-premise at restaurants. In 2016, for example, restaurants spent \$19 billion on disposable food ware that was used for less than one hour before being disposed of. Although many single-use disposable food ware items are now made from recyclable materials, most of these items are still not recycled, due to either processing constraints or contamination. Small items, such as lids and utensils, are too small to be properly sorted in mechanical recycling operations and are consequently either incinerated or sent to landfills.¹

Meanwhile, California's local governments spend over \$428 million annually in the effort to prevent and clean up litter in streets, parks, waterways and storm drains.² During litter clean-ups, foodservice disposables such as cups, clamshell containers, and utensils are consistently among the top ten items found.³ Across the US as a whole, litter clean-up is estimated to cost taxpayers \$11 billion every year.⁴

Moreover, transitioning to re-usable food ware would actually result in cost savings for food service businesses over the long run. In case studies conducted by Clean Water Action, California businesses of various sizes which made the transition away from single-use food ware, with investments of \$80 to \$637 on reusable food ware, were able to save a net of between \$974 to \$22,122 annually.⁵ A Minnesota study of two middle schools serving over 2,000 students found that switching to reusable flatware and bowls diverted approximately 6,000 pounds of solid waste per year from the landfill and generated an estimated accrued savings of \$23,000 within three years of implementing re-usable service ware.⁶

Existing law requires restaurants in California to provide customers with single-use accessories only upon request. While California has explored many approaches to addressing single-use waste in recent years, there are few regulations around the use of single-use service ware used in on-premise dining.

¹ <https://static1.squarespace.com/static/5f218f677f1fdb38f06cebcb/t/5f282d24acbc6f5e2a38560c/1596468523446/Overbrook+Report.pdf>

² https://www.nrdc.org/sites/default/files/oc_e_13082701a.pdf

³ <https://static1.squarespace.com/static/5f218f677f1fdb38f06cebcb/t/5f282d24acbc6f5e2a38560c/1596468523446/Overbrook+Report.pdf>

⁴ https://kab.org/wp-content/uploads/2019/08/BeingGoodNeighbor_AGuidetoReducingandManagingLitter_0-1.pdf.

⁵ <https://www.cleanwater.org/sites/default/files/8.pdf>

⁶ <https://www.pca.state.mn.us/sites/default/files/p-p2s6-16.pdf>

SOLUTION

SB 552 seeks to systemically reduce food ware waste by requiring food service facilities to provide re-usable service ware and accessories to dine-in customers, with exceptions for specified businesses. Under the provisions of SB 552, “single-use service ware” is defined as trays, plates, bowls, clamshell containers, lids, cups and hinged or lidded containers; and defines “single-use food ware accessory” as utensils, chopsticks, condiment cups and packets, straws, stirrers, splash sticks, and cocktail sticks.

By transitioning to a system of reusable service ware for on-premise dining, SB 552 will help California reduce climate pollution, energy use, water consumption, resource extraction, waste generation, litter generation, and plastic pollution while also generating substantial cost savings for businesses over time.

SUPPORT

Californians Against Waste (Sponsor)
Surfrider Foundation (Sponsor)
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