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GAVIN NEWSOM
Governor

Assembly Bill 1276 Fact Sheet

Governor Gavin Newsom signed into law AB 1276. The new law changes the **Public Resource Code** in the area of single-use food accessories and standard condiments. This is an addition to the single-use plastic straws law. The law will take effect January 1, 2022.

SUMMARY OF THE CHANGES:

Public Resource Code Chapter 5.2 Single-Use Foodware Accessories and Condiments

Sec. 2. 42270 – new definitions

(e) “Single-use foodware accessory” means all of the following single-use items provided alongside ready-to-eat food:

1. Utensils, which is defined as forks, knives, spoons, and sporks
2. Chopsticks
3. Condiment cups and packets
4. Straws
5. Stirrers
6. Splash sticks
7. Cocktail sticks

(f) “Standard Condiment” means relishes, spices, sauces, confections, or seasoning that require no additional preparation and that are usually used on a food item after preparation, including ketchup, mustard, mayonnaise, soy sauce, hot sauce, salsa, salt pepper, sugar, and sugar substitutes.

Important Information for Retail Food Industry by Section

Sec.3. 42271

In order to reduce the amount of waste created from single-use items the retail food industry is now required to:

1. Only provide single-use accessories to consumers upon request
2. Only provide single-use accessories required to eat the ready-to-eat food



3. No bundling of single-use accessories or condiments
4. Only offer those single-use items needed to eat or prevent spillage of the ready-to-eat food at a drive-through as well as in a public use airport
5. A third-party delivery platform shall provide consumers with the option to request single-use accessories
6. A food facility that uses a third-party platform shall customize their menu with a list of available single-use accessories or condiment. Only those items chosen by the consumer will be delivered. If no single-use accessories or condiments are requested non will be provided
7. Unwrapped single-use foodware accessories that are self-serve, standard condiments that are self-serve, and/or bulk dispensed condiments may still be used

Sec. 4. 42272

1. A city, county, or city and county have until June 1, 2022 to authorize an enforcement agency for the law
2. First and second violations results in a notice of violation, any additional violation carries a \$25 fine not to exceed \$300 annually

Sec. 5. 42273

The law does not apply to the following:

1. Correctional institutions
2. Licensed health care facilities
3. Residential care facilities
4. Public and private school cafeterias