

1. Does this ordinance apply to my business?

The City of San Diego [Single Use Plastic Reduction Ordinance](#) prohibits all people and businesses within the City of San Diego from distributing the following polystyrene foam products (and from using them at City facilities):

- Foodservice ware including plates, cups, bowls, takeout containers.
- Egg cartons.
- Meat trays.
- Coolers and ice chests.
- Pool and beach toys
- Dock floats, buoys, markers.

Also, all food vendors within the city of San Diego may provide plastic (and bio-plastic) straws and utensils only upon the request of the customer. This includes retail establishments that sell prepared food for consumption, including from a food cart, vehicle or mobile unit.

2. Why do we need a single-use plastic reduction ordinance?

Polystyrene foam products are typically used briefly before being discarded and, due to their light weight, can easily become litter. Polystyrene foam litter breaks into small pieces that do not biodegrade and often end up in streets, canyons, waterways, storm drains and eventually the ocean, **where they can be ingested by birds, fish and other animals.**

Single-use plastic (and bio-plastic) straws and utensils are a significant contributor to marine pollution and are among the most common forms of litter collected on California beaches.

The Single Use Plastic Reduction Ordinance helps San Diego reach its [Zero Waste](#) goals and maintain clean and beautiful beaches and public spaces. The ordinance also helps the City meet the objectives of San Diego's [Climate Action Plan](#) (Strategy 4, Circular Economy and Clean Communities, Measure 4.1, Changes to the Waste Stream).

Additionally, with the recent California organic waste recycling law mandating food waste collection at homes and businesses, it is very important that contaminants do not end up in the food waste recycling system. Expanded polystyrene foodservice ware would be extremely difficult to remove in the composting process.

3. When did the ordinance go into effect?

This [Single Use Plastic Reduction Ordinance](#) went into effect on April 1, 2023. An automatic one-year exemption for small businesses ends on March 31, 2024; all businesses and facilities within the city of San Diego are required to comply starting April 1, 2024. There are waivers available for financial hardship or feasibility hardship – see question six for more details.

4. How is the law being enforced?

The Environmental Services Department is committed to educating businesses about the ordinance and how to comply. Enforcement is currently education-focused and complaint-based.

5. How does this ordinance impact small businesses?

Businesses with less than \$500,000 in revenue were automatically exempted from the ordinance for the first year. Starting April 1, 2024, all businesses, regardless of revenue or size, will have to comply.

Many new post-consumer, recycled-content products are available to replace common foam products (such as clam shells). Some alternative products do cost more than expanded polystyrene products, so we encourage businesses to consult with local product suppliers to price out alternatives. Replacing foam with a product made from post-consumer plastic supports recycling and the circular economy.

To address this potential increase in costs, the ordinance has two types of waivers available:

- Feasibility-based hardship - in the case that no reasonably feasible alternative to polystyrene foam exists.
- Financial hardship - for entities with income of less than \$500,000 per year and for which there is no suitable and reasonably affordable alternative product available.

6. How do I apply for a waiver?

To apply for a waiver, please email sdrecyclingworks@sandiego.gov to request an application.

7. Where can I purchase alternative foodservice ware products?

Ask your current supplier about their products that meet the City's new requirements. See our web page for additional information: sandiego.gov/pf-ban.

8. Why are some alternatives to polystyrene foam products preferable to others?

The most preferred alternative products are those that reduce the amount of waste going to the landfill and promote a circular economy. **Reusable** service ware is the most preferred type of alternative product because it is not disposable and does not generate any waste going to the landfill.

Other preferred products are those made from recyclable materials, specifically paper, aluminum or locally recyclable plastics. These materials may be recycled in the San Diego region if they are clean and free of food.

Non-preferred, but acceptable, alternative products are those that must be disposed of in the landfill. Although these non-preferred products are not recommended, they are not regulated under the ordinance. Non-preferred products include items typically marketed as "compostable" or "biodegradable." Examples of these materials include but are not limited to: "compostable" and "biodegradable" labeled plastic, sugarcane, bagasse, bamboo, molded fiber and other similar items. All of these types of products must be placed in the trash and will go to the landfill.

9. Why do compostable plastic alternatives have to be placed in the trash?

Compostable plastic (or bioplastic) foodservice ware is a potential contaminant in both the recycling and organic waste recycling streams. Compostable plastics look very similar to conventional petroleum-based plastics, and can mistakenly be placed in blue recycling bins, which then contaminates the recyclability of the plastics. Additionally, no widely available composting option currently exists in the San Diego region that accepts compostable foodservice ware, and the ability to compost those products varies widely.

10. What else can my business do to reduce foodservice ware waste?

- Use durable, reusable dishware and utensils instead of disposable ones for dine-in customers.
- Provide condiments in bulk dispensers instead of single-use packets.
- Allow customers to bring their own mugs for drinks and their own containers for takeout food or leftovers.

- Provide educational materials and incentives for customers.