



Food Service Ware Implementation Guide for Grocers and Convenience Stores

OVERVIEW: Grocery stores, supermarkets, convenience stores, and other food purveyors that sell ready-to-eat food that is prepared on-site must meet the Jurisdiction's Polystyrene Foam and Disposable Food Service Ware Ordinance requirements. Food prepared and packaged off-site, which is then shipped to the grocery store, etc. for distribution/sale does not need to comply with the Ordinance.

PREPARED FOOD means food or beverages prepared for consumption on the food provider's premises or to-go.

COMMON FOOD SERVICE WARE ITEMS: The following are examples of more common disposable, single-use food service ware items used by grocery stores that may be impacted by the Ordinance:

- Plates
- Bowls
- To-go boxes
- Trays (single & multi-compartment)
- Clamshell containers
- Molded fiber food containers
- Deli containers
- Soup containers
- Beverage cups (e.g., coffee, tea, etc.)
- Portion cups (e.g., sauce, condiments, etc.)
- Fry cups (e.g., French fries)
- Other containers/boxes
- Utensils
- Straws
- Stirrers
- Cocktail sticks/toothpicks
- Lids
- Napkins
- Trays

NOT ALLOWED: The food service ware items above cannot be made from compostable plastic (i.e. bioplastic, PLA, PHA, etc.) or plastics products not locally recycled. Polystyrene foam food service ware items are not accepted. Per- and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals and are also prohibited from food service ware use.

ACCEPTED MATERIALS: The items above can be reusable¹ but are otherwise REQUIRED to be locally accepted plastics for recycling, OR made from fiber-based, non-synthetic fiber such as paper, bamboo, sugar cane, rice, wood, wheat stems, hay, wood, etc. and must not contain intentionally added PFAS. Food service ware made entirely of aluminum is also allowed.

FOOD SERVICE WARE NOT REGULATED BY THE ORDINANCE: The following items are allowed: plastic wrap, container seals, paper wrapping, tray liners, and bags for bread, baked goods, or other items are not regulated by the Ordinance. Fiber-based compostable lids that are PFAS-free are strongly encouraged.

ACCESSORY DISTRIBUTION: ALL accessories, including utensils, straws, napkins, condiment packets, cup sleeves, spill plugs, and other accompanying food service ware side-items must be made available ONLY UPON REQUEST. This requirement is met when the customer requests an item, if the customer accepts an offer by the food operator, or if the item is made available at a self-service kiosk.

Grocery store staff can distribute *plastic* straws when specifically requested by customers to accommodate their medical needs or disabilities. The customer requesting the plastic straw does not have to declare/verify that they have a specific medical need. Grocery store staff is not required to verify/check that the person asking for the plastic straw has a medical need.

GROCERY SECTION GUIDANCE

Below are sample food items that need to be packaged and/or served with compliant food service ware:

DELI: Foods prepared on-site and served for direct consumption, including made-to-order sandwiches, pizza, burritos, display case dishes, “grab and go” meals, sushi, salads, dips, spreads, cooked meat and fish, as well as sauces and dressings.

FOOD BAR: Salad bar, soup bar, olive bar, hot bar, rotisserie, and any other ready-to-eat food items, including sauces and dressing prepared on-site

BULK: Ready-to-eat bulk bin items such as nuts, seeds, granola, seasoning, as well as fresh ground nut butters and citrus pressing machines. Bags, including plastic produce bags, are acceptable for these items.

BAKERY: Cakes, pies, breads, pastries, and all baked goods prepared and packaged on-site. Hinged containers/boxes specifically for grab-and-go food items (where the customer needs to see the items within) can have a clear plastic film window. Hinged containers for non-grab-and-go food items (where the customer picks the item from the display that is then placed in a box) cannot have a plastic film window.

GROCERY: Any other items that are prepared on-site for direct consumption such as salsa, hummus, fruit, sauces, yogurt parfait, fresh-pressed juice.

MEAT & FISH: Cooked, or otherwise ready-to-eat meat or fish, including sushi. Raw meat and fish not ready for human consumption (i.e., needs to be cooked) sold in a butcher case, a refrigerator case, or similar retail appliance does not need to comply with the requirements of the Ordinance.

CHEESE: Cheese curds, fresh mozzarella, or other cheese prepared on-site and packaged in containers. Plastic or paper wrapping is allowed for cheese that is not contained in a liquid.

PRODUCE: Fruit and vegetables purchased in pre-packaged containers and shipped to grocers for sale do not need to comply with the Ordinance. Plastic produce bags are permitted.

CAFÉ: Coffee, juices, smoothies, snacks prepared and/or packaged on-site.

¹ *Reusable in this case means collected, washed, sanitized, and reused on-site or through a third-party reusable food ware service provider. Using reusable food ware is currently optional and not required by the Ordinance. However, Zero Waste Sonoma encourages restaurants to use reusables whenever possible and offers technical assistance to help your facility switch to reusable food ware for on-site dining*

*This document is intended to provide guidance for grocery and convenience store retailers. Please confirm specific requirements within your jurisdiction

*For specific questions on product recyclability, please contact zws-foodware@sonoma-county.org or 707-565-3375.