



Compliance Advisory for Food Facilities

California Assembly Bill 1276¹ took effect on January 1, 2022 and includes statewide requirements related to single-use foodware accessories and condiments. The statewide requirements summarized herein apply to most restaurants, food trucks, catering operations, temporary food vendors, vending machines, and other food facilities that provide food for human consumption at the retail level (see California Health and Safety Code Section 113789 for additional information on applicability).

Definitions

- “Single-use foodware accessory” means single-use items provided alongside ready-to-eat food, including forks, knives, spoons, sporks, chopsticks, condiment cups and packets, straws, stirrers, splash sticks, and cocktail sticks.



Forks, Knives,
Spoons, Sporks



Chopsticks



Condiment Cups
and Packets



Straws



Stirrers



Splash Sticks



Cocktail
Sticks

- “Standard condiment” means relishes, spices, sauces, confections, or seasonings 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 (e.g., Equal[®], Splenda[™], and Sweet ‘N Low[®]).



Ketchup, Mustard, Mayonnaise, Soy Sauce



Hot Sauce, Salsa



Salt, Pepper



Sugar,
Sugar Substitutes

¹ California Assembly Bill 1276 (Carrillo) (2021-2022), Single-use foodware accessories and standard condiments.

General Requirements

1. Single-use foodware accessories and standard condiments that are packaged for single use shall only be provided to consumers upon request, except that drive-through consumers may be asked if they want single-use foodware accessories if necessary for the consumer to consume ready-to-eat food, or to prevent spills of or safely transport ready-to-eat food. Drive-through customers may not be asked if they want standard condiments.
 - a. Unwrapped single-use foodware accessories may continue to be made available in refillable self-service dispensers that dispense one item at a time.
 - b. Standard condiments may continue to be made available in refillable self-service dispensers (e.g., individual packets or bulk pumps).
2. Single-use foodware accessories and standard condiments that are packaged for single use shall not be bundled or packaged in a manner that prohibits a consumer from taking only the specific type desired (e.g., if a consumer requests a fork, the fork cannot be packaged in a manner that also requires them to take a knife or spoon).
3. If a food facility uses any third-party delivery platform (e.g., DoorDash, Grubhub, and UberEats) for ready-to-eat food, the food facility shall customize its menu with a list of available single-use foodware accessories and standard condiments, and only those specifically requested by the consumer shall be provided by the food facility.

Exemptions

- Certain correctional institutions, licensed health care facilities, facilities owned or operated by a licensed health care service plan, licensed residential care facilities, and public and private school cafeterias are exempt from California Assembly Bill 1276 (see California Public Resources Code Section 42273 for additional information on exemptions).

Enforcement

State law requires the City of Laguna Woods to enforce the requirements of California Assembly Bill 1276. First and second violations will result in notices of violation. Third and subsequent violations are infractions punishable by daily fines of \$25 up to \$300 annually.

(California Assembly Bill 1276; City Resolution No. 22-29)

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