

Where does the Ordinance apply?

The Ordinance applies to food service businesses in unincorporated areas of San Mateo County as well as cities within the County who have adopted it (the list of participating cities can be found at smcfoodware.org).

Who is affected by the Ordinance?

Food service businesses that provide “prepared food” to the public, including mixing, heating, blending, cutting, portioning, etc.

What foodware items are affected?

The Ordinance applies to single-use disposable foodware used for serving food and beverage.



What’s allowed?

- Foodware made from fiber-based compostable materials such as paper, sugarcane, bamboo, wood, wheat stalk, hay, etc.
- Aluminum and glass is allowed.
- Lids made from plastic or other materials are allowed (as long as they are accepted by your local waste haulers recycling and composting programs, and not made with polystyrene).
- Foodware must be certified compostable (and PFAS-free) by a third-party certifier, including the Biodegradable Products Institute (BPI), Compost Manufacturers Alliance (CMA), or other approved organization. Accessories do not need to be certified.
- Reusable or durable foodware (metal, glass, ceramic) is recommended for dine-in service and required for some cities.



What’s not allowed?

- Traditional, compostable, or recyclable plastic is not allowed. This applies to bowls, plates, clamshells, cups, straws, utensils and to-go boxes and other items.
- Compostable Plastic (Bioplastic, PLA, TPLA, CPLA, PHA) is not allowed.
- Styrofoam is not allowed.
- Utensils and other accessories cannot be displayed in open bins/containers for consumers to grab and go.
- Disposable accessories cannot be bundled. Each fork, spoon, straw, condiment, etc. must be distributed separately.



Accessories and Condiments (also required by state law AB 1276)

- Accessories (utensils, straws, condiment packets, etc.) can only be provided when requested by the customer and can not be offered on countertops for grab and go unless in a one-at-a-time dispenser. Refillable bulk condiment dispensers are allowed.
- For takeout and delivery, only provide customers with the sauces, utensils, and other accessories that they specifically request.
- Exemption for drive-through customers and deliveries: orders may include an accessory item if the item prevents spills or helps safely transport food.