



COUNTY OF MONTEREY HEALTH DEPARTMENT

Elsa Mendoza Jimenez, Director of Health

Administration Animal Services Behavioral Health Clinic Services
Emergency Medical Services Environmental Health Public Administrator/Public Guardian Public Health

Frequently Asked Questions – AB 1276 (Single-Use Foodware and accessories and Standard condiments)

This law expands on the current state law regarding single-use plastic straws (AB 1884)

1. What is the new law regarding Single-Use Foodware and accessories and Standard condiments?

- AB 1276 prohibits a food facility from providing any single-use foodware accessories or standard condiment unless requested by the consumer
- Allows the food facility to ask drive-thru or walk-thru consumers if the consumer wants a single-use foodware accessories or condiments
- Requires food facility using a third-party food delivery platform to list on its menu the availability of single-use foodware accessories and standard condiments and to provide those items when requested.

2. What is considered a food facility?

- A food facility is defined in Section 113789 of the Health and Safety Code.
- An operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level
- Food is consumed on or off the premises
- Permanent and nonpermanent food facilities (Examples include restaurants, mobile/temporary food facilities certified farmer's markets, etc...)
- Exemptions: Correctional institutions, Health care facilities, Residential care facilities, Public and private school cafeterias

3. Who is the enforcement agency?

- The Environmental Health Bureau of the County of Monterey which includes incorporated cities and the unincorporated areas of the county.

4. Are there any penalties for the enforcement process?

- Yes, the bill specifies that the first and second violations of these provisions would result in a notice of violation and any subsequent violation would be an infraction punishable by a fine of \$25 for each day the food facility is in violation, but not to exceed an annual total of \$300.

5. What is single-use foodware accessories?

- Utensils examples are forks, knives, spoons & sporks
- Chopsticks, straws, stirrers, splash sticks, cocktail sticks
- Condiment cups and packets.

6. What are standard condiments?

- These are ketchup, mustard, mayonnaise, soy sauces, hot sauce, salsa, salt, pepper, sugar, and sugar substitutes.

7. When are food facilities required to comply?

- Effective June 1, 2022, food facilities are required to comply with the provisions of AB 1276

8. Whom can I contact for additional information?

- Contact the County of Monterey-Environmental Health Bureau, Consumer Health Protection Services program by phone at (831) 755-4508 or the website at www.mtyhd.org