

# Benicia

Business & Apartment/Condo Newsletter



Sustainability in Action

## SB 54: EPS Food Ware Packaging Banned in CA

Senate Bill ("SB") 54 requires all covered plastic materials to meet higher recycling rates, tiered by date, and requires all covered material to be recyclable or compostable by 2032. Producers of covered material are required to **reduce single-use plastic packaging and foodservice packaging by at least 25% by 2032**, either from direct elimination of plastic packaging or shifting to reuse or refill systems. In addition to requiring that all single-use packaging be recyclable or compostable, the bill also requires that all **plastic single-use packaging items reach a recycling rate of at least 65% by 2032**.

### Covered material includes:

- **All single-use packaging:** Includes plastic, paper, paper-board, metal, glass, multi-layer materials, etc. (*definition is material neutral*)
- **Plastic single-use foodware:** Cups, lids, straws, cutlery, stirrers, lidded containers, trays, plates, clamshells, food wrap, and wrappers

**Expanded polystyrene (EPS), commonly called Styrofoam, food service ware has been banned from sale in California.** To continue selling expanded polystyrene (EPS) food service ware in the state, EPS food service ware producers were required by SB 54 to demonstrate that all EPS meets a 25% recycling rate as of January 1, 2025. To date, this requirement has not been met. As a result, **EPS producers are prohibited from selling, offering for sale, distributing, or importing EPS food service ware, like single-use takeout containers and cups, in or into California.** For more information on SB 54, visit [CalRecycle.ca.gov/packaging/packaging-epr](https://CalRecycle.ca.gov/packaging/packaging-epr)



### Landfill



### Recycle



Empty, Clean, and Dry

### Compost



BAGS: Compostable BPI (meets ASTM 6400 Standard); Paper Bags; No Bags

- No Food
- No Paper
- No Green Waste
- No Recyclable Material
- No Hazardous Waste



- No Liquids
- No Textiles
- No Carpet
- No Food
- No Green Waste
- No Hazardous Waste



Recyclables should be loose (*no bags*) or placed in a clear bag only.

- No Metal
- No Glass
- No Plastic
- No Hazardous Waste



Organics should be loose (*no bags*) or in compostable or paper bags only. No plastic bags.

## SB 1383 Requires Businesses, Condos, and Apartments to:

1. Subscribe to and participate in organics and recycling curbside collection service or self-haul organics to an appropriate facility for diversion.
2. Provide collection containers for organics and recyclables in all areas where garbage containers are provided for customers (*not required in restrooms*).
3. Internal containers must conform to proper color and labeling requirements. Group color-coded containers into stations: Use green for compost/organics, blue for recycling, and black or gray for garbage/landfill. Functional containers purchased before January 1, 2022 do not have to be replaced prior to January 1, 2036 or the end of its useful life. However, they should be clearly labeled for each material stream.
4. Reduce contamination by annually providing information to employees, contractors, tenants, and customers about the law, including sorting requirements. Provide information to new tenants within 14 days of move-in.
5. Periodically:
  - a) Inspect waste containers for contamination;
  - b) Inform employees if containers are contaminated;
  - c) Instruct employees about how to properly sort material into the correct containers.
6. Provide organics and recycling collection services for employees, tenants, contractors, and customers.
7. Supply and allow access to an adequate number, size, and location of containers with the correct labels or container colors.
8. Employees, contractors, customers, and tenants must properly sort organic materials into the correct containers.

For more information on SB 1383, go to [CalRecycle.ca.gov/organics/slcp/collection](https://CalRecycle.ca.gov/organics/slcp/collection)

## Technical and Educational Assistance

Need help making sure you are in compliance with SB 1383 or just want to improve your recycling and organics programs? Republic Services can provide educational material, posters, employee trainings, waste assessments, and program support at no additional cost. Contact Marie Knutson, Sustainability Advisor, at [MKnutson@RepublicServices.com](mailto:MKnutson@RepublicServices.com) or 707.694.4570.

## Food Recovery

To reduce food waste sent to landfill and help address food insecurity, SB 1383 requires certain food generators to recover and donate surplus edible food to feed people. The law directs the following:

- Tier 1 and Tier 2 food generators required to recover edible food include supermarkets, grocery stores, food distributors, health facilities, hotels, large events, and more.
- Food generators must arrange to recover the maximum amount of edible food that would otherwise be disposed.
- Food recovery organizations and services that participate in SB 1383 must maintain records. For more information, visit [RepublicServices.com/BeniciaCA](https://RepublicServices.com/BeniciaCA) or use this QR code.



## Self Haul Reporting

Commercial businesses, including landscapers, that wish to self-haul their organic waste, are required to source separate food waste and landscaping from garbage. Businesses are also required to keep disposal records. To assist self-haulers with recordkeeping, CalRecycle has developed a tool.



Visit [CalRecycle.ca.gov/organics/slcp/recordkeeping](https://CalRecycle.ca.gov/organics/slcp/recordkeeping) or scan this QR code to download the form.

## Reducing Single-Use Foodware Accessories

Assembly Bill ("AB") 1276, requires all retail food facilities and food delivery platforms to provide single-use foodware items **upon request only**. This law was established to help reduce the amount of waste generated by single-use items and to encourage consumers to choose reusables. Businesses may save money by giving out less free inventory as well.

AB 1276 includes all single-use items, including those made from bioplastics, compostable plastic, bamboo, and paper.

Single-use foodware accessories include:

1. Utensils (*forks, knives, spoons, and sporks*)
2. Chopsticks
3. Condiment cups and packets (*relishes, spices, sauces, confections, or seasoning, ketchup, mustard, mayonnaise, soy sauce, hot sauce, salsa, salt and pepper, sugar and sugar substitutes*)
4. Straws
5. Stirrers, splash sticks, and cocktail sticks

To reduce waste, AB 1276 requires retail food facilities and food delivery platforms to:

- Only provide single-use accessories to consumers upon request
- Only provide single-use accessories required to eat the ready-to-eat food
- NOT bundle single-use accessories or condiments so a consumer has to take more items than desired

Retail food facilities and food delivery platforms may still use:

- Dispensers of unwrapped single-use foodware accessories that are self-serve
- Standard condiments that are self-serve
- Bulk dispensed condiments

All single-use plastic utensils belong in the landfill, including those claiming to be compostable. Only bamboo utensils are accepted in green organics containers.

