

- **12.86.015 - Prohibiting Distribution and Sale of Single-Use Articles That Are Neither Compostable Nor Recyclable.**

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A.

Except as provided in subsections B and C of this Section and as otherwise provided in this Chapter:

1.

A food facility shall not provide any single-use article with ready-to-eat food that it offers to a customer unless such single-use article is either compostable or recyclable; and

2.

A food facility shall not provide a food tray or egg carton with any food that it offers to a retail customer unless such food tray or egg carton is either compostable or recyclable.

B.

The requirements of this Section **12.86.015** do not apply to single-use articles that are included with ready-to-eat food that is pre-packaged at a location that is outside of the premises of the food facility, provided that such ready-to-eat food is offered to the customer as originally packaged. Except as otherwise provided in this Chapter, if a food facility adds any single-use articles when providing such pre-packaged food to a customer, such additional single-use articles shall comply with subsection A, above.

C.

The Director of Public Works may authorize the use of specific categories or types of single-use articles that are not compostable or recyclable in accordance with Sections **12.86.010.A** or **12.86.010.U** of this Chapter if the Director of Public Works determines that there is a specific food service application for which no compostable or recyclable single-use product can feasibly be used. For purposes of this Section, a compostable or recyclable product can feasibly be used for a particular food-service application only if, in the determination of the Director of Public Works, such product is: (a) readily available; and (b) can effectively be used for the particular application. In no event, however, shall the Director of Public Works approve the use of a product that is made from expanded polystyrene. The Director of Public Works may also authorize the use of a non-compostable plastic single-use article product that would

not be considered recyclable under Section [12.86.010.U](#) if the Director of Public Works determines, based upon developments in recycling technology and infrastructure, that such product is feasibly recyclable.

D.

The Director of Public Works shall identify, in the rules and guidelines adopted in accordance with Section [12.86.070.B](#) of this Chapter, any non-compostable, non-recyclable single-use articles that food facilities are authorized to use in accordance with subsection C, above, as well as any products that the Director of Public Works approves as compostable under Section [12.86.010.A.3](#).

E.

The Director of Public Works may rescind any approval of any non-compostable and non-recyclable single-use article product that was granted in accordance with subsection C of this Section, or in accordance with Section [12.86.010.A.2](#). If the Director of Public Works rescinds any such authorization or determination, the Director of Public Works shall update the rules and guidelines accordingly. Any revision to the rules and guidelines rescinding an authorization to use a single-use article that is not compostable or recyclable shall not become effective until one year after the date that the Director of Public Works submits it to the Los Angeles County Board of Supervisors in accordance with Section [12.86.070.B](#).

F.

Street food vendors are not required to comply with this Section [12.86.015](#).

G.

The requirements of this Section [12.86.015](#) shall become effective on the following dates for the following categories of food facilities:

1.

On May 1, 2023, for category 1 food facilities;

2.

On November 1, 2023, for category 2 food facilities; and

3.

On May 1, 2024, for category 3 food facilities. ([Ord. 2022-0016](#) § 1, 2022.)

