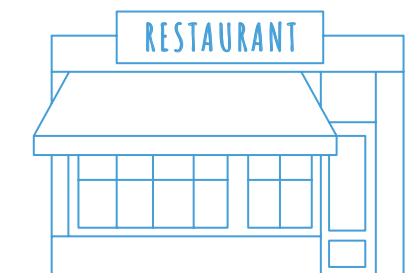


Foodware Accessories Upon Request Only Policies

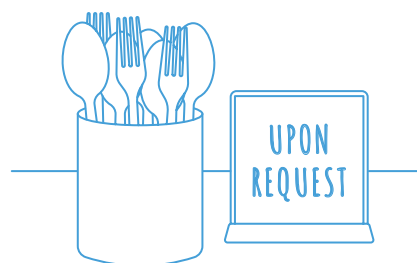
Most Americans have a drawer in their house brimming with unused plastic utensils, plastic straws, and condiments. Currently, most restaurants automatically add these items into takeout and delivery food orders. This costs the restaurants money, even though the items are often unwanted. To solve this problem, Surfrider advocates for legislation to flip that expectation, so that customers know that foodware accessories such as condiments, napkins, and utensils will be included in their order “by request only” for takeout and delivery.

Key Components of Foodware Accessories Upon Request Policies

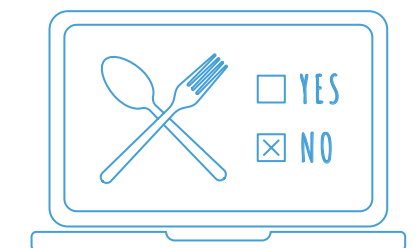
Define Which Food Service Establishments are Covered: Most states define food and beverage businesses by using the term “foodservice establishment.” Portland, OR’s definition is a good example as it applies to all restaurants, food carts, bars, coffee and tea shops, grocery stores, convenience stores, hotels and motels, caterers, and food service contractors, as well as takeout and delivery. The County of Maui, HI also has a broad definition of “food vendor.”



Regulate Self-Serve Areas: A potential loophole for “Upon Request” laws is customer self-serve areas for utensils, straws, napkins, and condiments. Ideally, all items would be kept behind the counter and be provided upon request only. However, a best practice is to define what must be kept behind the counter and what may be put in a customer self-serve area.



Specify the Responsibilities of the Food Delivery Services and Platforms: Proposed laws should specify that the food delivery services, including online platforms, are responsible for providing options for customers to affirmatively request (a.k.a. opt in to receive) accessory foodware items. This is important so that restaurants know what items a customer wants. For example, New York City’s bill explicitly states the obligations of restaurants versus food delivery service providers, and provides an enforcement framework. Similar to how customers choose the toppings they want on their pizza, customers should be able to opt into which utensils, napkins, or condiments they want.



Check out Surfrider Foundation's [Comprehensive Foodware Policy Toolkit](#) for detailed information on this policy and many other important foodware policies aimed at reducing plastic pollution.