



August 27, 2019

Hermosa Beach City Council
Hermosa Beach City Hall
1315 Valley Drive,
Hermosa Beach, CA 90254

Re: 5.A, Ban on Single Use Plastic Products, and Restrictions on Non-Plastic Single Use Products

Dear Hermosa Beach City Council,

On behalf of the Hermosa Beach members of the California Restaurant Association (CRA), I am writing to express our opposition and offer alternative suggestions to the proposed ordinance to ban single use plastic food ware, as well as the implementation of the “upon request” policy for non-plastic single use straws, stirrers, and utensils. We believe we can help change behavior, reduce the environmental impact of plastic utensils, and at the same time, allow the local restaurant community to continue to focus on running their business.

As an industry that shares the ongoing concern over litter by routinely partnering on litter abatement efforts at the state and local levels, the restaurant community is also concerned about overburdening landfills and has engaged in public policy to encourage recycling and reduce food waste. Comprehensive efforts should be aimed at reducing all composition of material in the landfill and littering in our beaches and waterways. To these goals, CRA has maintained a long-standing history of supporting and advocating for packaging mandates that require all food-packaging materials to be recyclable or compostable.

As the you consider the staff report on the ban of single use plastic products and restrictions on non-plastic single use products, we ask that you consider the following:

- 1. Upon request policy should apply to single use plastics products and include the self-serve dispensers at casual dining and quick service establishments.**

The CRA worked to create statewide legislation, AB 1884, as a first step to abate the unnecessary distribution of plastic straws by enacting an “upon-request” only model for full-service restaurants. Key elements of this workable “upon request model” include the ability to self-select a straw from a receptacle, so as not to disrupt restaurant operations, while creating consumer awareness of straw use and waste. We believe this solution mitigates the negative reactions from patrons that become agitated that they have not received a straw from the restaurant and allows them to choose whether or not they want a straw. This policy can also apply to plastic and non-plastic utensils.

- 2. Quick service establishments with drive thru service must be able to provide or at the very least offer straws and other food service products.**

Drive thru service is most challenging for our community in relation to food packaging restrictions (i.e. straws, utensils, condiments, napkins etc.). Restricting a restaurant's ability to provide drive thru customers with the products they will need to consume the food and drink they have purchased while in their vehicle will cause significant customer inconvenience, frustration, and backlash towards employees once they have driven away from the restaurant. Additionally, there is concern for the safety of our customers while consuming food and drink in their vehicles if not given the expected food packaging materials. For these reasons, we believe that drive thru windows should be excluded from the "upon request" policy and instead be allowed to offer straws and utensils to customers.

3. **Any upon request policy should include a public awareness campaign period in which enforcement is delayed to allow time for the industry and customers to change behavior.**

We know that this policy is driven by the desire to abate the use of unnecessary single use plastic and the impact on our environment. We also recognize that changing public behavior is difficult and takes time. It is essential that as the City moves forward with a policy that it includes a public awareness campaign and a delayed enforcement to allow the industry and our customers to become accustomed with the new rules.

4. **Environmental Impact Report (EIR) for alternative packaging.**

The lack of an EIR for the alternative food packaging is concerning. Due to the non-existence of an EIR for the alternative food packaging, we do not confidently know that one material is better than the other for the environment.

For these reasons, we respectfully request that any food packaging policy considers the issues we have addressed in this letter and appreciate your time and consideration of our position.

We remain committed to working cooperatively to help the Council design food packaging policy that will create a public awareness of the environmental impacts. We believe a workable policy that considers the impact on our hard-working employees and the business community is a win-win for our industry and the environment.

If we can be of any assistance, please don't hesitate to contact me at (323) 774-2559 or at djuarez@calrest.org.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'D. Juarez', with a stylized flourish at the end.

David Juarez
Director of Local Government Affairs
California Restaurant Association