

**Oakland's disposable food packaging ordinance helps make our city cleaner, healthier and helps our community achieve its zero waste goals.**

According to the EPA, FDA and OSHA, many food service ware products made from polystyrene foam may be hazardous to our health.



Food service ware litter contributes to pollution and blight on our streets, in our creeks and in our Bay.

**Public Works Agency Recycling Program**  
(510) 238-SAVE (7283)  
[www.oaklandrecycles.com](http://www.oaklandrecycles.com)



**CITY OF OAKLAND  
PUBLIC WORKS AGENCY**  
250 Frank H. Ogawa Plaza,  
Suite 5301  
Oakland CA 94612

**Greenware Ordinance**  
for Oakland Food Vendors



OAKLAND RECYCLES AT WORK

## **A Guide for Oakland Food Vendors**

### **Greenware Ordinance**

Polystyrene Foam Food Service Ware

Oakland Municipal Code  
Section 8.07

CITY OF OAKLAND

Public Works Agency

[www.oaklandrecycles.com](http://www.oaklandrecycles.com)

## What You Need to Know...

### Oakland food vendors may not use expanded polystyrene foam (Styrofoam™) disposable food service ware by ordinance.

All Oakland food vendors selling prepared food, including dine-in and take-out restaurants, delis, vendors at fairs, concession stands and food trucks and all city facilities must comply.

Disposable food service ware includes all food containers and utensils:

- Bowls, Plates
- Clamshells
- Trays
- Boxes, Cartons
- Cups
- Lids
- Straws
- Forks, Spoons, Knives

- Other items that are designed for one-time use by restaurant or retail food vendor to serve or package food to go.

Oakland food vendors and restaurants must provide customers with biodegradable or compostable disposable food service ware, as it becomes affordable (at the same or lower cost to common disposable service ware).

## Resources to Help Meet City Requirements

- Visit [www.OaklandRecycles.com](http://www.OaklandRecycles.com) scroll down to Green Food Packaging Ordinance and select the link
- Ask your current supplier about products that meet the City's requirements for to-go containers

## Frequently Asked Questions

### Why Must We Stop Using Polystyrene Foam for Food Service Ware?

Polystyrene is made from petroleum. It is non-renewable, non-biodegradable, and mostly unrecyclable. It may end up in landfills, waterways or the ocean. In the ocean, it breaks down into smaller pieces that are ingested by marine mammals, birds and fish. The EPA, FDA and OSHA suggest that chemicals in polystyrene foam are carcinogenic (cancer producing) and may leach into food and drink.

### What are the Alternatives to Polystyrene Foam?

Paper products – coated or uncoated  
Aluminum trays and foil  
Compostable plastics

### What are Biodegradable and Compostable Food Service Ware products?

Paper products – coated or uncoated  
Products made from corn, potato and other plant materials

### Are there Exceptions to these Requirements?

There is no exception to the prohibition of polystyrene foam used as food service ware. Non-compostable and non-biodegradable products may be used if a vendor can show that no alternative exists at the same or lower cost.

## Penalties

Vendors found in violation of the ordinance will be subject to the following minimum fines:

1st Offense	=	Warning
2nd Offense	=	\$100 fine
3rd Offense	=	\$200 fine
4th Offense	=	\$500 fine

## Other Helpful Information

- Encourage customers to bring their own cups when purchasing drinks
- Charge a take-out fee for approved to-go containers that cost more
- Use reusable dishes for dine-in customers
- Impress your customers by letting them know you care and doing your part to keep Oakland clean and safe
- Recycle all you can!



For questions about the ordinance, or for assistance in identifying a supplier, please call Oakland Recycles at (510) 238-SAVE (7283).