

August 10, 2022

Single-use Food Accessories and Standard Condiments (AB 1276) Fact Sheet

To Kern County Owners/Operators,

On October 05, 2021, Governor Gavin Newsom signed into law AB 1276 which took effect on January 1, 2022. The bill prohibits a food facility from providing any single-use foodware accessory or standard condiment to a consumer unless requested by the consumer, and bans these items from being bundled or packaged in a way that prohibits the consumer from taking only the desired item(s). The bill also allows a food facility to ask a drive-through consumer, or for a food facility located within a public airport to ask a walk-through consumer, if the consumer wants a single-use foodware accessory in specified circumstances. In addition, any food facility using a third-party food delivery platform must list on its menu the availability of single-use foodware accessories and standard condiments and only provide these items when requested. This bill does not apply to correctional institutions, health care facilities, residential care facilities, and public and private school cafeterias.

Included in the bill is a requirement for a city, county or city and county to authorize an enforcement agency to monitor the implementation of this bill and assess monetary penalties if a facility violates the conditions of this bill. The Kern County Public Health Services Department, Environmental Health Division (Division) is the enforcement agency for the unincorporated county jurisdiction. At this time, the Division will only be conducting enforcement of AB 1276 on a complaint basis. If you have any questions, please feel free to contact our office at 661-862-8740 or EH@kerncounty.com.

A full copy of AB 1276 can be found here:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1276

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