



CITY OF PORTSMOUTH

CITY COUNCIL POLICY No. 2024 – 01

Single-Use Food Service-ware Reduction or “Skip the Stuff” Policy

1. Objective and Purpose

The purpose of this policy is to encourage the use of 100% compostable single-use food service-ware. To do so, the City Council is supporting the reduction of single-use plastic food service-ware. This policy will also support waste reduction efforts, which is a goal of the State of New Hampshire 2024 Climate Action Plan, and the forthcoming Portsmouth Climate Action Plan. This policy encourages businesses to only distribute single-use food service-ware upon request, and preferably only 100% compostable single-use service-ware.

2. Scope

2.1 This policy applies to all food service providers in the City of Portsmouth, and all consumers purchasing food or beverages in the City of Portsmouth.

2.2 Definitions

For the purpose of this policy, the following terms will be defined in the following manner:

- a. Consumer: a person purchasing food or beverages.
- b. Food Service Provider: any store, establishment, provider, government entity, non-profit vendor, or business, operating within the City of Portsmouth, New Hampshire that sells or provides food or beverages for human consumption to consumers directly or indirectly through a delivery or takeout service, regardless of whether such food is consumed on or off the premises. “Food service provider” includes, but is not limited to, restaurants, retail food establishments, caterers, cafeterias, stores, shops, retail sales outlets, grocery stores, delicatessens serving the public, mobile or temporary food providers, vehicles or carts, or roadside stands.
- c. Single-Use Food Service-ware: all types of items provided by food service providers in relation to the consumption and enjoyment of food or beverages, including, but not limited to, forks, spoons, knives, napkins, straws, stirrers, cocktail sticks, splash sticks, toothpicks, wet-wipes, cup lids, cup sleeves, beverage trays, and cups, plates, and take-out containers that are designed for single-use.

Single-Use Condiment: relishes, spices, sauces, confections, or seasonings that require no additional preparation and that are usually used on a food item after preparation, including ketchup, mustard, mayonnaise, soy sauce, hot sauce, salsa, salt, pepper, sugar, and sugar substitutes or other similar items that are designed for single-use.

- d. Single-Use: a product that is designed to be used once and then discarded, and not designed for repeated use and sanitizing.
- e. Third-Party Food Delivery Platform: a business engaged in the service of online food ordering and/or delivery of food or beverages from a food service provider to a consumer.

3. Single-Use Food Service-ware Upon Request Guidance

The City Council encourages food service providers to provide single-use food service- ware or single-use condiments only upon request by a customer, and preferably only 100% compostable products. Additionally, single-use food service-ware and single-use condiments provided by food service providers for use by consumers should not be bundled or packaged in a manner that prohibits a consumer from taking only the type of single-use food service-ware or single-use condiment desired without also having to take a different type of single-use food service-ware or single-use condiment. Food service providers should also display information for consumers about this program at their place of business, including a notice that consumers must specifically request to receive single-use food service-ware.

4. Guidance for Third-Party Delivery Platforms

Food service providers are encouraged to contact their third-party food delivery platforms, and request that they provide consumers with the option to request that no single-use food service- ware and single-use condiments from food service providers unless requested. Likewise, the food service provider should request that a third-party food delivery platform should customize its menu with a list of available single-use food service-ware and single-use condiments, and only those single-use food service-ware and single-use condiments selected by the consumer should be provided by the food service provider or the third- party food delivery platform. If a consumer does not select any single-use food service-ware or single-use condiments, no single-use food service-ware or single-use condiments should be provided by the food service provider or the third-party delivery platform.

5. Education and Outreach

The City Manager will leverage City resources to conduct education and outreach to consumers, food service providers, and third- party food delivery platforms regarding the requirements and purpose of this policy.

- a. The education and outreach may include:
 - 1) Information regarding the environmental and public health harms associated with single-use food service-ware;
 - 2) The environmental, economic, and social benefits of reusable food service-ware;

- 3) Information regarding the environmental and public health concerns associated with landfilling and incinerating waste;
 - 4) How food service providers and third-party delivery platforms can comply with this policy and the benefits of compliance.
- b. The education and outreach should utilize multiple forms of media, including, but not limited to print and web-based media to produce information directly to consumers, food service providers, and third-party food delivery platforms, and shall be provided in multiple languages, if necessary.

6. Acknowledgements

Participating food service providers shall be recognized by being allowed to display an acknowledgement of their compliance with sections 3 and 4 of this policy at their business, and shall be listed as a participating provider on the City of Portsmouth website. The City Manager will develop a method to acknowledge participating food service providers.

This policy shall take effect 120 days after the passage by the City Council.
Adopted by the Portsmouth City Council on July 15, 2024.

Kelli L. Barnaby, MMC/CNHMC
City Clerk