



DENVER
THE MILE HIGH CITY

Opt-In for Single-Use Items

Single-use plastic straws,
Single-use plastic stirrers, single-use plastic utensils and
so much more!

BIZ Committee – Wednesday, April 28, 2021

It's only 1 bag...1 straw...1 spoon...



Plastic Waste in the U.S.

36

million tons

Total plastic waste in the U.S.

27

million tons

Amount that goes to the landfill

8.5%

Percentage of plastic waste that is recycled

The market for online restaurant delivery in the U.S. is booming:

2019
\$31 billion

2020
\$44 billion
(projected)

2024
\$77 billion
(projected)

COVID

Food deliveries 

SUP Waste 

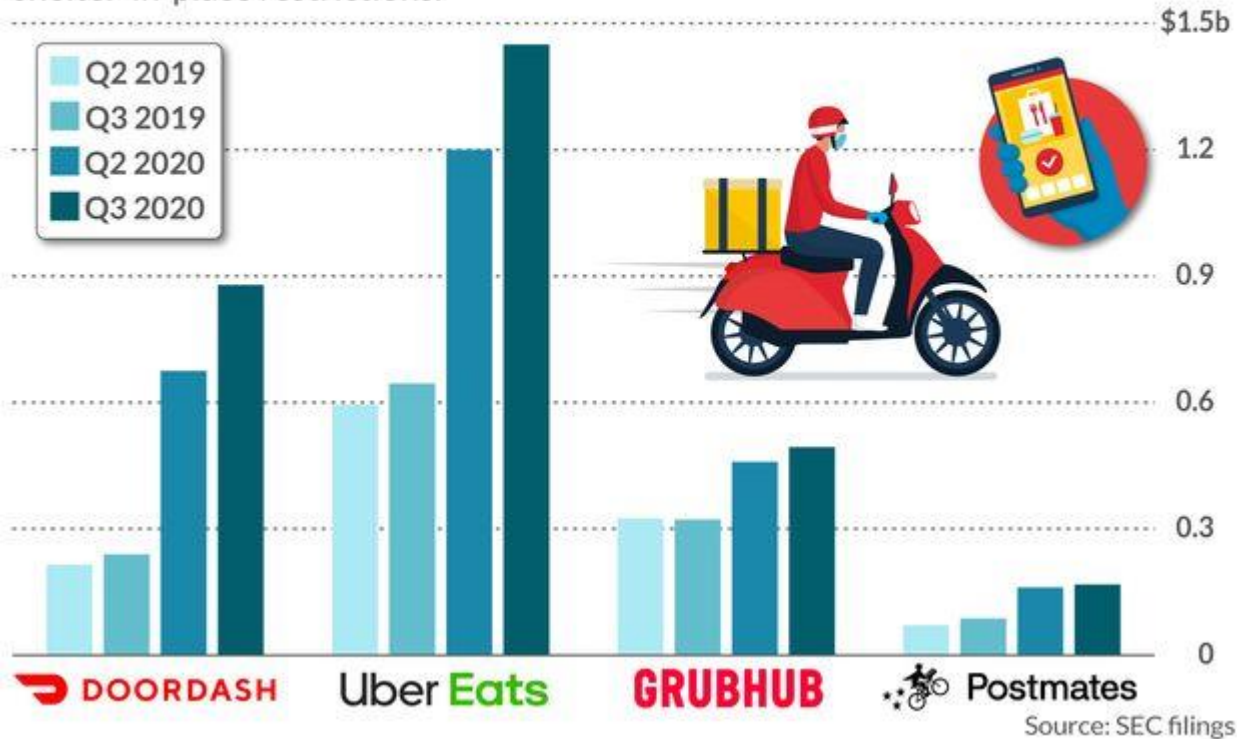


International Solid Waste Association estimates that consumption of **single-use plastics** may have grown **250-300%** during the pandemic



The COVID-19 delivery boom

The four top U.S. food-delivery apps saw revenue rise \$3 billion collectively in the second and third quarters, as the coronavirus pandemic required shelter-in-place restrictions.



Why Focus on Restaurants?

TrashBlitz Denver (launched by The Inland Ocean Coalition, Into the Sea and 5 Gyres) mobilized over 100 Denverites to collect information on urban and home waste on October 25, 2020.

Included in the top 20 items found during the outdoor audit:

- Food wrappers
- Straws
- Lids
- Cups
- Plastic Cutlery
- To-Go Containers

The second highest brand (marketed) waste found was McDonalds.



Denver Resident Comments

“Some restaurants do a better job than others with packing to go.”



- *“Fear the increase in single-use packaging due to safety concerns has taken us back 10 years.”*

“I want to support local business as much as possible, but the waste has made me very sad.”



- **Reuse**
 - *Somebody People* Restaurant, Denver
 - Deliver Zero, New York City
 - Terra-Cycle and Burger King Partnership, Portland & NYC
- **Compost**
 - Berkeley, CA and Seattle, WA
- **Recycle**
 - Many items are not recyclable, and even if they are, only **8.5%** of plastics are recycled
- **Reduce**
 - By asking customers to opt-in
 - McDonalds – Removed plastic straws from their UK restaurants in 2018
 - Starbucks – Added a new lid design, eliminating straws for some of their cold drinks. Some drinks (Frappuccinos) still come with a straw



Denver Post, 11.25.20



Americans throw away enough plastic to fill a football stadium every 16 hours!

Opt-In to Reduce SUP Waste

- Most restaurants automatically include cutlery, straws, napkins and condiments.
- Customers often don't want or need them, so they get thrown in the trash.
- By simply giving customers the option to opt-in for these items, their use and waste will be reduced.

"I now have a lifetime supply of plasticware from takeout orders. Even when I tell them we don't need them, they usually include them. It'd be nice to have a campaign to reduce this useless waste." – CD4 Resident

Will This Save Restaurants Money?

Clean Water Action ran a case study with *El Metate* in San Francisco where they replaced disposable cutlery and condiment cups (salsa) for reusable for dine-in guests

- Reduced disposable food ware by 493,711 items per year
- \$8,957 in annual savings
- 3,651 pounds of waste reduced annually

Los Angeles Councilmember Paul Koretz has stated that California restaurants that have already switched have saved between \$3000 and \$21,000 per year. (*Los Angeles Daily News, April 21, 2021*)

How Does Opt-In Work?

- Restaurants and third-party Delivery Companies cannot provide the items without the customer consenting
- Restaurants and third-party delivery companies may ask the customer if they would like the items or not
- Online orders, for both restaurants and third-party companies must have an opt-in/check-off for customers
- In late 2020, Grubhub conducted an opt-in pilot for cutlery in New York and New Jersey. Eighty percent (80%) of their customers opted-out and they received no complaints. (That's 120,000 fewer forks!)



Uber Eats, DoorDash and Postmates ask their customers to opt-in for single-use items.

- The Office of Climate Action, Sustainability & Resiliency (CASR) will create rules to administer and enforce the ordinance.
- The law will go into effect when those rules and regulations have been finalized.
- Enforcement
 - Complaint based
 - Opportunity to cure
 - Fines may be issued

Possible Items:

- Straws
- Stirrers
- Drink stoppers
- Utensils
- Chopsticks
- Condiments/Portion cups
- Napkins
- Serving utensils for family style meals



Possible Exclusions:

- Self-service dispensers
- Prepackaged food
- Schools
- Facilities providing patient care
- Service providers (Meals on Wheels and shelters)
- Hotel Room Service

- San Francisco – bans plastic straws, stirrers and picks (must be natural fibers or reusable), all others (utensils, etc.) on request
- Portland and Eugene, OR – plastic straws, stirrers, utensils or individually packaged condiments by request only (2019)
- Los Angeles – [Passed Opt-In bill 04.21.21](#), effective 11.15.21 for large businesses and 04.22.21 for all establishments
- California – Straws by request (2019); proposed statewide “opt-in”, February 2021
- New Jersey – Straws by request (2020)
- NYC – Updated language for a similar bill in December 2020
- Mexico City – banned plastic bags, straws, utensils, cups, picks, portion cups, single-use coffee pods and balloons (01.01.2021)
- EU – will ban plastic utensils, plates and straws 07.03.2021
- Canada – by end of 2021 bans plastic straws, stirrers, utensils, six-pack rings, and food ware made from hard to recycle plastic

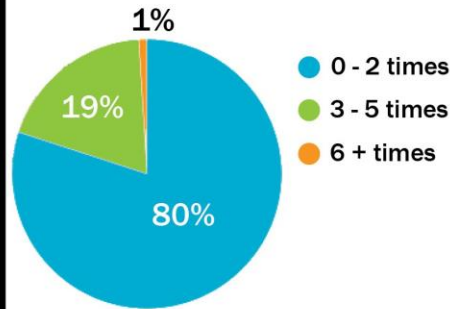
- Colorado Restaurant Association
- Eat Denver
- [Email to 2600+ Denver Restaurant Owners](#)
- 3rd Party Delivery Companies
 - DoorDash
 - Uber Eats
 - Grubhub
- City-wide Constituent Survey ([92% Support](#))
- Office of Climate Action, Sustainability & Resiliency
- Office of Human Rights and Community Partnerships, Commission for People with Disabilities
- Neighborhood Equity & Stabilization - DEDO
- Eco-Cycle
- A-1 Organics
- CoPIRG
- The Inland Ocean Coalition
- BIDS and Associations
 - Santa Fe BID
 - Downtown Denver BID
 - East Evans Business Association
 - Central Park Business Association
 - Cherry Creek North BID
 - Colfax BID
 - Baker Broadway Merchants
 - South Pearl Street Association
 - Cherry Creek Business Alliance
 - Denver North Business Alliance
 - Old South Gaylord BID
 - RINO BID
 - Colfax Mayfair BID
 - Bluebird BID
 - West Colfax BID
 - Federal BID
- Grass Roots Organizations
 - Thomas Jefferson High School Sustainability Club
 - Congress Park Green Team
 - Youth 4 a Future

OPT-IN SURVEY RESULTS

Completed by 658 Denver Residents

KENDRA BLACK
DENVER CITY COUNCIL DISTRICT 4

Percentage of Denver Residents who order take-out / delivery in an average week:



"Thanks so much for trying to address this! It's atrocious!"

"I wish I never got plastic utensils in the first place because it's so wasteful."

To help reduce waste and costs for restaurants, residents support requiring restaurants and third-party delivery apps to ask customers if they need utensils, condiments, straws, stirrers, and napkins



When ordering take-out or delivery,



3%
use 3rd party apps such as DoorDash, Grubhub or Uber Eats



66%
order directly from the restaurant



31%
order from both

"I never, EVER want utensils with my order."

"I hate the idea of putting the utensils in the trash."

For utensils residents did not ask for:



48% put them in a drawer and throw away later

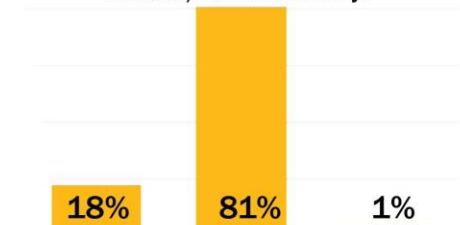


32% either use them immediately or at a later date



35% throw them in the trash

When residents order directly from the restaurant, the restaurant handles the utensils/condiments by:



Asking if you would like them included

Puts them in the bag every time without asking

Notifies you they are not provided

- **State Plastic Preemption**
 - Passed in 1989 to encourage recycling by encouraging the use of items that can be recycled
- **Single Use Plastic Legislation at the State level**
 - Incentivize Development Recycling End Markets
 - Passed 2020 (SB 20-055)
 - Study Group currently in progress
 - Extended Producer Responsibility
 - In review
 - Stakeholder engagement currently
 - HB21-1162: Management of Plastic Products (Rep. Cutter, Rep. Valdez and Sen. Gonzales) – referred to Appropriations
 - Ban polystyrene
 - Ban plastic carry out bags, fee on recycled paper bag

