



sanitation

Edward Grayson Commissioner

Testimony of Gregory Anderson, Deputy Commissioner New York City Department of Sanitation

Intro 1775B Local Law to amend the administrative code of the city of New York, in relation to eating utensils

New York City Council Committee on Consumer Affairs and Business Licensing

Tuesday, December 7, 2021
9:00 A.M.

Good morning Acting Chair Chin and members of the City Council Committee on Consumer Affairs and Business Licensing. I am Gregory Anderson, Deputy Commissioner for Policy and External Affairs at the New York City Department of Sanitation (“DSNY”). I am joined today by Steven Ettannani, Executive Director for External Affairs at the Department of Consumer and Worker Protection. Thank you for the opportunity to provide testimony on Intro 1775.

New York City has long been a leader in the fight to reduce the use of single-use products, especially plastics. In the last eight years, the City has repeatedly taken bold action to take on these products, many of which are difficult to recycle and are manufactured using harmful fossil fuels. These efforts are an important part of our efforts to fight climate change, achieve carbon neutrality, and send zero waste to landfills.

In 2016, New York City passed a law implementing a five-cent fee on all carryout bags, including the nearly 10 billion plastic carryout bags used in the city each year. While that law was subsequently preempted by the State legislature, we are proud to have worked with the State to enact and implement a statewide ban on plastic bags and a local fee on paper bags. These policies encourage the use of reusable bags and collect vital fee revenue to support the manufacture and distribution of reusable bags in New York City. The State Department of Environmental Conservation began enforcing this law in October 2020.

In 2017, DSNY banned foam food service products and packing peanuts, following repeated attempts by the plastic industry to challenge the ban. That ban occurred as a result of a detailed analysis of the recyclability of these products, which determined that they cannot be recycled in an economical and sustainable manner. The ban on foam food service products took effect on January 1, 2019.

In April 2019, Mayor de Blasio signed Executive Order 42 to eliminate the use of City funds for the unnecessary purchase of single-use plastic foodware, including, but not limited to, forks, spoons, knives, and straws. Pursuant to the Executive Order, all city agencies, the Department of Education and NYC Health + Hospitals were required to develop, submit and implement a

plan to eliminate the expenditure of City funds for the direct purchase of unnecessary single-use plastic foodware in favor of reusable, compostable, or recyclable alternatives determined eligible by the City. Agencies were required to submit their plans to the Mayor's Office of Sustainability and the Mayor's Office of Contract Services.

And just last month, Local Law 64 of 2021 took effect, prohibiting food service establishments from providing plastic straws, except upon request. The law also bans all plastic stirrers and splash sticks and requires that food service establishments provide plastic straws to customers that request them, an important protection for New Yorkers that rely on straws to eat or drink. DSNY has conducted outreach to 33,000 businesses to-date and is sending a multilingual mailer to 69,000 businesses this month. DSNY will continue to educate businesses and residents about this important law until the warning period ends on October 31, 2022.

I will turn now to Intro. 1775. This bill would require food service establishments to only provide utensils upon request for takeout or delivery. These utensils include forks, spoons, knives, chopsticks, plates bowls, cups and lids. The bill would also require food service establishments to only provide condiment packets and napkins upon request for takeout or delivery.

While these products make up a very small share of the City's waste stream, this is an important symbolic and principled step toward giving consumers more agency in reducing their own personal waste footprint. I'm sure we have all ordered takeout or delivery and received unnecessary and unwanted plastic utensils – often wrapped in film plastic – and packets of condiments. This bill will give customers the choice of whether to receive these products with their takeout or delivery food order, eliminating waste and potentially reducing costs for businesses. We look forward to discussing this bill further with the Council and working together to enact this important legislation.

Reducing the use of single-use products is an important part of achieving our zero waste goals. This approach reduces our overall waste stream and encourages New Yorkers to use – and reuse – more sustainable and durable alternatives.

Thank you for the opportunity to testify today, and we are now happy to answer any questions.