

Bill de Blasio
Mayor

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TO: Mayor Bill de Blasio

FROM: The Mayor's Office of Contract Services

DATE: December 27, 2021

SUBJECT: Executive Order 42 of 2019 Single Use Plastic Foodware Reduction Plan Agency Compliance Report

BACKGROUND

Pursuant to Executive Order 42, each City agency, on or before January 1, 2020, and on or before January 1 of each year thereafter until the Mayor's Office of Contract Services ("MOCS") determines that full compliance has been reached by the agency, shall make a written report on the progress of its implementation plan and the agency's compliance with the Executive Order.

EXECUTIVE ORDER 42 OVERVIEW

Executive Order 42, effective April 11, 2019, was enacted 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. The purpose of this executive order is to limit plastic waste and support both the City's Zero Waste goals and carbon reductions. The elimination of use of City funds for the unnecessary purchase of single-use plastics will allow the City to send less waste to landfills and cut emissions associated with the production and transport of single-use plastics.

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.

The plan shall include, but not limited to, the following:

- (a) A description of the current uses of disposable foodware in the City Agency, if any;
- (b) A description of the specific projects, programs, actions, and policies to be undertaken to achieve compliance with this Executive Order;
- (c) A description of steps the agency will take to limit new contractual commitments to purchase single-use plastic foodware; and
- (d) A description of the accommodations for necessary uses.

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Necessary uses of disposable plastic foodware are permitted in the following circumstances:

- (a) When no other alternative is available or practicable;
- (b) When necessary to address health requirements and emergencies;
- (c) When compliance with this Order would conflict with contract requirements in existence as of the effective date of this Order; and
- (d) When an individual or someone acting on behalf of the individual specifically requests a single-use plastic straw or other piece of single-use plastic foodware.

As stated previously, each City agency, on or before January 1, 2020 and on or before January 1 of each year thereafter until the Mayor's Office of Contract Services determines that full compliance has been reached by the agency, shall make a written report on the progress of its implementation plan and the agency's compliance with this Executive Order.

AGENCY COMPLIANCE

To date, all agencies have fully implemented a reduction plan and/or claimed necessary uses and are in compliance with this executive order.