



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER 42

April 11, 2019

ELIMINATING THE USE OF CITY FUNDS FOR THE UNNECESSARY PURCHASE OF SINGLE-
USE PLASTIC FOODWARE

WHEREAS, the burning of fossil fuels, the primary cause of climate change, is toxic to New York City and the planet, and ending our reliance on them is an existential necessity; and

WHEREAS, fossil fuels are an integral component to the production of single-use plastics, which do not biodegrade but break down into ever smaller pieces and enter the food chain; and

WHEREAS, single-use plastics that are discarded on New York City streets wash down catch basins and end up in New York City waterways – threatening marine wildlife, putting human health at risk, negatively impacting recreational activities, and costing New York City taxpayers millions of dollars to clean up; and

WHEREAS, limiting plastic waste will support both the City's Zero Waste goals and carbon reductions, and eliminating the 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; and

WHEREAS, the City of New York annually purchases approximately 500 tons of disposable plastic cutlery, straws, cups, and plates, hereby referred to as "foodware," intended to be used once and then thrown away; and

WHEREAS, it is not economically feasible to recycle most single-use plastic foodware and viable reusable, recyclable, or compostable alternatives exist for most single-use plastic foodware; and

WHEREAS, single-use plastic foodware, including single-use plastic straws, remain a necessity for individuals who cannot use alternative products;

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, it is hereby ordered:

Section 1. Development of a Reduction Plan. Within 120 days of the issuance of this Order, every City agency shall develop, submit to the Mayor's Office of Contract Services and the

Mayor's Office of Sustainability, and begin implementation of 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. The goal of the plan will be to eliminate such unnecessary expenditures for use in City agency facilities by December 31, 2019. The Mayor's Office of Sustainability and Mayor's Office of Contract Services shall take all steps necessary, consistent with applicable law, to implement Sections 1 through 9 of this Order with respect to services related to the Department of Education and NYC Health + Hospitals.

§ 2. Plan Requirements. The plan shall include, but need not be 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 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 use outlined below.

§ 3. Necessary Use of Disposable Plastic Foodware. The plan shall provide for the necessary use of disposable plastic foodware 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 defined below.

§ 4. Maintaining a Supply of Single-Use Plastic Foodware. The plan must include a provision to maintain a sufficient supply of single-use plastic straws and any other single-use plastic foodware items, as determined by the Mayor's Office for People with Disabilities, at all times in order to be able to provide them upon request or via a self-service station to anyone who specifically requests them. If a specific request for such an item is made, all entities subject to this Order must provide such item without question and free of charge to anyone who specifically asks for them.

§ 5. Signage. All entities subject to this Order must display signage indicating that they no longer provide single-use plastic straws or other foodware items, as determined by the Mayor's Office for People with Disabilities, but that such items are available if they are specifically requested by an individual or a person acting on behalf of the individual.

§ 6. Outreach and Education. The Mayor's Office for People with Disabilities and the Mayor's Office of Sustainability shall conduct public outreach, including to people with disabilities and representatives from advocacy organizations for people with disabilities, to inform them of the provisions of and their rights under this Order.

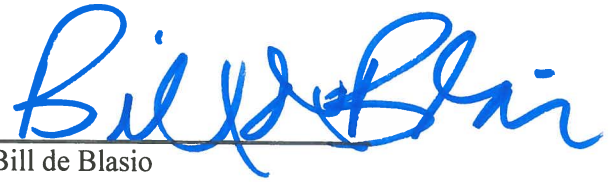
§ 7. Approved Foodware List. The Department of Sanitation, in consultation with the Department of Citywide Administrative Services, shall develop and maintain a specification for reusable, recyclable, or compostable foodware sources and types. Any such foodware purchased by a City agency must be in compliance with this specification, other than purchases that are made in order to maintain the sufficient supply of single-use plastic foodware and single-use plastic straws

described above, unless the agency obtains a waiver from the Mayor's Office of Contract Services and the Mayor's Office of Sustainability.

§ 8. Extension of Deadline. If a City agency is unable to comply with the time frames set forth in this Executive Order, it may obtain an extension upon the approval of the Mayor's Office of Contract Services, for good cause shown, and only to the extent necessary to address the justification supporting the extension.

§ 9. Reporting. 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.

§ 10. Effective Date. This Order shall take effect immediately.



Bill de Blasio
Mayor