



October 15, 2018

The Honorable Nury Martinez  
Chair of the Energy, Climate Change and Environmental Justice Committee  
City of Los Angeles  
200 N. Spring St.  
Los Angeles, CA 90012

**Re: 18-0053, Straws-Upon-Request Ordinance**

Dear Councilmember Martinez and members of the Energy, Climate Change and Environmental Justice Committee:

On behalf of the members of the California Restaurant Association, I am writing to clarify our position on the proposed straws upon request policy for the City of Los Angeles and offer some alternative solutions that we believe will help change behavior, reduce the negative environmental impact of straws and at the same time allow the local restaurant community to continue to focus on addressing the existing challenges with operating in the city.

The restaurant community shares the city's concerns over litter, particularly marine debris is an issue the industry takes very seriously. Many local restaurants regularly participate in many local communities' efforts on litter abatement and supports recycling programs throughout Los Angeles.

However, we also know that discriminatory selection and elimination of a given type of food service packaging is a shortsighted way to address the problem of litter. When litter reduction occurs on city streets, the amount of material that flows through drains, rivers and ultimately to the ocean is also reduced. Efforts should be aimed at reducing all composition of litter, not a single product, so that the overall volume of material reaching the marine environment is reduced.

As the City begins to review the various food service packaging policies, we ask that you consider the following:

- 1) Food service packaging policy should be consistent across the City and County to eliminate confusion around implementation and enforcement.**

Recently the County introduced a motion to address the use of plastic straws in businesses in unincorporated County areas. This policy suggests a “straw upon offer” model which while like the “upon request” concept, actually puts more responsibility on business owners while lessening the opportunity for consumers to become angry that they have not been denied a straw. While we recognize that this model will require additional training of employees, we believe that it will be less upsetting to the restaurant guests.

**2) Food service packaging policy should remain material neutral.**

The CRA understands that the Los Angeles policy is directed at plastic straws only to encourage establishments that want or need to offer straws to customers to seek out alternative materials. While we understand this objective and appreciate the city’s position, we also know that alternative products, like a paper straw, are not equally effective and cost prohibitive for many smaller family owned restaurants. We request that any food packaging policy remain material neutral so as not to require that restaurants purchase more expensive and less functional options for their customers.

**3) Upon request/offer policy should include the self-serve dispensers at casual dining and quick service establishments.**

The CRA worked to create statewide legislation, AB 1884, as a first step to abate the unnecessary distribution of plastic straws by enacting an “upon-request” only model for full service restaurants. Key elements of this workable “upon request model” include the ability to self-select a straw from a receptacle, so as not to disrupt restaurant operations, while creating consumer awareness of straw use and waste. We believe this solution mitigates the negative reactions from patrons that become agitated that they have not received a straw from the restaurant and allows them to choose whether or not they want a straw.

**4) Quick service establishments with drive thru service must be able to provide or at the very least offer straws and other food service products.**

Drive thru service is most challenging for our community in relation to food packaging restrictions (i.e. straws, utensils, condiments, napkins etc.). Restricting a restaurant’s ability to provide drive thru customers with the products they will need to consume the food and drink they have purchased while in their vehicle will cause significant customer inconvenience, frustration, and backlash towards employees once they have driven away from the restaurant. Additionally, there is concern for the safety of our customers while consuming food and drink in their vehicles if not given the expected food packaging materials. For these reasons, we believe that drive thru windows should be excluded from the “straws upon request” policy and instead be allowed to offer straws to customers.



- 5) **Any food packaging policy should include a public awareness campaign period in which enforcement is delayed to allow the time for the industry and customers to change behavior.**

We know that this policy is driven by the desire to abate the use of unnecessary plastic straws and the impact on our environment. We also recognize that changing public behavior is difficult and takes time. It is essential that as the City moves forward with a variety food packaging policy that all include a public awareness campaign and a delayed enforcement to allow the industry and our customers to become accustomed with the new rules.

For these reasons, we respectfully request that any food packaging policy consider the issues we have addressed in this letter and appreciate your time and consideration of our position.

We remain committed to working cooperatively to help the Council design food packaging policy that will create a public awareness of the environmental impacts. We believe a workable policy that considers the impact on our hard-working employees and the business community is a win-win for our industry and the environment.

Respectfully Submitted,



Matt Sutton

Vice President, Government Affairs and Public Policy  
California Restaurant Association

