

# MINNESOTA FOODSERVICE PACKAGING ORDINANCE ASSISTANCE

**Ordinance Overview:** In an effort to minimize the environmental impacts of disposable foodservice packaging, the city of Minneapolis passed its “Green To Go” ordinance. This ordinance requires foodservice operators to use packaging that is reusable, compostable, or recyclable, and to appropriately divert compostable and recyclable packaging from landfills. More info is available here: <http://www.minneapolismn.gov/health/inspections/greentogo>

## Who is impacted by this ordinance?

**All people, businesses, events, or individuals who serve or give away food prepared for immediate consumption are subject to this ordinance.** This includes all restaurants, grocery store deli cases, food trucks and other mobile vendors, including temporary, short term and seasonal food vendors.

## How is “compostable” defined?

Compostable products must be certified by the Biodegradable Products Institute (BPI) or meet ASTM standards for compostability. Unlined paper is also considered compostable.

## How is “recyclable” defined?

Recyclable packaging includes: glass bottles, aluminum cans, clean aluminum foil and pans, and plastic food and beverage packaging that is a #1, #2, or #5. Polystyrene #6 is not allowed in either rigid or foam.

## What does this mean for foodservice operators who are covered by the law?

Foodservice operators must discontinue using packaging that is not reusable, compostable, or recyclable (as defined by the ordinance). They must also separate packaging from landfill-bound trash, and ensure it is properly composted or recycled.

Keep in mind that asking the public to separate materials into different bins can be an uphill battle. Many people simply put everything into one bin and don’t take the time to read bin signage. Also recognize that customers will generate food scraps – you know there will be half-eaten sandwiches and unfinished fries – so food is another material that must be managed by foodservice operators with a “front of house” component for on-site consumption. This is where it is important to understand the roles food and packaging play in waste diversion.

Simply put, recyclers don’t want food along with their plastic or paper. This is considered contamination that messes up sorting systems and decreases the value of the material they are selling to be made into something new. On the other hand, composters want food. It adds beneficial nutrients to the compost they are producing.

You are likely to get little cooperation if you ask people to put their leftover soup in one bin and their plastic bowl in another so the bowl can be recycled. However, if you use compostable packaging, customers can put the soup and the bowl in the same bin for the composter. Removing the sorting decision from the customer greatly simplifies compliance with this law for foodservice operators.

## Minneapolis “Green To Go” Environmentally Acceptable Packaging Ordinance

As of April 22, 2015:

- Food and beverages prepared for immediate consumption and to-go must be placed in environmentally acceptable packaging: reusable, compostable, or recyclable.
- Compostable plastics must be composted.
- Recyclable materials must be recycled.

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One helpful approach can be to use recyclable beverage cans and bottles, and default everything else to compostables. Cans and bottles are easy to identify, and can be collected in a receptacle with a round hole that is obviously designed for such containers. If everything else goes to the composter, bin confusion for the customer is minimized. While a sort to remove non-compostable contamination may still be necessary, streamlining packaging materials and required sorting significantly reduces the foodservice operator's efforts to appropriately compost and recycle packaging.

## **I'm required to comply with this new law. What do I do to get started?**

### **a. Sign up for composting and recycling service.**

The best place to start is the company that is picking up your landfill materials. They may offer hauling services for composting and recycling as well.

If they do not, you may find a list of composting haulers here: [www.hennepin.us/business/recycling-hazardous-waste/organics-recycling](http://www.hennepin.us/business/recycling-hazardous-waste/organics-recycling) and recycling haulers here: [www.hennepin.us/businessrecycling](http://www.hennepin.us/businessrecycling).

**b. Switch to compostable packaging.** As explained, this will make composting packaging much easier. It is important to try to get as close as possible to using only compostables for your packaging (outside of bottles and cans). Any items that must be separated present an opportunity for contamination.

The first step is understanding all of your packaging needs, then reaching out to your distributor or provider of packaging to see which compostable items they offer.

**c. Obtain new bins and signs.** Once you've secured composting and recycling services and have streamlined your packaging, you will need to provide bins for collecting landfill, compostable, and recyclable materials. Be sure to think through front-of-house and back-of-house collection areas. In front-of-house, make sure you co-locate bins for all three streams. People like to dispose of all materials in one place.

*Signage is key* – for both your customers and your staff. Be sure to include photos or images of the actual products you use. For example, don't just show a picture of a generic compostable cup. Show a picture of *your* compostable cup.

**d. Educate your staff.** Employees play a very important role in successful waste diversion programs. They need to understand the proper destination for all materials generated at your operation. This includes understanding where to empty bins in back-of-house collection areas or large containers outside. Depending on the level of contamination allowed by your composter or recycler, employees may need to conduct a sort to remove contamination. Employees can also help educate customers as they interact them. Provide training on composting and recycling when you launch the program, as well as on an on-going basis.

## **Ordinance Exemptions**

### **Foodservice operator exemptions:**

- Licensed catering companies
- Hospitals and nursing homes

### **Packaging exemptions:**

- Cutlery such as knives, forks, and spoons
- Straws
- Plastic films less than 10 mils thick
- Foods prepackaged by the manufacturer, producer, or distributor

### **Packaging exemptions until April 22, 2017:**

- Rigid polystyrene (plastic #6) lids
- Polyethylene lined containers for hot and cold liquids

*If you have any questions, feel free to contact Eco-Products' Sustainability Maven at [sustainabilitymaven@ecoproducts.com](mailto:sustainabilitymaven@ecoproducts.com).*