Int. No.

By Council MemberVan Bramer

A Local Law to amend the administrative code of the city of New York, in relation to single-use utensils

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 13 to read as follows:

Subchapter13: SingleUse Eating Utensils

§ 20-699.7 Eating Utensils a.Definitions. For purposes of this chapter:

Dine-in. The term "dine-in" means relating to or offering food that is eaten in the food service establishment where it is ordered rather than being taken away.

Eating utensil. The term "eating utensil" means a tool used for eating and drinking, including but not limited to, knives, forks, spoons, chopsticks, cups, lids and napkins.

Food service establishment. The term "food service establishment" means a place where food is provided for individual portion service directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off the premises pursuant to subdivision s of section 81.03 of the health code of the city of New York.

Meal delivery service provider. The term "meal delivery service provider" means a courier service provider which delivers meal from a food service establishment to its customer.

Take-away. The term "take-away" means food provided by a food service establishment to be consumed off the premises of a food service establishment.

b.No food service establishmentshall provide single use eating utensils for take-away customersor with meal delivery service, unless such single use eating utensils are requested by such customer.

c. No food service establishment in the city shall provide single use eating utensils for their dine-in customers.

d. No meal delivery service provider shall provide single use eating utensils, unless such single use eating utensils are requested by such customer or such utensils are already included in the food already packaged by the food service establishment to be delivered by a food service establishment.

e. The department, the department of health and mental hygiene and the department of sanitation shall have the authority to enforce the provisions of this section.

§ 2. This local law takes effect 90 days after it becomes law.

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