



CITY AND COUNTY OF SAN FRANCISCO
LONDON N. BREED, MAYOR

OFFICE OF SMALL BUSINESS
REGINA DICK-ENDRIZZI, DIRECTOR

October 24, 2018

Ms. Angela Calvillo, Clerk of the Board
City Hall Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: BOS File No. 181004 Environment Code - Single-Use Food Ware Plastics, Toxics, and Litter Reduction -Department Recommendation to the Board of Supervisors: **Approval**

Dear Ms. Calvillo,

On June 26, 2018, the Small Business Commission (SBC) heard BOS File No. 180519 - Environment Code - Food Service Waste Reduction ordinance and recommended the Board of Supervisors approve the ordinance. At the time the SBC heard File BOS File No. 180519, the SBC was not aware of the potential implications of the ordinance to individuals with disabilities. It is important that BOS File No. 181004 be enacted into to law as soon as it possible, therefore the Small Business Commission will not have a schedule hearing on the item and the Director of the Office of Small Business is providing a departmental recommendation of approval to BOS File No. 181004. The department recommendation falls within the guidelines and intent of the Small Business Commission's recommendation of approval for BOS File No. 180519.

The Office of Small Business is extraordinarily appreciative that Supervisor Tang worked quickly with the Mayor's Office on Disability, Department of the Environment, and the Office of Small Business to draft the proposed ordinance. The amendments to the Single-Use Food Ware Plastics, Toxics, and Litter Reduction regulations ensure that individuals with disability civil rights are upheld, the City can still achieve its environmental goals, and small businesses can be in compliance with the Single-Use Food Ware Plastics, Toxics, and Litter Reduction regulations and still serve the needs of it disable customers. This is being accomplished with these 4 amendments:

1. **Allow for Retail Sales of Plastic Straws.** Retailers must sell in aisle accessible to shoppers.
2. **Food Vendors will be allowed to distribute and/or purchase plastic straws** to accommodate customers who ask for them upon request.
3. **Plastic straws and non-plastic straws will be made available "upon request only"** at the point of sale.
4. **Exemption provision makes clear that this legislation does not conflict with the obligations required under the Americans with Disabilities Act**, and it shall not be a violation of the law for a food vendor to provide a plastic straw to a customer who requests such straws.

The ordinance also directs the Department of the Environment to make clear in its outreach and education to small businesses on the importance of making plastic straws available upon request to individuals with disabilities. The Office of Small Business will work with the Department of the Environment to assist in educating small businesses and to train their employees on how best to comply with a request as not all disabilities are visually apparent.

Thank you for considering the Office of Small Business comments. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Regina Dick-Endrizzi".

Regina Dick-Endrizzi
Director, Office of Small Business

cc: Supervisor Katy Tang, Board of Supervisor
Kanishka Karunaratne Cheng, Office of Mayor London N. Breed
Deborah Raphael, Director, Department on the Environment
Nicole Bohn, Director, Mayor's Office on Disability
Lisa Pagan, Office of Economic and Workforce Development
Erica Major, Clerk of the Land Use and Transportation