

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2022 Legislative Session

Reference No.: CB-014-2022

Draft No.: 2

Committee: Committee of the Whole

Date: 9/06/2022

Action: FAV(A)

REPORT:

Committee Vote: Favorable as Amended, 9-0 (In Favor: Council Members Hawkins, Harrison, Burroughs, Dernoga, Franklin, Glaros, Ivey, Medlock, Taveras and Turner).

The Committee convened on March 17, 2022, and again on September 6, 2022, to discuss this legislation which prohibits food service businesses from providing accessory disposable food service ware to customers unless requested by the customer. “Accessory disposable food service ware” is defined as: straws, utensils, condiment cups and packets, cup sleeves, splash sticks, stirrers, and napkins, designed to be used once and then discarded. Food service business is defined as: full-service restaurants, limited-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, supermarkets, grocery stores, vending trucks or carts, food trucks, cafeterias, including those operated by or on behalf of County departments and agencies, and other entities selling or providing food within the County for consumption on or off the premises who are providing prepared or ready-to-eat food. The requirements of CB-14 also apply to third-part food ordering platforms (i.e., websites, mobile applications, or other internet services) that offer or arrange for the sale of food and beverages prepared by, and the delivery or pickup of food and beverages from, food service businesses.

During the March 17th discussion, concerns were raised by representatives of the Maryland Restaurant Association, as well as Door Dash, regarding the potential impact on drive-thru operations and the need for clarity regarding the customer’s request. The suggestion was to allow restaurant staff to proactively ask customers whether such items are needed without waiting for the customer to make a specific request. On September 6th, the Committee reviewed Draft 2 which:

Changes the effective date for food service businesses from February 2023 to June 2023;

Reduces the fine for a third offense to \$500;

Changes the implementation date for fines from August 2023 to October 2023, and

Designates the Department of the Environment as the entity that may file an action in court with jurisdiction to enjoin violations of this legislation.

After the discussion, the Committee voted Favorably on CB-14-2022 as Amended, by a vote of 9-0.