

## QUESTIONS FROM THE BAG BAN WEBINAR

### APPLICABILITY

**Will the bill apply only to grocery stores or to all stores?** *The bill will apply to all retailers.*

**Has the issue of local/county preemption been resolved in the bills?** *This is the issue of whether the state bill would over-ride any local bills, like Montgomery County's fee on plastic and paper carryout bags. The issue of preemption is not mentioned in the bill. The sponsors have requested an opinion from the Attorney General and are waiting to hear back.*

**The bill would ban all plastic carryout bags less than 4 mils thick. What is a mil and why this threshold?** *A mil is one thousandth of an inch. In California and several other states, bags less than 2.25 mils were banned, but the stores did a workaround by providing thicker plastic bags free at checkout. Subsequently, other states and the City of Baltimore have adopted a thicker threshold of 4 mils.*

**How would the provisions of the bill be accommodated for people who order their groceries on line and pick them up curbside at the store? I know places like Martins offer paper (curbside only) but how do you think that will work?** *Good question. We called a Safeway in San Jose, California, which has had a similar plastic bag law for many years. They provide the curbside groceries in reusable plastic bags that cost 10 cents each, and the cost is on the shopper's bill. Of course, this could vary from store to store.*

### SUPPORT AND OPPOSITION

**What do you expect will be the main arguments against the bill?** *We expect pushback to the requirement that retailers charge a minimum of 10 cents for other paper and other carryout bags.*

- *This is critical to the success of the law, because it's the incentive to use a reusable bag or no bag at all.* *If plastic carryout bags are banned and paper bags are provided free at checkout, shoppers will merely switch from single-use plastic to single-use paper bags, not to reusable bags. Paper bags are much more expensive than single-use plastic bags and have significant upstream environmental impacts in their manufacture. If all shoppers currently using plastic carryout bags switched to paper, it would greatly increase the store's overhead and put upward pressure on prices.*
- *Some may claim that this charge is a tax, but they would be wrong.* *No revenue is being collected by the government. It's just a different way of financing carryout bags. Currently, complimentary carryout bags are being provided at the point of sale to everyone, but there's no such thing as a free carryout bag! Their cost is part of the stores' overhead, incorporated in the price of the merchandise. All shoppers are paying for the complimentary single-use bags, whether they bring their own bag or not. The bill merely shifts the responsibility for paying for the bags to the shoppers who take them. Those who don't take them will not be paying for them as part of overhead.*

**Has there been pushback from the fact there is not an exemption for low income shoppers?** *There has been concern about possible impacts of charging for carryout bags on people with low or fixed incomes. It's important to note that: (1) the objective of the policy is to change shoppers' behavior – all shoppers; (2) low-income shoppers can avoid purchasing carryout bags by bringing a reusable bag or taking no bag at all (like at Aldi); (3) they are already paying for the “free” carryout bags in the store's overhead; this bill shifts the responsibility for purchasing the bags to those who use them. (4) if there's an unaffordable upfront cost for purchasing reusable bags, a way can be found to provide them.*

*If low-income shoppers were exempted from having to purchase carryout bags, there would be no incentive to use reusable bags. The stores would have to absorb the cost of more expensive paper and other carryout bags; both overhead and the price of goods would likely increase. This would be a disincentive for stores to locate in neighborhoods with a high proportion of households receiving SNAP or WIC benefits, exacerbating the food desert problem.*

*Low-income neighborhoods are often the most severely affected by plastic bag pollution, and would disproportionately benefit from the impact of the policy on reducing it.*

**What is the reaction of the plastics industry to the bill? Do you know why the Retail Association is opposed?** *It would save them money. Retailers support the bill because it will impose a uniform policy across the state and the 10-cent charge for paper and other carryout bags will both reduce demand for them and directly finance the paper carryout bags that are requested.*

*The plastics industry will surely oppose the bill (American Chemistry Council, American Progressive Bag Alliance, etc.) and it's likely that the paper industry will oppose as well, since charging for paper bags will discourage their use. However, the use of paper bags in stores that currently provide complimentary plastic carryout bags is very low (1%-2% of shoppers). With a ban on plastic carryout bags, it's very likely that the demand for paper bags will increase, even if customers must directly pay for them. This is something we plan on pointing out to the paper industry representatives.*

**What do you think about the Giant plastic bag recycling system? They have a drop off outside the stores. Is that effective and does it help to any degree?** *The plastic bags collected for recycling outside of Giant and many other supermarkets are sent to TREX, a manufacturer of wood/plastic composite lumber for benches and decking. They are “downcycled”, not made into new plastic bags. According to the EPA, fewer than 5% of plastic carryout bags are recycled.*

## **IMPACT**

**My son lives in Los Angeles and they have adjusted very well to the bag ban. Just like any other adjustment...at first he would forget his bags, but now he keeps them in the trunk of his car...and never forgets them. It's a proven fact that even a small charge for carryout bags can dramatically change shopper behavior!**

**Research in California has found that consumers buy more plastic trash bags after a single-use plastic bag ban. This results in take-back of about 1/3 of the initial reduction in plastic.** *This is still a win for the environment if the bag ban prevents 2/3 of the initial reduction in plastic. Beyond that, we don't often find plastic trash bags as roadside litter, hanging from tree branches, or swept into waterways and on to the ocean. They are purchased for a specific use inside the home and are more likely to be properly disposed of.*