

Reusable Bag Ordinances FAQ

What are Reusable Bag Ordinances?

The goal of reusable bag ordinances is to encourage people to bring their own bag when they shop. A reusable bag ordinance means no more thin plastic carry-home bags (less than 2.25 mils thick) are given out at stores. There is a minimum \$0.05 fee on carry-home recycled paper bags and thicker reusable plastic bags. The paper bags used should be made of a minimum of 40% post-consumer paper and the reusable plastic bags used should be a minimum of 2.25 mils thick so that they are durable enough for reuse.

How many jurisdictions in Washington State have bag ordinances in place?

As of July 1, 2018, there are 21 jurisdictions in Washington State with a reusable bag ordinance:

Bainbridge Island (2012)	La Conner (2018)	Quil Ceda Village (2017)
Bellingham (2011)	Lacey (2014)	San Juan County (2016)
Edmonds (2009)	Mercer Island (2014)	Seattle (2011)
Ellensburg (2016)	Mukilteo (2011)	Shoreline (2013)
Friday Harbor (2017)	Olympia (2013)	Tacoma (2016)
Issaquah (2013)	Port Angeles (2018)	Thurston County (2013)
Kirkland (2015)	Port Townsend (2012)	Tumwater (2013)

Additionally, California and Hawaii both have statewide reusable bag ordinances and there are many countries around the world that have taken action to reduce plastic carry-home bags.

Why bring your own bag?

Those thin plastic grocery bags have an average useful life of 12 minutes and then end up in the landfill or as litter. Thin plastic bags cause all kinds of problems for our communities and our wildlife. Littered bags clog stormdrains and make our streets an eyesore. They can end up eaten by wildlife or entangling animals. As the bags shred from exposure to the elements, they break up into smaller microplastics in our waters, wreaking more havoc on plankton, mussels, salmon, and whales. Paper bags are recyclable, but they have a carbon footprint from production and transportation. The best way to eliminate unnecessary waste is to bring your own reusable bag to the store. And they're easier to carry when full of groceries!

What plastic bags are prohibited?

Thin plastic carry-home bags (less than 2.25 mil) would no longer be allowed for bagging at checkout across all retailers. Smaller plastic bags like produce bags can still be provided for free. Newspaper bags, dry cleaning bags, and bags sold in bulk for garbage lining and pet waste are exempt. In some ordinances, fast food restaurants are still allowed to send out delivery in thin plastic bags to prevent liquid and greasy foods from spilling.

What about paper bags?

Large carry-home paper bags are required to be made of a minimum of 40% post-consumer recycled content and require the \$0.05 fee. Small paper bags provided for bakery goods or pharmaceuticals are exempt from the fee and do not need to meet the minimum of 40% post-consumer recycled content.

Are small retail businesses exempt?

No. All retailers must comply regardless of size of company or what is sold. Once the ordinance is adopted, there will be a period of time before it goes into effect for companies to use up existing stock and start using paper or thick plastic bags. Many small retailers such as gift shops and book stores typically use smaller paper bags which are exempt from the \$0.05 fee.

Are retailers required to provide a reusable plastic or paper bag?

No. Retailers are not required to provide bags to customers. If they do choose to provide bags, they must charge \$0.05 for grocery carry-home or larger-sized paper or thick reusable plastic bags and cannot provide thin plastic carry-home bags.

Are non-profit agencies and stores exempt?

Some are, agencies that meet the definition of “non-profit charitable reusers” which are charitable organizations with 501(c)3 status that reuse and recycle donated goods, can be exempt. For example, a food bank or charitable thrift store that purchases or receives donated thin plastic bags can give these bags away for free at check out. However, they must also promote reusable bag use and offer a discount to customers who bring their own bags.

What about bulk sales of garbage bags and pet waste bags?

Retailers are still allowed to sell packages of bulk garbage bags and pet waste bags that are thinner than 2.25mil.

What about compostable plastic bags?

All compostable plastic bags, defined as bags that are compostable in our commercial composting facilities, must be labeled compostable and be green or brown tinted. Bags made from plant-based plastic or labeled as biodegradable are not necessarily commercially compostable. Most commercial composting facilities have available a list of compostable products they’ve tested in their system. It’s recommended that residents and businesses check with their compost hauler before purchasing compostable plastic products.

Retailers cannot offer compostable grocery size carry-home plastic bags if they are less than 2.25mils. Small produce size compostable plastic bags are allowed and can be provided for free.

Why does the ordinance require green or brown tinting for compostable bags?

All plastic bags, no matter the size, can't be green or brown tinted unless they are compostable. This will help keep non-compostable plastics out of our commercial compost. Many people are confused about which bags are compostable and which are not. The green/brown tinting will help reduce this confusion.

Will there be a “grace period” for retailer compliance?

Yes. There is usually a period of time, ranging from 90 days to a year, between when the ordinance is adopted and when it will go into effect. During that time, retailers can use up their existing stock of bags and experiment with new carry-home bag products to figure out what will work best for them. This way, they will be ready to be compliant by the time the ordinance goes into effect. In the first year, the city or county will focus on introducing the new requirements, education, and incentives to promote reusable bag use.

What businesses are affected?

All retailers are affected. This includes grocery stores, convenience stores, corner stores, clothing stores, farmers markets and all other establishments that sell goods.

What checkout bags can be provided to customers?

At checkout, retailers can provide 40% post-consumer recycled content paper bags, plastic bags thicker than 2.25 mils, and cloth reusable bags.

What is the definition of mil for thicker plastic bags?

The thickness of plastic film and sheeting is described using the term “mil”. A mil is equal to 1 thousandth of an inch (0.001 in). The average human hair is about a thousandth of an inch thick. A standard thin plastic carry-home bag is around 0.5 mil (half the thickness of a hair). These bags often tear and are designed for single-use. Thicker reusable plastic bags that are permitted by a reusable ordinance for a \$0.05 fee are usually a minimum of 2.25mil – that's 4 to 5 times thicker and more durable than a traditional thin carry-home bag. Some jurisdictions have opted for a minimum of 4mil thickness on carry-home plastic bags.

What about other non-check out bags?

Non-checkout bags that are smaller than the standard 1/6 bbl grocery size are exempt and can be thin plastic, compostable plastic, or paper. For example, the retailer may provide smaller bags for frozen foods, meats and other items that might be wet or damp.

Why a pass-through fee?

Having to pay \$0.05 for a carry-home bag encourages customers to bring their own bag. The fee is also important to the retailers who can use the fee to offset the cost of providing paper bags or thicker plastic bags which are more expensive than thin plastic bags.

Does everyone have to pay the pass-through fee?

No. Customers participating in a food assistance program such as EBT/WIC/TANF are exempt from paying the pass-through \$0.05 fee for carry-home paper or thicker plastic bags.

Where does the pass-through fee go?

Retailers keep the pass-through fee. This helps them pay for the cost of providing checkout paper and thicker plastic bags.

Can restaurants provide plastic bags for takeout food?

Yes, in some jurisdictions, it has been decided that restaurants are allowed to provide take-out in a thin plastic bag. Some fast food includes hot liquids or greasy items.

What about the plastic bags I already own?

Retailers with existing thin plastic bag stock can use up existing stock during the time period before the ordinance goes into effect. Residents who have plastic bags at home are encouraged to reuse their bags as much as possible or take them back to a WRAP program drop off location (<https://www.plasticfilmrecycling.org/recycling-bags-and-wraps/find-drop-off-location/>) where they can be recycled separately.

How is the reusable bag ordinance enforced?

Once the ordinance goes into effect, businesses will be given materials and resources for adapting to the new rule and ample time to adjust. Enforcement of the reusable bag ordinance is mainly complaint based. Compliance complaints will be received by city or county staff. A staff member will do educational visits/outreach to the store and work with them to get into compliance. After educational visits are conducted, warning letters are issued before the noncompliance penalty of \$250 per day is assessed.

Is the bag fee subject to retail sales tax?

Yes, bags will be subject to retail sales tax at checkout just like any other purchased good.

What else does it require?

In some ordinances, retailers are required to report to the city or county the number of carry-home paper bags or thicker plastic bags they provided to customers each year for the first 2 years after the ordinance goes into effect.

What resources are available to support businesses?

The city or county will develop several resources to help retailers and their customers with this transition such as posters, point of sale signs, parking lot signs, and window cling signs for entrance doors.

What are the negative environmental aspects of plastic bags?

Plastic bags are light, carrying easily in the wind out of trash cans and landfills and becoming litter that end up along our roads and creeks. They then wash into stormwater and out to lakes, the Sound and the ocean. They break up into smaller bits but don't readily decompose. The negative aspects of plastic bags include:

- **Using up nonrenewable resources.** Bags are made of petroleum products and natural gas and thus are another way we are using up our petroleum resources.
- **Physically impacting wildlife.** Plastic bags are neutrally buoyant and so float in the water column and can be mistaken for jellyfish or other food by wildlife. Bags are found in the stomachs of turtles, whales and other animals, leading to deaths by starvation when their digestive system is blocked. Plastic has been found in the stomachs of over 600 species.
- **Becoming microplastics.** Because plastic bags are thin, they also shred into smaller pieces over time due to wear in surf zones. These small pieces – called microplastics – are eaten by fish and birds because they look like plankton.
- **Carrying toxic contaminants.** Plastic is “oilier” than ocean water and therefore acts like a sponge for persistent toxic chemicals such as PCBs. It is believed that the bits of plastic in the aquatic environment are a pathway for toxic chemicals into fish and other wildlife that ingest them, but this has not been extensively studied yet.
- **Physically clogging stormdrains.** Plastic bags in many countries litter the countryside and end up clogging stormdrains leading to seriously exasperated flooding problems, especially in Bangladesh.
- **Clogging recycling machines.** Our recyclables go to recycling centers where they are sorted and separated into different materials so that they can be baled and sent on for further processing. A major problem is that plastic bags tend to clog the rollers on the machines. The City of Portland has documented that ¼ of their workers' time is spent removing plastic bags from the line that have caused clogs and thus work shutdowns.
- **Causing contamination in our recyclable bails.** Plastic bags can cause contamination in the recycling facilities. Plastic bags in our recycling facilities get caught in the sorting machinery and contaminate our mixed paper bales because they get stuck flat between the paper. WA Dept. of Ecology estimates that plastic bags cost recyclers \$700 to \$1000 per ton of recycled material.
- **Contaminating our commercial composting products.** In many jurisdictions, residential and business yard clippings and food waste are sent to local commercial composting facilities that break down the organic matter at high temperatures in a few months to produce a high quality compost product. Unfortunately, a large number of plastic bags get dumped into the bins along with the organic material. This leads to a significant amount of “contamination” of the compost with pieces of plastic bag. The facilities try to remove some of the plastic but are unable to remove the majority of it. Plastic bags that are green or brown tinted or claim to be bio-based or biodegradable but are not actually compostable are causing consumer confusion. That is why the bag ordinance includes a requirement that only truly compostable bags be green or brown tinted.

Isn't paper worse for the environment?

Paper bags are recyclable, compostable, and decompose readily in the environment, but they are not a perfect alternative. Paper bags are heavier than plastic bags and therefore require more fuel to transport from the point of production to the retailer. It helps that paper grocery bags are required to be made of at least 40% post-consumer recycled content and that paper bags are 100% recyclable and

compostable. A recycled paper bag can become a paper bag again unlike a plastic bag which even if recycled will be degraded into a lower quality plastic and used in a composite material like deck material instead of becoming a plastic bag again. The other important thing to note about paper bags is that paper comes from a renewable resource, trees, whereas plastic bags are made from nonrenewable fossil fuels. Ideally, everyone would bring their own reusable bags instead of using paper bags which is part of why there is a fee for paper bags.

What are microplastics?

Microplastics are small bits of plastic that are found in our oceans, sound, lakes and creeks. A microplastic is defined as any piece of plastic smaller than 5mm wide (roughly the width of a pencil). There are two kinds of microplastics:

1. Primary microplastics – these are plastics that are manufactured less than 5mm wide like the microbeads used as exfoliant in some face washes or pre-production plastic pellets that haven't been melted into plastic products yet. Pre-production plastic pellets are similar to the plastic beads you might find in a beanie baby or bean bag chair. Primary microplastics are round and uniform in color and shape.
2. Secondary microplastics – these are small plastic fragments that break off of larger plastic products as a result of weathering. A piece of plastic litter in the ocean that gets broken up and shredded by the sun, salt, and surf would over time create many secondary microplastic fragments. These pieces can be any type of plastic and will likely be irregular in shape. A plastic bag out in the environment becomes lots of little pieces of thin filmy microplastic. Similarly, small microfibers that wash out of clothing and other textiles would be considered secondary microplastics.

Microplastics have the same chemical structure as the larger plastic items from which they originated but are small enough to be ingested at every level of the food chain from zooplankton to whales. Since ocean plastics adsorb toxics as well as leach toxic additives, microplastics can act like poison pills to the sea life that ingest them. Many plastic additives are endocrine disrupters that change hormone levels affecting behavior, development, and reproductive health.

In some places where ocean plastic is abundant, there are more microplastics in the water than plankton. It's very difficult for fish to avoid eating microplastics as they look and smell like food!

What's the impact of plastic on fish and wildlife in Washington?

Different plastics have different densities and therefore in the marine environment float at different depths in the water column. Plastics also become heavier as algae other microorganisms start living on them, a process called biofouling. Plastic bags are neutrally buoyant meaning they float in the middle of the water column. This makes plastic bags and other film look like jellyfish floating in the water which is a big problem for sea turtles whose favorite food is jellyfish.

We don't have jellyfish in Washington's waters but we have many other important sea creatures that interact with ocean plastic. In 2010, a dead grey whale washed ashore on Alki Beach in West Seattle. 20 plastic bags were found in the whale's stomach along with a wide variety of other human debris including sweat pants, duct tape, and surgical gloves. Though the garbage in the whale's stomach was

likely not the cause of death, it gives us a glimpse of what the whale was ingesting in the Puget Sound in the days just before it's death. The whale's blubber also tested high for plasticizers in a toxics screening.

Our native sea birds are also ingesting microplastics. Two local species that have been extensively studied are the Northern Fulmar and Sooty Shearwater. 90% of Northern Fulmar samples have plastic in their gut and 50% of Sooty Shearwaters.

In a recent study on microplastics in mussels throughout the Puget Sound conducted by a team at the University of Puget Sound, of the 57 sites sampled, only 2 sites had no particles. Most mussels sampled had 5 or more particles of plastic. The most common type of microplastic found were microfibers.

Microfibers come from washing our clothes made of synthetic fabric and, particularly, fleece. The way fleece is woven and sheered to achieve that super soft texture leaves the polyester fibers loose. When we wash our clothes, there is no filter on our washing machines and all the fibers shed by our fabrics make their way through the sewage treatment system and out to the Puget Sound.

Is plastic affecting salmon?

The scope of the impact of plastic on salmon is still unclear.

A study of Steelhead salmon returning to the Fraser River near Vancouver B.C. found salmon that had ingesting sharp fragments of hard plastics and showed signs of wounds and scarring in their gastrointestinal tract.

Most local studies of plastic ingestion by fish have been conducted on forage fish and benthic, bottom feeding fish. All forage fish species sampled were found to be ingesting plastic, but the frequency of occurrence ranged from 15% to 40% depending on the species. At some locations in the Sound, 70-90% of the benthic fish English sole and ratfish had plastic in their stomachs.

Are reusable bags safe?

Yes. One concern with reusable bags is that they might harbor bacteria and viruses. According to the definition of a reusable bag per the reusable bag ordinance, a reusable bag must be washable. Washing your reusable bags as well as the produce you purchase before you eat them, will keep them safe. There are likely more germs on the handle of your shopping cart than on your own reusable bag.

Aren't plastic bags recyclable though?

Less than 5% of plastic bags and other non-durable plastics are recycled. Some grocery stores participate in WRAP, the Wrap Recycling Action Program, which collects plastic bags in a bin to be recycled separately from our curbside recycling. Companies like Trex use these collections to melt down and use in other products. Every time plastic is heated, it degrades in quality. This means that plastic can rarely be recycled 100% back into the product it started as.

What will I use to line my garbage can?

Recycling should never be bagged because the recyclers can't tell if it's contaminated and then they must deal with opening it up. Garbage is often bagged though to keep your can clean on the inside. If

you live in a city with curbside yard waste and composting pick up, most of your food waste that usually makes your garbage wet and dirty can be composted instead. You'll be surprised how clean and dry your garbage is without food waste, you may not need a plastic bag liner!

Trash bags sold in bulk will still be available in stores and will not be affected by the ordinance.

What will I use for my pet waste?

Produce bags, newspaper bags, and takeout bags will still be exempt. There are many products, like bread, that also come packaged in plastic bags. There are also many different products on the market for collecting pet waste.

What about food banks?

Food banks can be exempt as a charitable organization. Exempted Food Banks will be required to promote reusable bag use even though they are able to provide thin plastic bags for free.

What about grocery delivery services?

Some ordinances have included grocery delivery services. This means that delivery is treated just like point of sale at the retailer and any carry-home size bags used to make the delivery must be reusable bags, paper bags for \$0.05, or thick plastic bags for \$0.05.

What about a state level bag law like California?

In Washington, we are focusing on local city and county efforts to build towards support for a statewide bag rule like California. Having a statewide rule is easier for big grocery stores that have multiple locations because then there is a consistent rule for the whole state and an even playing field.

What is the North Pacific Gyre and why are plastics accumulating there?

There are 5 major gyres in the world's oceans – large eddy-like features in which material accumulates and does not readily escape. Scientists with the Algalita Marine Research Foundation have studied plastics in the North Pacific Gyre for the past 20 years. They have found that plastic pieces, including tiny microscopic bits of plastic (broken down plastic bags), have accumulated in the gyre forming a thin soup. Microplastics are there because plastics don't decompose but instead photo-degrade into smaller and smaller bits. It is estimated that about 80% of the material found in the gyre comes from land via stormwater runoff, while the remaining 20% appears to be from marine sources like fishing or shipping.

Why not just recycle all of the bags?

Most plastic bags, despite what industry representatives want you to believe, are never recycled. Recycling plastic bags does not make economic sense given the current cost of recycling and the value of the resulting product, especially for a society in the process of reducing climate changing emissions.

Another problem with the “recycling solution” is that the cost of recycling bags far exceeds the cost of manufacturing the bags in the first place. In addition to energy and resource costs, bags that are recycled are primarily baled and sent across the ocean to other countries for incorporation into plastic products.

Finally, plastics and paper are “downcycled” not recycled. Some materials (such as glass and aluminum) are readily recycled repeatedly, with little or no loss of quality. Plastics and paper, however, experience a noticeable loss in quality when they are reprocessed and so are made into lesser grade products. Down the line, ultimately, products are downcycled to the bottom of the cycle and must be disposed.

How long do plastic bags last in the environment?

Disposable one-use plastic products like bags, take-home containers and bottles are used for a few minutes but last from 15-1000 years in the environment. Generally, plastics don’t decompose but instead photodegrade into smaller and smaller bits. Out in the ocean, they break down into “microplastic” bits that can be as small as or smaller than plankton.

What have other countries done?

In 2002, Bangladesh became the first country to ban plastic bags because they were clogging stormdrains and contributed to massive floods in 1988 and 1998. Paris banned the bags in 2007 (and extended to all of France in 2010). China banned free bags last summer and estimates that it will save 34 million barrels of oil each year.

Other countries with bans, fees or other bag restrictions in part or all of the country include: Australia, New Zealand, Papua New Guinea, Vanuatu, Taiwan, Hong Kong, India, Bhutan, Cambodia, Indonesia, Japan, Malaysia, Myanmar, Nepal, the Philippines, Sri Lanka, Pakistan, Israel, Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Malta, Moldova, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Sweden, Switzerland, Turkey, Wales, Northern Ireland, Scotland, England, Benin, Botswana, Cameroon, Chad, Republic of Congo, Eritrea, Ethiopia, Gabon, Gambia, Guinea-Bissau, Côte d’Ivoire, Kenya, Madagascar, Malawi, Mali, Mauritania, Morocco, Mozambique, Rwanda, Senegal, South Africa, Tanzania, Tunisia, Uganda, Antigua and Barbuda, Canada, Guatemala, Haiti, Mexico, Panama, Argentina, Bolivia, Brazil, Chile, and Colombia.

Many more countries have also set goals to implement a bag ordinance to reduce plastic bag use in 2019 and 2020. In most of Europe, retailers charge for bags rather than providing free bags and some do not provide plastic at all.

I use paper bags for my recyclables. What about that?

The city and county ask that all recyclables be clean and dry in order to not contaminate the recycling streams. Instead of using paper bags, baskets and medium-sized plastic bins work well for storing and toting recyclables. When it is pickup day, just dump the recyclables into your curbside bin.

How much do stores pay for plastic and paper bags?

Disposable shopping bags are not free! Stores pay from 1 to 5 cents for plastic carry-home bags and at least 3 times that amount for paper bags. These costs are passed along to the consumer in prices you pay for items you buy at the store.

How much does it cost to dispose of bags?

The City of San Francisco estimated the cost of disposing and cleaning up the city's 50 million plastic bags used annually to be 17 cents per bag. Their estimate included the cost of contamination in the recycling stream, the cost of trash pick-up and landfilling, and the cost of street clean ups.

Since this estimate was made, the cost of contamination in the recycling stream has likely increased due to China's *Blue Skies 2018* plan. China used to receive 60% of the world's recycling bales to process them back into plastic pellets. As of last September, China has significantly increased their standards on the materials they will receive because they want to improve their own environment and are no longer accepting contaminated bales. There are other unlikely costs associated with plastic bags. In 2007, a landfill in California had to spend an extra \$237,856 on a tall chain-link fence to catch bags blowing out of the landfill.

What else can I do to help reduce waste?

- Bring your own reusable water bottle, mug, cutlery, etc... when you buy food to-go
- Try to buy products in bulk or that have minimal packaging
- Reuse your items as many times as possible
- Repair items that are broken or torn
- Buy products second-hand
- Buy products with recycled content
- Join a local lending library or tool library so you don't have to buy your own
- Donate products you don't use anymore instead of throwing them out
- Upcycle old things into new things! (Make a reusable grocery bag out of an old tablecloth)
- Only print out documents that absolutely must be printed – try to go electronic
- Eliminate unnecessary forms and redesign to use less paper
- Set up computers to automatically print two-sided
- Take steps to reduce unsolicited mail
- Opt-out of automatic deliveries of phone books, catalogs, and more!
- Design mailers which avoid the use of envelopes (fold and staple the paper)
- Pack lunches in reusable containers rather than in plastic bags or wrap.
- Use cloth napkins, cloth dish towels, sponges, and rags instead of paper napkins and towels
- Buy long-lasting, durable products
- Invest in rechargeable batteries and a charger