Attachment A

Plastic Bag Bans/Restrictions
Executive Summary

Upon review of the plastic bag bans for 13 different communities in California (6), Texas (2), Washington (2), Oregon (1), Connecticut (1) and Washington, DC (1), further inquiry was made with regard to five of the more robust plans, including Austin, TX, Portland, OR, San Francisco and Santa Monica, CA and Seattle, WA. All of these, except Santa Monica (population 89,736), were cities larger than Cambridge, ranging in population from Portland (583,776) to Austin (812,025).

All ban use of Single Use plastic checkout bags with handles
- Seattle also bans compostable, biodegradable and photodegradable single use checkout bags
- Santa Monica also bans single use plastic checkout bags made from bio-based sources

All encourage use of reusable bags
- Define reusable in various ways: with handles, made from durable materials, cloth, washable, designed for multiple reuse, certain thickness (if plastic, typically, >2.25 mils thick); CA standard = min 125 uses/min 22 lbs/able to carry for 175' distance

All sought to reduce use of paper bags, too
- 3 cities charge for providing paper bags (not less than 5¢, 10¢, 25¢)
  - Retailers retain collected funds
- Define type of paper bags that can be provided
  - Require minimum percentage of post consumer recycled content (PCRC)
  - Require Forest Stewardship Council (FSC) certified paper
  - No old growth fiber
  - Printed w/"recyclable" or "reusable"

All permitted plastic bags (w/o handles) for particular uses, including:
- laundry; dry-cleaning; door hanger; newspaper; packages of multiple bags for garbage, pet waste, yard waste; restaurant take-home; bulk items; meat, poultry and fish wrap; prepared foods; pharmacist provided Rx items; potted plants; flowers; greeting cards

Types of covered establishments:
- All retail, commercial or non-profit or
- Particularized retail including some or all of the following:
  - by size of establishments (gross annual sales in excess of $###);
  - type of establishments (supermarkets of a certain size [square footage and/or gross sales];
  - full-line self- service retail of a certain size; and
  - government agencies; street vendors; vendors at public events; clothing; food and beverage; household goods; jewelry; grocery, pharmacies; liquor stores; restaurants; or were more generically described as all commercial enterprises, for-profit or non-profit.

Phased-in bans/programs over 6 months to one year
- Education component as key: educate retailers and consumers
- Education campaigns, including:
  - websites, FAQs, retail guidelines, downloadable/printable signage, "bring your own bag" campaigns, mailings, reusable bag giveaways

alliances with local non-profits and environmental groups to get the message out to different language/cultural groups.

Enforcement was minimal, typically, with goal of educating

Warnings given for first violations, with graduated fees for repeat violations

Goal to change behavior, not collect enforcement fee.

No inspections; complaint driven enforcement

Costs for outreach/implementation campaigns were noted in the $40,000 to $50,000 range, with one (Austin) at $2 million

Funds were used for staff time in outreach effort to retailers, primarily.

Most said the costs were absorbed in the regular workload of their staff

The recent MA Senate Bill (SB2314), which has not yet passed, is an amalgam of many of the features described above. It makes no mention of recyclable paper bags, however, but does include an element not part of any of the laws reviewed, in particular the "Marine degradable plastic bag" description. If passed, this law would permit distribution of single use checkout bags that meet both Marine biodegradable plastic and Compostable plastic bag standards.

Plastic Bag Bans/ Paper Bag Restrictions

City or Town	Population	Effective Date	Types Banned	Paper w/restrictions	Type plastic permitted	Reusable bag Requirements
Austin, TX	812,025	3/1/2012	plastic bag < 4mil thick, w/handles; paper bags w/out recycled content, w/handles;	Recyclable paper bag w/handles certified by the Forest Stewardship Council (FSC); handles not req'd on recyclable paper bag w/ht < 14" and width < 8";	recyclable plastic =/> 4 mil thick, w/ handles; only w/types of plastic resin prescribed by rule; laundry, dryclnr; doorhanger, newspaper, pkgs of mltpl bags- grbg, pet, yard wst; Rx bags*; restaurant take home*; bulk items: nuts, produce, grains, candy, small hrdwr; to wrap frzn food, meat, fish; to wrap flwrs, plants, damp items; to wrap prepared foods & bakery items; (* if recyclable w/in Austin)	"Reusable and Recyclable" on exterior; has handles; cloth or washable fabric or durable mtrl; plastic =/> 4 mil thick, made w/ types of plastic resin prescribed; FSC cert'd recyclable paper; handles not req'd on recyclable paper bag w/ht < 14" and width < 8"
Bellingham, WA	81,070	8/1/2012	single-use plastic < 2.25 mils	paper bag w/avg. 40% post-consumer recycled content (pcrc); print % pcrc on bag; 8# or smlr bag must hv min 20% pcrc; recyclable; compostable	bulk goods, veg., meats, fish, Rx + newspaper, door-hanger, dry-clnr pkgs w/multpl bags- grbg, pet, yard wst	cloth or other fabric w/handles designed for mltpl reuse, reqmts: min 125 uses/min. 22#/for 175' mchn washable; if plastic, >2.25 mils
Brownsville, TX	175,023	1/1/2011	non-compostable plastic; compostable, but not designed for mltpl re-use	bag w/no old growth fiber; avg. 40% pcrc; recyclable	meat, fish, poultry	cloth or washable fabric; durable mtrl suitable for reuse; designed for reuse;
Calabasas, CA	23,058	7/1/2011	single-use plastic carryout bags; incldg. bio-based cmpstbl	paper mtg. 6 criteria: no old grwth fiber; min. 40% pcrc; cmpostabl; 100% recyclable; printed w/ certain req'd info; "recyclable" on bag	w/out handles; produce, meat, food items to point of sale	w/handles designed for mltpl reuse; reqmts: min 125 uses/ min 22#/for 175'; vol min 15 liters; machine wshbl; does not contain heavy metals

Plastic Bag Bans/ Paper Bag Restrictions

City or Town	Population	Effective Date	Types Banned	Paper w/restrictions	Type plastic permitted	Reusable bag Requirements
Long Beach, CA	462,257	8/1/2011	plastic carryout bags; incldg. bio-based cmpstbl	paper mtg. 6 criteria: no old grwth fiber; min. 40% pcrc; cmpostabl; 100% recyclable; printed w/certain req'd info; "recyclable" on bag	w/out handles; produce, meat, food items to point of sale	w/handles; designed for mltpl reuse, mtg. reqmts: min 125 uses, min 22#/for 175'; vol min 15 liters; machine wshbl; does not contain heavy metals; if plastic, >2.25 mils
Manhattan Beach, CA	35,135	1/14/2012	plastic carry out bags incldg. compostable and bio-degradable	paper bag mtg. 3 criteria: no old growth fiber; 100% recyclable w/min 40% pcrc; "reusable or "recyclable" printed on	single use produce bags for transport to point of sale	w/handles, designed for mltpl reuse; cloth or other machine washable fabric; other durable mtrl suitable for reuse
Palo Alto, CA	64,403	9/18/2009	single-use plastic checkout bags	paper bag mtg. 3 criteria: no old growth fiber; 100% recyclable w/min 40% pcrc; "recyclable" printed on outside	bags provided for produce, bulk food or meat	w/handles, designed for mltpl reuse; cloth or other machine washable fabric; and/or durable plastic > 2.25 mils thick
Portland. OR	583,776	10/15/2011	single-use plastic checkout bag	recycled paper, containing avg 40% pcrc accepted for recycling by City program	bag provided by Pharmacist for Rx; no-handles bag used to protect purchased item from contaminating other items	w/handles, designed for mltpl reuse; must carry 22#, 175'; cloth or other machine washable fabric; or durable plastic > 2.25 mils thick
San Francisco, CA	805,235	11/20/2007	non-compostable plastic checkout bags	recycled paper mtg. 3 criteria: no old growth fiber; 100% recyclable w/min 40% pcrc; displays "reusable" or "recyclable"on outside	compostable bags conforming to CA labeling law and 4 addt'l reqmts	w/handles, designed for mltpl reuse; cloth or other machine washable fabric; or durable plastic > 2.25 mils thick

Plastic Bag Bans/ Paper Bag Restrictions

City or Town	Population	Effective Date	Types Banned	Paper w/restrictions	Type plastic permitted	Reusable bag Requirements
Santa Monica, CA	89,736	3/9/2011	single-use plastic carryout bag <2.25 mils thick made from petroleum or bio-based sources	paper carryout bag contains 40% pcrc; is accepted for curbside recycling; capable of composting per specs; min pcrc %age printed on bag; 8# or smaller bag contains min 20% pcrc	product bag for use to collect and transport products to point-of-sale	w/handles, designed for mltpl reuse; meets reqmts: 125 uses/ 22#/ over 175°; min. vol. 15 liters; machine washable; does not contain heavy metals in toxic amts; printed info on bag
Seattle, WA	608,660	7/1/2012	single-use plastic carryout bags, incldg. compostable, biodegradable, photode-gradable that is not suitable for continuous reuse; or < 2.25 mils thick	paper carryout bag w/stated capacity of 1/8 barrel (882 cubic inches) or larger, mtg. reqmts: min. avg. 40% pcrc; displays min. pcrc on outside of bag	bags for bulk food, produce, meat, fish, vegs, greeting cards, small hardware, flowers, potted plants, unwrapped bakery, Rx, take-out food, newspaper bags, door-hangers, dry-clng bags sold in mltpls for garbage, pet waste	encouraged; not defined in ordinance; suggestion that more than 20 repeat uses would qualify as reusable, but not 10.
Washington, DC	617,996	1/1/2010	not 100% recyclable; not marked "Please Recycle This Bag;" high density polyetheylene film w/out SPI resin ID Code2; low density polyethylene film w/out SPI resin ID code 4; biodegradable or	100% recyclable; marked "Please Recycle This Bag;" min. 40% pcrc	bags for bulk items; frozen foods, meat fish; flowers, potted plants; unwrapped prepared or bakery goods; Rx; newspaper bags; doorhangers, dry-clng, bags sold in mltpls for garbage, pet waste; partially consumed wine; restaurant take-home items	not defined

Plastic Bag Bans/ Paper Bag Restrictions

City or Town	Population	Effective Date	Types Banned	Paper w/restrictions	Type plastic permitted	Reusable bag Requirements
			compostable, but not mtg reqmts			
Westport, CT	26,391	3/19/2009	Plastic checkout bag at point of sale; less than 28" x 36" in size;	recyclable paper: no old growth fiber; 100 recyclable contains min 40% pcrc: displays "Recyclable" or "Reusable"	produce bags made of very thin plastic material w/single opening, used to transport produce, meats or other items to point of sale	w/handles, designed for mltpl reuse; made of cloth or other fabric, or made of plastic at least 2.25 mils thick

Plastic Bag Bans/ Paper Bag Restrictions

City or Town	Size/Type Biz Affected	Program Elements	Implementation Process	Enforcement/Fees	Education/Outreach
Austin, TX	any commercial enterprise, for profit & non-profit	must display signage @ benefits of reducing, reusing & recycling; may provide or sell reusable carryout bags; hardship variance in unique circumstances	1 year public education campaign & phase out of single use carryout bags; starting 3/1/2013 - no single use carryout bags may be provided @ any City event, facility, City-owned property or any commercial entrprs	not indicated in Ordinance [proposed transaction fees voted down]	extensive public process prior to Ordinance pssg; 1 year phase-in; req'd signage
Bellingham, WA	Food Provider (any) Grocery Store Pharmacy Retail Establishment City facilities, permitted events; Farmer's Mkts	Must provide reusable or recyclable bag; Cost pass-thru, not < 5¢; cost pass-thru on rcpts; no cost for WIC/Medicaid recipients	1 year exemption upon showing undue hardship; unique circ w/no rsnbl alt to single use plastic or pass-thru uncollectiable; extension possible	Ea. violation subject to fine not > $250; City may seek legal, eqtbl relief; CC can set graduated fines; inspct to verify complnc	City to assist retailers by referral to website info; assist orgs in creating signs, brochures, training
Brownsville, TX	All businesses	Enviro Advsry Cmte (EAC) to monitor impacts and advise; 2 year only Cmte; Biz may only provide recyclable paper, reusable or biodegradable bags	Voluntary ban for 1 year; mandatory after 1 year	violations subject to local Ordinance	EAC to report on issues from time to time
Calabasas, CA	Retail stores, pharmacy, supermarket, convenience drug stores, liquor stores	chrg 10¢ for recyclable paper; list bag chrgs on rcpts; fees retained for implmntatn; qrtrly reports on bags sold/fees; must provide reusable bags 4sale or free; free to WIC	larger stores req'd to comply 1 yr sooner than than smaller stores	written warning, flwd by violation ntc; 1st@$100 /2nd @$200/3rd@ $500 fine for each day in viol. fines used 4 implmntn	website; FAQs; posters

Plastic Bag Bans/ Paper Bag Restrictions

City or Town	Size/Type Biz Affected	Program Elements	Implementation Process	Enforcement/Fees	Education/Outreach
Long Beach, CA /	2 phases, 6 mos apart; PH1: supermarkets; lrg retail w/ pharmacy ,w/gross sales > $2mil or >10,000 SF; PH2 smlr groceries, cnvnc, food marts, Farmer's Mkts	Must provide recyclable paper or reusable bags; must chrg 10¢ for recyclable paper; list bag fees on rcpt; free bags to WIC	2 Phase implementation, 6 mos earlier for lrgr stores; Stores must keep records for 3 years on paper bags and fees;	written warning, flwd by violation ntc; 1st@$100 /2nd @$200/3rd@ $500 fine for each day in viol. fines used 4 implmntn	website; info campaigns downloadable signage; FAQs; ordinance summary
Manhattan Beach, CA	restaurants, food vendors, grocery stores, pharmacies, any event on City property	reusable or recyclable paper bags; encrg incntvs thru educ; rebates or credits	ord. passed in July 2008; delayed by lawsuit; implemetation Jan/12 enfrcment begins Apr/12;	not indicated in Ordnc	encrg incntvs thru educ; rebates or credits
Palo Alto, CA	supermarkets (as defined); other retail	supermarkets: reusable or recyclable paper; other retail: paper only or choice of paper or plastic; ask customer's choice & comply	Implementation Process Effective 4/29/09; operative 9/18/09; 1 yr exemption upon show of undue hardship; considering expansion of program to other retail	violation for non-cmplnc is infraction of MuniCode	website info; fncl hrdship bag give-aways; reusable bag campaigns; fact sheet flyers; comprehensive reusable bag program; analysis of other prgrms
Portland. OR	Full-line, self-service retail w/gross ann'l sales > $2mil which sells dry grocery, canned goods, or non-food and some perishable; or > 10,000 SF retail w/phrmcy	only recyclable paper, compostable plastic or reusable bags at checkout	Effective 7/21/11; implemented 10/15/11; Dir. of Plng & Sustainability auth. to adopt rules, prcdrs & pub process; Dir. may waive until 3/1/12 to permit drawn down of invntry; may expand applicability in future	written warning, flwd by violation ntc; 1st@$100 /2nd @$200/3rd@ $500 in each calendar year; no more than 1 viol in a 7 day period; fines used for implmntn	FAQs from Mayor @ background & reasons
San Francisco, CA	supermarkets w/gross annl sales > $2mil, sell dry grocery, canned goods or non-food and some	only compostable plastic, recyclable paper, reusable bag	sprmrkts: effctv 10/20/07; enfrcment: 12/1/07; retail phrmcy: effctv	violation is infraction, fine not exceeding $100/ 1st; $200/2nd in a yr; $500/3rd+ in a yr; City	website/SFEnvironment. org; "Bring Your Own Bag" campaign; robust recycle programs

Plastic Bag Bans/ Paper Bag Restrictions

City or Town	Size/Type Biz Affected	Program Elements	Implementation Process	Enforcement/Fees	Education/Outreach
	perishable; retail pharmacy w/5+ locs/same ownership		3/20/08; enfrcmnt: tbd; Enviro. Dept. Director may adopt rules, guidelines, regs and forms	may seek injnctv relief & civil penalties @ $200/ $400/$600, but not both	
Santa Monica, CA	Retail estab of any kind (inclds grocery, department, hardware, pharmacy, liquor, restaurant, catering truck, convenience and vendor); City property or event	reusable or recyclable paper; grocery & pharmacy must chrg not <10¢ pass thru chrg for ea recyclable paper bag, unless show lesser cost; show pass thru chrg on receipts; semi-annual report to Dir. of Enviro Sustnbilty on recpts of pass-thru	Exemption for prepared take-out & liquids; free bags for WIC; 1 yr exmptn for undue hrdshp	CM auth to est regs & rqr inspctns; violation is infraction w/fine not > $250; or misdmnr w/fine not > $1,000 or 6 mos in Cnty jail or both	website; retail guidelines; FAQs; downloadable posters
Seattle, WA	all retail stores (incl: sports & entertainment facils; gov agencies; street vendors; vendors @ public events; clothing; food; bevs, hshld goods; jewelry, groceries, pharmacies, liquor, restaurants, farmers mkts...	reusable or recyclable paper; must charge not < 5¢ for recyclabale paper of 1/8 barrel (882 cubic inches) or larger; paper bag revenue retained by store; may charge for smaller paper bags or provide free; recyclable = not < 40% pcrc; plastic bag > 2.25 mil =reusable no charge to WIC/SNAP/TANF	Implementation Process Seattle Public Utilities (SPU) Director oversees: evals fncl impact on retail; effctvnss in reducing single-use bags; effctvnss compared to other jurisdctns; waste/litter reduction; report to City @ 6 mos & 4 years w/ reccs for changes to imprv effctvnss; ban through 12/31/16	violation is civil infraction	website; printable flyer w/reqmts, exemptions, etc.; Dir. of SPU to eval. program over 4 years b/4 extension of ordinance
Washington, DC	any biz w/ Pub. Hlth Food Est. Retail Endrsmt: inclds bakeries, delis, groceries, convenience, restaurants, food vendors, liquor, any biz selling food	5¢ chrg for each disposable carryout bag; # bags/fees on recpt; all paper or plastic dspsbl bags must be 100% recyclable; must be labeled "Please Recycle" in certain size boldface type; dspsbl paper must be 40% pcrc; biodegradable or compostable	1¢ of each fee to retail store, 4¢ of each fee to Tax Ofc; if store participates in bag credit prog, it can retain 2¢ of fees, w/ 3¢ to Tax Dfc;	warning ntc for 1st viol; after ntc $100/$200/$500 for 1st, 2nd 3rd + viols; no more than 1 penalty w/in 7 calendar days; penalty will dbl if unpaid or not appld after 15 dys	Published in DC Register w/30 day comment per.

Plastic Bag Bans/ Paper Bag Restrictions

City or Town	Size/Type Biz Affected	Program Elements must meet rqmnts	Implementation Process	Enforcement/Fees	Education/Outreach
Westport, CT	all retail stores, sidewalk sales, farmer's mkts, flea mkts, retaurants	reusable or recyclable bags @ checkout;	operative 6 mos after effctv date;	Conservation Dept. enfrcs; written ntc w/date by which viol. must be remedied; if not remedied or appealed, citation shall issue; repeat offenders will get citations; $150/day if fine not pd after 4 days, ea. addtl day = $150 viol.	informational page on website w/link to Ordnc