



COMPOST CORNER: May 10, 2016 SINGLE-USE PLASTIC BAG LOOPHOLE

Q. What's the loophole allowable thickness for "fancy" plastic bags some high-end stores (and Walmart) are handing out?

--- Joe

A. Napa's ordinance uses the standard definition of a reusable bag:

"Reusable bag" means either a bag made of cloth or other machine-washable fabric that has handles, or a durable plastic bag with handles that is at least 2.25 mil thick and is specifically designed and manufactured for multiple reuse."

The loophole is that the Napa ordinance allows stores to give out reusable bags at no charge. So stores are giving out "durable plastic bags" that are 2.25 mil thick.

To close the loophole, the ordinance should be amended to say that stores can't give out free reusable bags at all. This is what San Francisco did to get rid of this loophole (As an aside, I did warn City staff about this loophole but they did not want to prohibit free reusable bags at the time the ordinance was being passed...I think they were trying not to rock any boats).

Read more...

San Francisco has good, simple language that works to get rid of the loophole:

<http://sfenvironment.org/article/checkout-bag-ordinance>

Three types of checkout bags are compliant: (i.e. these are the ones that you can buy for 10 cents)

- *Compostable plastic bags labeled with a certification logo*
- *Paper bags labeled with 40% post-consumer recycled content*
- *Reusable checkout bags designed for at least 125 uses and are washable*

So, they'd need to charge for the reusable bags, and the reusable bags need to be designed for 125 uses and be washable...so even if they try to say those phony thick plastic bags are reusable 125 times (and washable - which I guess they could be if you hand washed them in the sink), they'd still need to charge 10 cents for them.

Alameda County uses similar rules and requires the 10 cent charge for reusable and paper bags: <http://reusablebagsac.org/index.html>