

## A FEW FACTS

### Why Ban Plastic?

Both paper and plastic shopping bags have serious environmental costs, but California Law (AB2449) prohibits local jurisdictions from placing a fee on single-use plastic bags. Therefore a coalition of advocates, grocers, and policy makers developed an ordinance to ban plastic bags and put a fee on paper bags. This Marin County Ordinance will encourage the use of reusable bags. Less waste leads us to a cleaner community, one bag at a time!



If each of the approximate 100,650 households in Marin County were to use just 1 reusable bag per week, that would lead to 402,600 bags saved each month, or 4,831,200 in one year. Almost 5 million bags a year saved!

*Remember to bring your reusable bags.*

### Plastic Single-Use Bags:

- Escape into the environment and litter communities.
- Are made of polyethylene which is a petroleum product. Generally, petro-plastics don't decompose but tear, abrade, and "photodegrade"; becoming smaller and smaller, but not biodegrading.
- Are used for a few minutes, but last indefinitely in the environment.
- Annual use of plastic carry-out bags:
  - Worldwide** 599 billion to 1 trillion
  - California** 19 billion (600 per second)
  - Marin County** estimated 138 million (most of which end up in landfills and waste streams)
- In California, we throw away an estimated 19 billion plastic bags per year.
- According to EPA figures on Municipal Solid Waste, approximately 1% of plastic grocery bags are recycled. This reprocessing is downcycling, as the bags get made into other, non-recycled products.

## January 1, 2012 Disposable Bag Reduction Ordinance begins for Marin County



Photo supplied by Teen Turning Green. Thank you!

### USEFUL LINKS

Marin County Department of Agriculture,  
Weights & Measures

<http://www.co.marin.ca.us/ag/PlasticBags.cfm>

Marin Hazardous & Solid Waste JPA

[www.marinrecycles.org](http://www.marinrecycles.org)

Californians Against Waste

[www.cawrecycles.org](http://www.cawrecycles.org)

Bring Your Own (BYO) Bag Marin

[www.byobagmarin.org](http://www.byobagmarin.org)

Save The Bay

[www.savingthebay.org](http://www.savingthebay.org)

Heal The Bay

[www.healthebay.org](http://www.healthebay.org)

Green Cities California

[greencitiescalifornia.org](http://greencitiescalifornia.org)

## SHIFTING TO REUSABLE BAGS

### Standards & Guidelines for Businesses



### Marin County Department of Agriculture Weights and Measures

1682 Novato Blvd, Suite 150A

Novato, California 94947

Phone: (415) 473-6700 Fax: (415) 473-7543

[www.marincounty.org/ag](http://www.marincounty.org/ag)



# Effective January 1, 2012

## Disposable Bag Reduction Ordinance

### Marin Unincorporated Business Guidelines



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#### Summary of Ordinance

- Marin County retail establishments in unincorporated areas must use either an approved post-consumer recycled paper or a reusable bag for customers at the point-of-sale.
- Retail establishments may provide to a customer specified single-use carryout bags at the point of sale, but are **required to charge the consumer** a reasonable fee, but no less than 5 cents per bag.

#### **What type of retailer does the ordinance affect?**

- As of January 1, 2012, this ordinance only affects businesses in the unincorporated areas of the county.
- Full-line, self service retail store, drug store, pharmacy, supermarket, grocery store, convenience food store, foodmart, or other entity engaged in the retail sale of a limited line of goods (see Ordinance Section 5.46.010 (f) for detailed information).

#### **Who establishes and keeps the bag fees?**

By law, retail establishments must charge a **minimum of 5 cents** per bag, but may charge up to the cost of the bag. The bag fee is retained by the retail establishments, and they must verify this charge to the county upon inspection.

#### **Are there any customers who do not have to pay for reusable bags? Yes!**

At the point-of-sale, the store shall provide customers who are participants in either the California Women, Infants, and Children (WIC) program or the California Welfare and Institutions' Supplemental Food Program with either a recyclable paper or reusable bag at no cost.

#### **Who will enforce this ordinance?**

The Marin County Department of Agriculture, Weights & Measures regulates this ordinance.

#### **“Recycled Paper Bag”**

- Contains a minimum of 40% post-consumer recycled materials
- An 8 pound or smaller recycled paper bag contains a minimum of 20 % post-consumer recycled materials
- Accepted for curbside recycling programs in most neighborhoods
- Capable of composting, consistent with the timeline and specification of the ASTM (American Society of Testing & Materials) Standards D6400
- Clearly labeled with bag manufacturer name, location (country) where the bag was manufactured, and minimum % of post-consumer recycled content

#### **What are “Post-consumer recycled materials”?**

Material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. Post-consumer recycled material does not include materials and byproducts generated from, and commonly reused within, an original manufacturing and fabrication process.

#### **A single-use carry-out bag does not include either of the following:**

- A bag provided by a pharmacy pursuant to Chapter 9 of Division 2 of the California Business and Professions Code to a customer purchasing a prescription medication.
- A non-handling bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a recycled paper bag or reusable bag.

#### **For stores out of compliance:**

Agriculture, Weights & Measures' general enforcement approach is to provide the retailer ample opportunity to comply. If retailers fail or refuse to comply, enforcement actions include warning notices, fines, and even civil penalties. Each violation shall be considered a separate offense. See penalty chart for enforcement schedule.

#### **“Reusable Bag”**

##### **Current Marin County Standards:**

- Be designed and manufactured to withstand repeated uses over a period of time
- Be made from a material that can be cleaned and disinfected
- Shall not contain lead, cadmium, or any other heavy metal in toxic amounts

##### **Current Reusable Bag Guidelines:**

- A bag with handles that is specifically designed and manufactured for multiple reuses; minimum of 125 uses (which means carrying a minimum of 22 pounds 125 times over a distance of at least 125 feet)
- Machine washable, or made of a material that can be cleaned and disinfected
- Has printed on the bag, or on a tag that is permanently affixed to the bag, the name of the manufacturer, the location (country) where the bag was manufactured
- Does not contain lead, cadmium, or any other heavy metal in toxic amounts
- Minimum of 2.25 mils thick

#### **Penalties for Violations**

Violations	Scanner Number		
	1-3	4-9	10 or more
First	Educational Information & Written Warning Notice		
Second	\$135.00	\$200.00	\$220.00
Third	\$185.00	\$250.00	\$270.00
Fourth	\$270.00	\$400.00	\$440.00
Fifth	Administrative civil penalty or referral to District Attorney		