New York State Bag Waste Reduction Act

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Don’t Jam Us Up!

Film plastics should NOT go into household recycling bins. Recycle at designated retail stores.

Check your local recycling program rules.
- New Yorkers use more than 23 billion plastic bags a year.
- Americans use an estimated 100 billion plastic bags each year.
- In the U.S., 50 million plastic bags end up as litter every year.
- Approximately 10-15% of plastics bags and other film plastics are recycled in the US each year.
- Litter costs U.S. taxpayers $10 billion each year to clean up.
How Did We Get Here?

New York State's Plastic Bag Reduction, Reuse and Recycling Act of 2009 (Act)

- The Act requires stores with 10,000 square feet or more of retail space and chains which operate five or more stores with greater than 5,000 square feet of retail space, and which provide plastic carryout bags to customers, to establish an in-store plastic bag and film plastics recycling program.
How Did We Get Here?

New York State's Plastic Bag Reduction, Reuse and Recycling Act of 2009 (Act)

- Has been in effect since January 1, 2009 and initially required certain stores to collect plastic bags for recycling

- Effective March 1, 2015, the law was expanded to also include the collection and recycling of certain film plastics
RETURN FILM PLASTICS TO THE STORE

Film plastics should be returned to a retail location near you to be recycled. Look for the special recycling bin.
How Did We Get Here?

Governor Cuomo Announces Launch of Statewide Plastic Bag Task Force

On Earth Day, Governor Cuomo Signs Legislation Banning Single-Use Plastic Bags in New York
New York State Bag Waste Reduction Act

(Environmental Conservation Law Article 27 – Title 28)

- Takes effect March 1, 2020
- Prohibits the distribution of plastic carryout bags
- Keeps the requirements for certain stores to continue to collect film plastic from consumers for recycling
New York State Bag Waste Reduction Act

(Environmental Conservation Law Article 27 – Title 28)

- **Plastic carryout bag** – Any plastic bag, other than an exempt bag, that is provided to a customer by a person required to collect tax to be used by the customer to carry tangible personal property.

- Any person required to collect New York State sales tax will no longer be able to provide plastic carryout bags to a customer.

- No person required to collect NYS sales tax shall prevent a person from using a bag of any kind that they have brought for purposes of carrying goods.
New York State
Bag Waste
Reduction Act
(Environmental
Conservation
Law Article 27 –
Title 28)

- **Reusable bag** – a bag (a) made of cloth or other machine washable fabric that has handles; or (b) a durable bag with handles that is specifically designed and manufactured for multiple reuse.

- A reusable bag is a bag with handles that is either made of cloth or another machine washable fabric, or is a durable bag made for multiple uses.
New York State Bag Waste Reduction Act

(Envirnomental Conservation Law Article 27 – Title 28)

• A **durable** bag:
  • Has a minimum lifespan of 125 uses (one use is equivalent to carrying a minimum of 22 pounds over a distance of at least 175 feet)
  • Holds 22 lbs. for the duration of the lifespan of the bag
  • Has a minimum fabric weight of 80 GSM
  • Has at least one handle that does not stretch and is fastened to the bag in such a manner that it allows the bag to meet the strength standards listed above.
An exempt bag means a bag:

- Used solely to contain or wrap uncooked meat, fish or poultry
- Used by a consumer solely to package bulk items such as fruits, vegetables, grains or candy
- Used solely to contain food sliced or prepared to order
- Used solely to contain a newspaper for delivery to a subscriber
An exempt bag means:

- Bags sold in bulk to a consumer at the point of sale
- Trash bags
- Food storage bags
- Garment bags
- Bags prepackaged for sale to a customer
- Plastic carryout bags provided by a restaurant, tavern, or similar food service establishment, as defined in the state sanitary code, to carry out or deliver food
- Bags provided by a pharmacy to carry prescription drugs
Fees

**Opt-in:** As of March 1, 2020, counties and cities are authorized to adopt local laws establishing a 5 cent paper carryout bag reduction fee.

“**Paper carryout bag**” means any paper bag, other than an exempt bag, that is provided to a customer by a person required to collect tax to be used by the customer to carry tangible personal property.
If a city or county opts-in to the paper carryout bag reduction fee:

Forty percent of the paper carryout bag reduction fee (2 cents) is given back to the counties or cities with local laws imposing fees on paper carryout bags to be used for purchasing and distributing reusable bags, with priority given to low- and fixed-income communities.
Currently across NYS about 20-25 municipalities have some type of bag legislation.

NYC has already passed a 5 cent fee on paper.

Some stores getting a jump start.
#BYOBagNY
Outreach & Education

- FAQs
- Tip strips
- Posters
- Banner ups
- Thruway rest stop video
- YouTube video
- Webpage reorganization

- New plastic bag ban webpages
- Postcard size handouts
- Magnets
- Stickers
- Social media and social media boosting
- Radio ads
How is NY’s Law Different?

- Does not allow 2.25 mil to qualify as reusable
- No universal statewide fee on paper carryout bags
- Does not require a stitched handle
- Law does not specify a grace period
- Does not allow compostable plastic carryout bags
- Retailers do not retain any portion of the opt in fee
- No reusable bag certification program
What We’ve Learned So Far

• Mixed reviews from public and retail sector

• Vast array of reusable bags exist

• Limited timeframe for public outreach and education

• Retail stores taking strides to make sure they are compliant by March 1, 2020
What We’ve Learned So Far

• International holidays impact bag order schedules

• Many reusable bag suppliers are seeking to supply their stores with compliant bags

• Important to listen to all points of view

• Very technical information → industry is happy to help provide support
Resources

http://www.dec.ny.gov/chemical/117781.html


https://ogs.ny.gov/greenny/reusable-bags

https://www2.calrecycle.ca.gov/Publications/Download/1387

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