

LEGISLATIVE DIGEST

[Plastic Bag Reduction Ordinance.]

Ordinance amending the San Francisco Environment Code by: amending Section 1702, to extend the mandatory use of recyclable and compostable checkout bags from supermarkets and chain pharmacies, currently covered by Chapter 17, to all retail establishments in the City and clarify the definitions of "checkout bag", "recyclable paper bag", and "reusable bag"; setting an operative date of March 1, 2011; and making environmental findings.

Restrictions on Checkout Bags

City law currently states that supermarkets and chain pharmacies may only provide three kinds of checkout bags to customers: recyclable paper bags, compostable plastic bags, and reusable bags. Supermarkets and chain pharmacies may not provide customers with any other kinds of single-use disposable checkout bags, whether the bags are made of paper or plastic.

The proposal would amend the Environment Code to extend these requirements to all retail establishments in the City.

Definition of "Checkout Bag"

City law currently defines "checkout bag" as "a carryout bag that is provided by a store to a customer at the point of sale."

The amendment would clarify that a "checkout bag" does not include:

- Bags used by consumers inside stores to: (A) package bulk items, such as fruit, vegetables, nuts, grains, candy, or small hardware items; (B) contain or wrap frozen foods, meat, or fish, whether prepackaged or not; (C) contain or wrap flowers, potted plants, or other items where dampness may be a problem; or (D) contain unwrapped prepared foods or bakery goods;

- Newspaper bags, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags;
- Specialty retail merchandise bags; or
- Reusable carryout bags.

Definition of "Reusable Bag"

City law currently defines a "reusable bag" as "a bag with handles that is specifically designed and manufactured for multiple reuse and is either (1) made of cloth or other machine washable fabric, and/or (2) made of durable plastic that is at least 2.25 mils thick."

The amendment would clarify that "specifically designed and manufactured for multiple reuse" means specifically designed and manufactured to withstand "100 or more uses carrying 20 or more pounds" and made from material that is "machine hot water washable."

Definition of "Recyclable Paper Bag"

City law currently defines "recyclable paper bag" as a paper bag that is, among other things, made of "100% **recyclable** overall and contains a minimum of 40% post-consumer recycled content, . . ."

The amendment would change the definition to require that a "recyclable paper bag" be made of "100% **recycled** content, including a minimum of 40% post-consumer recycled content." This change means that, in order to qualify as a "recyclable paper bag", a bag would have to be made entirely from paper that actually had been recycled, rather than from paper which merely could be recycled.

Operative Date

These new requirements would become operative on March 1, 2011.