

1. Agenda

Documents: [AGENDA 06.25.13.PDF](#)

2. Draft Minutes

Documents: [GPWGDRAFTMINUTES050613.PDF](#)

3. Articles

Documents: [BERKSHIRE EAGLE ARTICLE.PDF](#), [BOSTON HERALD ARTICLE.PDF](#), [NY TIMES ARTICLE.PDF](#), [PATRIOT LEDGER ARTICLE.PDF](#), [SACRAMENTO BEE ARTICLE.PDF](#), [W POST BAG ARTICLE.PDF](#)

4. Letter From M. Daniels

Documents: [LETTERFROMMDANIELS.PDF](#)

CITY OF PORTLAND, MAINE
Agenda

Green Packaging Working Group Task Force

DATE: 6/25/2013
TIME: 5:00 PM
LOCATION: Portland City Hall
Room 24

AGENDA

1. Review and refine objectives of the group regarding single use plastic bags
2. Review summary of approaches used by other communities to manage plastic bags
3. Discussion of next steps: How do members wish to frame discussion moving forward? What info do members wish to present and/or review during the next meeting?

Green Packaging Working Group
May 6, 2013

In attendance: Troy Moon, Portland Public Services; Jennifer Thompson, Corporation Counsel's Office; Michele Brooks, Portland citizen; Alexandra Fields, Environment Maine; Ron Adams, Portland Public Schools; Ed Suslovic, Chairperson; Ted Koffman, Maine Audubon Society; Martin Fisher, Serlin Haley; Danny Bouzianis, Dunkin Donuts; Richard Grotton, Maine Restaurant Association; Deb Hart, Retail Association of Maine; Shelley Doak, Maine Grocers Association; Steve Rosario, American Chemistry Council; John Morin, ecomaine; Cathy Ramsdell, Friends of Casco Bay; Matthew Faulkner, Surfrider; Sally Trice, Portland citizen

17:08

The meeting of the Green Packaging Working Group opened at 5:08 p.m. in Room 24 of Portland City Hall on May 6, 2013.

1. Approval of Minutes

Steve Rosario of the American Chemistry Council had several changes to the minutes of April 8th. On page two, he clarified that he did not state that he said "...polystyrene is not the only environmentally damaging substance...." instead he said that "all substances in use in foodware have issues." He also asked that the minutes reflect that on page four John Morin of ecomaine stated that ecomaine does recycle paper cups. Lastly, Mr. Rosario asked that the minutes reflect that he had issues that he had wanted to raise during the previous meeting, but did not have an opportunity to do so at the end of the meeting.

Martin Fisher of Dart Packaging raised the issue of a list of exemptions he had submitted, Chairman Suslovic said that his list and any other proposed amendments would be considered during this evening's deliberations.

The minutes were approved as amended.

2. Review and Final Discussion of Draft Polystyrene Ordinance

Jennifer Thompson of the City's Corporation Counsel Office explained the proposed polystyrene ordinance in detail, beginning with the findings and purposes section. Mr. Rosario reiterated that it was his opinion, as one who had worked in the industry for 22 years, that there were factual errors in the findings section. Ms. Thompson continued the explanation, including the staff-added language regarding the definitions and exemptions.

Chairman Suslovic asked for any clarifying questions from the committee. Hearing none, he asked for a motion. Ted Koffman of Maine Audubon moved to accept the ordinance as written; Cathy Ramsdell of the Friends of Casco Bay seconded the motion.

Discussion:

Mr. Fisher introduced the list of amendments he prepared, noting that all but one had been taken from the materials that had been submitted to the task force. He asked that the task force take up and move each amendment separately.

Mr. Fisher moved an amendment, taken from Freeport's ordinance, to make the City's ordinance null and void if an effective polystyrene recycling program was implemented. Mr. Rosario seconded the motion.

Chairman Suslovic asked about definition of recycling, if it was "bringing it to" Riverside or single sort curbside. Mr. Fisher clarified that his definition gave the City the flexibility to decide. Mr. Koffman asked who decided what an "effective recycling program" was. Mr. Fisher responded the City was. Michele Brooks of Portland asked if the full decision was unquestionably up to the city. Mr. Fisher answered that the City had to give it its stamp of approval. Ms. Brooks made an amendment, agreed to by Mr. Fisher, that language be added clarifying that any effective recycling program required City approval. Mr. Rosario asked that no specific business be named as the administrator of any recycling program. Matthew Faulkner of Surfrider asked that any recycling program have a reuse component to it. Deb Hart of the Retail Association of Maine noted that new technology emerges constantly, and further definition within the ordinance could hamstring the city. Mr. Faulkner reiterated that any recycling program should have a reuse component. The vote was taken, and the motion carried 11-3.

Mr. Fisher moved that the City draw up a list of suitable, affordable biodegradable alternatives for retail and restaurant establishments to use, to be drawn up by the Environmental Services Manager of the City of Portland. Richard Grotton of the Maine Restaurant Association seconded the motion.

Mr. Koffman suggested the City could make such a list available without codifying it in an ordinance. Mr. Fisher said the inclusion of a list was as an educational tool and wasn't meant to be restrictive. Chairman Suslovic noted that new technology changes day by day, and that it wasn't the role of the City to determine what technology was best. Mr. Rosario said that the larger retail food vendors have the resources to do the research for themselves, but smaller establishments may not. In that light, having a list of resources would be very valuable. The vote was taken, and the motion failed 6-8.

Mr. Fisher moved an amendment stating that if the Maine Legislature votes to ban polystyrene statewide, Portland's ordinance would be null and void. He explained that this would prevent "quilt-patching" and the requirement that packaging companies keep track of many different laws and ordinances within the state. Shelley Doak of the Maine Grocers Association seconded the motion. Ms. Brooks asked if he was referencing federal law, and made an amendment, accepted by Mr. Fisher, to change Massachusetts to Maine. Chairman Suslovic noted Portland's stringent smoking ban and asked what would happen if Portland's polystyrene ordinance exceeded state requirements. Ms.

Brooks said she thought Portland's ordinance would stand. Ms. Thompson asked what would happen if the legislature passed a polystyrene ban, then repealed it some time later. Mr. Fisher answered that he didn't want a quilt patch and suggested adding "while a substantially similar Maine law is in existence, the Portland law is superseded." The vote was taken, and the motion passed unanimously.

Mr. Fisher moved to add an in-store recycling exemption, explaining that if a store offers recycling options for polystyrene, it should be allowed to sell it. Ms. Doak seconded the motion.

Mr. Faulkner asked what the definition of recycling would be. Chairman Suslovic answered that Portland partly owns ecomaine and can dictate what recycling is. Mr. Faulkner expressed concern that there were several different recycling practices the city doesn't have control over. Mr. Fisher answered that he added this amendment in the interest of education and personal responsibility. He noted that in-store recycling costs the store and gives them an incentive to recycle. Chairman Suslovic reiterated that recycling has to be convenient in order to be effective, as proved by recycling rates. He said that, in general, customers use polystyrene containers for takeout as opposed to eating on-premises, and it is unlikely customers will return their containers to the store they bought them from. Sally Trice of Portland agreed with him and added that polystyrene containers will still wind up in the trash bag or on the street. Ms. Brooks agreed that the idea that someone is going to bring it back is not logical. She also noted that a bin labeled "recycling" does not mean that the contents will in fact be recycled. Mr. Fisher added an amendment that the in-store recycling program must be approved by the city in order to be exempted from the ordinance. Mr. Rosario suggested other recyclers should be allowed with the in-store program, as opposed to limiting establishments to ecomaine. Chairman Suslovic said if the City finds an effective polystyrene recycling program, the whole ordinance is moot anyway. Mr. Fisher added that this amendment has the capacity to create a market for recycling. Ms. Brooks asked if there were examples of this exemption in any other ordinance. Mr. Fisher answered that he had crafted this one independently of other ordinances. The vote was taken; the motion failed 5-9 with one abstention.

There were no other amendments.

3. Vote on Final Draft Ordinance

Mr. Fisher asked if there would be an opportunity for a minority report. Chairman Suslovic said there would be.

The vote was taken on the full draft ordinance. The motion passed as amended, 9-6.

Chairman Suslovic asked that those who had an interest in compiling a minority report nominate one person to work with Troy Moon of Portland Public Services. Mr. Fisher said he would, and asked how long the minority committee has to submit the

report. Mr. Moon noted that it would probably be needed by May 31 to be submitted to the Transportation, Sustainability and Energy Committee for placement on the earliest agenda possible. Chairman Suslovic said he hoped the ordinance could be placed on the TSE agenda for June 19th. Mr. Fisher asked when Ms. Thompson could get the final draft of the proposed ordinance. Mr. Moon suggested we could distribute the ordinance language on May 17th. Chairman Suslovic reminded everyone that all dates are tentative.

4. Plastic bags discussion

Chairman Suslovic introduced the topic of plastic bags and what, if anything, the task force can do about them. He called on Joshua Dow, a student at Casco Bay High School, who had prepared a presentation on plastic bags and how to dispose of them. Mr. Dow proposed a plastic bag return similar to the bottle return program, in which participants would get a certain amount of change for each plastic bag. In addition to the environmental benefits, such a system would give citizens in financial difficulties a method of earning money. Mr. Dow noted that it took one thousand years for a plastic bag to degrade, and added that plastic bag litter was a monumental worldwide problem.

Mr. Koffman asked if Mr. Dow had looked into biodegradable bags. Mr. Dow responded that there were vegetable oil-based plastic bags that were 92% decomposable. He also mentioned the reusable/recyclable bags that Shaws and Hannaford offered to their customers. Ms. Brooks asked if he had considered bans as a solution. Mr. Dow said there had been attempts at bans, but the plastics industry had brought suits against municipalities that had passed ordinances banning plastic bags. Chairman Suslovic thanked Mr. Dow for opening his eyes to different ideas like the returnable idea as opposed to an outright ban.

Chairman Suslovic asked some questions to get the conversation going. He noted that any tax a municipality enforces must be passed by the state legislature. He also noted that the percentage of people who bring their own bags to the grocery has increased to roughly 50%. Mr. Faulkner noted that any charge would be a fee as opposed to a tax because it is levied only on people who choose to use plastic bags. He said he had spoken with Missy Lavie at ecomaine, who told him that plastic bags are collected and sold to a broker, who will not tell them what's done with them. Mr. Morin corrected him and said plastic bags were likely not burned or landfilled because of the cost the brokers paid. Mr. Faulkner noted that San Diego does not take plastic bags, even though they take everything else and added that it costs the City of San Francisco \$4000/ton to recycle bags that costs \$32/ton on the free market.

Ms. Brooks asked what happened to bags that are collected by the supermarkets. Ms. Doak said they were shipped out of state to be recycled. Mr. Rosario said that plastic bags are a valuable market. He noted that plastic bags were used to manufacture plastic lumber, as well as other recycled content. He noted that many jobs were created in the manufacturing of plastic bags as well as in the recycling and reuse of them. He added he recycles all manner of plastic film when he goes to his local grocery store, not only the plastic grocery bags. Mr. Grotton asked what the discrepancy was between one person

saying it's not worth anything, another person saying it's worth quite a lot. Mr. Morin replied that it depends on the density and cleanliness of the post-consumer plastic. Ron Adams of Portland Public Schools noted the school doesn't use as many plastic bags. He added that even though there are recycling opportunities, there are still lots of bags around.

Ms. Trice asked if there was a definition of "plastic bag" that the task force was targeting. Chairman Suslovic agreed that was one of the first challenges facing the task force. He said that the litter issue was significant, and the task force was looking at post-consumer litter, from appearance to stormwater catch basins.

Mr. Koffman said he had talked with was talking with Irish TD and businessman Ruairi Quinn, who initially opposed the plastic bag tax, but eventually got on board and says it works great as far as reducing litter on land and in the sea. Mr. Koffman suggested incentives in addition to the ones the grocery stores were using. Chairman Suslovic noted that the last time he was in Russia he had to pay for a plastic bag at a store, and used that plastic bag for a month, over and over. Ms. Brooks said she liked the newspaper articles provided by staff, and said the time was right to impose a fee for plastic grocery bags, as opposed to Portland Press Herald newspaper delivery bags. Deb Hart of the Retail Association of Maine asked if Ms. Brooks would define a grocery bag as one you'd get at a convenience store, and Ms. Brooks said she would. Chairman Suslovic suggested "retail" bag as a more appropriate term.

Steve said grocers in Massachusetts have entered into an agreement with the state Department of Environmental Protection to reduce the use of plastic bags. He also noted that Ireland's plastic bag manufacturing industry underwent a drastic downturn after the ban there was passed. He urged the task force to take into account the economics of the issue.

Chairman Suslovic noted that the issue before the task force was litter caused by plastic bags and its cost to the city. He said he liked the recycling programs that the grocery stores had implemented, but he was concerned that too many bags escape that system. Mr. Faulkner noted that plastic grocery bags have handles, as opposed to the plastic bags one puts meat or veggies in. He suggested that the task force consider a ban on paper bags as well. He noted that there are many cottage industries creating beautiful and useful reusable cloth bags that could be composted after one is done.

Ms. Doak said in 2009 a bag tax bill was introduced to the Maine legislature, and through the committee process the same memorandum of understanding that Massachusetts grocers used was adopted. The "Got Your Bags Maine" campaign was designed to reduce the use of plastic grocery bags by 33%. The coalition was also trying to collect data from retail stores to measure the reduction of plastic bag use. She said that the aim of the Maine legislature was to help consumers and the packaging industry understand the recycling and reuse of bags. She noted that plastic and paper bags are made in the United States, while many reusable bags are made elsewhere.

Chairman Suslovic commended the efforts of the retail and grocers committee to increase their education efforts, but the problem of plastic bag litter has not lessened. Mr. Rosario said a ban is a simplistic answer to a complex question, and suggested that this is a personal accountability question. Chairman Suslovic asked for everyone to come to the next meeting with suggestions for abating the problem.

Public comment was then taken on the issue.

Chris O'Neil of the Greater Portland Chamber of Commerce asked the task force to define the problem, its causes and look at many possible solutions. The Chamber asked that the Portland recycling program be examined as part of the problem, specifically the issue of open blue bins that allow recycling to become litter. He said the Portland Chamber of Commerce would consider supporting legislation in Augusta taxing or banning plastic bags statewide before considering a program that would make Portland an outlier. He praised Mr. Dow's idea of bag deposits.

5. Meeting dates

Chairman Suslovic asked Staff to come up with dates for summer meetings. Mr. Moon asked the task force for examples of solutions to the problem from other communities. Chairman Suslovic asked the task force to think about any and all ways to get plastic bags away from where they don't belong. Ms. Hart asked if we had done a citywide program regarding bags. Ms. Doak added that Portland could become the poster child for consumer bag awareness.

The meeting was adjourned at 6:48 pm.

Our Opinion: Plastic bags must go

Berkshire Eagle

Posted:

BerkshireEagle.com

Given their many environmental drawbacks, plastic bags are on the way out in America. Massachusetts can hasten that day by becoming the first state to ban the use of plastic bags at large retail stores.

Lawmakers on the joint Environmental, Natural Resources and Agriculture Committee on Monday advanced legislation banning the bags at retail stores larger than 4,000 square feet. Plastic bags are essentially forever, and they pack landfills, clutter streets and defile waterways. They are a legitimate danger to coastlines, as washed up plastic bags can kill seals, turtles and other marine creatures that consume them or are caught in them.

Senator James Eldridge, an Acton Democrat, made reference Tuesday to the Great Pacific Ocean Garbage Patch, a floating dump created by manmade products, many of them plastic bags. Not surprisingly, Manchester-by-the-Sea is one of two Massachusetts communities to ban plastic bags (Brookline is the other), and Nantucket Island also has banned them.

According to Roxanne Zak of the Sierra Club, speaking to State House News Service, only 5 percent of the more than 1 billion plastic bags thrown away by Americans are recycled annually. Removing the resin in plastic bags makes it expensive to recycle them, as does the food waste that tends to cling to them. While paper bags are preferable, their use should be reduced and can be if shoppers bring their reusable shopping bags with them.

The legislation exempts small retailers and the bags grocery stores and bakeries use to avoid creating a hardship for businesses competing with massive chains, but ideally they will discontinue the use of the bags before it becomes necessary at some future date to expand the legislation. Like too many products created for the sake of convenience, plastic bags are useful for a few moments before becoming eyesores and threats to marine life for centuries. The Legislature should approve their ban this session and Governor Patrick should sign the ban into law.



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Hot air over plastic

Friday, April 26, 2013 -- Anonymous (not verified)

Editorials

Saturday, April 27, 2013

Author(s):
herald.staff

There is something delightfully, charmingly trivial about the current effort by environmental zealots to ban ... plastic grocery bags.

Yes, in times of trial and of crisis there's nothing like those who remain caught up in their own little worlds — making the world a safer place one plastic bag at a time. Kind of like those precious people of Concord who succeeded in banning single serving water bottles.

Now fresh from successes in Brookline and Manchester-by-the-Sea, the bag banners want to make Massachusetts the first state *in the nation* to ban the pesky things statewide. And they are kind of pesky — they're always too small, not strong enough (and thus require double-bagging) and so given a choice we'll take paper every time.

Still, isn't that a choice consumers can make for themselves? Many stores do offer a choice. Many consumers have opted for reusable bags — which nearly all grocery stores are now offering for purchase at the check-out.

Ah, but this is Massachusetts. So why should people or merchants be able to make a choice when governmentalways knows best.

Roxanne Zak of the Sierra Club told a legislative committee this past week, that the bags "are creating an environmental crisis for us here and in the whole world, not just the United States."

Well, not sure how Massachusetts will tackle the "whole world" problem but in the Massachusetts Legislature there's always someone willing to try.

"I think there is a growing movement across society," Sen. Marc Pacheco (D-Taunton) told State House News Service.

Yes, we can see the ban-the-bag troops marching on Beacon Hill, pleading for action. Or maybe those who feel strongly about the issue will simply pick up their sturdy reusable totes and march off to the grocery content in the knowledge that they are walking the walk rather than blowing hot air.

Source URL: http://bostonherald.com/news_opinion/opinion/editorials/2013/04/hot_air_over_plastic



February 2, 2008

Motivated by a Tax, Irish Spurn Plastic Bags

By [ELISABETH ROSENTHAL](#)

DUBLIN — There is something missing from this otherwise typical bustling cityscape. There are taxis and buses. There are hip bars and pollution. Every other person is talking into a cellphone. But there are no plastic shopping bags, the ubiquitous symbol of urban life.

In 2002, [Ireland](#) passed a tax on plastic bags; customers who want them must now pay 33 cents per bag at the register. There was an advertising awareness campaign. And then something happened that was bigger than the sum of these parts.

Within weeks, plastic bag use dropped 94 percent. Within a year, nearly everyone had bought reusable cloth bags, keeping them in offices and in the backs of cars. Plastic bags were not outlawed, but carrying them became socially unacceptable — on a par with wearing a fur coat or not cleaning up after one's dog.

"When my roommate brings one in the flat it annoys the hell out of me," said Edel Egan, a photographer, carrying groceries last week in a red backpack.

Drowning in a sea of plastic bags, countries from China to Australia, cities from San Francisco to New York have in the past year adopted a flurry of laws and regulations to address the problem, so far with mixed success. The New York City Council, for example, in the face of stiff resistance from business interests, passed a measure requiring only that stores that hand out plastic bags take them back for recycling.

But in the parking lot of a Superquinn Market, Ireland's largest grocery chain, it is clear that the country is well into the post-plastic-bag era. "I used to get half a dozen with every shop. Now I'd never ever buy one," said Cathal McKeown, 40, a civil servant carrying two large black cloth bags bearing the bright green Superquinn motto. "If I forgot these, I'd just take the cart of groceries and put them loose in the boot of the car, rather than buy a bag."

Gerry McCartney, 50, a data processor, has also switched to cloth. "The tax is not so much, but it completely changed a very bad habit," he said. "Now you never see plastic."

In January almost 42 billion plastic bags were used worldwide, according to [reusablebags.com](#); the figure increases by more than half a million bags every minute. A vast majority are not reused, ending up as waste — in landfills or as litter. Because plastic bags are light and compressible, they constitute only 2 percent of landfill, but since most are not biodegradable, they will remain there.

In a few countries, including Germany, grocers have long charged a nominal fee for plastic bags, and cloth carrier bags are common. But they are the exception.

In the past few months, several countries have announced plans to eliminate the bags. Bangladesh and

some African nations have sought to ban them because they clog fragile sewerage systems, creating a health hazard. Starting this summer, China will prohibit sellers from handing out free plastic shopping bags, but the price they should charge is not specified, and there is little capacity for enforcement. Australia says it wants to end free plastic bags by the end of the year, but has not decided how.

Efforts to tax plastic bags have failed in many places because of heated opposition from manufacturers as well as from merchants, who have said a tax would be bad for business. In Britain, Los Angeles and San Francisco, proposed taxes failed to gain political approval, though San Francisco passed a ban last year. Some countries, like Italy, have settled for voluntary participation.

But there were no plastic bag makers in Ireland (most bags here came from China), and a forceful environment minister gave reluctant shopkeepers little wiggle room, making it illegal for them to pay for the bags on behalf of customers. The government collects the tax, which finances environmental enforcement and cleanup programs.

Furthermore, the environment minister told shopkeepers that if they changed from plastic to paper, he would tax those bags, too.

While paper bags, which degrade, are in some ways better for the environment, studies suggest that more greenhouse gases are released in their manufacture and transportation than in the production of plastic bags.

Today, Ireland's retailers are great promoters of taxing the bags. "I spent many months arguing against this tax with the minister; I thought customers wouldn't accept it," said Senator Feargal Quinn, founder of the Superquinn chain. "But I have become a big, big enthusiast."

Mr. Quinn is also president of [EuroCommerce](#), a group representing six million European retailers. In that capacity, he has encouraged a plastic bag tax in other countries. But members are not buying it. "They say: 'Oh, no, no. It wouldn't work. It wouldn't be acceptable in our country,'" Mr. Quinn said.

As nations fail to act decisively, some environmentally conscious chains have moved in with their own policies. [Whole Foods Market](#) announced in January that its stores would no longer offer disposable plastic bags, using recycled paper or cloth instead, and many chains are starting to charge customers for plastic bags.

But such ad hoc efforts are unlikely to have the impact of a national tax. Mr. Quinn said that when his Superquinn stores tried a decade ago to charge 1 cent for plastic bags, customers rebelled. He found himself standing at the cash register buying bags for customers with change from his own pocket to prevent them from going elsewhere.

After five years of the plastic bag tax, Ireland has changed the image of cloth bags, a feat advocates hope to achieve in the United States. Vincent Cobb, the president of [reusablebags.com](#), who founded the company four years ago to promote the issue, said: "Using cloth bags has been seen as an extreme act of a crazed environmentalist. We want it to be seen as something a smart, progressive person would carry."

Some things worked to Ireland's advantage. Almost all markets are part of chains that are highly

computerized, with cash registers that already collect a national sales tax, so adding the bag tax involved a minimum of reprogramming, and there was little room for evasion.

The country also has a young, flexible population that has proved to be a good testing ground for innovation, from cellphone services to nonsmoking laws. Despite these favorable conditions, Ireland still ended up raising the bag tax 50 percent, after officials noted that consumption was rising slightly.

Ireland has moved on with the tax concept, proposing similar taxes on customers for A.T.M. receipts and chewing gum. (The sidewalks of Dublin are dotted with old wads.) The gum tax has been avoided for the time being because the chewing gum giant Wrigley agreed to create a public cleanup fund as an alternative. This year, the government plans to ban conventional light bulbs, making only low-energy, long-life fluorescent bulbs available.

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Legislation to ban plastic bags at stores moves forward

By Patriot Ledger staff and State House News Service

The Patriot Ledger

Posted Apr 23, 2013 @ 01:48 AM

Last update Apr 23, 2013 @ 04:40 AM

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Sponsored content **What's this?**

BOSTON — Massachusetts could become the first state to ban plastic bags at large retail stores, part of an effort to protect marine life and reduce waste scattered on streets and stuck in tree branches.

Lawmakers on the Environment, Natural Resources and Agriculture Committee moved the legislation forward following a hearing Monday.

"We wanted to make a statement on Earth Day," said state Sen. Marc Pacheco, D-Taunton, the committee's chairman.

The bill would ban single-use plastic bags at stores and restaurants larger than 4,000 square feet. The ban would exempt smaller stores and not include plastic produce and bakery bags used in grocery stores.

Pacheco said there has been no economic damage in other communities where the bans have been enacted.

But the state's largest retail group opposes the ban, saying it is impractical and unfairly singles out retailers as a source of litter.

"The bag doesn't end up on the tree on its own," said Bill Rennie, vice president of the Retailers Association of Massachusetts. "It's more of a societal problem."

Many stores now offer a choice of paper, plastic or recyclable bags, Rennie said.

"For retailers, the customer is always right and we like to protect consumer choice," he said.

Lawmakers cited environmental concerns in supporting the ban.

"I'm generally not one that likes to intrude upon the affairs of business, but at this point I think that the scales have tipped to the point where something has to be done," Sen. Robert Hedlund, R-Weymouth, said.

Rep. Lori Ehrlich, D-Marblehead, who sponsored one of the bills given a favorable recommendation, said 10 percent of the debris that washes up on the shore is plastic bags.

"Nothing that we use for a few minutes should pollute the oceans for hundreds of years," Ehrlich said.

Ehrlich's bill makes an exception for certain biodegradable plastic bags.

Hundreds of communities across the country have instituted some type of ban. Mostly recently in Massachusetts, Brookline and Manchester-by-the-Sea approved bans. No state has enacted a statewide ban. However, Hawaii does have a de-facto statewide ban, with all four counties in the state now banning non-biodegradable plastic bags at checkout.

Environmentalists said the bags are a danger to the state's coastlines, and kill sea turtles, whales, seals and other marine wildlife that swallow plastic or get strangled by the bags.

In 2007, major grocery chains in Massachusetts entered an agreement with the state to reduce the total number of paper and plastic bags distributed by 33 percent by 2013. The industry met that goal in 2010, said Brian Houghton, vice president of the Boston-based Massachusetts Food Association.

"We just want the program to continue to work and let them give it a chance," Houghton said. "People still want plastic bags every so often if you're buying something frozen or buying fish or meat."

The issue hit close to home for Hedlund when he was participating in the Back River herring run cleanup in Weymouth earlier this month. Plastic bags floated down the river and were wedged between rocks.

"They don't degrade. They last forever," Hedlund said. "The environmental impact outweighs all other impacts. We'll have to go back to doing it the way we did before plastic bags proliferated."

Patriot Ledger reporters Steve Adams and Dan Schneider and State House News Service contributed to this report.

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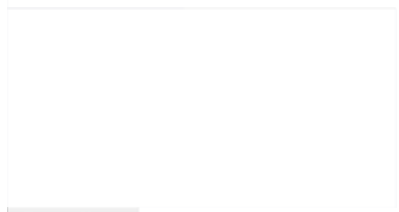
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We wanted to make a statement on Earth Day, said state Sen. Marc Pacheco

Yeah, well you're making one alright. We have become a police state. A mamby pamby state that thinks we can BAN and make LAWS about every freaking thing. Massachusetts sucks. We've gone over the top into the lunatic liberal stage. What's next? Monitor how much oxygen each and every person is using per day? I understand the reasons, but banning everything isn't the answer. Sooner or later, they'll ban something YOU don't want them to. Simply let it be a stores decision.

Let's rename the state to Bloombergachusetts, the commonwealth of corruption and ridiculous laws. Everyone run out and buy buckle shoes and three point hats because they may ban electricity next.

SuzyYing
1 week ago
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Another reason to shop in NH.

And the stores go back to paper bags which consume millions of trees each year plus the pollution caused by paper production.

And those bags stuck in trees? They seem to be gone in a few weeks. They don't stay in the trees for "hundreds of years".

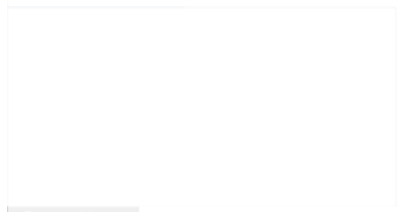
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I see more lottery tickets littering the streets then I see plastic bags in trees.

Would they dare ban lottery tickets?!?!
DaniZ

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. Its more of a societal problem.

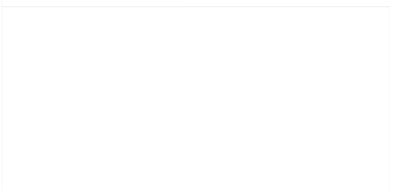
Many stores now offer a choice of paper, plastic or recyclable bags, Rennie (president of the Retailers Association of Massachusetts) said.

I thought the law was they retailers MUST give you that choice. But like the 'Must have a price sticker on each item that was routinely ignored until the law was recently changed it hadn't been done in decades.
And if we forget our reusable bags and resort to ask for paper we get 'oh we don't have any.

And these bags are made from OIL!!! More dollars going to the countries that supply our terrorists.

As far as a societal problem. Sure blame the other girl. It's them not us. We only want to save corporate dollars.

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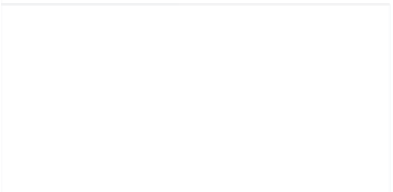
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How about the people that recycle their plastic bags into their homes for other uses.

So I'll now go out and buy more trash bags.

biff
1 week ago
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Maybe we should enforce the littering laws and increase the fines. The cities and towns could ticket for all littering such as cigarette butts, food wraps and even gum. The police seem to like to sit in one place with radar so now they can target litterers as well.

I happen to like the plastic bags as they are much more convenient than paper or the canvas bags.
jw20000

1 week ago
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When I hear the Bag Ban lobby comments about bags that last 1,000's of years, Litter the countryside, and pollute the oceans, I am reminded of the typical TV courtroom drama. 'Objection, those facts are not in evidence.' All scientific Environmental Impact Statements report that 6 gram plastic grocery bags have the lowest impact to the environment. The latest is from the UK Environment Agency. It is titled 'Life Cycle Assessment of Supermarket Carrier Bags'. Check it out. at environment-agency.gov.uk. IT was blocked from release to the public for years by Bag Banners who disagreed with the science that did not support their emotional feelings. Paper bags are the worst, even recycled bags contribute to green house gas emissions and deforestation. Reusable bags are made of PLASTIC fiber textiles. If you reuse the typical 'free' plastic grocery bag for household trash, or lunch bags, doggy bags, diaper bags, compost, etc, then you would need to use a Reusable bag over 300 cycles to break even on Environmental Impact. They don't last that long. They require near slave labor to produce including Child labor according to reporters that visit the 'factories'. Should we as a society contribute to crimes against humanity to feel good about our grocery bags? Bags that are largely made from WASTE natural gas, not oil as reported by Greenwashing advocates. PS. Bag Producers LOVE bag bans. They sell bags by the lb. When 6 gram bags are banned, a few months later, householders run out of their personal stash of bags under the Kitchen counter and have to purchase expensive 18 gram trash bags in cardboard boxes to replace them. Sales increase dramatically like they did in Ireland after their bag ban. Landfill Plastic tonnage increases as well. More Environmental Impact. The Law of Unintended Consequences.

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Viewpoints: Should plastic bags be banned in California? No

Prohibition is a solution in search of a problem

Special to The Bee

Published Sunday, Apr. 21, 2013

Growing up in the shadow of the '60s, a remarkable event occurred in my otherwise unremarkable hometown of Modesto – a little group called Ecology Action created the nation's first-ever curbside recycling program.

National coverage in *Look* magazine stoked town pride. The year was 1971, and I was 11 years old. I remember the excitement helping mom drag recyclables to the curb and watching primitive trucks pull into the cul-de-sac to haul everything away.

The experience left an indelible mark on me, as did coming of age with Earth Day. I've carried this environmental sensibility into adulthood. It's influenced how our household operates and how I raise my children. We often ride bikes to the store, try to remember reusable bags and buy from local farmers. Our recycling bin overflows.

So why would a lifelong common-sense environmentalist oppose a plastic bag ban? It starts with an open mind. A few years ago when I was hired for a team opposing a proposed statewide ban, I wondered: "How can you defend a plastic bag?" As a Sacramento resident, homeowner, dog owner and avid recycler, I say the answer is easy if you challenge preconceived notions with facts and critical thinking.

- This is a solution in search of a problem. Statewide and locally, the approach is the same: parrot other ban proposals as if they are gospel; cite a big number (amount of bags used); mention a few emotionally charged anecdotes (a dead sea turtle); and make sweeping, unsubstantiated statements (plastic is killing our oceans). But where is the hard data showing significant harm and that a ban prevents it? A 2008 San Francisco litter study actually showed a slight uptick of plastic bag litter *after* a ban the previous year. Even so, that city's data showed plastic bags contributed just 0.64 percent of all large litter. Plastic bags make up less than 0.5 percent of all solid waste.

- Calling plastic bags "single use" is disingenuous. Ask any pet owner or parent. If "single use" is the measuring stick, why not ban all bags, diapers, batteries, toilet paper and Starbucks plastic-coated paper coffee cups, which can't be recycled and take years to decompose?

- Plastic bags are byproducts of natural gas – not oil. Bashing Big Oil is always in fashion for some, but they cross into a fantasy land when they link plastic bags to dependence on foreign oil and global warming to justify a ban. There is no connection.

- Recycling hasn't been given a chance. The lack of public education about proper recycling is shameful. State law mandates that grocery stores offer collection; the city's recycling bins welcome them if they're bundled properly. It's insulting that residents aren't given the opportunity to do the

right thing over time.

- Choice. Like a lot of controversial issues, how people shop is an intensely personal decision. If you don't like plastic bags, don't use them. But stay away from my choice. This is a classic case of government overreach and intrusion.
- Cost. Aside from the cost to consumers, implementing bans costs government. In the case of Sacramento, the city's staff report estimates a ban may cost up to \$470,000 with no revenue source identified for this program. If bags clog the city's machinery, invest in better machinery and education. Consumers will still buy bags and receive them from all the retailers exempt from a ban.
- A ban hurts people without a voice. The homeless pushing shopping carts. Seniors in wheelchairs. Welfare moms with strollers. Public transit riders. Who's going to help these folks when their paper bags disintegrate?
- Unintended consequences. Because paper bags take up so much more space than plastic, more delivery truckloads are required. Plastic requires 80 percent less energy to make than paper. Translation: more traffic, emissions and energy use. And what about dog and cat lovers? They'll either buy bags or leave their pet waste where it lands.
- Profit. The state proposal, as well as the Sacramento concept, allows stores to charge customers up to a dime per paper bag. This may not be a lot of money to some, but what about those living on the edge? Grocers appear complicit because they'll profit – by one estimate close to a billion dollars annually statewide.
- Big Brother. What's next? Bring your own mug to Peet's? Ban toxic household batteries because recycling options are practically nonexistent? (California mandates they be recycled.) Shut down restaurants that don't offer vegan options? Or how about mandating gun ownership like Kennesaw, Ga. – after all, its crime rate is below the national average? Of course not. The precedent of micromanaging the citizenry is ominous and undermines a live-and-let-live free society.

Simplistic feel-good policies distract from the fact our elected officials are failing to solve complex real problems most people care about. They grab headlines and provide steppingstones for higher office. But benefiting residents and the environment? Hardly.

Most disturbing to me, the ban movement reflects a divisive black-and-white world pitting emotional zeal against sober common sense. What a far cry from the thoughtful, constructive and energizing approach I saw unify a community back in 1971.

Stevan Allen is a writer who lives in east Sacramento. He is president of AllenStrategic, a public affairs agency.

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A staple under siege: Plastic bag manufacturers battle taxes and bans

By [Michael S. Rosenwald](#), Published: April 12

This is where your Wal-Mart bag's life begins: in Elkridge, not far from Baltimore-Washington International Marshall Airport, at a hulking factory the size of three football fields. Millions of bags with blue Wal-mart logos or red Target bull's-eyes spin through Advance Polybag's plant. The operation runs nonstop, every day, even Christmas.

For the factory's owners and its 140 employees, producing a useful staple of everyday life represents one version of the American dream. But to environmentalists and some politicians, the millions of bags produced by the plant every day are a plague upon the Earth, fouling rivers, oceans and forests.

Plastic bags have been banned in some parts of the country and taxed in others, including [the District](#) and [Montgomery County](#). Just last month, Maryland lawmakers considered imposing the country's first statewide bag tax, of 5 cents. The legislation didn't make it to the floor of the House of Delegates, but proponents promise to push the measure again next year.

"This is coming, one way or another," said Dereck E. Davis (D-Prince George's), chairman of the powerful House Economic Matters Committee, where a watered-down version of the bill died after passing in the environmental committee. "The whole idea of free bags is going by the wayside. It's not a matter of if, but when."

Such tough talk has the plastic bag industry girded for a long battle against taxes and bans — not just in Maryland but around the country, where dozens of measures are under consideration. The industry's fear, experts say, is that even though plastic bags account for only \$9.8 billion of the \$374 billion plastics business, targeting bags could be a starting point for increased regulatory scrutiny against other plastic products, including bottles.

Along with industry trade groups, executives from Advance Polybag and Hilex Poly, another top bag maker, are on the offensive, hiring public relations firms and lobbyists, writing op-eds, backing social media campaigns with titles such as [BagTheBan](#). They complain their views aren't given a fair hearing by lawmakers and regulators, who often leave their testimony to the very end of hearings.

"Give us a fair debate," said Bill Ebeck, Advance Polybag's director of sales, in an interview at the Elkridge plant attended by a representative from Edelman, the New York public relations firm that also represents Wal-Mart. "We can present the truths from the facts, as opposed to the opinions."

Ebeck recently published an [op-ed](#) calling plastic bags "scapegoats," declaring bags aren't a major

environmental problem and noting that “for the hardest hit families, every nickel counts.”

Once a wonder

Plastic bags weren't always an object of derision. They were patented in 1962 by a Swedish engineer named Sten Thulin, who “devised an ingenious system of folds and welds that made it possible to transform a flimsy tube of polyethylene film into a strong, sturdy bag,” journalist Susan Freinkel wrote in her 2011 book, [“Plastic: A Toxic Love Story.”](#)

Back then, the bag was viewed with something like wonder.

“Today the bag is so maligned that we forget what an engineering marvel it is: a waterproof, durable, featherweight packet capable of holding more than a thousand times its weight,” Freinkel wrote.

But it wasn't an immediate hit. Shoppers “didn't like the way a checkout clerk often licked his fingers to pull a plastic bag free from the rack, or the fact that the bags wouldn't stand up,” Freinkel wrote.

After companies showed consumers that a flat-bottom bag wasn't always needed, plastic bags caught on. Today companies such as Advance Polybag, which is based near Houston, produce millions a day in factories around the United States. By some estimates, consumers use more than a trillion plastic bags around the world every year. Advance Polybag generates about \$260 million a year in sales, according to [Plastics News](#).

The problem, according to environmentalists, is that the bags are so light and so bountiful that they frequently fly away from custody, clogging streams and waterways, getting stuck in trees, polluting oceans. That's one side of the argument, which is pushed not just by environmentalists but also the paper bag industry. In some anti-bag legislation, paper bags have been included with plastics, making paper bag manufacturers angry and defensive.

“The paper bag has been unfairly lumped into the single-use bag category,” said Christopher Klein, environmental manager for Kentucky-based Duro Bag, the country's largest paper bag maker, whose customers include Macy's and Dunkin' Donuts. “Paper bags are much more sustainable and are the better option for the environment.”

The plastic industry, not surprisingly, disagrees. Its side of the argument goes like this: Plastic bags are recyclable, bags are often used more than once, they generate less waste than paper, regulatory action increases costs for lower-income consumers, environmental pollution is exaggerated by plastic bag-haters, and reusable bags are made in China, and lastly, they often become a breeding ground for germs.

The facts, according to the Environmental Protection Agency: “In 2010, the category of plastics which includes bags, sacks, and wraps was recycled at almost [12 percent](#)” and plastic bags, sacks and wraps comprise [less than 1 percent](#) of the municipal solid waste stream. Plastic bags represented more than 20 percent of trash in the Anacostia River, according to a 2008 [study](#) prepared by the Anacostia Watershed Society, a nonprofit environmental group.

SPI, the plastics industry trade group, helps executives push their arguments to politicians around the country through the [American Progressive Bag Alliance](#), a collection of top bag producers. The industry is also active on Facebook, Twitter and YouTube. “I care about the amount of plastic litter in our environment,” an online [petition](#) says, “but I don't think banning or taxing plastic grocery bags would be the right decision for my community.”

On BagTheBan's Facebook page the other day, a post said, "Do you know what's lurking inside of your reusable bags? SHARE to inform your friends of what may be lurking in their bags as well!" The post linked to a BagTheBan video on YouTube with gloomy music playing in the background as a narrator details studies showing that reusable grocery bags collect dangerous bacteria such as E.coli.

That research has been questioned by environmentalists: "There was no evidence that reusable bags contain anything close to dangerous levels of bacteria, or that the E.coli strains found were in fact dangerous," the group Californians Against Waste [wrote](#) about a prominent study.

A source of jobs

The industry has one other argument: jobs. SPI says 30,000 people work in the plastic bag industry. About 150 of them work at Advance Polybag's Elkrige plant. Though the industry makes the jobs argument often, including recently in Annapolis to the House Economic Matters committee, the chairman of the committee said the industry's financial defense didn't carry much weight.

"I think it's par for the course," said Davis, who voted in favor of the tax legislation. "Anytime we do this sort of thing, the industry trade associations will paint a gloom and doom picture." Of bag executives and the trade groups, Davis said, "I don't think they had an influence at all." Rather, he thinks the committee was concerned about adding another tax this session after passing other revenue measures, including a gas tax increase.

One place the jobs message has resonated: inside Advance Polybag's plants. The company's employees, many of them refugees from Burma's military dictatorship, say they have been worried — not just about losing precious overtime or even their jobs, but about paying a tax on their cash-tight trips to the grocery or drug store.

"It's going to be difficult for my family," predicted Se Thlie, a 28-year-old Burmese refugee, speaking through an interpreter. "It's going to be less hours, or I might lose my job."

Thlie works as a quality control worker at the behemoth facility not far from I-95. Her days are long and noisy. A plastic bag might eventually float quietly away in the wind, landing who knows where, but a bag's birth — as tiny polyethylene pellets melted and then stretched in one of more than two dozen hulking extruders — is so loud that workers stick plugs in their ears.

Ebeck said Advance Polybag would rather spend money on expanding operations than battling legislators.

"When you are under attack, you spend money fighting legislation and we could be creating jobs," he said. Asked whether a 5-cent statewide tax could affect employment levels, Ebeck replied, "When you keep attacking an industry, sooner or later it's gonna affect employment."

Would the firm move the plant? "I couldn't answer that," he said.

Sen. Jamie B. Raskin (D-Montgomery), a co-sponsor of the bag tax legislation, said bag producers should diversify their products to get along in a world he sees moving away from plastic bags. "Nobody is out to

May 6, 2013

Dear Mary,

As chairman of the American Progressive Bag Alliance (APBA) and employee of Hilex Poly, I have been following the discussion taking place in Portland to potentially ban plastic grocery bags. As Portland's Sustainability Task Force continues to explore options for educating residents on plastic bag reduction, I wanted to share with you the data that we've collected on plastic bag recycling and the positive implications it can have on our communities, the economy and the environment.

Our industry agrees that litter, in general, is a problem but implementing a bag ban would not address the issue of litter in a meaningful way. [A recent statement](#) distributed by Environmental Resources Planning, a professional firm that conducts scientifically-based litter studies, noted that when litter studies are conducted by professionally trained staff rather than volunteers, **plastic bag litter ranges between 0.5 percent and 2 percent of total litter collected.**

APBA is an organization of plastic bag manufacturers, members of which work to make a positive change in our communities by promoting increased recycling of plastic bags, as well as their proper use, reuse, recovery and disposal. That's why our members are taking a responsible approach and working with retailers across the nation to offer bins for residents to deposit their plastic bag and wraps for recycling. In fact, Hilex Poly was able to recycle more than 35 million pounds of post-consumer plastic last year through its retailer collection program, which eliminated millions of bags from going to landfills.

Recycling continues to be a growing trend in communities across the nation, and plastic bag recycling programs in particular are a proven success. [According to the U.S. EPA's 2010 municipal solid waste study](#), the recycling rate of polyethylene bags, sacks and wraps was 14.7 percent, a 23.8 percent increase from the rate in 2009, and has grown in nine out of the last 10 years. Overall, three million tons of polyethylene bags, sacks and wraps were recycled in 2010. Lastly, surveys show that 90 percent of people reuse 40-60 percent of their bags for bin liners, pet waste, storage or other uses.

Actions taken by cities and states across the country demonstrate the desire for comprehensive recycling programs. Just last year, city officials in Southampton Town, NY and Corpus Christi, TX decided to adopt an expanded plastic bag recycling program in lieu of a plastic bag ban. These community recycling programs support [more than 1 million men and women who are part of the recycling industry](#). Our industry alone supports more than [30,800 American jobs, including more than 100 in Maine](#).

In addition to the economic benefits, recycling serves as the best solution to some of the environmental issues we are facing as a nation. Plastic bag recycling reduces the need to harvest virgin materials for new plastic bag development, and provides a sustainable solution that keeps additional waste from going to the landfills. Plastic grocery bags require 40 percent less energy and four percent less water to manufacture than paper bags. I've attached a fact sheet on the benefits of plastic bag recycling and the impacts of anti-bag legislation – I encourage you to review the information as you consider anti-plastic bag legislation.

We support customer choice at checkout – paper, plastic or reusable. But we think it's critical that residents are armed with the facts in order to make a decision that's best for them, and best for their families. I hope this information was helpful in describing why recycling is a better option and bag legislation is simply put, bad public policy.

I ask that you please consider the alternatives to anti-bag laws in order to preserve consumer choice, jobs and our industry. I appreciate the time you have taken to read this note. I hope it was helpful and that you can use these facts in your public education campaign. Please feel free to use me as a resource or reach out to me at any point to discuss plastic bag recycling options.

Sincerely,

Mark T. Daniels

Mark Daniels
Chair, American Progressive Bag Alliance
SVP Sustainability & Environmental Policy, Hilex Poly Co. LLC

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