

Questions about the ordinance

What is the purpose or intended result of this legislation?

The goal of this ordinance is to promote reuse through a change in behavior. The MN Office of the Legislative Auditor Recycling and Waste Reduction Report (February 2015) finds: “Minnesota’s approach to managing waste focuses too narrowly on recycling, rather than on the full range of waste management activities. The report recommends establishment of reduction and reuse goals that incentivize the waste hierarchy. This means it is preferentially better to reduce, then reuse then recycle products.

Who will be affected?

The ordinance is directed at promoting reusable carryout bags. The majority of these products are given away at retail establishments and considered a cost of business. Many Duluth area businesses are already taking a lead. Aldi's does not provide free carry-out bags. The Great Lakes Aquarium, Savers, and Yarn Harbor already charge for carryout bags. Many national retailers with locations both in Duluth and the many other states with bag fees already have their cash registers programmed ready for the change. This initiative creates a level playing field for all businesses.

Why not ban plastic bags instead of charging a fee?

In Minnesota local municipalities are prevented by law from banning plastic bags. And in cities where a ban on plastic bags has been put into place, consumers simply shift to single use paper disposable bags. This does not accomplish the goal of prioritizing reuse. Numerous studies from cities and countries that have implemented a fee show that a fee on bags results in a 70% to 90% shift towards the reuse of carryout bags.

What about those reusing plastic disposable bags for garbage bin liner?

The term reuse means that the product is reused for its intended original purpose. Those that use their single use bag for other purposes are actually “down-cycling”. While this should be applauded these individuals are a small minority of the population. If we look at what is best for our community overall, a bag fee has been shown to be the most effective means to shift the entire community to reusable bags. A study from California showed that while a small percentage of citizens reuse their plastic bags for bin liners, the effect of a bag fee drastically reduced bag use community-wide.

Does this prevent anyone from using a single use disposable bag?

The proposed ordinance does not prevent any individual from using a single use bag. The ordinance will simply require that individuals pay for the single use bag as an acknowledgement that single use bags place a burden on the social and environmental health of our community.

Isn't a bag fee going to impact local income people?

As proposed, those on WIC or SNAP will be exempted from the bag fee. In addition Bag it Duluth has helped foster a network of reusable bag collections and free reusable bag donations to local social service organizations and congregations. In addition, low income and people of color are already highly burdened from environmental pollution. Race is the largest predictor for the siting of a toxic facility. Proximity of many low-income and communities of color to industrial facilities producing and disposing plastics result in respiratory diseases such as asthma, cardiovascular disease, neurological damage, developmental and reproductive disorders, numerous cancers, diabetes, and other health conditions. Moreover, low income and people of color will be disproportionately impacted by the impacts of climate change linked to our current material economy which prioritizes disposal over reduction and reuse.

Why not just put a fee on plastic bags?

The proposed model ordinance is intended to promote REUSE, a better choice for all. In cities and states where a fee has been placed only on plastic bags, consumers simply shift to using single use paper bags. Yet, both paper and plastic both have environmental impacts. Paper bags have a higher climate footprint and plastic bags have a toxic legacy and contribute to long lasting pollution. A greater than 50% reduction in bag related global warming emissions can be achieved through a switch from single use bags to reusable carry-out bags. Studies show that the application of a minimum charge on single use disposable bags increases reuse rates to 90%.

What is the best type of reusable bag?

It is difficult to say. Each type of bag material has an ecological impact. Depending on the type of material, one might persist in the environment longer, another might have larger climate impacts from production, and the other might not be recyclable at the end of life. This ordinance is a policy first step designed to promote reuse rather than to predetermine which type of ecological impact is better (or worse) than the other.

What about the home delivery of newspapers in plastic bags?

The proposed model ordinance is focused on promoting reuse of carryout bags. It would be a great idea if the Duluth News Tribune and other local papers were able to adopt a better choice than single use thin film plastic bags. This model ordinance doesn't suggest that it will solve all of the waste problems in Duluth.

Is this a big enough problem to warrant action when there are other major environmental issues?

The collective impact of bags is significant. Human behavior has a multitude of impacts on the environment. For some, the visual pollution of plastics hanging in trees is enough of a reason to act. Others, are distressed by how plastics waste can harm wildlife. Simple steps, such as reuse,

can have a big impact and are relatively easy to do. The Inter-Governmental Panel on Climate Change (IPCC) had identified the immediate need for human society to rapidly restructure its material economy away from single use disposal towards reduction and reuse. We must simply change our behavior. This doesn't mean that the issue is more important than others. It is just different. Every step counts.

Which businesses will be affected by the proposed model ordinance?

Most retailers which offer single use bags at the point of sale will be subject to the new requirements. These include grocery stores, department stores, hardware stores, pharmacies, liquor stores, restaurants, convenience stores and other retailers or vendors.

Does this only apply within the City of Duluth?

Yes, though many states have already adopted similar legislation. This means most of the chain grocery, pharmacy and hardware stores with a multi-state presence already have experience in making any necessary changes.

Can restaurants provide single-use plastic bags for takeout food?

Yes. There is an exemption in the model ordinance that allows retailers to help safeguard public health by providing customers with single-use plastic carryout bags for **prepared to-go foods and liquids that can leak or be spilled.**

Can grocers' deli counters use plastic bags for prepared takeout food?

Yes. Prepared to-go foods, such as roasted chicken and soups, can be placed in protective plastic bags at the deli counter to prevent leaks or spills.

Can food vending trucks use single-use plastic bags for prepared food?

Yes. Like restaurants, food trucks may use single-use plastic bags only for prepared carryout food.

Can retailers provide thin plastic bags for meat, produce, bulk foods, or bakery items?

Yes. Retailers may provide any type of bag inside the store next to bulk foods, meats, produce, bakery goods, flowers, and other similar items.

Are any types of bags exempt?

Yes. Essentially bags not provided at point of sale. Types of plastic bags that are exempt from the model ordinance include:

- Dry cleaning bags.
- Newspaper bags.
- Door-hanger bags.
- Bags to protect fine art
- Garment bags

Can retailers still provide paper or plastic bags at check out?

Yes. Though customers must be charged at least 5 cents per bag. Retailers can charge more than 5 cents. As introduced qualified low-income customers are exempt from the cost of the bag.

Are retailers required to provide bag options for customers?

No. Retailers have never been required to provide bag options. Some may choose to provide paper bags, single use plastic bags, reusable plastic bags, both types of bag, or no bags at all. If they provide single use bags, paper or plastic, they must charge at least 5 cents for them.

Can retailers reuse single-use plastic bags collected from customers?

No. Customers may bring in and use any bag they wish, but retailers must not collect single-use plastic bags and give them out to other customers for free.

Can retailers choose to charge for other bags, such as small paper bags or produce bags?

Yes. Nothing changes. Retailers may choose to charge for any additional bag type. This decision is up to each individual business. The only required charge is a 5-cent minimum for single use carry out bags.

Are any customers exempt from paying the 5-cent charge for a single use paper bag?

Yes. To ease the impact on low-income customers, retailers must waive the paper bag charge for customers paying with a voucher or electronic benefits card issued under:

- The Women, Infants and Children (WIC)
- Federal Supplemental Nutrition Assistance Program (SNAP; formerly “Food Stamps”; also known as Basic Food)

How must retailers notify customers of the bag charge?

The 5-cent charge on bags must appear on the customer’s receipt.