



Legislative Background

BOS File No. 190417

<u>Name:</u>	Environmental Code – Checkout Bag Charge; Recyclable or Compostable Pre-Checkout Bags
<u>Sponsor(s):</u>	Supervisor Brown
<u>Date Introduced:</u>	April 16, 2019
<u>Date Referred:</u>	April 22, 2019
<u>Scheduled for BOS Committee:</u>	Land Use and Transportation Committee

Legislation Overview:

Ordinance amending the Environmental Code to raise the amount stores must charge for checkout bags from 10 cents to 25 cents per bag and to require that pre-checkout bags provided to customers before they reach the point of sale be recyclable or compostable.

Existing Laws

In 2007, the City of San Francisco required that stores provide checkout bags that were recyclable, and/or compostable. In 2012, stores were further required to charge at least \$0.10 per bag checkout bag.

In 2014, California passed Senate Bill 270 which was later enacted in 2016 by the voters via referendum. This bill codified that checkout bags provided must be made with recyclable paper, or be compostable and that a charge of not less than \$0.10 be applied. It also requires that stores may use the money collected from checkout bag sales for costs associated with complying with the law.

Amendments to Current Law

This ordinance would increase the bag fee charge from \$0.10 to \$.25, as permitted under State law.

This ordinance would also administer new requirements regarding pre-checkout bags. A pre-checkout bag is defined as a bag provided to a customer before the customer reaches the point of sale and that is designed to protect a purchased item from damaging or contaminating other purchased items in a checkout bag, or to contain an unwrapped food item, such as but not limited to loose produce, grains, candy, and bakery goods. Should this ordinance pass pre-checkout bags would also have to be recyclable or compostable. Compostable pre-checkout bags must meet certain requirements. That requirements include being certified by the Biodegradable Product Institute or other Department of Environment recognized third party, having a minimum 15-inch wide mouth to fit most kitchen compost pails, and conforming to minimum State standards for plastic bags including bag coloring and labeling. An additional charge would not be applied for pre-checkout bags.

This Ordinance would be operative on July 1, 2020. This provides small businesses ~one year to prepare.

Considerations

This legislation is intended to primarily nudge consumers away from using store provided checkout bags and, to curb the waste generated by non-recyclable/compostable pre-checkout bags. The small businesses likely to be most affected will be grocers. However, the requirements will also apply to businesses such as bakeries, candy stores and

hardware stores. Notably, plastic sleeves used by flower shops and plastic dry-cleaning bags will not be regulated through this ordinance.

Outreach and Education

The Department of Environment has shared that they will re-launch their, “Reuse/Refuse” campaign this Fall. Additionally, they plan to facilitate press and media engagement in English, Chinese, and possibly Spanish. They also plan to host pop-up events and reusable bag giveaways.

Businesses will also be receiving a notice of the new law and new requirements via mail. They should also expect to receive a point of sale placard and posters.