

Proposed Reusable Bag Ordinance



City of Cupertino

Retailer & Stakeholder Meeting - January 8, 2013

For City Council Public Hearing – January 15, 2013



What is a Reusable Bag Ordinance?



- No more free carryout bags.
- 40% post-consumer recycled content paper bags and durable plastic reusable bags can be purchased for 10 cents.
- Washable cloth or canvas reusable shopping bags are encouraged.
- Protective bags used for produce, meat, prescriptions and greeting cards allowed.

Proposed Ordinance Details

Exempt Stores & Customers

- Dry Cleaners
- Public Eating Establishments
(*restaurants, fast food, or any establishment that generates 90% or more revenue from prepared food or drink*).
- Cafés
- Non-profit or charitable organizations
(*Ex: Goodwill*)

Categories of Stores Affected

- Grocery Stores
- Liquor Stores
- Pharmacy/Drug Stores
- Hardware Stores
- Electronic Stores
- Bookstores
- Clothing Stores
- “Any commercial establishment that sells perishable or non-perishable goods including but not limited to clothing, food and personal items directly to the customer.” (Exempting restaurants and non-profits)

Environmental Impacts in Cupertino



*Photo by: City Staff
Of Calabazas &
Stevens Creek 2010*



St. Joesph's School volunteers told City staff that plastic bags are among the top 3 most commonly found types of litter during annual 6th grade clean up events in Cupertino's Calabazas Creek & Regnart Creeks.



Outreach Efforts

Proposed Ordinance

- Webpage cupertino.org/reusebags
- Letter & Comment card to impacted retailers (translated into Chinese)
- Retailer & Consumer informational meetings with Mandarin interpreter
- Newspaper ads in Cupertino Courier, World Journal, and Sing Tao
- Press Release

Post Approved Ordinance

- Translation of some outreach materials into Chinese.
- Field visits to stores included in the ordinance.
- City staff attendance at community events.
- Retailer & Resident Toolkit

Why a Proposed Ordinance?

Tax Dollars:
CA spends \$25 million
annually in plastic bag
litter clean up costs

California Integrated
Waste Management
Board



Wildlife Impacts:
267 species are
affected by plastic
bag litter

(Laist, D.W., 1997)



Fossil Fuel Use:
12 billion barrels of oil
is used annually to make
plastic bags in U.S.

(ABC News, 2007)

Resources:
14 billion trees, water
and energy are used
annually to produce
paper bags.



Bag Myth v. Facts

Myth - Recycling plastic bags is the best solution to addressing the litter problem.

Fact:

- o Lack of market, recyclers report a 17 cent handling fee per plastic bag.
- o Despite a 15 - year statewide effort in California recycling plastic bags , less than 5% are recycled.

(California Integrated Waste Management Board)

Myth - A Reusable Bag Ordinance will negatively affect the economically disadvantaged.

Fact:

- o City Hall will distribute reusable bags free of charge to Cupertino residents (1 bag per visit).
- o Reusable bags have become one of the most popular free giveaway items.
- o The ordinance will not become effective until October 1, 2013.
Leaving time for shoppers to collect a free supply of reusable bags.

Myth - Education over regulation is the best method.

Fact:

- o Post ordinance: Washington D.C. saw 50-80% reduction in use of single-use bags.
- o Post ordinance: City of San Jose has seen a 50% decrease in plastic bag litter, & 60% increase in reusable bags (City of San Jose, 2012).
- o Post ordinance: Ireland saw a 90% decrease in plastic bag usage and litter.
(San Jose Single-Use Carryout Bag Environmental Impact Report, 2010, p.67).



Harmful Bacteria in Reusable Bags

Reusable Bags Contain Harmful Bacteria

Reusable bags - 55 colony forming units (cfu);

toothbrush - 1,000 to 1,000,000 cfu;

countertop - 22,300 cfu;

kitchen sponge - 2,430,000 cfu

(San Jose Draft Environmental Impact Report Australian Dental Journal,
Journal of Applied Microbiology, p. 17, 67,98)





Frequently Asked Questions

Would a store have to charge a minimum of ten cents per bag?

Stores must charge a minimum of ten cents, it is up to the discretion of the store to charge more.

Would bags used for meat and produce still be allowed?

Yes, plastic “produce” bags, without handles intended to protect and segregate items may be distributed at no charge.

What assistance will the City provide to my business?

- Visits to stores, outreach materials at no cost, education to Cupertino consumers.
- On-call City staff assistance via personal visit, email or phone call.

How will a Reusable Bag Ordinance benefit my business?

- Retailers spend \$4 billion annually on plastic bags to provide for free.
- No longer absorb bag costs, increases bottom line.
- Average grocery store will save **\$4,000 - \$6,000** every quarter from bag monies collected.
- Paper bags are not included in gross receipts, no reporting to State Board of Equalization.

Will the bag charge stay at ten cents if an ordinance is passed?

The charge will increase to 25 cents on January 1, 2015 if the proposed ordinance is adopted with no

Frequently Asked Questions contd.

What is the California Grocers Association's position on this ordinance?

CGA favors a statewide ordinance. however is still in support of city ordinances provided all retailers other than restaurants are included. They do not want grocers to be at an unfair disadvantage among other retailers (2012)

What constitutes a reusable bag?

- o A bag made from cloth or canvas that is machine washable
- o Or a durable bag that is at least 2.25 mil thick designed and manufactured for multiple shopping reuses.

Who would keep the ten cent charge?

Retailers would keep the charge to compensate for store outreach efforts, providing paper or thicker plastic reusable bags to their customers. and for recordkeeping and staff training.

Will people stop shopping in Cupertino if an ordinance is adopted?

- o Other cities with ordinances for a year or 6 months have not experienced these effects.
- o Many adjacent communities (San Jose, Sunnyvale, Mountain View) already have similar ordinances, therefore minimal competitive disadvantage.

Group Discussion

- Break up into groups.
- Select a speaker to represent each group.
- Select a scribe to document comments and questions for each group.
- Each group will decide on 3 talking points to share.
- 25 minute exercise.
- Give notes to staff to provide to Council.

Questions & Comments

- Visit www.Cupertino.org/reusebags
- Email environmental@cupertino.org
- Complete a comment card
- Attend the City Council meeting

January 15, 2013

6:45 p.m.

Council chambers

10300 Torre Ave