



**DATE:** February 28, 2018

**TO:** Waste Management Authority Board

**FROM:** Wendy Sommer, Executive Director

**BY:** Meri Soll, Senior Program Manager

**SUBJECT:** Reusable Bag Law - Update

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### **SUMMARY**

In October 2016, the Waste Management Authority Board expanded the Reusable Bag Ordinance (2016-2) to include all retail stores and eating establishments. The expansion promotes reusable bags to reduce waste and litter. At the February 28 WMA meeting, staff will provide the Board with an update on implementation of the expanded law, including effectiveness and enforcement activities.

### **DISCUSSION**

The Reusable Bag Ordinance was first passed by the WMA in December 2012, which went into effect January 1, 2013, and applied to 1,300 grocery, drug and liquor stores in Alameda County. The ordinance was very successful – the number of shoppers bringing their own bag, or not using a bag more than doubled and the number of bags found in storm drains decreased by 44 percent.

Given the effectiveness of the ordinance, in October 2016 the WMA amended it to include all retail stores and eating establishments. The expansion added an additional 12,700 stores and restaurants affected by the ordinance.

Expanded law requirements:

- As of May 1, 2017 all retail stores are required to:
  - Stop distributing single-use plastic bags
  - Start charging a minimum of 10 cents per compliant bag (paper and reusable, including thick plastic reusable bags)
  - Itemize the charge on customer's receipt
  
- As of November 1, 2017 all eating establishments are required to:
  - Stop distributing single-use plastic bags
  - Start charging a minimum of 10 cents per compliant reusable bag (including thick plastic bags)
  - Itemize the charge on customer's receipt
  - May provide paper bags to customers free of charge

Two separate mailings were sent to all affected entities well in advance of law implementation dates. Mailings included detailed information regarding new law requirements, resources for more information on compliant bags, signage (postcards) and technical assistance opportunities.

To assist with outreach activities, a part-time Outreach Associate was hired to conduct technical assistance visits to newly affected stores and eateries. Since February, 2017 more than 900 retail stores and 700 eating establishments have been visited throughout the county in an effort to educate affected entities about the expanded law.

As of November 1, 2017 complaint based enforcement activities for retail stores began. To date, 63 retail store inspections have been conducted, which resulted in 37 stores being identified as out of compliance. Notifications regarding non-compliance have been sent and progressive enforcement procedures will be followed to ensure compliance.

Staff has continually conducted a variety of activities to assess ordinance effectiveness. The most recent data collected in December, 2017 shows that the ordinance continues to be effective in changing consumer behavior. Surveys at newly affected retail stores show a large decrease in bags distributed at point of sale (60% fewer bags) as well as a large increase of shoppers bringing their own bag (90% increase).

## **RECOMMENDATION**

This item is for information only.