

## Oregon bill may ban single-use plastic bags at checkout

### Proposed ban on single-use bags may be first statewide ban in the nation

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At grocery stores statewide, consumers still have three options to consider at the checkout counter: paper, plastic or reusable.

However, if a bill is passed through the state legislature, these options may only be reduced down to one.

According to a draft bill called LC688 that will be introduced during this year's legislative session, the use of single-use checkout bags would be prohibited except in certain cases, which may pave the way for Oregon to become the first state in the nation to adopt a statewide ban on the use of paper and plastic checkout bags.

"I grew up in this state, and when I was growing up, litter was a big problem and that led to the passage of the bottle bill when I was a kid," Sen. Mark Hass (D-Beaverton), who helped draft the bill, said.

"With the passage of the bill, Oregon became the highest recycling state in the country, and there were no more beer cans or bottles on the beaches or roadways. Unfortunately, over the last 10 years, plastic bags have taken refuge on Oregon's roadways and beaches, so I think it's encumbered upon us to be responsible and get those things off of there."

The ban would also allow the Oregon Department of Environmental Quality to impose civil penalties on retailers caught distributing plastic bags, prohibit local governments from imposing charges on checkout bags and repeal the current statute that requires retail establishments to offer both paper and plastic bags to consumers. Although the ban would be applied to retailers statewide, it would provide exemptions for pharmacies and food establishments, but not to non-checkout bags such as those found in the produce sections of grocery stores. The ban would also require paper bags to contain at least 40 percent recycled fibers in order to be used at checkout and prohibit local governments from enacting similar individual bans. If the measure is successfully passed through the state legislature, the measure may be in effect as early as November 2011 and require consumers to pay at least five cents to purchase recycled paper checkout bags.

Other states and individual cities have already adopted bills that have addressed the ban of plastic checkout bags.

In 2007, the city of San Francisco spearheaded the campaign by adopting a bill that banned the use of plastic bags by large chain stores. Soon afterward, other California cities, including Malibu, Palo Alto and Fairfax, followed suit. Last January, the District of Columbia began charging consumers a nickel for every paper or plastic checkout bag that was used. Three days ago, Italy, which has one of the highest rates of bag consumption in Europe, instituted a mandate that requires stores to only offer biodegradable, cloth or paper bags. In Tanzania, anyone who is caught importing or selling a bag thinner than 30 microns could face up to six months in jail and a heavy fine of 1.5 million Tanzanian shillings, which is equivalent to \$1,019.

"We here in Oregon pride ourselves around environmental stewardship, but in a lot of ways, we're kind of behind the times in comparison to a lot of other countries around the world," said Gus Gates, the Oregon policy coordinator for the Surfrider Foundation.

However, not everyone agrees with the checkout bag ban. Tim Shestek, a American Chemistry Council spokesman, said plastic checkout bags are capable of being recycled and can be reused for the production of other products, such as construction products and park benches.

"The ban proposals and the one that is being proposed in Oregon and California ... is not a consumer or business-friendly approach," Shestek said. "We believe that there are better ways to address the issue. If we're going to try to reduce the amount of waste disposal and litter, then the effort ought to be focused on trying to enhance recycling opportunities so that people have convenient, local options to take these products back and made into new ones."

In addition, the push for banning plastic checkout bags or instituting fees for it has hit several impediments over the past several years. Last January, the Los Angeles County Superior Court affirmed a judgment made against the city of Manhattan Beach's efforts to ban the sale and use of plastic bags. The court's judgment, which ruled in favor of the San Francisco-based Save the Plastic Bag Coalition, stated that the ban would "inevitably result in increased use of paper bags, which has a greater significant negative environmental effects than plastic bags." By banning plastic bags, the court stated that the increased use of plastic bags would increase the consumption of energy and water and emission of greenhouse gases.

"Plastic and paper bags each have negative impacts on the environment," the court's ruling said. "It is well known that paper bags require more energy to manufacture and recycle and regenerate effluent during these processes. It is also known that paper bags are bulkier and heavier than plastic bags."

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