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The Honorable Bob Foster  
Mayor, City of Long Beach  
333 West Ocean Blvd., 14th Floor  
Long Beach, California 90802

May 17, 2011

**RE: CARRYOUT BAG REGULATION**

Dear Mayor Foster:

As the City of Long Beach considers carryout bag regulation, the American Chemistry Council (ACC) would like to respectfully oppose adoption of the proposed ordinance for the reasons stated below. The proposed policy would (1) prohibit grocery and other retail outlets from providing customers with fully recyclable plastic bags and; (2) require those same stores to charge customers a predetermined fee for each paper bag.

In our view, enactment of such an ordinance would:

- Unnecessarily raise grocery costs for county residents and disadvantage smaller markets;
- Create a troubling policy precedent in that the city is establishing a mandated consumer charge for a commodity yet receiving no revenue;
- Potentially put at risk several hundred manufacturing jobs in the state;
- Ironically result in the dismantling of a local plastics recycling infrastructure that has been steadily diverting more material from disposal each year and;
- Require the city to spend scarce resources to implement these new requirements, audit the collection of bag tax revenue and ensure overall compliance.

**HIGHER GROCERY COSTS FOR LONG BEACH RESIDENTS**

The ordinance allows stores to continue providing paper bags free of charge to customers that may be on public assistance. This exemption would acknowledge the ordinance is a financial burden to some, however, those that may be unemployed, single parents, seniors, or families that may be struggling to make ends meet could be overlooked. Any proposed bag tax would unnecessarily raise grocery costs for Long Beach residents.

**NO REVENUE STREAM FOR THE CITY, WHICH INCURS NEW IMPLEMENTATION COSTS**

The proposed policy would require stores to keep all of the revenue generated from the fee customers must pay for a paper bag in part to help offset operating costs for these higher priced bags. No part of the fee would be directed to the city to cover the additional costs of creating, monitoring and auditing the program and flow of money. With on-going cost pressures and budget reductions to city services, it is arguably a questionable use of taxpayer money to create a "bag bureaucracy" when other, more cost-effective bag policy options are available.

**LOCAL MANUFACTURING JOBS AT RISK**

California is home to several plastic bag manufacturing facilities, employing several hundred residents. Passage of the likely policy could put those jobs at risk, not to mention the hundreds of other jobs associated with suppliers and vendors. With the unemployment rate high, this ordinance could put more residents out of work.

## **PLASTIC BAG/FILM RECYCLING IS INCREASING**

Allegations that plastic bag and film recycling is failing are false. At the request of the Los Angeles County Public Works (LACPW) Department, ACC recently commissioned a study by Moore Recycling Associates, Inc. to: 1) quantify the pounds of plastic bags and film collected for recycling from material recovery facilities (MRFs) in the County from 2007 through 2009; 2) delineate the percentage of plastic bags collected versus total film; and 3) determine how much of the total film was from the unincorporated areas of Los Angeles County.

- The study reveals a 39 percent growth in the recycling of plastic bags and other film plastics (see *examples below*).
- The recycling of plastic bags alone grew 62 percent during this period suggesting that residents have become accustomed to putting their plastic bags into their curbside recycling bins.
- In the unincorporated areas of the county, curbside collection of plastic bags and film increased by 40 percent from 2007 to 2009.

In addition to local curbside collection programs, California law requires all large grocery stores and pharmacies to provide a recycling bin for plastic bags. These bins provide a statewide consumer infrastructure that can capture not only recyclable plastic grocery bags but newspaper, dry cleaning, toiletry, and other bags and film as well (e.g., product wraps for cases of soda, paper towels, etc.). Ironically, if plastic bags are banned, the stores in affected jurisdictions could simply opt out of providing and servicing the bins and thus eliminate a convenient consumer recycling infrastructure. This was the case after the City of San Francisco banned plastic bags. Passage of this ordinance would have the perverse effect of dismantling a local and convenient recycling infrastructure.

## **SUCH AN ORDINANCE WOULD VIOLATE PROPOSITION 26**

California voters overwhelmingly supported Proposition 26, which requires fees be treated as taxes and have higher standards of approval. We believe such an ordinance would require support from 2/3 of Long Beach voters before being adopted.

## **THE PROPOSED ORDINANCE IS UNNECESSARY....REAL SOLUTIONS ARE AVAILABLE**

Reducing bag litter and waste can be accomplished by limiting unnecessary bagging, enhancing and promoting recycling programs and encouraging consumers to use reusable bags.

We believe there are more consumer and business friendly ways of reducing bag litter and waste that do not result in raising grocery costs for families, put at risk manufacturing jobs, or require more government bureaucracy. It is for these reasons ACC urges you to oppose this proposed policy.

Sincerely,

Sherri McCarthy  
Manager, State Affairs  
American Chemistry Council

cc: Members, Long Beach City Council; City Clerk