

Regulations/Litigations and Plastics in the Circular Economy

Federal Regulations (the best government money can buy)

When that fails litigation

When that fails State regulations (New Jersey, Oregon, Washington, California)

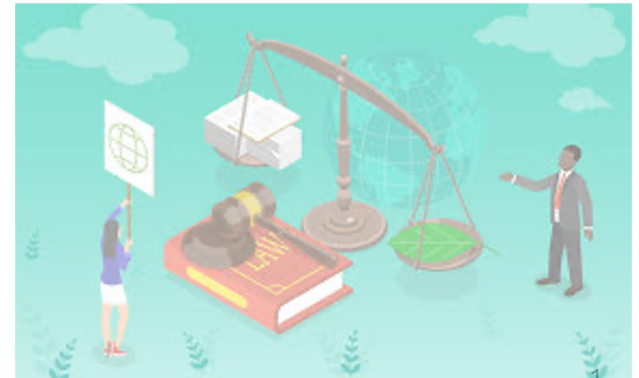
When that fails people power (Ballot initiatives and state constitutional amendments)

International agreements (infancy and political)

EU (advanced)

China (advanced)

Africa



Regulations and Plastics in the Circular Economy

MOBILIZING FEDERAL ACTION ON PLASTIC POLLUTION: PROGRESS, PRINCIPLES, AND PRIORITIES

**A COLLABORATIVE EFFORT OF THE INTERAGENCY
POLICY COMMITTEE ON PLASTIC POLLUTION AND
A CIRCULAR ECONOMY**

JULY 2024

About the Interagency Policy Committee on Plastic Pollution and a Circular Economy

- CBP: Customs and Border Protection
- CPSC: Consumer Product Safety Commissionⁱ
- DOC: Department of Commerce
 - DOC/Census: Census Bureau
 - DOC/ITA: International Trade Administration
 - DOC/NIST: National Institute of Standards and Technology
 - DOC/NOAA: National Oceanic and Atmospheric Administration
- DOD: Department of Defense
- DOE: Department of Energy
- DOI: Department of the Interior
- DOJ: Department of Justice
- DOL: Department of Labor
- DOT: Department of Transportation
- ED: Department of Education
- EPA: Environmental Protection Agency
- GSA: General Services Administration
- HHS: Department of Health and Human Services
 - HHS/CDC: Centers for Disease Control and Prevention
 - HHS/CDC/NIOSH: National Institute for Occupational Safety & Health
 - HHS/CDC/NCEH: National Center for Environmental Health
 - HHS/CDC/ATSDR: Agency for Toxic Substances and Disease Registry
 - HHS/CMS: Centers for Medicare & Medicaid Services
 - HHS/FDA: Food and Drug Administration
 - HHS/NIH: National Institutes of Health
 - HHS/NIH/NIEHS: National Institute of Environmental Health Sciences
 - HHS/OASH: Office of the Assistant Secretary for Health
- NASA: National Aeronautics and Space Administration
- NSF: National Science Foundation
- State: Department of State
- USAID: Agency for International Development
- USDA: Department of Agriculture

Additional IPC participants from the Executive Office of the President include the Domestic Policy Council (DPC), the National Economic Council (NEC), the Office of Clean Energy Innovation & Implementation (OCEII), the Office of Science and Technology Policy (OSTP), OSTP's National Nanotechnology Coordination Office (NNCO), the Office of Management and Budget (OMB), OMB's Office of Federal Procurement Policy (OFPP), and the Office of the United States Trade Representative (USTR).

“Plastic pollution is one of the most significant problems facing our country and the world, harming human health and environment, including communities already overburdened by pollution. Fossil fuel extraction, refining, plastics production and use increases the climate crisis and harmful pollution and waste. Emerging science also continues to reveal new health threats. We must combat plastic pollution from every angle and prevent it at every step of its lifecycle. Every action we take matters, because every day people are suffering from the impacts of plastic pollution.”

—Administrator Michael S. Regan, EPA

To help mobilize and coordinate interagency actions on plastic pollution, in April 2023, the Biden-Harris Administration [announced](#) the formation of an Interagency Policy Committee on Plastic Pollution and a Circular Economy (IPC). IPC participants include experts across federal agencies and within the Executive Office of the President.

Importantly, the IPC recognizes two essential topline findings:

1. **To successfully combat plastic pollution, the United States must take a comprehensive approach that addresses the impacts of plastic throughout the entire lifecycle.** From the extraction of raw materials used to create plastic polymers, such as fossil fuels, to pollution resulting from mismanaged waste, communities and the environment experience the escalating effects of a worldwide dependence on these materials. A national effort should involve meaningful cross-sector and cross-disciplinary engagement in actions that holistically address all stages of the plastic lifecycle and support a more circular economy.
2. **The scope, scale, and complexity of plastic pollution require coordinated action from all levels of government.** No single federal agency or level of government has sufficient authority or resources to successfully combat plastic pollution on its own. United States federal agencies must continue to build a whole-of-government effort to confront plastic pollution, while also partnering with state, territorial, Tribal, and local governments to support actions and strategies that can be deployed at the regional, state, Tribal, or local level.

Appendix A: Existing United States Federal Activities on Plastic

For the most part this involves encouraging agencies to purchase fewer water bottles

And a bit of research money that seems to go nowhere

It is a difficult problem to solve if the political campaigns are funded by petrochemical companies. If we can't address the climate catastrophe, we have no hope of addressing this relatively minor problem through Federal action but there are alternatives to Federal action.

**Box 2. Executive Order 14057:
Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability**

In December 2021, President Biden issued [E.O. 14057](#) on Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability, which demonstrates how the United States will leverage its scale and procurement power to lead by example. The E.O. commits federal agencies to “reduce emissions, ~~promote environmental~~ stewardship, support resilient supply chains, drive innovation, and incentivize markets for sustainable products and services by prioritizing products that can be reused, refurbished, or recycled; maximizing environmental benefits and cost savings.” The E.O. requires agencies to incorporate environmental justice considerations when planning programs and operations. Subsequent [E.O. 14057 instructions issued by CEQ](#) direct agencies to reduce and phase out procurement of single-use plastic products, to the maximum extent practicable, in order to minimize waste, advance pollution prevention and environmental justice, and promote a transition to circular economy approaches. The E.O. sets waste reduction goals for agencies and requires regular reporting on sustainability activities and progress toward those goals. The President’s foundational E.O. sets the tone for prioritizing sustainability and waste reduction within Federal Government operations.

**Box 3. Department of the Interior:
Secretary's Order 3407 and GSA's Acquisition Regulation:
Reduction of Single-Use Plastic Packaging Rule**

Secretary of the Interior Deb Haaland issued [Secretary's Order 3407](#) to reduce the procurement, sale, and distribution of single-use plastic products and packaging Department-wide, with a goal of phasing out single-use plastic products on Interior Department-managed lands by 2032. As part of this Order, the National Park Service launched a Request for Proposals (RFP) in 2024 focused on source reduction and circularity in National Parks. The RFP calls for projects and enterprises that embody the Service's commitment to reducing single-use plastic. With these initiatives, the Department of the Interior is taking critical steps to collectively reduce plastic pollution, increase circularity, spur economic opportunities, and meaningfully engage local communities.

The General Services Administration (GSA) issued a [final rule](#) to address single-use plastic packaging on the Federal Supply Schedule (FSS). GSA offers tens or hundreds of thousands of products via the FSS, with the one commonality being single-use plastic packaging. To reduce single-use plastic waste, GSA pursued a new clause and provision that is now included in its FSS contracts to encourage and highlight the availability of single-use plastic-free packaging.

Box 4. Environmental Protection Agency: Investing in Infrastructure

EPA is investing \$275 million in [Solid Waste Infrastructure for Recycling](#) grants as part of President Biden's Investing in America agenda. Program awards will be distributed between states, territories, communities, Tribes, and intertribal consortia, to implement the EPA's National Recycling Strategy and National Strategy to Prevent Plastic Pollution (once finalized). In 2023, EPA made 140 grant selections for projects ranging from recycling, composting, and reuse infrastructure improvements to technical support for local waste management staff. This grant program marks the first time that funding of this scale has been available specifically for the purpose of improving solid waste infrastructure. Local municipalities and their budgets are often overburdened with solid waste management costs, and providing additional support and flexibility is critical for communities to advance solutions that are tailored to their local context. Funded projects included expanding waste collection locations and receptacles, implementing local recycling education and outreach campaigns, using new data systems to track municipal solid waste, providing technical training and certifications to waste management staff, conducting analyses for reuse and deposit-return initiatives, and many others.

Box 5. National Oceanic and Atmospheric Administration: Marine Debris Clean-up

As part of the President's Investing in America agenda, in 2023, the [NOAA Marine Debris Program](#) provided over \$70 million in federal funding for 15 transformational multi-year projects. The Program's funding competition focused on two priorities: removing large marine debris and using proven interception technologies to capture marine debris throughout the coastal United States, Great Lakes, territories, and Freely Associated States. Concurrently, [NOAA Sea Grant](#) announced its first 29 projects, representing \$27 million in federal funding, that support the creation of coalitions and innovative research that will address the prevention and removal of marine debris over time. The NOAA Marine Debris Program and NOAA Sea Grant will continue to administer a combined \$200 million in funds through fiscal year 2026, demonstrating a historic investment in the prevention and removal of debris from marine and Great Lakes environments across the nation.

A list of all of the federal legislation that has been proposed:

| |
|--|
| |
|--|

In addition to the Report on Microfiber Pollution, the [Fighting Fibers Act of 2024](#) has been introduced by U.S. Senator Merkley (OR), specifically to address microfiber pollution from clothing. The Act has two main components: a requirement for washing machines to include microfiber filtration and a requirement for future research on the impact of microfibers.

Bill failed to make it out of committee

S.3127 - Break Free From Plastic Pollution Act of 2023

118th Congress (2023-2024) | [Get alerts](#)

BILL

Hide Overview ✕

Sponsor: [Sen. Merkley, Jeff \[D-OR\]](#) (Introduced 10/25/2023)

Committees: Senate - Environment and Public Works

Latest Action: Senate - 10/25/2023 Read twice and referred to the Committee on Environment and Public Works. ([All Actions](#))

Tracker: ⓘ

Introduced

Passed Senate

Passed House

To President

Became Law

Summary (0)

Text (1)

Actions (1)

Titles (3)

Amendments (0)

Cosponsors (11)

Committees (1)

Related Bills (4)

Titles: S.3127 — 118th Congress (2023-2024)

Short Titles

Short Titles - Senate

Short Title(s) as Introduced

Break Free From Plastic Pollution Act of 2023

Short Title(s) as Introduced for portions of this bill

- Protecting Communities from Plastics Act

Official Titles

Official Titles - Senate

Official Title as Introduced

A bill to amend the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in the design, collection, reuse, recycling, and disposal of consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways, and for other purposes.

What *The Break Free From Plastic Pollution Act* Will Accomplish:

1 Strengthen Environmental Justice



2 Test Reuse & Refill Programs



3 Hold Companies Accountable For Products/Create Transparency



4 Incentivize Good Design



5 Require Real Recycling



6 Reduce The Toxics



7 Reduce Pollution



8 Reduce Single-Use



9 Manage Our Own Waste



Federal bills for recycling infrastructure grants, composting strategies make a comeback

The two bipartisan bills sailed through the Senate with industry support last year but didn't make it to the finish line. One could lead to recycling project grants worth up to \$750 million.

Published April 19, 2023 • Updated April 24, 2023

Two bipartisan bills meant to improve U.S. recycling infrastructure in underserved areas and bolster recycling-related data collection have been reintroduced in the U.S. Senate.

Lawmakers reintroduced the Recycling Infrastructure and Accessibility Act and the Recycling and Composting Accountability Act ahead of Earth Day, saying the legislation would make recycling more accessible, help create recycling-related jobs and raise the national recycling rate. The pair of bills passed the Senate unanimously last July, but they didn't make further progress in the House despite broad recycling industry support.

The RIAA calls for a U.S. EPA grant program to build infrastructure projects in areas with little or no recycling access, while the RCAA calls for research into a possible national composting strategy and directs the EPA to collect more kinds of recycling-related data and issue numerous reports with the findings.

What's in the Recycling and Composting Accountability Act?

- The bill directs the EPA to determine the feasibility of implementing a national composting strategy by evaluating existing composting programs around the country and publishing a report identifying possible barriers to creating a strategy.

Can **existing federal legislation** be used by interested regulatory agencies (EPA, NIOSH)

(The current supreme court has greatly limited the ability of agencies to interpret laws to form regulations)

From Reckoning with Plastic Waste in Oceans (aka the clean water act)

<https://youtu.be/jQYbxZCcWB8?si=kQdXWHfbkigKmWnf>

What the existing laws could be used to do:

- Regulate production and associated pollution; restrict problematic and unnecessary polymers and chemicals of concern
- Enforceable product standards; voluntary commitments; and standard for labeling and marketing
- Plastic product bans; mandatory procurement rules; extended producer responsibility
- Disposal, collection, and recycling improvements; water treatment improvements and monitoring and data collection requirements
- Remove plastic waste from waterways, wildlife and habitats, and hotspots
- Increase enforcement for at-sea disposal; reduce at-sea abandonment or discard of fishing gear
- Support other interventions through information/data collection, research and development, and outreach/education

Basically, no Federal regulations specifically on plastics in the circular economy

Enforceable laws that could be used

Clean Air Act (EPA)

- Limit emissions of microplastics as particulate matter

Toxic Substances Control Act (EPA)

- Strengthen review and controls on polymers and chemicals

Clean Water Act (EPA)

- Regulate the discharge limits of chemicals and additives associated with plastic production

National Environmental Policy Act

- Agencies can consider how plastic and petrochemical manufacturing facilities implicate human health and environmental justice concerns in their cumulative impacts analysis for actions that trigger NEPA review

Voluntary actions

Food, Drug, and Cosmetic Act (FDA)

- Establish enforceable product standards for plastic manufacturers

Energy Independence and Security Act (DOE)

- “Strategy for Plastics Innovation” voluntary partnership to address key challenges that limit plastic recycling

Federal Trade Commission Act (FTC)

- “Green Guides” nonbinding standards for marketers intended to prevent deceptive marketing claims of environmental attributes of products

Decrease waste

Toxic Substances Control Act (EPA)

- Restrict products based on certain additives, plasticizers, or other chemicals

Executive Order 14057

- Directs federal agencies to minimize waste and support a circular economy in their procurement practices

Pollution Prevention Act (EPA)

- Authorization to support source reduction strategies; could issue guidance and technical assistance on deposit return system policies

Don't export waste

Resource Conservation and Recovery Act (EPA)

- “Sustainable Materials Management Program” supports systematic approach to using and reusing products more productively
- Control plastic waste import and export

Clean Water Act (EPA)

- Impose additional monitoring and data collection requirements on NPDES permittees



U.S. Environmental Protection Agency (.gov)

<https://www.epa.gov/npdes>



National Pollutant Discharge Elimination System (NPDES)

National Pollutant Discharge Elimination System (NPDES) ... What is NPDES? The NPDES permit program addresses water pollution by regulating point sources that ...

Monitor waste

Clean Water Act (EPA)

- State Revolving Fund support for projects that implement trash capture devices

Marine Debris Research, Prevention, and Reduction Act (NOAA)

- Supports community-based marine debris removal projects

National Aeronautics and Space Act (NASA)

- NASA satellite programs to identify plastic waste hotspots

Plastics Police

Marine Plastic Pollution Research and Control Act (USCG)

- Enforce prohibition on ocean waste dumping

Marine Protection, Research, and Sanctuaries Act (EPA, NOAA, USCG)

- Enforce prohibition on dumping of wastes from plastics and petrochemical refineries, as well as synthetic or natural plastic materials into oceans

Marine Debris Research, Prevention, and Reduction Act (NOAA)

- Marine Debris Program supports programs, including international initiatives to reduce at-sea abandonment of fishing gear

Reporting requirements

Emergency Planning and Community Right-to-Know Act (EPA)

- Requires plastics manufacturing facilities to report information on use, storage, and disposal of toxic chemicals such as PFAS

Public Health Service Act, amended by Health Research Extension Act (HHS)

- Agencies within HHS collect data and information, as well as conduct research related to human health effects of plastics

Consumer Product Safety Improvement Act (CPSC)

- Fund and lead research examining human health risks from exposure to plastic and plastic products; and issue public safety warnings

- The federal government has authority to start to address plastic pollution at every stage of the life cycle.
- Increased funding and legislative support could support faster or more robust action.
- Information and data collection, research and development are imperative.

It can be argued that the government already has broad authority to regulated plastics waste.

This would require a political will to act since there is a political (campaign donation) risk (aka don't hold your breath).

- OSHA General Duty Clause
 - Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees
- OSHA specific standards
 - Recall OSHA rules for particles, carbon nanotubes/fibers, silica, asbestos, talc and fumes
- OSHA recognition of risk to employees from:
 - Isocyanate exposure during manufacture of some plastic products such as insulation materials and polyurethane products
- NIOSH's Nanotechnology Research Center
 - Studying exposure from releases of airborne nano and microplastics (NMPPs) into the workplace, where thermal degradation products of polytetrafluoroethylene can lead to polymer fume fever and potentially fatal pulmonary eodema.
 - Developing approaches to measurement, assessment and mitigation of NMPP exposure in the workplace, recommending voluntary control measures.

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It seems like it will take some lawyers to sort this out.

Clean Air Act, Section IV.B., page 53 and fn. 140

Particulate Matter, 2.5 microns (PM2.5)

- Based on the list of its PM sources reviewed EPA for PM2.5 implementation, EPA does not consider the unique toxicity of micro and nanoplastic particles in its regulation of PM2.5.
- PM2.5 is regulated as mass per cubic meter (ug/m3), not by micro and nanoparticle count, sampled with methods limited to minimum 1 micron size.
- EPA's Clean Air Act National Ambient Air Quality Standards mitigation methods are not implemented to reach to known sources of micro and nanoplastic point source and area source emissions such as:
 - Municipal waste incinerators burning plastic are allowed to emit PM2.5 at a rate of 25 mg/m3, up to 100 tons per year, and more as permitted, without speciating for microplastic in stack emissions, fugitive emissions, ash content or wastewater discharges. No plastic destruction efficiency is required to be demonstrated;
 - Fugitive ground level emissions of micro and nanoplastic particles from solid waste management and plastic recycling facilities;
 - Microplastic fibers preferentially concentrated in wastewater treatment plant sludge and land applied as biosolids to be emitted as fugitive ground level emissions through wind erosion;
 - Tire wear particles, despite EPA CAA authority to review with new sampling and analytical methods in the context of newly recognized risk pursuant to 42 USC 7548.



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Natural Resources Defense Council

Existing U.S. Federal Authorities to Address Plastic Pollution

Impact of *Loper Bright Enterprises v. Raimondo* (06/21/2024)

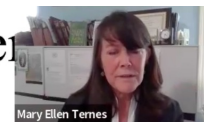
- Recall that *Chevron U.S.A., Inc. v. NRDC*, 467 U.S. 837 (1984) is about EPA's authority to regulate air pollution under the CAA "source" after the 1977 CAA amendments (plant wide v. bubble):
 - Recognizing that "Judges are not experts in the field," the Court found EPA entitled to deference in its detailed and reasoned fashion reconciling conflicting policies responsive to separate interests not accommodated by Congress, that of reducing air pollution with economic growth.
- But with *Massachusetts v. EPA*, 549 US 497 (2007), the Court chose against Chevron deference in favor of the **CAA's broad and unambiguous definition of "air pollutant."**
 - "any pollutant agent or combination of such agents, including any physical, chemical, biological, radioactive...substance or matter which is emitted into or otherwise enters the ambient air.** Such term includes any precursors to the formation of any air pollutant, ...*** 42 USC 7602(g).
- In this context, consider *Loper Bright* given EPA's failure to include micro and nanoplastic in implementing CAA to regulate emissions and ambient air concentrations of these uniquely hazardous particles, where Congress directed EPA "to protect public health and welfare from any actual or potential adverse effect..." from PM10, which CAA definition EPA relies on to regulate PM2.5:
 - "PM-10" means particulate matter within an aerodynamic diameter **less than or equal to a nominal ten micrometers**, as measured by method as the Administrator may determine.



Clean Air Act
(CAA)

Resource Conservation and Recovery Act (RCRA)

Solid Waste Disposal Act and RCRA Amendments Section IV.B.5 and fn 355



- Open dumping and plastic hotspots
 - “Open dump” means “any facility or site where solid waste is disposed of which is not a sanitary landfill which meets the criteria promulgated under and which is not a facility for disposal of hazardous waste.” 42 USC 6903(14);
 - Open dumps are prohibited pursuant to 42 USC 6943(a)(2) which requires each State to provide a solid waste management plan that shall:
 - in accordance with sections 6944(b) and 6945(a) of this title, prohibit the establishment of new open dumps within the State,...
- As an example of similar treatment, see EPA’s 2015 coal ash regulations that clarify that new open dumps are prohibited,
 - Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities, 80 Fed. Reg. 21302, 21431 (final rule) (April 17, 2015) (superseded after Congress amended the law to give EPA authority over coal ash even though it is solid, not hazardous, waste). EPA could adopt regulations and issue guidelines for plastics as EPA did for coal ash. Alternatively, Congress could give EPA authority over plastic waste under RCRA Subtitle D, as it did for coal ash.

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Litigation: Why not just sue “*them*”?

Litigation: Why not just sue “*them*”?

Litigation is why we have seat belts, head rests, collapsable steering wheels, air bags, exit signs in movie theaters, no smoking in theaters, fire escapes (two exits for each floor), breaker bars on exit doors, warnings for babies on plastic bags, ...

Go to another country and notice the absence of routine and obvious safety features.

Same car sold in US or Brazil is a bit cheaper (\$500) but has no seat belts, air bags etc.

Movie theaters in Switzerland allow smoking and have no exit signs.

Airbnb in the lake district is on 4'th floor with only one exit down a narrow wooden staircase (aka a burning chimney; but has a great view and a working gas fireplace!) etc.

It is an effective way to bring about needed control to an out-of-control society

[American Museum of Tort Law \(aka the Ralph Nader Could have been Presidential Library, he ran five times\)](#)

Young climate activists ask US Supreme Court to revive their lawsuit against the government



FILE - Supporters attend a rally for a group of young people who filed a lawsuit saying U.S. energy policies are causing climate change and hurting their future, in Portland, Ore., June 4, 2019. (AP Photo/Steve Dipaola, File)

Why not for plastics waste?

Updated 10:27 PM EDT, September 13, 2024

Share

EUGENE, Ore. (AP) — Young climate activists in Oregon have asked the U.S. Supreme Court to revive their long-running lawsuit against the federal government in which they argued they have a constitutional right to a climate that sustains life. Their petition, filed Thursday, asks the high court to reverse a [rejection of the lawsuit](#) issued by a federal appeals court panel earlier this year, [The Oregonian/OregonLive reported](#). It seeks to have the ruling thrown out and the case sent back to federal court in Oregon so it can go to trial.

The landmark case was filed in 2015 by 21 plaintiffs who were between the ages of 8 and 18 at the time.

The suit was [challenged repeatedly](#) by the Obama, Trump and Biden administrations, whose lawyers argued it sought to direct federal environmental and energy policies through the courts instead of the political process.

The political process works so well...

Another climate lawsuit brought by young people was successful: Early this year the Montana Supreme Court [upheld a landmark decision](#) requiring regulators to consider the effects of greenhouse gas emissions before issuing permits for fossil fuel development.

That case was also brought by Our Children's Trust. The law firm has filed climate lawsuits in every state on behalf of young plaintiffs since 2010.

A river is clogged with plastic bags and bottles. Officials blame Pepsi.

New York Attorney General Letitia James (D) is accusing the snack and soda giant of polluting the Buffalo River with plastic from its products

4 min 331



Bottles of Pepsi are pictured at a grocery store in Pasadena, Calif. (Mario Anzuoni/Reuters)



Sky News

plastic pollution in Buffalo River ...

New York Attorney General Letitia James (D) is arguing that so much plastic from Pepsi products has accumulated in the Buffalo River that it's causing a public nuisance, threatening both human health and wildlife. Her office is claiming the company misled the public about the effectiveness of its plastic recycling efforts and failed to warn consumers about the health and environmental risks of plastic packaging.

The lawsuit is the latest litigation seeking to stem the torrent of plastic pollution infiltrating waterways around the world as companies and consumers struggle to shake their addiction to plastic bottles, bags and wrappers.

In 2022, the New York attorney general's office surveyed waste at 13 sites along the Buffalo River and its tributaries. After collecting nearly 2,000 pieces of plastic with identifiable branding, James's team found plastic from Pepsi products to be the most abundant, representing over 17 percent of that trash.

James said plastic pollution poses a risk to both people and wildlife when the material breaks down to form microplastics that can enter drinking water systems and permeate blood and organs when consumed, noting that chemicals from plastics have caused early puberty, reduced sperm counts and higher rates of certain cancers in studies on mammals. Buffalo draws its drinking water from Lake Erie, into which the Buffalo River runs.

In its lawsuit, the state attorney general office is asking a state court to force PepsiCo to clean up the plastic pollution, add warning labels to products sold in the region and find a way of reducing the amount of packaging that enters the river. In 2020, the California-based environmental group Earth Island Institute filed a similar lawsuit against PepsiCo and nine other companies for polluting California waterways with their plastic packaging.

Court Greenlights Landmark Plastic Pollution Lawsuit Against Procter & Gamble, Coca-Cola, PepsiCo and Major Consumer Goods Companies

State judge finds complaint alleges viable public nuisance claim based on corporations' harmful impact on California residents

July 18, 2024 (Berkeley, CA) – Earth Island Institute, represented by [Cotchett, Pitre & McCarthy](#), received a momentous [court order](#) this week allowing its landmark lawsuit to proceed against major consumer goods companies for allegedly creating a public nuisance from their plastic packaging, polluting California waterways with plastic trash.

Judge V. Raymond Swope of the Superior Court of California of the County of San Mateo denied the defendants' demurrers seeking to dismiss the case, finding that Earth Island's complaint properly alleged that the plastic producers could be held liable for creating a public nuisance based on allegations that they promoted their products as recyclable while knowing that it was difficult if not impossible to do so, and by doing so also contributed to a public hazard. After over four years of litigation, this major decision means that Earth Island's claims can proceed on its merits toward trial in California.

"Through our work, we see firsthand the immense public harm caused by plastic packaging," said **Sumona Majumdar**, Earth Island Institute's chief executive officer. "And we believe corporations must do more than talk about recyclability when it comes to their plastic pollution along our waterways and coasts."

Mark Molumphy, a partner at [Cotchett, Pitre & McCarthy](#), and lead counsel for Earth Island, said, "Earth Island made a courageous decision to take on these corporate giants on behalf of California's residents. This order brings us closer to addressing an environmental disaster that just gets worse with each passing day."

Tyson Redenbarger of [Cotchett, Pitre & McCarthy](#), who argued the motion, added, "The Court's decision upholding the public nuisance claim was appropriate and important. Absent accountability in the courts, global plastic producers will continue to cause harm to California and its waterways. We look forward to presenting the case to a California jury."

The [lawsuit](#) was filed in February 2020, in San Mateo County Superior Court in California. The case alleges violations of California's Unfair Competition Law and Public Nuisance. The defendants previously tried to move the case to federal court but were [unsuccessful](#). By overruling defendants' demurrers, this ruling allows the case to proceed further toward the merits.

City of Baltimore Announces Lawsuit Filed Against Plastic Manufacturing Companies for Role in Pollution

Thursday Jun 20th, 2024

Share



Brandon M. Scott

Mayor,
Baltimore City
250 City Hall - Baltimore Maryland 21202
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FOR IMMEDIATE RELEASE

CONTACT

press@baltimorecity.gov

BALTIMORE, MD (Thursday, June 20, 2024) – Today, Mayor Brandon M. Scott announced a landmark lawsuit against PepsiCo, Coca Cola, Frito Lay, and plastic manufacturing companies for their significant roles in creating a plastic pollution crisis. On the heels of a similar lawsuit filed by New York State, Baltimore City alleges that these companies created a public nuisance by creating products that they know will cause significant environmental harms.

When littered, single use plastics are not just an eyesore and a danger to wildlife. These plastics contain chemicals that are leached into the water and soil, and recent studies have found microplastics – the small pieces of debris left behind when plastic is broken down – in human organs. Their impact is further exacerbated by the fact that only about 5 percent of plastic waste can be recycled.

"Our Affirmative Litigation Division is actively pursuing those who would compromise our environmental health," **said Ebony Thompson, Baltimore City Solicitor.** "We have brought suit against those responsible for PCB and PFAS chemical contamination and cigarette filter pollution, among others. So far, we have brought in over \$8 million from our environmental claims, and intend to bring in more to address the damage caused by companies that put profits before people."

The lawsuit was filed today, June 20, 2024, in the Circuit Court for Baltimore City.

Sara Gross, Chief of the Affirmative Litigation Division, will represent the City along with Smouse & Mason, LLC, Milberg Coleman Bryson Phillips Grossman, LLC, and Napoli Shkolnik, PLLC.

Plastics Litigation Tracker



This tracker was launched July 15, 2022. It was last updated September 5, 2024.

The Plastics Litigation Tracker tracks cases addressing plastics across federal and state courts. It includes resolved cases and cases that are still pending. The cases can be filtered by category, plaintiff, defendant, and jurisdiction. They are listed in reverse chronological order based on the date of the latest update in each case. Where there is no decision, the cases will appear in alphabetical order. Descriptions of the categories can be found [here](#). This [blog post](#) gives an introduction to the project and analyzes trends evident from the cases in the tracker at the time it was launched.

The tracker will be updated as cases are resolved and new cases are filed. To submit cases, updates, or corrections to this database, please email stateimpactcenter@nyu.edu.

For any inquiries, please contact stateimpactcenter@nyu.edu.

62 results match your search. [Download as CSV](#)

Earth Island Inst. v. Coca-Cola Co., No. 1:21-cv-1926 (D.D.C. 2022)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|-----------|-----------|--------------------|--------------|-------------------|
| NGO | Industry | 8/29/2024 | Federal | False Advertising |

Allegations: Plaintiff, an environmental organization, brought an action against Defendant, Coca-Cola Co., seeking declarative and injunctive relief. Specifically, Plaintiff asked the court to find that Coca-Cola's conduct was in violation of the D.C. Consumer Protection Procedures Act (CPPA), grant an injunction barring conduct that violates the CPPA, and order reasonable attorney's fees. Plaintiff alleged that Coca-Cola had engaged in false and deceptive marketing by representing itself as a "sustainable and environmentally friendly company" despite being one of the world's largest contributors to plastic pollution. Filed 6/8/21. See the complaint [here](#).

Status: Appeal pending in the District of Columbia Court of Appeals. On July 16, 2021, Defendant removed the action from the Superior Court of the District of Columbia to the U.S. District Court for the District of Columbia. On March 24, 2022, the U.S. District Court for the District of Columbia [granted](#) Earth Island Institute's motion to remand the case to the Superior Court, based on a lack of federal diversity jurisdiction. The court concluded that the parties lacked diversity jurisdiction because the amount in controversy did not exceed \$75,000. Following remand, on June 13, 2022, Defendant filed a [motion to dismiss](#) in the Superior Court. On November 10, 2022, the Superior Court [granted](#) Defendant's motion and dismissed Plaintiff's complaint. The court found that Defendant's statements were aspirational in nature and, therefore, did not violate the CPPA; were not tied to a "product or service;" and could not be "cobbled together to allege one general misrepresentation." On November 18, 2022, Plaintiff filed a notice of appeal. On March 14, 2023, Plaintiff-Appellant filed its [appellate brief](#), where they raised claims concerning the application of the District of Columbia Consumer Protection Procedures Act. On March 21, the District of Columbia, led by its Attorney General Brian L. Schwab, filed an [Amicus brief](#) in support of Earth Island Institute. On May 15, Coca-Cola filed its brief. On June 19, Earth Island Institute filed a reply brief. Oral arguments were held on November 28. On August 29, 2024, the District of Columbia Court of Appeals issued a [judgement](#) announcing that after reviewing the record, the briefs, and the parties' oral arguments, it ordered that the dismissal of appellant's complaint is reversed and the case remanded for further proceedings consistent with the court's opinion.

Keywords

Plaintiff



Defendant



Jurisdiction



Category



FILTER



State of Minnesota, by its Attorney General, Keith Ellison, v. Reynolds Consumer Products, Inc., Reynolds Consumer Products, LLC, & Walmart Inc., (2023)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|------------|-----------|--------------------|--------------|----------|
| Government | Industry | 8/1/2024 | | |

Allegations: Plaintiff, the State of Minnesota, led by its AG Keith Ellison, brought this case against Defendants Reynolds Consumer Products, Inc. and Walmart Inc., seeking injunctive relief for selling Hefty recycling trash bags that are advertised as recyclable, when they bags are made from low-density polyethylene plastic, which cannot be processed at recycling facilities. AG Ellison explains that when recyclable items are placed in these bags and brought to waste municipalities in the State, the bag and its contents are deemed unrecyclable. AG Ellison argues that Defendant's marketing of the bags defrauded and deceived consumers, because all recyclable items that consumers place into Reynolds and Walmart's "recycling" bags end up at a landfill and are not recycled, contrary to customers' intentions. AG Ellison also argues that Defendants knowingly misled consumers, explaining that Reynolds recently changed the language on their products, instructing consumers to contact their local waste municipalities and ask if they recycle the bags -- even though no facility in Minnesota accepts them. Filed on 06/06/2023. See the complaint [here](#).

Status: This case is pending. On August 1, 2024, Minnesota Attorney General Keith Ellison [announced that his office had reached settlements](#) with [Reynolds Consumer Products, Inc.](#) and [Walmart, Inc.](#) According to the terms of the settlements, both companies will not sell semi-transparent blue garbage bags in Minnesota for two and a half years. After that, if they decide to sell semi-transparent blue bags in Minnesota, the bags must be marked, "these bags are not recyclable." Additionally, the companies must disgorge \$216,670, which includes all of the profits they made in selling these bags. Reynolds also agreed to carry out anti-greenwashing training and create a new review process for its marketing claims.

Miller et al v. Philips North America LLC, Docket No. 3:24-cv-03781 (2024)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|--------------|-----------|--------------------|--------------|-------------------|
| Class Action | Industry | 6/25/2024 | California | False Advertising |

Allegations: Plaintiffs, a class of consumers, filed a lawsuit against Defendant, Phillips North America LLC, a company that manufactures, distributes, and sells plastic baby bottles. Plaintiffs argue that Defendant failed to warn consumers that the bottles leached dangerous microplastics when the bottles are heated--and that Defendant knew the bottles would be heated in their regular use. Plaintiffs also argued that by advertising the bottles as not containing Bisphenol A (being "BPA free"), Defendant misled customers and created a false sense of security, because although the bottles do not leach BPA, they leach microplastics, which cause health issues in children, including damaging children's digestive tracts, immune systems, and reproductive systems. Plaintiffs are California residents who are seeking to represent classes covering purchases of the bottles in California and nationwide. On behalf of the California class, Plaintiffs assert violations of California's Unfair Competition Law (CAL. BUS. & PROF. CODE §§ 17200, *ET SEQ.*); California's False Advertising Law (CAL. BUS. & PROF. CODE § 17500); California's Consumers Legal Remedies Act (CAL. CIV. CODE §§ 1750, *ET SEQ.*). On behalf of both the California and nationwide classes, Plaintiffs assert claims of breach of warranty and unjust enrichment. Plaintiffs seek class certification; declaratory relief; an injunction barring the company's marketing of the bottles as safe; an injunction barring the sale of the bottles; damages, restitution, and disgorgement; punitive damages; attorneys' fees; and all relief the court deems just and proper. Filed on 06/25/2024. See the complaint [here](#).

Status: Pending.

Miller et al v. Handi-Craft Company Inc, Docket No. 3:24-cv-03782 (2024)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|--------------|-----------|--------------------|--------------|-------------------|
| Class Action | Industry | 6/25/2024 | California | False Advertising |

Allegations: Plaintiffs, a class of consumers, filed a lawsuit against Defendant, Handi-Craft Company, Inc., a company that manufactures, distributes, and sells plastic baby bottles and sippy cups. Plaintiffs argue that Defendant failed to warn consumers that the bottles and cups leached dangerous microplastics when heated--and that Defendant knew the bottles and cups would be heated in their regular use. Plaintiffs also argued that by advertising the bottles and cups as not containing Bisphenol A (being "BPA free"), Defendant misled customers and created a false sense of security, because although the bottles and cups do not leach BPA, they leach microplastics, which cause health issues in children, including damaging children's digestive tracts, immune systems, and reproductive systems. Plaintiffs are California residents who are seeking to represent classes covering purchases of the bottles and cups in California and nationwide. On behalf of the California class, Plaintiffs assert violations of California's Unfair Competition Law (CAL. BUS. & PROF. CODE §§ 17200, *ET SEQ.*); California's False Advertising Law (CAL. BUS. & PROF. CODE § 17500); California's Consumers Legal Remedies Act (CAL. CIV. CODE §§ 1750, *ET SEQ.*). On behalf of both the California and nationwide classes, Plaintiffs assert claims of breach of warranty and unjust enrichment. Plaintiffs seek class certification; declaratory relief; an injunction barring the company's marketing of the bottles and cups as safe; an injunction barring the sale of the bottles and cups; damages, restitution, and disgorgement; punitive damages; attorneys' fees; and all relief the court deems just and proper. Filed on 06/25/2024. See the complaint [here](#).

Status: Pending.

Mayor and City Council of Baltimore v. PepsiCo, Inc., et al. (2024)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|------------|-----------|--------------------|--------------|---|
| Government | Industry | 6/20/2024 | | Public Nuisance; False Advertising; Consumer Protection |

Allegations: Plaintiffs, the Mayor and City Council of Baltimore, Maryland, brought a case against PepsiCo, Coca Cola, Frito Lay, and plastic manufacturing companies, for their roles in creating a plastic pollution crisis in Baltimore. In their complaint, Plaintiffs argued that plastic litter from Defendants' companies has created a public nuisance in the city, which harms human and environmental health and is costly for the city to clean up. Plaintiffs also argued that Defendants made misleading statements concerning the recyclability of their products, engaged in deceptive practices, failed to warn consumers about the health and environmental impacts of their products, committed a continuing trespass by polluting the City's lands and waters, are strictly liable for design defects, and negligently designed defective and unreasonably dangerous products. Plaintiffs seek compensatory damages, equitable relief, criminal penalties, punitive damages, injunctive relief, disgorgement of products, Plaintiffs' attorneys' fees, and any other relief as the court may deem proper. Filed on 06/20/2024. See the complaint [here](#).

Status: Pending.

Daly v. The Wonderful Company LLC, Docket No. 1:24-cv-01267 (2024)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|--------------|-----------|--------------------|--------------|-------------------|
| Class Action | Industry | 5/10/2024 | Illinois | False Advertising |

Allegations: Plaintiff, a consumer who purchased “Fiji” bottled water, alleges individually and on behalf of all other members of the public similarly situated, that Defendant, The Wonderful Company, LLC, a company that advertises, markets, sells, and distributes bottled water under the brand name “Fiji,” violated the Illinois Consumer Fraud and Deceptive Business Practices Act. Plaintiff argued that Defendant made false and misleading claims when it marketed its product as “Natural Artisan Water,” when it contains microplastics. Plaintiff argued that Defendant’s deceptive practices deprived Plaintiff of their legally protected interest to obtain accurate information about the product they are consuming. Filed on 2/14/2024. See the complaint [here](#).

Status: This case is pending. On March 22, Defendant filed a [motion to dismiss](#). On April 26, Plaintiff [responded](#) to the motion to dismiss. On May 10, Defendant filed a [reply in support of its motion to dismiss](#). A hearing is scheduled for May 20, and a status hearing will be set once the motion is ruled upon.

Perry Bruno v. BlueTriton Brands, Inc., Docket No. 2:24-cv-01563 (2024)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|--------------|-----------|--------------------|--------------|-------------------|
| Class Action | Industry | 5/6/2024 | California | False Advertising |

Allegations: Plaintiff, a consumer who purchased “Arrowhead” plastic bottled water, alleges individually and on behalf of all other members of the public similarly situated, that Defendant, BlueTriton Brands, Inc., a corporation that advertises, markets, sells, and distributes plastic bottled water under the brand name “Arrowhead,” violated California’s Unfair Competition Law §§ 17200 and 17500. Plaintiff argued that Defendant intentionally labeled its products with false and misleading claims that the bottled water was “100% Mountain Spring Water,” when it contained microplastics. Plaintiffs argued that bottled water contaminated with microplastics cannot be “100% Mountain Spring Water,” and that consumers would not expect that a product labeled in this way would contain microplastic contaminants. Filed on 02/26/2024. See the complaint [here](#).

Status: This case is pending. On March 4, Defendant filed a [motion to dismiss](#). On March 18, Plaintiff filed a [first amended complaint](#), and on March 19, the court dismissed Defendant’s motion to dismiss as moot. On April 1, Defendant filed a [motion to dismiss Plaintiff’s first amended complaint](#). On May 6, the court [granted](#) Defendant’s motion to dismiss, with leave to amend. The court ordered that Plaintiff’s second amended complaint, should it choose to file one, is due May 28, 2024.

Michael Dotson et al v. CG Roxane LLC, Docket No. 2:24-cv-02567 (2024)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|--------------|-----------|--------------------|--------------|-------------------|
| Class Action | Industry | 4/25/2024 | California | False Advertising |

Allegations: Plaintiff, a consumer who purchased “Crystal Geyser” plastic bottled water, alleges individually and on behalf of a putative class, that Defendant, CG Roxane, LLC, a corporation that advertises, markets, sells, and distributes plastic bottled water under the brand name “Crystal Geyser,” violated California’s Unfair Competition Law (Cal. Business & Professions Code § 17200) and violated California’s False Advertising Law (Cal. Business & Professions Code § 17500) by advertising and labeling Crystal Geyser plastic bottled water as “Natural Alpine Spring Water” when the water allegedly contains microplastics. Plaintiff filed the complaint in the Superior Court of the State of California, County of Los Angeles. Filed on 02/22/2024.

Outcome: Closed. On April 1, the case was removed to the United States District Court for the Central District of California (Western Division - Los Angeles). On April 25, Plaintiff filed a [notice of voluntary dismissal without prejudice](#), noting that Defendant had neither answered Plaintiff’s complaint nor filed a motion for summary judgment.

Michael Dotson v. Danone Waters of America, LLC, Docket No. 2:24-cv-02445 (2024)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|--------------|-----------|--------------------|--------------|-------------------|
| Class Action | Industry | 4/3/2024 | California | False Advertising |

Allegations: Plaintiff, a consumer who purchased “Evian” plastic bottled water, alleges individually and on behalf of all others similarly situated, that Defendant, Danone Waters of America, LLC, a corporation that advertises, markets, sells, and distributes plastic bottled water under the brand name “Evian,” violated California’s Unfair Competition Law (Cal. Business & Professions Code §§ 17200 and 17500) by advertising and labeling Evian plastic bottled water as “Natural Spring Water” when the water contains microplastics. Plaintiff filed the complaint in the Superior Court of the State of California, County of Los Angeles. Filed on 03/25/2024. See the complaint [here](#).

Outcome: Closed. On March 28, the case was removed to the United States District Court for the Central District of California (Western Division - Los Angeles). On April 3, Plaintiff filed a [notice of voluntary dismissal without prejudice](#), noting that Plaintiff’s counsel had conferred with Defendant’s counsel, and that Defendant did not oppose dismissal.

Slowinski et al. v. BlueTriton Brands, Inc., Docket No. 1:24-cv-00513 (2024)

| Plaintiff | Defendant | Latest Case Update | Jurisdiction | Category |
|--------------|-----------|--------------------|--------------|-------------------|
| Class Action | Industry | 3/18/2024 | Illinois | False Advertising |

Allegations: Plaintiffs, a class of consumers who purchased plastic bottled water, brought this case against Defendant, BlueTriton Brands, Inc., a corporation that advertises, markets, sells, and distributes plastic bottled water under the brand name "Ice Mountain," seeking damages and injunctive relief for violating the Illinois Consumer Fraud and Deceptive Business Practices Act, 815 ILCS 505/1, common law fraud, and unjust enrichment, for intentionally labeling its plastic bottled water as "100% Natural Spring Water," when the water contains microplastics. Plaintiffs argued that bottled water contaminated with microplastics cannot be 100% natural spring water, and that reasonable consumers do not expect that a product labeled as "100% Natural" would contain synthetic contaminants. Filed on 01/19/2024. See the complaint [here](#).

Status: This case is pending. On February 26, Defendant filed a [motion to dismiss](#). Plaintiff filed a response on March 18, and the court has yet to rule on the motions.



There are 7 pages on this website
<https://plasticslitigationtracker.org/page/7>

Cases attacking state and local restrictions

These are mostly plastic bag and foam container restrictions

The plaintiffs have predominantly been organizations aligned with plastic product manufacturers and retailers. One case, though, involved several local governments challenging Pennsylvania's prohibition on local governments enacting taxes or bans on single-use plastic products. Most of these cases have been brought in California (seven cases) and New York (four cases).

Industry groups have used a variety of legal theories in their challenges, including that the bans or taxes at issue were preempted by state law, inconsistent with the state constitution, and/or violated state environmental statutes.

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Or the corporations
can just enact
legislation to deal with
the problem of
litigation

Ohio House Passes Bill to Block Single-use Plastics Bans

The bill will now go to the Ohio Senate, which is debating its own version of the measure.



Cases attacking claims of recyclability

Recent research has documented very low recycling rates for certain types of plastic products. Consumers and NGOs have relied on this research (predominantly [an extensive report by Greenpeace](#)) to challenge the recyclability representations on plastic products. They have used state consumer protection law, such as false advertising or deceptive business practices statutes, and relied on [guidance from the Federal Trade Commission \(FTC\) about what should be labeled as “recyclable.”](#) A small number of cases has also involved challenges to plastic producers’ public representations that they are “sustainable and environmentally friendly.”

The eleven cases in this category³ have, for example, implicated “recyclable” labels on products such as Coca-Cola beverages and Walmart’s proprietary plastic packaging. Most were filed in California, which has a statute governing the use of environmental marketing claims (though a handful of states have similar statutes).

Most of these cases are ongoing. But plaintiffs have been successful in securing favorable decisions or settlements when they have targeted the specific representations on plastic products that influenced consumers’ purchasing decisions.

For example, Keurig entered into settlement negotiations with a nationwide consumer class because the plaintiffs had presented evidence that undermined the accuracy of the recycling labels on Keurig’s coffee pods and showed that consumers had paid more for the pods because they believed that the pods were recyclable.

Claims against Plastics Producers

In April 2022, California Attorney General Rob Bonta announced his office's **investigation into the fossil fuel and petrochemical industries for their role in aggressively promoting plastic products**, exacerbating plastic pollution, and concealing the harmful effects of their products from the public. As part of the investigation, AG Bonta issued a subpoena to ExxonMobil, a major manufacturer of plastics. In June 2022, Connecticut Attorney General William Tong announced his office's **lawsuit against Reynolds Consumer Products for violating Connecticut's Unfair Trade Practices Act**. AG Tong alleges that the company falsely and deceptively marketed Hefty trash bags as "recyclable" despite knowing that they could not be recycled in Connecticut recycling facilities. These claims are similar to those that consumer classes and environment groups have brought against plastic distributors and retailers (discussed in the preceding section). More state attorneys general may join AGs Bonta and Tong in investigating or litigating against the plastic industry.

State laws

State laws

Massachusetts Gov. Maura Healey announces ban on single-use plastic bottles

2023

Story by Peter Cordi • 1y • ⌚ 2 min read



Massachusetts Gov. Maura Healey announces ban on single-use plastic bottles
© Provided by Washington Examiner

While Massachusetts is the first state to ban single-use plastic bottles, eight states and numerous cities have placed bans on plastic bags. The states include Connecticut, California, Delaware, Hawaii, Maine, New York, Oregon, and Vermont.

In 2022, the Interior Department [announced](#) that the sale of single-use plastic will be banned on public lands and national parks by 2032.

Gov. Maura Healey (D-MA) announced that [Massachusetts](#) agencies will no longer be [permitted](#) to purchase [single-use plastic bottles](#).

She announced the ban on Monday at the Clinton Global Initiative, a summit held by the Clinton Foundation in New York City, leading up to a panel discussion on sustainable ocean conservation practices.

Many states this year have also implemented advanced recycling legislation, including Indiana, Utah, and Kansas. Many states have passed laws in the past, but only three were enacted this year. Utah was the first to pass legislation back in March, with Kansas and Indiana in the following month. This will allow for harder-to-recycle plastics like films and wrappers to be recycled [3]. With these new laws in place, many more jobs and economic potential will be created [3].

Washington Recycling and Packaging Act (SB 5154 / HB 1131)

The WRAP Act

Senator Christine Rolfes and Representative Liz Berry

REDUCE WASTEFUL PACKAGING, MODERNIZE RECYCLING & CREATE NEW JOBS



THE PROBLEM:

With \$104 million in valuable consumer paper and packaging ending up in our landfills each year, Washington is wasting a tremendous opportunity to create jobs, strengthen local supply chains and economies, and modernize the recycling system.

Valuable materials are being wasted. Greater than 50% of Washington's consumer paper and packaging ends up in landfills and incinerators, adding up to over \$104 million in value. Modernization of our recycling system would lead to cleaner materials that could then be made into new products!

Packaging waste and confusion are growing. Washingtonians want to recycle but are confused because recycling rules vary across cities and counties. Companies produce excessive packaging are not incentivized to reduce it or use packaging that minimizes environmental impacts.

Recycling costs are increasing. More packaging entering our homes has made recycling challenging and costly for local governments to operate – and more expensive for residents. Residents' recycling service bills have increased by up to 30% over the past 5 years.

THE SOLUTION:

Modernize Washington's recycling system.

Create a producer responsibility program in which manufacturers and brands come together to reduce unnecessary packaging and paper, fund statewide recycling services, and ensure that materials are actually recycled.

Proven solution around the world.

Companies have been complying with producer responsibility programs in many other countries since the 1990's, with great results.

Other states have passed similar

laws. California, Colorado, Maine, and Oregon have passed producer responsibility programs for packaging and paper and more states are considering similar laws.

Benefits

- ✓ **Reduce emissions** and improve our environment by increasing our reuse and recycling rates
- ✓ **Make it easy to recycle** by increasing access, including at apartments and in rural areas
- ✓ **Reduce confusion** and contamination by developing a clear common list of what can be recycled statewide
- ✓ **Save local governments and residents money** by covering costs of recycling programs
- ✓ **Support WA's economy** by building local supply chains and recycling businesses and creating new, green jobs
- ✓ Create financial incentives for companies to **reduce unnecessary packaging** and use greener, more recyclable materials

Washington Recycling and Packaging (WRAP) Act

Producer Responsibility for Packaging and Paper Products

The WRAP Act establishes a producer responsibility program that requires consumer product producers to fund statewide residential recycling services for packaging and paper products.

• Applies to companies that supply to consumers packaging and paper products in Washington:

- | | |
|--|--|
| 1. Brand owners | ○ For products sold online, the retailer is responsible for the packaging used to ship the product to the consumer |
| 2. Manufacturer, if own brand or lacks brand | ○ Covers packaging and paper products sold or supplied to consumers for personal use |
| 3. Retailers with own brand | ○ Includes food serviceware such as straws and utensils |
| 4. Licensee of a brand or trademark | |
| 5. Otherwise, importer or distributor | |

• Does not apply to:

- | | |
|--|--|
| ○ Government agencies and municipalities | ○ De minimis – producers that annually: |
| ○ 501(c)(3) charitable organizations | - sell less than one ton of covered product |
| ○ 501(c)(4) social welfare organizations | - have less than \$5 million in global revenue |
| | ○ Books, paper towels and napkins |

• Provides funding for:

- | | |
|---|--|
| ○ Residential recycling via curbside collection and dropoff | ○ Education and outreach that is consistent, multi-lingual and culturally accurate |
| ○ Collection of recyclables from public places | ○ Measuring, verification and reporting of materials |
| ○ Transportation to processing facilities | ○ Reuse and recycling targets study and needs assessment |
| ○ Processing and marketing of materials | ○ State oversight by Dept. of Ecology |

• Specifies producer responsibilities:

- | | |
|--|--|
| ○ Must join a Producer Responsibility Organization (PRO) | ○ Redesign packaging to be reusable, recyclable or compostable |
| ○ Must participate in, implement and fund a PRO plan approved by the WA Dept. of Ecology | ○ Remove deceptive or misleading claims about a product's recyclability, e.g., chasing arrows symbol |
| ○ Fund all activities of residential recycling and existing public space recycling | ○ Requires recycled content in roll carts and other plastic containers and products |

• Roles and responsibilities under Producer Responsibility

- | | |
|---|---|
| ○ Producers fully fund and coordinate the system | ○ Producer Responsibility Organizations (PROs): |
| ○ Dept. of Ecology provides oversight, reviews plans and annual reports and enforces the law | ▪ Submit implementation plans and annual reports |
| ○ An independent Advisory Council reviews PRO's plan and performance – advises PROs and Ecology | ▪ Propose and meet approved reuse and recycling targets |
| ○ Local governments maintain authority – they can continue to provide recycling services, outreach and education | ▪ Determine a statewide harmonized list of items designated to be collected for recycling |
| ○ Waste management service providers continue as haulers and processors (MRFs). | ▪ Create and fund consistent, multi-lingual outreach/education |
| ○ Material Recovery Facilities (MRFs) report the materials received, inbound/outbound quality and contamination, residuals, emissions and labor metrics. | ▪ Provide convenient recycling services all across the state - access to curbside recycling is provided wherever curbside garbage service is available. |
| | ▪ Reimburse local governments and service providers for recycling services and cover the costs of state oversight |
| | ▪ Ensure responsible recycling and transparency of end markets |
| | ▪ Use economic incentives to encourage packaging design that reduce environmental impacts |
| | ▪ Invest in infrastructure improvements |
| ○ A Deposit Return System (DRS) for beverage containers may be established: | |
| ○ Beverage distributors join a Distributor Responsibility Organization (DRO) | |
| ○ DRO runs the beverage container recycling and reuse system, funded by unredeemed refunds and distributors | |
| ○ DRO submits plans and annual reports for review and approval, meets the reuse and recycling rates | |
| ○ Consumers pay 10 cents deposit on beverage containers and redeem the 10 cents at drop locations, which are credited to an online account for each consumer | |

○ Minimum post-consumer recycled content requirements:



California's Landmark Plastic Pollution Law Moves Forward

WHAT YOU NEED TO KNOW: California is on track to implement its nation-leading law to cut single-use plastic and packaging waste. For decades, product manufacturers have increasingly used cheap plastic as their material of choice while misleading the public about the reusability of these products as consumption has soared to record highs.

SACRAMENTO – California today took another step in implementing the nation's most comprehensive measure to tackle the rise in plastic waste polluting our communities and ecosystems. Plastic waste is a major contributor to climate and trash pollution, with **less than 9% of plastic recycled** in California and the rest of the U.S.

Governor Gavin Newsom signed the **Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB 54)** in 2022, which requires producers to cut single-use plastic waste and ensure the packaging on products they sell is recyclable or compostable. The state **today released** draft regulations for the measure, kicking off the formal rulemaking process.

This landmark law requires that by 2032, industry must:

- Sell 25% less single-use plastic packaging and food ware in the state.
- Make all single-use packaging and plastic food ware recyclable or compostable.
- Recycle 65% of single-use plastic packaging and food ware.

In addition, the law creates a fund that will raise \$5 billion from industry members to be used by the state to address plastic pollution in the most impacted communities.

For example, the city of Berkeley in California requires truly compostable packaging for take-out food and reusable containers for eat-in establishments. Rather than focus exclusively on single-use plastic, [this ordinance](#) addresses disposable packaging more broadly.



HB21-1162

Management Of Plastic Products

Concerning the management of plastic products.

SESSION: 2021 Regular Session

SUBJECTS: Natural Resources & Environment, Public Health

BILL SUMMARY

Under current law, local governments are prohibited from requiring or banning the use or sale of specific types of plastic materials or products. The act repeals the prohibition on July 1, 2024.

The act prohibits stores and retail food establishments, on and after January 1, 2024, from providing single-use plastic carryout bags to customers; except that retail food establishments that are restaurants and small stores that operate solely in Colorado and have 3 or fewer locations may provide single-use plastic carryout bags. The prohibition does not apply to inventory purchased before January 1, 2024, and used on or before June 1, 2024, which may be supplied to a customer at the point of sale for a 10-cent or greater fee.

Between January 1, 2023, and January 1, 2024, a store may furnish a recycled paper carryout bag or a single-use plastic carryout bag to a customer at the point of sale if the customer pays a fee of 10 cents per bag or a higher fee adopted by the municipality or county in which the store is located.

On and after January 1, 2024, a store may furnish only a recycled paper carryout bag to a customer at the point of sale at a fee of 10 cents per bag or a higher fee imposed by the municipality or county in which the store is located.

Reducing Plastic Waste: How to Implement the PPRA

The State of Colorado's Plastic Pollution Reduction Act (also known as the PPRA, or House Bill 21-1162) was passed in 2021 to reduce and mitigate plastic pollution in Colorado.

In Phase 1 of implementation of the Plastic Pollution Reduction Act, which began January 1, 2023, large retailers in Colorado were required to charge a minimum \$0.10 fee per paper and plastic checkout bag. The fee was intended as a stepping stone toward a plastic bag ban in 2024 (Phase 2 of implementation). The fee is waived for customers who are enrolled in state or federal food assistance programs. If local ordinances called for higher fees or taxes for checkout bags, the fees would be consistent with the higher amount. **Colorado municipalities, retailers, and food establishments are now preparing for implementation of Phase 2.**

Phase 2 of the PPRA takes effect January 1, 2024

- ➔ **Plastic bag ban:** Large retailers in Colorado are prohibited from distributing plastic checkout bags. *Retailers are allowed to use up remaining inventory of plastic checkout bags after January 1, 2024, until supplies are depleted or until June 1, 2024. Retailers must charge the \$0.10 fee on any plastic bags distributed through June.*
- ➔ **Paper checkout bag fee:** A minimum fee of \$0.10 per bag will continue to be charged for paper checkout bags, as required in Phase 1 of the Plastic Pollution Reduction Act, effective January 2023.
- ➔ **Polystyrene food and beverage container ban:** Also starting January 1, 2024, retail food establishments are prohibited from distributing polystyrene foam (often referred to as Styrofoam®) cups and food containers. *Food establishments are allowed to use up remaining inventory of polystyrene foam cups and food containers after January 1, 2024, until supplies are depleted.*

Statewide ban on single-use plastic bags goes into effect July 1, 2021

June 18, 2021

Contact: David Madore, Deputy Commissioner, (207) 287-5842, david.madore@maine.gov

AUGUSTA, June 17, 2021 - The Maine Department of Environmental Protection (DEP) is reminding retail stores, restaurants, and shoppers that the statewide ban on single-use plastic carry-out bags will go into effect on July 1, 2021. A ban on single-use plastic carry-out bags, which was passed by the Maine Legislature in 2019, was scheduled to go into effect on April 22, 2020. However, the ban's enforcement was delayed twice, originally due to concerns regarding a disruption in packing supplies and logistical effects caused by COVID-19 Pandemic. The DEP encouraged businesses that provide single-use plastic carry-out bags to take advantage of the additional time provided by enforcement delays to procure alternatives and deplete current stocks of these products.

As of July 1, 2021, retail establishments including stores, restaurants, and temporary or pop-up businesses such as farmers markets, food trucks, or fairs, are prohibited from providing single-use plastic carry-out bags. Shoppers are encouraged to bring their own reusable bags or totes for transporting their goods. Stores may provide recycled paper bags or reusable bags for their customers. Grocery stores, box stores, and other large retail stores that provide carry-out bags must collect a 5-cent fee for each bag except for reusable bags not made of plastic, such as cloth bags with stitched handles, which may be given away at no cost. Restaurants and certain smaller retailers (those with less than 2% of retail sales from food and less than 10,000 square feet of retail area) are not required to collect a 5-cent fee per bag but must comply with the single-use plastic carry-out bag ban and provide only reusable or recycled paper bags.

Retailers may still provide single-use bags instore for shoppers to collect loose unpackaged goods prior to purchase, such as produce, deli, and bakery items. However, stores that provide bags for this purpose must serve as a public plastic bag recycling drop off location. The Maine Legislature passed the legislation to eliminate single-use plastic carry-out bags to reduce usage and encourage the use of reusable bags thereby reducing the amount of plastic in Maines waste stream and litter. Plastic bags do not decompose and can breakdown into microplastics thus creating a major negative impact on the environment.

Maine

SP0131
LD 367

First Regular Session - 124th Maine Legislature

Text: [MS-Word](#), [RTF](#) or [PDF](#)

[Bill Tracking](#)

[Chamber Status](#)

An Act To Reduce the Amount of Plastic Introduced into the Waste Stream

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §1023-G, sub-§2, as enacted by PL 1989, c. 878, Pt. A, §26, is amended to read:

2. Sources of money. The fund shall consist of the following:

- A. All money appropriated or allocated for inclusion in the fund;
- B. Subject to any pledge, contract or other obligation, all interest, dividends or other pecuniary gains from investment of money from the fund;
- C. Subject to any pledge, contract or other obligations, any money that the authority receives in repayment of advances from the fund; and
- D. Any other money available to the authority and directed by the authority to be paid into the fund - ; and
- E. Money remitted by the Department of Environmental Protection from plastic bag fees collected pursuant to Title 38, section 1605.

Sec. 2. 38 MRSA §1605, as repealed and replaced by PL 1991, c. 475, §1, is amended to read:

§ 1605. Plastic bags; recycling

A retailer may use plastic bags to bag products at the point of retail sale only if the retailer:

- 1. Location.** Locates inside the store or within 20 feet of the main entrance to the store a receptacle for collecting any used plastic bags; and
- 2. Recycles.** Ensures that the plastic bags collected are recycled or delivered to a person engaged in recycling plastics - ; and

3. Fee. Charges 10¢ for each plastic bag distributed to a customer. On the 15th day of each calendar month, the retailer shall report to the department the number of plastic bags distributed for the previous month and remit to the department the fee collected for those bags under this section.

The department shall administer and enforce the provisions of subsection 3 and remit the amount of plastic bag charges collected to the Waste Reduction and Recycling Loan Fund under Title 10, section 1023-G, after covering reasonable department expenses incurred by the provisions of this subsection.

The department may adopt rules to carry out the provisions of this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill requires retailers to charge 10¢ for each plastic bag used by customers. The funds must be remitted to the Department of Environmental Protection and deposited into the Waste Reduction and Recycling Loan Fund under the Maine Revised Statutes, Title 10, section 1023-G.

Oregon

Plastic Pollution and Recycling Modernization Act

| | | |
|-----------------------------------|---|---|
| Recycle Right! | | <p>The Plastic Pollution and Recycling Modernization Act will update Oregon’s outdated recycling system by building on local community programs and leveraging the resources of producers to create an innovative system that works for everyone. The Oregon legislature passed the Recycling Modernization Act (Senate Bill 582) during the 2021 legislative session. The new law became effective Jan. 1, 2022 and recycling program changes will start in July 2025.</p> |
| Reciclar Correctamente | | |
| RECYCLING IN OREGON | ▼ | <p>About the new law</p> <p>This system-wide update will make recycling easier for the public to use, expand access to recycling services, upgrade the facilities that sort recyclables, and create environmental benefits while reducing social and environmental harms, such as plastic pollution. Producers and manufacturers of packaged items, paper products and food serviceware will pay for many of these necessary improvements and help ensure recycling is successful in Oregon.</p> |
| LOCAL GOVERNMENT RESOURCES | ▼ | |

Fortunately, New Jersey is now home to the strongest Plastic Pollution Reduction Law in the United States! Starting May 2022, both plastic and paper single-use bags, as well as disposable food containers and cups made out of polystyrene foam (Styrofoam), will be banned, with some exemptions. Aug 9, 2024

GET PAST PLASTIC



[Home](#) / [Get Past Plastic](#)

New Jersey is getting past: Single-Use Carryout Bags, Polystyrene Foam Food Service Products, and Plastic Straws ([P.L. 2020, c. 117](#))

Starting May 4, 2022, New Jersey retail stores, grocery stores and food service businesses may not provide or sell single-use plastic carryout bags and polystyrene foam food service products. Single-use paper carryout bags are allowed to be provided or sold, except by grocery stores equal to or larger than 2500 square feet, which may only provide or sell reusable carryout bags. After November 4, 2021, plastic straws may be provided only upon the request of the customer.

Kansas governor vetoes bill blocking cities from banning single-use plastic containers

BY JENNA BARACKMAN

APRIL 15, 2024 1:05 PM | 



Kevin Arnold, 60, collects recyclable items on his route with a city of Belleville sanitation truck on Feb. 21, 2024. JOSHUA CARTER *Belleville News-Democrat*

Utah Becomes 22nd State to Enact Advanced Recycling Legislation to Help End Plastic Waste

ADVANCED RECYCLING

WASHINGTON, DC (March 16, 2023) — The American Chemistry Council (ACC) is pleased to learn Utah has become the first state in the 2023 legislative cycle, and the 22nd state in the country, to adopt legislation that regulates advanced recycling as manufacturing.

With the overwhelmingly bipartisan passage of **HB 493**, investments in advanced recycling are primed to spread west, along with the green collar jobs and sustainability benefits that come with it.

If Utah converts just 50% of the currently landfilled plastic feedstock in the state, it could generate nearly \$156 million in economic output each year and upwards of 600 manufacturing jobs in Utah.

Advanced recycling is a manufacturing process that uses chemistry to enable significantly more plastics to be recycled than traditional recycling technologies, including often hard-to-recycle films and mixed plastics. This helps displace the need for virgin resources to produce new plastics and reduces the amount of plastics destined for landfill and incineration. A **2021 report** by Closed Loop Partners estimated that advanced recycling could double the plastics packaging recycling rate in the U.S. and Canada by 2030.

"I'm proud that we're paving the way for cutting-edge technology to come to Utah so we can have a more sustainable, circular economy and create jobs for our residents," said Rep. Tim Jimenez, an environmental engineer who sponsored the legislation.

The regulatory certainty provided by HB 493 encourages investments by businesses to build these facilities, which can easily exceed \$200 million in capital costs. Additionally, HB 493 will help protect public health and the environment because the regulations applied most appropriately match the operations on the ground.

Indiana Lawmakers Overwhelmingly Pass Advanced Recycling Legislation to Boost Economy, Help End Plastic Waste

ADVANCED RECYCLING

WASHINGTON (April 20, 2023) — Today, Indiana became the 24th state in the country to adopt legislation so advanced recycling facilities are transparently and properly regulated as manufacturing operations.

The American Chemistry Council (ACC) is pleased to learn of the strong bipartisan support of SB 472 — passing 94-1 in the House, 44-5 in the Senate — which could generate more than \$222 million for Indiana each year and upwards of 900 jobs in the state.

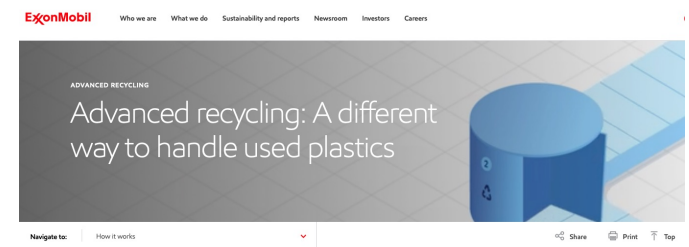
"This bill is a win-win for the state of Indiana. It will bring green collar jobs to our local economy, boost tax revenue from business investments, and reduce plastics in landfills and our environment," said State Sen. Mark Messmer (R-Jasper), a mechanical engineer who authored the bill. "I'm glad my colleagues on both sides of the aisle voted overwhelmingly for SB 472."

Advanced recycling is a manufacturing process that uses chemistry to enable significantly more plastics to be recycled than traditional recycling technologies, including often hard-to-recycle films and mixed plastics. Instead of having to send these valuable plastics to landfills or burning them for energy, technologies used in advanced recycling enable recyclers to convert used plastics back into raw materials to produce new virgin-equivalent plastics and chemical products without burning the plastic material.

SB 472 establishes these technologies remain subject to applicable manufacturing regulations and applies a regulatory framework for advanced recycling facilities that welcomes future investment in Indiana.

"As a manufacturer of products made with advanced recycling, we are excited for potential new advanced recycling capacity in Indiana. Laws such as this will foster growth in the technology so we can continue to increase the circularity of plastic products," said Robert Flores, vice president of sustainability at Berry Global, headquartered in Evansville, Ind. "The law also gives consumers more confidence with third-party certifications being recognized, such as the ISCC PLUS certification used by our manufacturing sites in Evansville, Franklin and Odon, Ind."

Reflecting Corporate Desire for "Advanced Recycling"



Only 9% of plastics are recycled globally, according to the Organization for Economic Co-operation and Development (OECD). How can the world improve that rate while supporting a more circular economy for plastics?

While the first step in improving recycling rates needs to be investment in municipal collecting and sorting, advanced recycling can help by complementing traditional recycling methods.

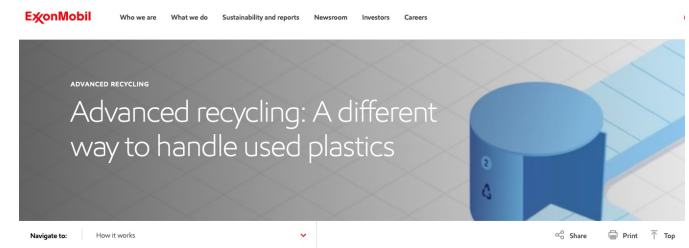
Traditional mechanical recycling is an excellent way to recycle clean plastics of a single type, like water

As Plastics Keep Piling Up, Can ‘Advanced’ Recycling Cut the Waste?

Proponents of a process called pyrolysis – including oil and gas companies – contend it will keep post-consumer plastics out of landfills and reduce pollution. But critics say that by converting waste to petroleum feedstock, it will only perpetuate a dependence on fossil fuels.

BY JUDITH LEWIS MERNIT • JUNE 1, 2023

Reflecting Corporate Desire for “Advanced Recycling”



Only 9% of plastics are recycled globally, according to the Organization for Economic Co-operation and Development (OECD). How can the world improve that rate while supporting a more circular economy for plastics?

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Traditional mechanical recycling is an excellent way to recycle clean plastics of a single type, like water

Ballot Initiatives (Power to the People?)

*Well, there is only one example on a statewide level
Many on a local level*

Ballot Initiatives (Power to the People)

California Plastic Waste Reduction Regulations Initiative (2022)

The **California Plastic Waste Reduction Regulations Initiative** was not for the ballot in California as an initiated state statute on November 8, 2022.

Overview

What would the ballot initiative have done?

The ballot initiative would have required the California Department of Resources, Recycling, and Recovery (CalRecycle), in consultation with other agencies, to adopt regulations that reduce the use of single-use plastic packaging and foodware, including:^[1]

- requiring producers to ensure that single-use plastic packaging and foodware is recyclable, reusable, refillable, or compostable by 2030;
- requiring producers to reduce or eliminate single-use plastic packaging or foodware that CalRecycle determines is unnecessary for product or food item delivery;
- requiring producers to reduce the amount of single-use plastic packaging and foodware sold in California by at least 25 percent by 2030;
- requiring producers to use recycled content and renewable materials in the production of single-use plastic packaging and foodware;
- establishing "mechanisms for convenient consumer access to recycling," including take-back programs and deposits;
- establishing and enforcing labeling standards to support the sorting of discarded single-use plastic packaging and foodware; and
- prohibiting food vendors from distributing expanded polystyrene food service containers.

The ballot initiative would have also enacted a fee, called the California Plastic Pollution Reduction Fee, on single-use plastic packaging and foodware. CalRecycle would have determined the fee amount with a maximum amount of 1 cent per item of packaging or foodware. Beginning in 2030, the fee would have been adjusted based on changes in the California Consumer Price Index.

California Plastic Waste Reduction Regulations Initiative



On June 30, 2022, the [California State Legislature](#) passed and Gov. [Gavin Newsom](#) (D) signed Senate Bill 54 (SB 54), which requires all packaging in the state to be recyclable or compostable and 65% of all single-use plastic packaging to be recycled by 2032. SB 54 was a legislative compromise between the stakeholders of the initiative and the legislature. The sponsors of the initiative withdrew the initiative after it was signed.^[21]

November 8, 2022

Topic

Business regulation

Status

Not on the ballot

Type

State statute

Origin

Citizens

8 in 10 American Voters Support a National Policy Reducing Single-Use Plastic



In February 2022, Oceana released a nationwide poll (link to results below) revealing that most Republican and Democratic voters are concerned about single-use plastics and support policies that reduce them. Included among the key findings: 84% of American voters are concerned about plastic pollution and its impact on the environment and our oceans; 86% are concerned about single-use plastic products; and 81% support local, state, and national policies that reduce single-use plastic.

The poll, conducted by the nonpartisan polling company Ipsos, surveyed 1,000 American adults from across the U.S. between Nov. 5 and 9, 2021, and found broad bipartisan support for policies that reduce products like single-use plastic bags, foam foodware, takeout containers, and packaging from online shopping.

by Isabel Hicks
08.22.2024



BOZEMAN

Ban on single-use plastics follows tumultuous path to Bozeman ballot

City, election officials settle lawsuit with initiative organizers, clearing the way for November vote.

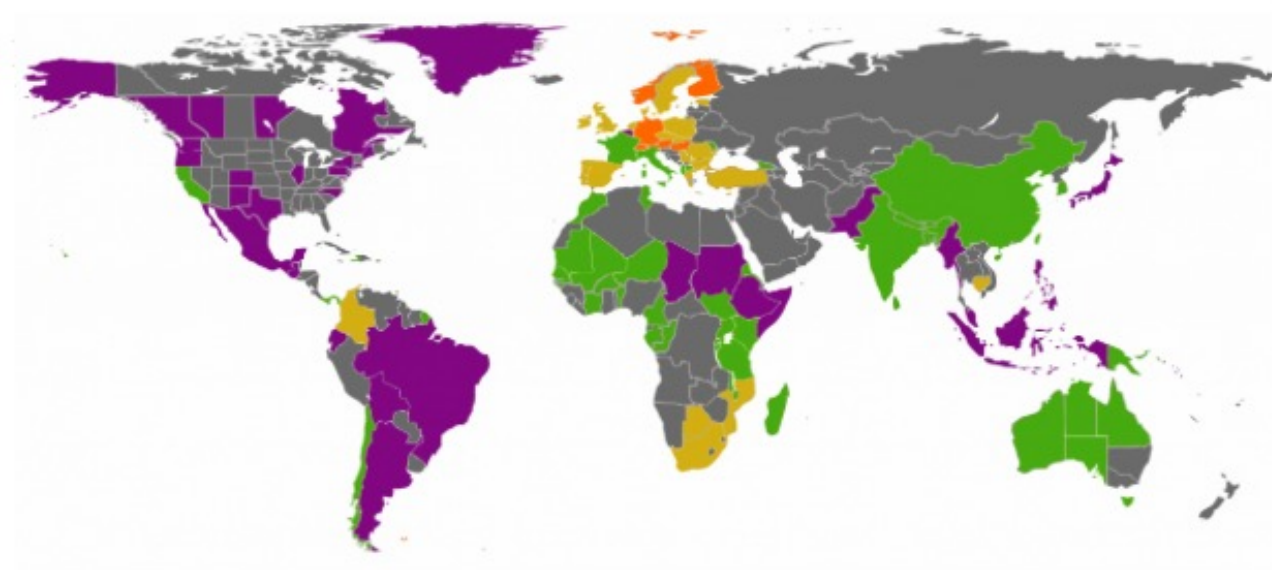


Credit: Adobe stock. May not be republished without license.

BOZEMAN — Following an initial rejection, a citizen initiative to ban single-use plastics will make the Bozeman ballot after city officials agreed to a **court settlement** this week.

Last week, Gallatin County Election Administrator Eric Semerad determined **the initiative did not meet the signature threshold** required to make the ballot. But two days later, Cottonwood Environmental Law Center filed a lawsuit against the Bozeman city attorney and Semerad, challenging the threshold. The suit argued that organizers only needed 15% of signatures from active Bozeman

Currently, only Hawaii and California have statewide plastic bag bans, with several other cities having either mandatory recycling programs, taxes on plastic bag use, etc.



Plastic bag bans across the United States WIKICOMMONS

When you zoom out on a global scale, we find dozens of countries that have banned single-use plastic bags. While many countries around the world have taken the steps to ban plastic bags country-wide, the United States has taken a piecemeal approach.

| City / County | State | Ban |
|----------------------|-------|--|
| DEL MAR | CA | City-wide ban on plastics bags and a 10-cent fee on paper bags |
| ALAMEDA COUNTY | CA | County-wide ban on plastic bags with a 10-cent fee on paper bags at stores, and in all restaurants |
| ST. HELENA | CA | City-wide ban on plastic bags and a 10-cent fee on paper bags |
| OCEANSIDE | CA | City-wide ban on plastic bags and ten-cent fee on paper bags |
| SAN DIEGO | CA | City-wide ban on single-use plastic bags and ten-cent fee on paper bags |
| DANVILLE | CA | Town-wide ban on plastic bags |
| SACRAMENTO COUNTY | CA | County-wide ban on plastic bags and 10-cent fee on paper bags |
| YOUNTVILLE | CA | Town-wide ban on plastic bags and 10-cent fee on paper bags |
| SANTA BARBARA COUNTY | CA | County-wide ban on plastic bags and 10-cent fee on paper bags |
| CATHEDRAL CITY | CA | City-wide ban on plastic bags and 10-cent fee on paper bags |
| HERMOSA BEACH | CA | City-wide ban on plastic and 10-cent fee on paper bags |
| AMERICAN CANYON | CA | City-wide ban on plastic bags |
| MILPITAS | CA | City-wide ban on plastic bags and 10-cent fee on paper bags |
| SEASIDE | CA | City-wide ban on plastic bags and 10-cent fee on paper bags |
| LAFAYETTE | CA | City-wide ban on plastic bags and 10-cent fee on paper bags |
| MANHATTAN BEACH | CA | Ban on plastic bags |
| FAIRFAX | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| PACIFICA | CA | Ban on plastic bags and 10-cent paper bag fee |
| SACRAMENTO | CA | City-wide ban on plastic bags and 10-cent fee for paper bags |
| MARINA | CA | City-wide ban on plastic bags and 10-cent fee on paper bags |
| ENCINITAS | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| HERCULES | CA | Ban on plastic and ten cent fee on recycled and reusable bags |
| PACIFIC GROVE | CA | City-wide ban on plastic bags and 10-cent fee for allowable bags |
| PLEASANT HILL | CA | Ban on plastic bags and 10-cent paper bag fee |
| NEVADA CITY | CA | Ban on plastic bags and 10-cent paper bag fee |
| MOUNTAIN VIEW | CA | Ban on plastic bags and 10-cent paper bag fee |
| MONROVIA | CA | Ban on plastic bags |
| KING CITY | CA | City-wide ban on plastic bags and 10-cent fee on paper bags |

| | | |
|-------------------|----|---|
| MARTINEZ | CA | Ban on plastic bags |
| CHICO | CA | City-wide ban on plastic bags and 10-cent fee for paper bags |
| GRASS VALLEY | CA | City-wide ban on plastic bags |
| CALISTOGA | CA | City-wide ban on plastic bags |
| INDIO | CA | City-wide ban on plastic bags |
| WALNUT CREEK | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| BELVEDERE | CA | City-wide ban on plastic bags with a 10-cent fee on reusable bags |
| SOUTH PASADENA | CA | City-wide ban on plastic bags |
| ARCATA | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags |
| PALM SPRINGS | CA | Ban on plastic bags and 10-cent tax on paper bags |
| LOS ALAMOS | CA | Ban on plastic bags |
| SANTA BARBARA | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags |
| SOUTH LAKE TAHOE | CA | City-wide ban on plastic bags with a 5-cent fee on paper bags |
| MONTEREY (COUNTY) | CA | County-wide ban on plastic bags and 10-cent fee on paper bags |
| SAN RAFAEL | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| NOVATO | CA | Ban on plastic bags and 10-cent paper bag fee |
| PETALUMA | CA | Ban on plastic bags and 10-cent tax on paper bags |
| SANTA ROSA | CA | City-wide ban on plastic bags |
| SALINAS | CA | Ban on plastic bags and 10-cent paper bag fee |
| ROHNERT PARK | CA | Ban on plastic bags and 10-cent tax on paper bags |
| COTATI | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| CLOVERDALE | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| HEALDSBURGH | CA | Ban on plastic and ten cent fee on paper bags |
| SAUSALITO | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| SEBASTOPOL | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| SONOMA CITY | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| SONOMA COUNTY | CA | City-wide ban on plastic bags |
| WINDSOR | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| DAVIS CITY | CA | City-wide ban on plastic bags |
| LOS ANGELES CITY | CA | Ban on plastic bags and ten-cent fee on paper bags |

| | | |
|------------------------------------|----|---|
| TRUCKEE | CA | City-wide ban on plastic bags |
| ORCUTT | CA | Ban on plastic bags and paper bag tax |
| LOS GATOS | CA | Plastic bag ban |
| CAMPBELL | CA | City-wide ban on plastic bags with a small fee on paper bags |
| PITTSBURG | CA | Ban on plastic bags and tax on paper bags |
| RICHMOND | CA | Ban on plastic bags and 5-cent paper bag tax |
| EL CERRITO | CA | City-wide ban on plastic bags |
| SAN PABLO | CA | City-wide ban on plastic bags with a 5-cent tax on plastic bags |
| CULVER CITY | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| SAN JOSE | CA | City-wide ban on plastic with a 10-cent fee on paper bags |
| MILL VALLEY | CA | Ban on plastic bags |
| EAST PALO ALTO | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| REDWOOD CITY (IN SAN MATEO COUNTY) | CA | Ban on plastic bags |
| CUPERTINO | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| LOS ALTOS | CA | Plastic bag ban and 25 cent fee on paper bags |
| PALO ALTO | CA | Ban on plastic bags and 10-cent tax on paper bags |
| SAN CARLOS | CA | City-wide ban on plastic bags with a 5-cent fee on paper bags |
| HALF MOON BAY | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| SAN BRUNO | CA | Ban on plastic bags and 10-cent tax on paper bags |
| PORTOLA VALLEY | CA | Ban on plastic bags and 10-cent paper bag fee |
| PACIFICA | CA | Ban on plastic bags and 25-cent tax on paper bags |
| MORGAN HILL CITY | CA | Ban on plastic bags and 10-cent paper bag fee |
| MENLO PARK | CA | Ban on plastic bags |
| BELMONT | CA | City-wide ban on plastic bags with a 25-cent fee on paper bags |
| FOSTER CITY | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags |
| DALY CITY | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| COLMA | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags |
| SAN MATEO CITY | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags |
| SAN MATEO COUNTY | CA | County-wide ban on plastic bags |

| | | | | | | | | |
|---------------------|----|--|------------------------|----|--|-----------------|----|---|
| SOUTH SAN FRANCISCO | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | FORT BRAGG | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | BETHEL | AK | City-wide ban on plastic bags |
| WOODSIDE | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | ARROYO GRANDE | CA | City-wide ban on plastic bags and 10-cent fee on paper bags | CRESTED BUTTE | CO | City-wide ban on plastic bags |
| CARPINTERIA | CA | City-wide ban on plastic and paper bags | PISMO BEACH | CA | Ban on plastic bags and 10-cent tax on paper bags | AVON | CO | Town-wide ban on plastic bags, 10-cent tax on paper bags |
| SANTA CRUZ | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags | PASO ROBLES | CA | Ban on plastic bags and 10-cent paper bag fee | NEDERLAND | CO | City-wide 10-cent fee on paper and plastic bags |
| DANA POINT | CA | City-wide ban on plastic bags | MORRO BAY | CA | Ban on plastic bags and 10-cent tax on paper bags | BRECKENRIDGE | CO | City-wide 10-percent tax on plastic bags |
| CAPITOLA | CA | City-wide ban on plastic bags with a 25-cent tax on paper bags | ATASCADERO | CA | City-wide ban on plastic bags and 10-cent fee on paper bags | BOULDER | CO | 10-cent fee on plastic bags |
| BURLINGAME | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | SAN LUIS OBISPO COUNTY | CA | County-wide ban on plastic bags with a 10-cent tax on paper bags | ASPEN | CO | City-wide ban on plastic bags with a 20-cent fee on paper bags |
| BRISBANE | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | GROVER BEACH | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags | CARBONDALE | CO | City-wide ban on plastic bags with a 20-cent tax on paper bags |
| SUNNYVALE | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | WATSONVILLE | CA | City-wide ban on plastic bags with a 10-25 cent fee on paper bags | TELLURIDE | CO | City-wide ban on plastic bags with a 10-cent tax on paper bags |
| WEST HOLLYWOOD | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags | MILLBRAE | CA | Ban on plastic bags and 10-cent tax on paper bags | GREENWICH | CT | City-wide ban on plastic bags (3 year sunset) |
| CARMEL BY THE SEA | CA | City-wide ban on plastic bags | SOLANA BEACH | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | WESTPORT | CT | Westport, CT implemented a ban on plastic bags for all retail establishments |
| MENDOCINO COUNTY | CA | Ban on plastic bags and 10-cent tax on paper bags | PASADENA | CA | Ban on plastic bags and 10-cent tax on paper bags | WASHINGTON | DC | City-wide 5-cent tax on plastic and paper bags |
| UKIAH COUNTY | CA | City-wide ban on plastic bags and 10-cent tax on paper bags | OJAI | CA | Ban on plastic bags and 10-cent paper bag fee | CORAL GABLES | FL | City-wide ban on plastic bags |
| PLEASANTON | CA | Ban on plastic bags and 10-cent tax on paper and reusable bags | SAN LUIS OBISPO | CA | City-wide ban with a 10-cent fee on paper bags | OAHU | HI | County-wide ban on plastic bags, 15-cent tax on reusable plastic bags by 2020 |
| PIEDMONT | CA | Ban on plastic bags and 10-cent fee on paper bags | SAN FRANCISCO | CA | City-wide ban on plastic bags | OAHU | HI | Ban on plastic bags |
| OAKLAND | CA | Ban on plastic bags and 10-cent fee on paper and reusable bags | MARIN COUNTY | CA | Ban on plastic bags | HAWAII COUNTY | HI | County-wide ban on plastic bags |
| NEWARK | CA | Ban on plastic bags and 10-cent tax on paper and reusable bags | LOS ANGELES COUNTY | CA | Ban on plastic bags and ten cent fee for paper bags | HONOLULU | HI | City-wide ban on plastic bags |
| MONTEREY | CA | City-wide ban on plastic bags and 25-cent paper bag fee | SANTA CLARA COUNTY | CA | County-wide ban on plastic bags with a 15 cent fee on paper bags | MAUI COUNTY | HI | County-wide ban on plastic bags |
| ALBANY | CA | City-wide ban on plastic bags and 10-cent fee on paper and reusable bags | SANTA MONICA | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | KAUAI COUNTY | HI | County-wide ban on plastic bags |
| LIVERMORE | CA | Ban on plastic bags and 10-cent tax on paper and reusable bags | LONG BEACH | CA | Ban on plastic bags and ten cent fee on paper bags | MARSHALL COUNTY | IA | County-wide ban on plastic bags |
| BERKLEY COUNTY | CA | City-wide ban on plastic bags | CALABASAS | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | OAK PARK | IL | City-wide 10-cent tax for retailers over 5,000 square feet |
| HAYWARD | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags | MALIBU | CA | Ban on plastic bags | CHICAGO | IL | City-wide 7-cent tax on plastic and paper bags |
| GLENDALE | CA | City-wide ban on plastic bags with a 10-cent fee on paper bags | CALIFORNIA (STATEWIDE) | CA | Statewide ban on single-use plastic bags and 10-cent fee on paper bags | EVANSTON | IL | City-wide ban on plastic bags less than 225ml thick |
| FREMONT | CA | City-wide ban on plastic bags with a 10-cent tax on reusable bags | BISBEE | AZ | City-wide ban on plastic bags with a 5-cent tax on paper bags | DARTMOUTH | MA | Town-wide ban on plastic bags |
| EMERYVILLE | CA | City-wide ban on plastic bags with a 10-cent tax on reusable bags | ANCHORAGE | AK | City-wide ban on plastic bags, 10-50-cent tax for paper bags | WILMINGTON | MA | Town-wide ban on plastic bags |
| DUBLIN | CA | City-wide ban on plastic bags with a 10-cent tax on reusable bags | UNALASKA | AK | City-wide ban on plastic bags | HAVERHILL | MA | City-wide ban on plastic bags for businesses with 8,000 sq ft or more |
| CORVALLIS | CA | City-wide ban on plastic bags with a 5-cent fee on paper bags | PALMER | AK | City-wide ban on plastic bags | ANDOVER | MA | Town-wide ban on plastic bags |
| LAGUNA BEACH | CA | Ban on plastic bags and a ten cent fee on paper bags | WASILLA | AK | City-wide ban on plastic bags | LOWELL | MA | City-wide ban on plastic bags (retail establishments 3,000 sq ft or more) |
| SAN LEANDRO | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags | CORDOVA | AK | City-wide ban on plastic bags | DANVERS | MA | Town-wide ban on plastic bags |
| UNION CITY | CA | City-wide ban on plastic bags with a 10-cent tax on paper bags | HOOPER BAY | AK | City-wide ban on plastic bags | | | |

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|--------------|----|--|--------------|----|---|-------------------|----|---|
| WESTFORD | MA | Town-wide ban on plastic bags | NATICK | MA | Town-wide ban on plastic bags | NEWBURYPORT | MA | City-wide ban on plastic bags |
| GLOUCESTER | MA | City-wide ban on plastic bags | WATERTOWN | MA | Town-wide ban on plastic bags | GREAT BARRINGTON | MA | City-wide ban on plastic bags |
| HOPKINTON | MA | Town-wide plastic bag ban | SHREWSBURY | MA | City-wide ban on plastic bags less than 40 mils thick | MANCHESTER | MA | City-wide ban on plastic bags |
| BELMONT | MA | Town-wide ban on plastic bags | LENOX | MA | Town-wide ban on plastic bags | BROOKLINE | MA | City-wide ban on plastic bags |
| BOSTON | MA | City-wide ban on plastic bags, Five-cent tax on paper, reusable bags | LEE | MA | Town-wide ban on plastic bags and tax on paper bags | HARFORD | MD | County-wide ban on plastic yard waste bags |
| COHASSET | MA | Town-wide ban on plastic bags | ADAMS | MA | Town-wide ban on plastic bags | ABERDEEN | MD | City-wide ban on plastic yard waste bags |
| WINCHESTER | MA | Town-wide ban on plastic bags | AMHERST | MA | Town-wide ban on plastic bags | TAKOMA PARK | MD | City-wide ban on plastic bags |
| MARSHFIELD | MA | Town-wide plastic bag ban | CHILMARK | MA | Town-wide ban on plastic bags and fee on paper and reusable bags | MONTGOMERY COUNTY | MD | Five-cent charge on each paper or plastic carryout bag per establishment |
| WESTBOROUGH | MA | Town-wide ban on plastic bags | AQUINNAH | MA | Town-wide ban on plastic bags | CHESTERTOWN | MD | Chestertown, MD implemented a ban on plastic bags for all businesses |
| SWAMPSCOTT | MA | Town-wide ban on plastic bags | WEST TISBURY | MA | Town-wide ban on plastic bags and fee on paper and reusable bags | ROCKLAND | ME | City-wide ban on plastic bags |
| TOPSFIELD | MA | Town-wide ban on plastic bags | TISBURY | MA | Town-wide ban on plastic bags and fee on paper and reusable bags | MANCHESTER | ME | Town-wide ban on plastic bags |
| WAYLAND | MA | Town-wide ban on plastic bags | SALEM | MA | City-wide ban on plastic bags | BLUE HILL | ME | Town-wide plastic bag ban |
| WAKEFIELD | MA | City-wide ban on plastic bags | WELLESLEY | MA | City-wide ban on plastic bags | BATH | ME | City-wide ban on plastic bags, and a five-cent tax on paper bags in 2019 and 15-cents in 2019 and 2020) |
| MELROSE | MA | City-wide ban on plastic bags (businesses over 8,000 sq ft) | BARNSTABLE | MA | City-wide ban on plastic bags less than 3 mils thick | BELFAST | ME | City-wide ban on plastic bags |
| SOUTH HADLEY | MA | City-wide ban on plastic bags | SOMERVILLE | MA | City-wide ban on plastic bags | CAPE ELIZABETH | ME | Town-wide five-cent tax on plastic bags |
| SUDBURY | MA | City-wide ban on plastic bags | FALMOUTH | MA | City-wide ban on plastic bags and 10-cent fee on paper bags | BRUNSWICK | ME | Town-wide ban on plastic bags |
| DALTON | MA | City-wide ban on plastic bags less than 40 mils | HAMILTON | MA | Town-wide ban on plastic bags | TOPSHAM | ME | Town-wide 5-cent fee on plastic bags |
| YARMOUTH | MA | City-wide ban on plastic bags | HARWICH | MA | City-wide ban on plastic bags | SACO | ME | City-wide ban on plastic bags |
| ARLINGTON | MA | City-wide ban on plastic bags | CAMBRIDGE | MA | City-wide ban on single-use plastic bags and 10-cent fee on reusable plastic bags | FREEPORT | ME | Town-wide ban on plastic bags and five-cent fee on paper bags |
| STOCKBRIDGE | MA | City-wide ban on plastic bags | TRURO | MA | Town-wide ban on plastic bags | KENNEBUNK | ME | Town-wide ban on plastic bags |
| BOURNE | MA | Town-wide ban on plastic bags | BRIDGEWATER | MA | Town-wide ban on plastic bags | FALMOUTH | ME | City-wide 5-cent fee on plastic and paper bags |
| OAK BLUFFS | MA | Town-wide ban on plastic bags | NORTHAMPTON | MA | City-wide ban on plastic bags | YORK | ME | Town-wide ban on plastic bags |
| FRAMINGHAM | MA | Town-wide ban on plastic bags | CONCORD | MA | City-wide ban on plastic bags | SOUTH PORTLAND | ME | City-wide 5-cent fee on plastic and paper bags |
| EDGARTOWN | MA | Town-wide ban on plastic bags and fee on paper and reusable bags | CHATHAM | MA | City-wide ban on single-use plastic bags | PORTLAND | ME | City-wide 5-cent fee on plastic and paper bags |
| ATHOL | MA | City-wide ban on plastic bags | WELLFLEET | MA | Town-wide ban on plastic bags | WASHTENAW COUNTY | MI | County-wide ban on plastic bags and 10-cent fee on reusable bags |
| SANDWICH | MA | Town-wide ban on plastic bags | WILLIAMSTOWN | MA | Town-wide ban on plastic bags | HYDE COUNTY | NC | County-wide ban on plastic bags |
| IPSWICH | MA | Town-wide ban on plastic bags and fee on paper bags | NEWTON | MA | City-wide ban on plastic bags | DARE COUNTY | NC | County-wide ban on plastic bags |
| DENNIS | MA | Town-wide ban on plastic bags | MARBLEHEAD | MA | City-wide ban on plastic bags | CURRITUCK COUNTY | NC | County-wide ban on plastic bags |
| BEDFORD | MA | Town-wide ban on plastic bags | PROVINCETOWN | MA | City-wide ban on plastic bags | EDDYS CITY | NC | City-wide ban on plastic bags |
| PLYMOUTH | MA | Town-wide ban on plastic bags | | | | | | |

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| JERSEY CITY | NJ | City-wide ban on plastic bags |
| BELMAR | NJ | Borough-wide ban on plastic bags |
| BRIGANTINE BEACH | NJ | City-wide ban on plastic bags |
| HOBOKEN | NJ | City-wide ban on plastic bags, fee on paper and reusable income customers exempt |
| BRADLEY BEACH | NJ | Borough-wide ban on plastic bags |
| STAFFORD TOWNSHIP | NJ | Town-wide ban on plastic bags |
| ATLANTIC COUNTY | NJ | County-wide ban on plastic bags and straws within parks |
| TEANECK | NJ | 5-cent tax on plastic bags |
| MONMOUTH BEACH | NJ | Borough-wide ban on plastic bags |
| LONG BEACH | NJ | Town-wide ban on plastic bags |
| POINT PLEASANT BEACH | NJ | Borough-wide ban on plastic bags |
| LONGPORT | NJ | 10-cent fee on paper and plastic bags |
| SILVER CITY | NM | City-wide ban on plastic bags |
| SANTA FE | NM | City-wide ban on plastic bags and 10-cent tax on paper bags |
| BEDFORD | NY | Town-wide 10-cent fee on plastic and paper bags |
| LEWISBORO | NY | Town-wide ban on plastic bags,15-cent fee on paper bags |
| SEA CLIFF | NY | Village-wide minimum 5-cent tax on plastic bags |
| SUFFOLK COUNTY | NY | County-wide five-cent fee on paper and plastic bags |
| LONG BEACH | NY | City-wide five-cent fee on plastic bags |
| NEW CASTLE | NY | City-wide ban on plastic bags and 10-cent fee on paper bags |
| NEW YORK CITY | NY | City-wide 5-cent fee on plastic bags |
| PATCHOGUE VILLAGE | NY | City-wide ban on plastic bags |
| SAG HARBOR | NY | Village-wide ban on plastic bags |
| SOUTHAMPTON | NY | City-wide ban on plastic bags |
| NEW PALTZ VILLAGE | NY | Village-wide ban on plastic bags |
| HASTINGS ON HUDSON | NY | City-wide ban on plastic bags |
| LARCHMONT | NY | City-wide ban on plastic bags |
| MAMARONECK | NY | Village-wide ban on plastic bags |
| RYE | NY | City-wide ban on plastic bags |
| EAST HAMPTON | NY | City-wide ban on plastic bags |

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| NEW YORK (STATEWIDE) | NY | Proposal for State-wide ban on plastic bags w/Amendments |
| MILWAUKIE | OR | City-wide ban on plastic bags |
| MANZANITA | OR | City-wide ban on plastic bags |
| MCMINNVILLE | OR | City-wide ban on plastic bags |
| HOOD RIVER | OR | City-wide ban on plastic bags |
| FOREST GROVE | OR | City-wide ban on plastic bags |
| ASHLAND | OR | City-wide ban on plastic bags and 10-cent fee on paper bags |
| EUGENE | OR | City-wide ban on plastic bags and 5-cent fee on paper bags |
| CORVALLIS | OR | City-wide ban on plastic bags and 5-cent fee on paper bags |
| PORTLAND | OR | City-wide ban on plastic bags |
| PROVIDENCE | RI | City-wide ban on plastic bags and 10-cent tax on paper bags |
| NORTH KINGSTOWN | RI | Town-wide ban on plastic bags |
| JAMESTOWN | RI | City-wide ban on plastic bags |
| NEW SHOREHAM | RI | Town-wide ban on plastic bags |
| NEWPORT | RI | City-wide ban on plastic bags |
| MIDDLETOWN | RI | City-wide ban on plastic bags |
| BARRINGTON | RI | City-wide ban on plastic bags |
| MOUNT PLEASANT | SC | City-wide ban on plastic bags |
| BEAUFORT COUNTY | SC | County-wide ban on plastic bags |
| SURFSIDE BEACH | SC | City-wide ban on plastic bags |
| FOLLY BEACH | SC | City-wide ban on plastic bags |
| ISLE OF PALMS | SC | City-wide ban on plastic bags |
| BROWNSVILLE | TX | City-wide ban of plastic bags |
| EAGLE PASS | TX | City-wide ban on plastic bags |
| PORT ARANSAS | TX | City-wide ban on plastic bags suspended |
| LAREDO | TX | City-wide plastic bag ban |
| KERMIT | TX | Plastic bag ban and 10-cent tax on paper bags |
| SUNSET VALLEY | TX | City-wide plastic bag ban |
| FREER | TX | City-wide plastic bag ban |
| AUSTIN | TX | The ordinance include specific carryout bag standards, e |

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|--------------------|----|---|
| LAGUNA VISTA | TX | Plastic bag ban at all retailers |
| SOUTH PADRE ISLAND | TX | City-wide plastic bag ban |
| FORT STOCKTON | TX | A bag ban ordinance with an exception for plastic bags that are 100% recyclable |
| MOAB | UT | City-wide ban on plastic bags |
| PARK CITY | UT | City-wide ban on plastic bags in stores larger than 12,000 sq ft |
| PARK CITY | UT | City-wide ban on plastic bags in stores larger than 12,000 sq ft |
| BRATTLEBORO | VT | Town-wide ban on plastic bags |
| KENMORE | WA | City-wide ban on plastic bags, 5-cent fee on paper bags |
| LA CONNER | WA | Town-wide ban on plastic bags |
| PORT ANGELES | WA | City-wide ban on plastic bags less than 225 mm, 5-cent tax on paper bags |
| TACOMA | WA | City-wide ban on plastic bags less than 225 mils thick |
| FRIDAY HARBOR | WA | Town-wide ban on plastic bags |
| SAN JUAN COUNTY | WA | County-wide ban on plastic bags |
| TUMWATER | WA | City-wide ban on plastic bags and 5-cent fee on paper bags |
| THURSTON COUNTY | WA | County-wide ban on plastic bags and 5-cent fee on paper bags |
| OLYMPIA | WA | City-wide ban on plastic bags and 5-cent fee on paper bags |
| LACEY | WA | City-wide ban on plastic bags and 5-cent fee on paper bags |
| MERCER ISLAND | WA | City-wide ban on plastic bags |
| SHORELINE | WA | City-wide ban on plastic bags and 5-cent fee on paper bags |
| ISSAQUAH | WA | City-wide ban on plastic bags and 5-cent fee on paper bags |
| MUKILTEO | WA | City-wide ban on plastic bags |
| PORT TOWNSEND | WA | City-wide ban on plastic bags and 5-cent fee on paper bags |
| BAINBRIDGE ISLAND | WA | City-wide ban on plastic bags and 5-cent fee on paper bags |
| BELLINGHAM | WA | City-wide ban on plastic bags and 5-cent fee on paper bags |
| SEATTLE | WA | City-wide ban on plastic bags and 5-cent fee on paper bags |
| EDMONDS | WA | City-wide ban on plastic bags |

Ohio House Passes Bill to Block Single-use Plastics Bans

The bill will now go to the Ohio Senate, which is debating its own version of the measure.



Waste360 Staff, Staff
December 13, 2019

🕒 1 Min Read



The [Ohio](#) House of Representatives has voted to pass a bill that would block bans on [single-use plastic bags](#), cups, straws and other items.

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The federal government plans on banning some commonly used plastic items, including straws. PHOTO BY FULLEMPY / iStock / Getty Images

The Trudeau government's plan to eliminate plastic waste in Canada by 2030 is underway in earnest with the gradual elimination of single use plastics.

2022

As of Dec. 20, the manufacture and import for sale in Canada of plastic checkout bags, cutlery, takeout containers, stir sticks and most plastic straws (with some exemptions for flexible ones) will be prohibited. The sale of these items in Canada will end a year later.

For six-pack ring carriers, the respective deadlines are six months later.

By December 2025, all designated single use plastics will be prohibited, including manufacturing, importing and sales for export.

The most visible change at first will be grocery stores ending the use of plastic bags — already underway in some chains and poised to happen in 2023 for others.

Many fast-food outlets have already eliminated or are phasing out plastic straws, cutlery and stir sticks.

Well-designed laws will address unsustainable alternatives directly. Laws that specifically ban biodegradable plastic as part of bans on single use plastic can be found in Jamaica, the Bahamas, and New Zealand, among others.

Jamaica's ban on biodegradable plastic is part of its

[single use plastic law](#), which prohibits the import or distribution of single use plastic in commercial quantities, and includes degradable, biodegradable, oxo-degradable, photo degradable or compostable plastic bags. The [Bahamian plastic law](#) likewise includes biodegradable plastic bags in its prohibition on single use plastic bags. The British territory of Turks and Caicos Islands also includes biodegradable plastics in its [prohibition on single use plastics](#). Similarly, in [New Zealand's plastic law](#) an explanatory note clarifies that the definition of "plastic bags" includes bags that are compostable or biodegradable, and as of 2022 New Zealand has also adopted [regulations](#) that will ban bio-based plastic drink stirrers, plastic cotton buds, and plastics that contain pro-degradants.

<https://elaw.org/plastic>

In Bangladesh, the government requires the use of jute bags for bulk commodities listed in the Mandatory Jute Packaging Act, 2010, such as rice, sugar, and fertilizer. The law has twice been expanded to encompass more products and requires jute packaging for preservation and transportation of 20 kg or more of 17 commodities throughout Bangladesh. The law not only reduces plastic waste, but supports Bangladesh's jute industry.

Some laws limit the distributors that are covered, which can make a ban harder to enforce. For example, Taiwan's 2019 law applies to department stores in shopping centers but not to chain convenience stores and fast food facilities found in the same shopping centers. See, Environmental Protection Administration, Executive Yuan Huan-Shu-Fei-Tzu [No. 1080056916](#) (8 August 2019).

Finally, many otherwise strong bans are weakened by inclusion of a long list of exemptions. For example, [Antigua and Barbuda](#) bans import, distribution, sale and use of polyethylene or petroleum-based shopping bags, but includes a long list of bags exempt from the ban and allows the Minister responsible for Trade, Commerce & Industry, Sports, Culture and National Festivals to exempt other bags.

Separate from addressing the manufacture and use of the products themselves, some countries are banning the import and export of plastic waste. For example, Senegal bans the import of plastic waste and the export of waste unless the importing country allows the import and has adequate treatment facilities. [Senegal, Loi n° 2020-04](#) (8 January 2020), Arts. 19-20.

2003 South African law bans bags less than 24 microns thick and taxes thicker bags, which encourages use of reusable carry bags.

[external costs of plastic](#) production and use. For example, [Algeria imposes a Value Added Tax \(VAT\)](#) on plastic bags imported and produced locally.

Deposit-refund systems (DRS) (also known as deposit-refund schemes or bottle bills) have a long history of improving collection of refillable and recyclable containers. These programs generally require the consumer to pay a small deposit at purchase that is refunded when the container is returned to the retailer or to a collection center. These laws most commonly apply to beverage containers, but could easily be expanded to cover other plastic products as well.

Whether a DRS is the right program in a jurisdiction will depend on factors including whether there are people dependent on collecting and selling these items who would be displaced by a more formal system.

Some DRS laws are designed to put the costs of the program on producers (including importers and distributors). DRS can be one element of an [Extended Producer Responsibility](#) scheme.

DRS laws are found in many regions of the world, including Australia, [Barbados](#), Fiji, [Senegal](#), and Tanzania.

Recently, many governments, civil society, and others are promoting Extended Producer Responsibility (EPR) as a strategy to reduce the growing menace of plastic.^x

In Europe, EPR has gained a specific meaning and there are some well-developed EPR programs in place.^{xiv} However, in other places, EPR may look different.

The responsibility imposed can be *individual*, where a producer takes responsibility for its own products, or *collective*, where producers in the same product group pay a variable (often based on how much product they put on the market) or fixed fee for participation in a Producer Responsibility Organisation (PRO). A PRO is generally created by producers, and takes responsibility for the practical recovery and recycling responsibilities of its member producers (Bio Intelligence Service, 2015). Whatever the scheme, it should ideally ensure full cost coverage of end-of-life management of products (Zero Waste Europe, 2017). Generally, individual EPR (or 'IPR') tends to provide a stronger incentive for design changes as the feedback loop is more directly linked to individual brands. Collective EPR (or 'CPR') is, on the other hand, often more cost effective to implement and is by far the most common type of EPR scheme (EEA, 2017).

Since the introduction of the EPR approach in Europe in the early 1990s, and in particular over the past 15 years, its use has spread with some 400 EPR schemes currently in use globally, most of them in OECD countries (see Figure 1) (OECD, 2016).

Small consumer electronics are the products most widely covered by EPR systems (35%), followed by packaging (17%), tyres (17%), vehicles/auto batteries (11%) and other products (20%) (Kaffine and O'Reilly, 2015). This study, however, focuses on packaging as the packaging sector is the main user of

In the EU, the EPR approach is introduced in the **End-of-Life Vehicles (ELV) Directive 2000/53/EC**, the **Waste Electrical and Electronic Equipment (WEEE) Directive 2012/19/EU** and the **Batteries Directive 2006/66/EC** (European Commission, 2014). In addition, Article 8 of the **Waste Framework Directive 2008/98** sets some principles regarding the implementation of EPR by Member States and it is explicitly encouraged in the **Packaging and Packaging Waste Directive (PPWD)** where, although its implementation is not mandatory (European Commission, 2014; EUROPEN, 2013), the policy is considered to have significant potential to achieve the Directive's targets (Bourguignon, 2017a) as well as national packaging waste targets (EUROPEN, 2013). However, efforts are needed to ensure a more harmonised EU-wide approach to EPR (European Commission, 2014).

2.2 EPR schemes in the EU related to plastics

Twenty-six of the 28 EU Member States have some form of EPR in place for packaging waste, as recommended by the Packaging and Packaging Waste Directive. Many of these schemes were implemented in the 1990s (with Germany the first, followed by France, Austria, Belgium, Luxembourg, Sweden, Spain, Portugal, Hungary, Finland, Ireland and the UK), with others being put in place in the early 2000s (European Commission, 2014).

Box 1 Svenska Retursystem

Sweden introduced an EPR scheme for packaging and all packaging materials in 1994 (SFS 1994:1235, today 2014:1073). In 1997, the Trade Association for Grocery of Sweden (SvHD) and the Swedish Food & Drinks Retailers Association (DLF) jointly launched 'Svenska Retursystem' – a separate company operating a system of reusable pallets and crates for grocery distribution. It is a circular, EPR-driven business model (see Figure 2). Svenska Retursystem's customers pay a user fee and deposit for crates and half-size pallets, and a daily rent and user fee for full-size pallets (Svenska Retursystem, 2017b). Crates and pallets are sent to material recycling at the end of their useful life. A 2016 LCA found that Retursystem's reusable crates reduced CO₂-equivalent emissions by 74% compared to equivalent corrugated cardboard packaging. Reusable crates also protect primary packaging and reduce product damage/wastage during transport (Svenska Retursystem, 2017c).

According to DLF, Sweden was the first country where food and drink retailers created a joint system for reusable distribution packaging (DLF, 2017). Today, Svenska Retursystem has 1,500 customers and its boxes are used for half of all fresh food deliveries. The company has 145 employees and 2016 turnover was almost EUR 63 million (Svenska Retursystem, 2017a). Benefits of Retursystem mentioned by producers include that producers know the exact measurements of crates and can calibrate packing systems accordingly, that pallets weigh 10 kg less than wooden pallets and that crates are vented and do not attract moisture (Svenska Retursystem, 2017b).

Figure 2 Svenska Retursystem – how it works (Svenska Retursystem, 2017b)



Box 4 Opaque PET

Opaque PET is a problematic material for recyclers as it is difficult to distinguish from other materials such as (transparent) PET and HDPE, yet unlike those materials it is poorly recyclable due to its opacifier coating. Previously, opaque PET was used in small volumes, allowing it to be absorbed within standard PET waste streams. However, rapid growth in its use (up 45% since 2014 in France), notably for cosmetics and dairy products, has led it to become a disruptive material that degrades the quality of recyclates (Zero Waste France, 2017). Nevertheless, plastic producers continue to favour opaque PET because of the benefits it offers, including being up to 20 to 30% cheaper than HDPE, and up to 20% lighter for specific applications.

Producers of opaque PET also benefit within typical weight-based EPR schemes, since it is lighter than alternatives. Consequently, producers of opaque PET pay less weight-based fees even though the material is not recyclable – contrasting to slightly heavier but recyclable HDPE. Additionally, some retailers have promoted their switch to opaque PET, noting the benefits of lightweighting and creating less waste compared to their previous product (Zero Waste France, 2017).

The challenges presented by opaque PET exemplify market signals, including those within many EPR schemes, that fail to incentivise producers to take into account the end-of-life stage of packaging. Under the French EPR scheme, producers who add opacifiers to plastics are now charged a 100% penalty – see Table 5. This represents a practical example of eco-modulation to better account for the recyclability of packaging placed on the market (Eco-Emballages, 2017).



Box 5 Carbon black and recyclability of packaging

Carbon black is a common pigment used to colour plastic packaging black. The pigment is problematic for recycling plants because it does not reflect light well and therefore cannot be easily detected by optical sorting machines. The French PRO Eco-Emballages (now CITEO) charges a 'penalty' fee to producers who put 'disruptive' packaging on the market, including packaging containing carbon black. Meanwhile, an 8% bonus (i.e. reduction) is available to packaging producers who remove black carbon dye from their products (Eco-Emballages, 2015c).

Annex 1 Case study: CITEO (previously Eco-Emballages), France

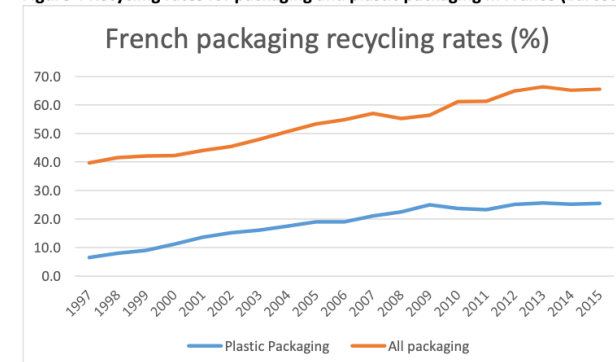
Author: Susanna Gionfra (IEEP)

1. Description of the EPR scheme

Eco-Emballages (now CITEO) is a collective EPR scheme for household packaging waste in France. It was the first French eco-organisation (Didier and Sittler, 2014) and was founded in 1992 as a response to a packaging decree issued in France in the same year (Bio Intelligence Service, 2009). Its aim is to encourage selective waste collection and reduce packaging waste (Didier and Sittler, 2014), creating an interface between business and other stakeholders (Bio Intelligence Service, 2009). The scheme applies to all packaging consumed by households as end-users (European Commission, 2001) and affects all companies, producers and importers responsible for placing packaged products on the French market which then become household packaging waste (Eco-Emballages, 2015b). If the producers or importers of the packaged products cannot be identified, the scheme affects the person first responsible for placing the products on the market (European Commission, 2001).

Producers are required to ensure the end-of-life of the products they place on the French market (initially by financing the extra costs of selective collection; if the 75% packaging recycling target is met, producer fees will cover 80% of the net costs of collection and sorting). Local authorities are responsible for managing waste, which can be done by developing a separate collection system for household packaging waste (Bio Intelligence Service, 2015). In addition to applying to a state-approved body for collective systems, the producer can proceed with the management of packaging waste by organising a specific take-back system or by establishing a deposit-refund scheme (Bio Intelligence Service, 2015; European Commission, 2001). Governance over the scheme is achieved through an Administrative Advisory Commission ('Commission Consultative d'Agrément', CCA) set up in 1992, which aims to advise the State so as to ensure effective functioning of the household packaging sector and monitoring of packaging recycling objectives (Bio Intelligence Service, 2015).

Figure 4 Recycling rates for packaging and plastic packaging in France (Eurostat, 2017b)



Annex 2 Case study: CONAI, Italy

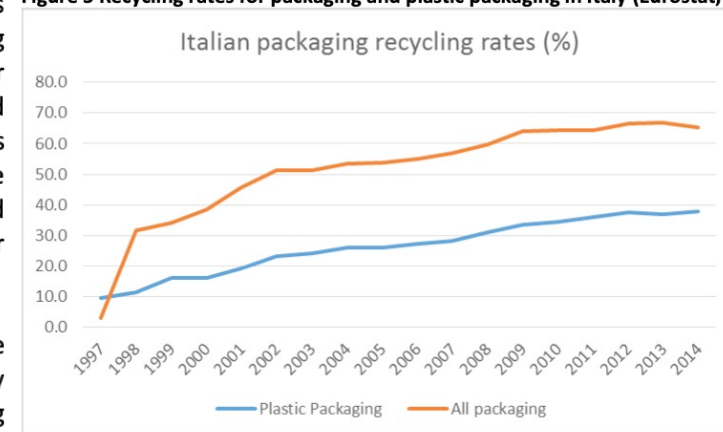
Author: Jean-Pierre Schweitzer (IEEP)

1. Description of the EPR scheme

The Italian National Packaging Consortium (Consorzio Nazionale Imballaggi - CONAI) was established with the Legislative Decree 22/1997 (Decreto Legislativo 5 febbraio 1997, n. 22) in order to support compliance with the EU Directive on Packaging and Packaging Waste (94/62/EC). A framework, the ANCI-CONAI Agreement, was set up in 1999 between the national association of Italian municipalities (Associazione Nazionale Comuni Italiani) allowing CONAI to fund the separate collection of packaging waste in municipalities and providing conditions for extended producer responsibility measures, for which CONAI is the Producer Responsibility Organisation (PRO). The agreement is voluntary and municipalities can opt to go to market selling collected waste directly to recyclers. The agreement was revised in 2004 in order to align it with the amendments to the Packaging and Packaging Waste Directive (2004/12/EC). Within CONAI, specific consortia have responsibility for the materials covered by the scheme (steel, aluminium, paper, wood, glass and plastic) – the consortium responsible for plastic is called *Corepla*.

The model implemented by CONAI covers all types of packaging and “is based on compliance with the principle of shared responsibility between companies, municipalities and citizens, whereby separately collected packaging waste is recycled” (Facciotto, 2017). A range of stakeholders in the packaging value chain are involved, including the companies which place packaging on the market or make use of it, public administration and citizens (Pro Europe, 2016). CONAI’s self-financing system is based on “contributo ambientale” or environmental contribution charged to all packaging material and imposed on producers or importers of packaging products. CONAI transfers collected environmental contributions and distributes them to the material consortia that then remunerate municipalities for separate waste collection.

Figure 5 Recycling rates for packaging and plastic packaging in Italy (Eurostat, 2017b)



Annex 3 Case study: FOST Plus, Belgium

Author: Charlotte Janssens (IEEP)

1. Description of the EPR scheme

Fost Plus is a Belgian producer responsibility organisation that was founded in 1994 as an initiative of the private sector in response to the ecotax law (Fost Plus, 2017c; Green Alliance, 2008). Initially a cooperative, it became a not-for-profit company run for its members in 1996 (Green Alliance, 2008). Fost Plus is accredited in Belgium for the collection and recycling of household packaging waste. It has financial and partial organisational responsibility (Fost Plus, 2017a). Companies that place packaging material on the Belgian market can join Fost Plus and pay an annual contribution, the Green Dot Tariff, which is based on the quantity and type of their packaging (De Jaeger and Rogge, 2014; Fost Plus, 2017a). In return, Fost Plus fulfils their information and take-back obligations (Deloitte, 2017), finances the collection and recycling of a number of packaging materials and coordinates the activities of municipalities, inter-municipal waste companies, collection companies and sorting centres (De Jaeger and Rogge, 2014; Fost Plus, 2017a).

Fost Plus collects household packaging materials including glass, paper and cardboard and the PMD-fraction, i.e. plastic bottles and flasks, metal packaging and drink cartons (De Jaeger and Rogge, 2014). Most collection is curb-side, with only the glass fraction collected via glass recycling bins located in residential areas (Fost Plus, 2017a).

Fost Plus has carried out initiatives to collect and recycle more packaging (Fost Plus, 2015a, 2016). At the start of 2016, Fost Plus initiated projects to test the feasibility of an extended collection of plastics, P*MD, to include hard and soft plastics, such as films and bags, alongside normal PMD. The results were promising and are currently being analysed to develop a plan for general roll-out by the end of 2017 (Fost Plus, 2015a, 2016).

The Green Dot tariffs applied by Fost Plus are differentiated by packaging material such as 'drink carton' or 'PET bottle'. As a result packaging is seen as a whole and tariffs account for the sorting cost (Arnaud, 2017). The Green Dot tariffs are presented in table 1, they are the lowest for paper-cardboard and highest for non-recoverable materials (Fost plus, 2017e). The fees are not modulated based on environmental criteria (Arnaud, 2017).

Figure 6 Recycling rates for packaging and plastic packaging in Belgium (Eurostat, 2017b)



By 2022, China hopes the consumption of disposable plastic products will be significantly reduced and alternative products will be replaced. **By 2025, China will prohibit the production, distribution, consumption and recycling of single-use plastic products.**



Waste 360

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China Unveils Five-year Plan to Ban Single-use Plastics

Dumping of US plastic waste in China, Thailand, Malaysia, Vietnam...

Europe and the U.S. [\[edit \]](#)

In these more developed countries, the waste was exported to China and other Asian countries to handle before the limited waste import strategies started in most Asian countries. The United States exported about 4,000 shipping containers of garbage to China every day before the waste ban policy. Now the waste is facing by the U.S. itself or it can exporting to other Asian countries which have relatively lower restriction of importing waste. Adina Renee, from Scrap Recycling Industries in a Washington-based institution, stated that "There is no single and frankly, probably not even a group of countries, that can take in the volume that China used to take."^[25] Since the ban the US has switched from shipping to China to Thailand, Malaysia, and Vietnam. Reports from these countries state that they are struggling to handle the large increase in plastic waste intake.^[26] The United States and other western nations have used China to dispose of the majority of waste for several years. The sudden ban on imports has led many countries to conclude that they are ill-equipped to recycle and manage their own waste output.^[27] One of the major issues was that the US and Europe sent China contaminated recyclables which still contained food and could not be processed so these recyclables in turn filled Chinese landfills.^[28]



By 2022, China hopes the consumption of disposable plastic products will be significantly reduced and alternative products will be replaced **By**

1. What is the general legislative framework regulating packaging and plastics waste?

In recent years, the People's Republic of China ("PRC") has paid increasingly more attention to the sustainable development of industries and environment protection. Several government documents including the Opinions on Further Strengthening the Clean-up of Plastic Pollution, and the "14th Five-Year" Plan of Actions for Plastic Pollution Control have been published setting out the basic principles and national strategies. The government intends to guide the plastic and packaging industry towards sustainability, environmental protection and recyclability. Main relevant legislations also include the PRC Law on the Prevention and Control of Environmental Pollution Caused by Solid Waste, and the PRC Law on Promotion of Sustainable Economy, which provide general guidance on restriction of excessive packaging, recycled use of packaging, restriction of non-degradable and the development of sustainable economy.

Enterprises and individuals that generate, collect, store, transport, utilise, and dispose solid waste shall take measures (e.g. complying with the compulsory standards for restricting excessive packaging for commodities, and use of non-degradable plastic and other disposable plastic products) to prevent or reduce potential environmental pollution. Consequences for violation can be found in regulations, such as PRC Law on the Prevention and Control of Environmental Pollution Caused by Solid Waste.

- i. Firstly, where a producer or operator fails to comply with the compulsory standards for restricting excessive packaging for commodities, they will be asked to make correction; in the case of refusal to correct, a fine will be imposed.
- ii. Secondly, whoever fails to abide by pertinent state regulations on the prohibition and restriction of the use of non-degradable plastic bags and other disposable plastic products or fails to report the use of plastic bags and other disposable plastic products will be ordered to make corrections and will be subject to a fine.

6. Are there any measures (existing or expected) regarding micro-plastics or the use of microbeads in products?

According to the Guiding Catalogue for Industrial Restructuring (2024 Edition) ("**Catalogue**"), daily commodities containing plastic microbeads are classified as outdated products in the phase-out category. Pursuant to the Catalogue, daily commodities containing plastic microbeads have already been ordered to phase out by existing national industrial policies, or they shall be phased out immediately.

Technical standards concerning the definition, testing methods, and the use restrictions for microbeads are being formulated and published, such as the Technical Specification for Environmental Microplastics Monitoring in Mariculture Areas designated for Shandong Province and the Determination of Microplastics in Seawater by Fourier Transform Micro Infrared Spectrometry designated for Liaoning Province.

Igniting a Reuse Revolution in China's War Against Plastic Waste

Lu Danning

Date: February 15, 2024

Originally posted on the [Wilson Center's New Security Beat](#) blog.

China has rapidly moved to address escalating food and beverage packaging waste, including the 2018 ban on importing plastic recyclables, the implementation of extensive urban waste sorting pilots, and the 2022 prohibition of non-biodegradable single-use plastics. But China's plastic mountains are still growing. While exerting bans is a great strategy to reduce plastic waste, they are hard to enforce without effective alternative packaging. It is time for a reuse revolution with innovative companies, NGOs, and consumers hacking a scalable reusable food and beverage packaging system.

Food takeaway has become a symbol of [urban lifestyle convenience](#) in China, but the resulting single-use plastic (SUP) waste has become [a costly environmental and economic burden](#). In 2020, urbanites ordering on food delivery apps generated [37 billion](#) SUP containers and a small fraction was recycled. According to [a report](#) by [Pacific Environment](#), 88.5% of SUP waste in China is landfilled, incinerated, or leaked to the environment. Food and beverage packaging is the [number one contributor](#) to China's SUPs.

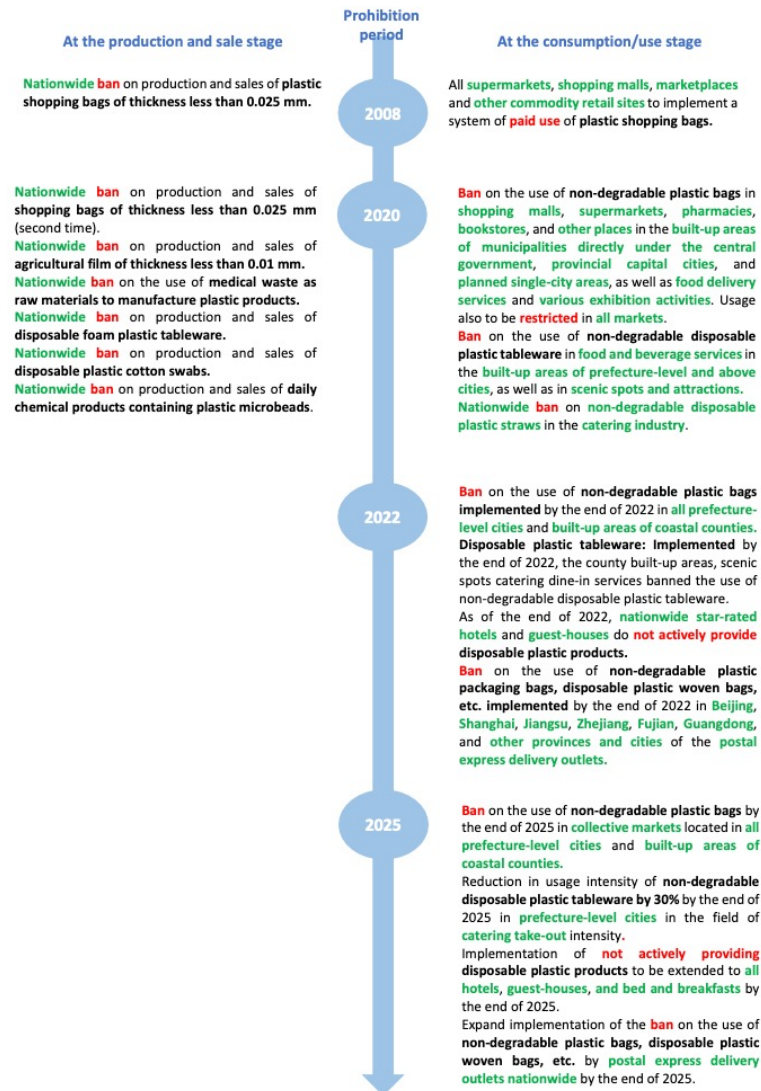
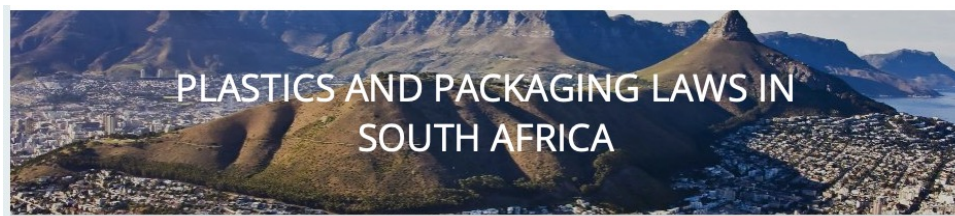


Figure 2. Main content of the ban and restrictions on the use of plastic products. (Green text: Policy targets and scope; Red text: Policy approaches).



The Extended Producer Responsibility Scheme provides for producer-responsibility schemes in relation to various products, including packaging or plastics. In particular, the Extended Producer Responsibility Scheme:

- i. requires producers of products or class of various products to set up procedures, processes and invest resources to implement the extended producer responsibility measures linked to the collection of their products in the post-consumer stage, reuse, recycling, recovery and disposal of their products in the post-consumer stage;
- ii. applies to waste, which arises from the use by a consumer or an end-user of paper and paper packaging material, plastic packaging, biodegradable and compostable plastic packaging, single-use products, single-use compostable plastic products, single-use biodegradable plastic products, glass packaging and metal packaging containers, but excludes plastic carrier bags and plastic flat bags;
- iii. requires producers, *inter alia*, to develop and submit extended producer responsibility schemes to the responsible Minister or establish a producer responsibility organisation, which must prepare and submit an extended producer-responsibility scheme to the responsible Minister; and
- iv. where a producer commenced operations after 15 January 2021 They must, within 6 months of commencing operations, create an extended producer responsibility scheme and submit same to the Department of Forestry, Fisheries and the Environment; alternatively the producer can within 3 months subscribe to an existing extended producer responsibility scheme.

Collection targets for these schemes are applicable to a whole host of items ranging from office paper to PET plastic beverage bottles, including single use products (PS, HDPE, PET & PP). The current collection targets are effective from 5 May 2021 and will be in effect until 4 May 2026. Companies are allowed to collaborate with waste management companies, as well as informal waste collectors including non-profit organisations or producer-responsibility organisations, which will assist them and oversee their compliance with the applicable legislative framework.

34 Plastic Bans in Africa | A Reality Check

Greenpeace Africa

19 May 2020 • 8 min read • 26 Comments



Africa has come a long way on the journey to creating a single-use plastic-free world **with many victorious milestones to celebrate across the continent.** We've been said to be leading the way in the fight against single-use plastic. But our steps are heavy as we move forward, with the world under lockdown and the many pressures of a pandemic on our shoulders. Every journey has interruptions, obstacles, and reflective pauses; COVID-19 certainly feels like a combination of all of these. So, while we reconfigure our compasses, let's take stock of where we are.

Out of 54 states, 34 have either passed a law banning plastics and implemented it or have passed a law with the intention of implementation. Of those, 16 have totally banned plastic bags or have done so partially without yet introducing regulations to enforce the bans. Compared to the rest of the world, the continent is seemingly doing a great job, but let's look at the reality of plastic bans in Africa.

