



sanitation

JOHN J. DOHERTY
Commissioner

125 Worth Street, Room 720
New York, New York 10013

Date: July 2008

Re: **NYC Plastic Carryout Bag Recycling Law – Local Law 1 of 2008**

On April 1, 2008 Mayor Bloomberg signed a local law that will make it easy for New Yorkers to recycle their plastic bags, such as plastic carryout bags (shopping bags), newspaper bags, and dry cleaning bags. This law requires NYC retailers who provide plastic carryout bags to set up a plastic bag recycling program. Plastic bag **manufacturers are required to assist retailers in implementing their plastic bag recycling programs and providing them with educational materials.**

Manufacturers Who Must Comply with Local Law 1 of 2008

All businesses that produce or import plastic carryout bags that are sold or distributed in New York City must comply with Local Law 1 of 2008.

NYC Retailer Requirements in Local Law 1 of 2008

- Include a **recycling message on every plastic carryout bag** provided to customers.
- **Accept plastic bags for recycling** at any time during normal business hours.
- Sell reusable bags near the checkout counter for customers who wish to use them instead of plastic or paper bags.

Manufacturer Requirements in Local Law 1 of 2008

Upon request from retailers, manufacturers must:

- **Arrange for the collection, transportation, and recycling of plastic bags** on behalf of their customers.
- Report annually the weight of plastic bags collected on behalf of their customers.
- **Provide educational materials to retailers** that encourage the reduction, reuse, and recycling of plastic bags.

How Manufacturers Can Comply with Local Law 1 of 2008

All plastic bag distributors and manufacturers should be prepared to respond to inquiries from their retail customers regarding the NYC Plastic Carryout Bag Recycling Law.


The Progressive Bag Affiliates (PBA) of the American Chemistry Council is an organization representing leading manufacturers of plastic bags and polyethylene resins. The PBA will represent manufacturers and work together with NYC retailers to comply with this law. Those manufacturers who are not represented by the PBA fall under the same requirements of Local Law 1 of 2008 and therefore must provide direct assistance to their customers if asked.

In order to assist retailers, the PBA has created a website <www.plasticbagrecycling.org> that retailers can use to find haulers, educational materials, and collection bins. PBA also encourages retailers to contact their plastic bag distributors for assistance in complying with the law.

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www.nyc.gov/sanitation

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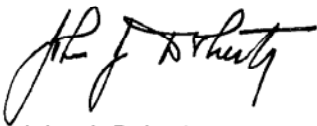
Enforcement of Local Law 1 of 2008

Effective July 23, 2008, the NYC Department of Sanitation (DSNY) will issue Official Warnings to manufacturers that have failed to comply with their responsibilities under Local Law 1 of 2008. After January 2009, DSNY will fine manufacturers who are not in compliance.

New York State Plastic Bag Reduction, Reuse, and Recycling Act

The New York State Legislature recently passed the Plastic Bag Reduction, Reuse and Recycling Act (Assembly Bill A11725/ Senate Bill 8643-A). If the Governor signs this state legislation, which would require larger retail and chain stores to accept clean plastic bags for recycling starting January 2009, it would nullify the New York City law. Information about the status of the law, including a link to the text of the NYS bill, can be found at www.nyc.gov/wasteless/plasticbags.

Sincerely,



John J. Doherty

City of New York, Department of Sanitation Commissioner

cc: Robert Orlin, Deputy Commissioner, DSNY, Legal Affairs
Robert Lange, Director, DSNY, Bureau of Waste Prevention, Reuse & Recycling

encl: NYC plastic bag recycling retailers flyer

What RETAILERS Need to Know about NYC's Plastic Carryout Bag Recycling Law



- Effective July 23, 2008, NYC stores that provide plastic carryout bags must accept all plastic bags for recycling—including plastic carryout bags (shopping bags), newspaper bags, and dry cleaning bags—during normal business hours, no purchase necessary (per Local Law 1 of 2008).
- Affected retailers must also offer reusable bags for sale and place a recycling message (described below) on all plastic carryout bags provided to customers.
- Manufacturers are required to assist retailers, upon request, by providing public education materials and making arrangements for the collection of plastic bags for recycling.

Plastic bags are being targeted for recycling since film plastic comprises about 7.5% of NYC's residential waste stream and is mostly comprised of plastic bags. This is the largest source of plastic in NYC's waste.

Stores Required to Comply

All NYC stores that provide plastic carryout bags and have over 5,000 square feet of retail space, and all chain stores (with 5 or more locations in the city) of any size, must comply with NYC's Plastic Carryout Bag Recycling Law. Food service establishments (restaurants) are exempt from this law.

How to Comply:

1. Establish a **system to recycle plastic bags**. Plastic bags may not be collected with any waste of a putrescible nature.
2. **Set up a clearly marked collection bin in a visible location within the store to accept plastic bags**. This bin must be large enough to hold 15 gallons or more.
3. Unless the collection bin is at the entrance of the store, **post a sign at the main entrance** indicating the location of the bin.
4. **Accept plastic bags for recycling** during normal business hours, no purchase necessary.
5. **Sell reusable bags in your store**.
6. As of January 23, 2009, **all plastic carryout bags given to consumers must state: PLEASE REUSE OR RECYCLE AT A PARTICIPATING STORE** or similar language.
7. Starting January 2009, **keep track of the amount of plastic bags recycled on a yearly basis** and report this to the NYC Department of Sanitation. The first report is due February 28, 2010.

Visit the Progressive Bag Affiliate's (PBA) plastic bag recycling website

<www.plasticbagrecycling.org; select "Retailers"> for a step-by-step toolkit that includes downloadable store signs and the plastic bag recycling logo, as well as information on plastic bag recyclers, recycling bins, and other helpful resources. This website also lets retailers list themselves as a location that accepts plastic bags for recycling.

For additional assistance, contact your plastic bag distributor.

Optional Steps:

In addition to the requirements under this law, retailers can take the following steps to save money and reduce waste.

1. **Minimize double bagging of plastic bags** through staff training.
2. **Ask customers if they need a bag, or if they would like to use their own.**
3. **Post educational materials** that promote the benefits of using reusable bags.
4. **Offer incentives** (such as discounts) to customers who use their own bags.
5. **Stop providing plastic bags**. Retailers that don't provide plastic carryout bags are exempt from the provisions of this law. To inform customers and enforcement officials, post a visible sign indicating this exemption.



All Plastic Bags Must be Accepted for Recycling*

examples include:



plastic shopping bags



plastic dry cleaning bags



plastic newspaper delivery bags

* Non-acceptable Items

In order for plastic bags to be recycled, there can be no contamination.

Therefore, **the following materials are not acceptable:**

- Any plastic that has been in contact with food.
- Any contents in the plastic bags (such as hangers, bottles, receipts, etc.)



City of New York, Michael R. Bloomberg, Mayor
Department of Sanitation, John J. Doherty, Commissioner
Call 311 or visit www.nyc.gov/wasteless/plasticbags

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