

A Case for the Repeal of Bag Bans

BAG BANNERS ONLY SUPERFICIALLY ANALYZED THE PROBLEM WITH PLASTIC BAGS AND SADDLED CONSUMERS WITH AN INCONVENIENT, INEFFICIENT, AND COSTLY METHOD TO CARRY GROCERIES HOME

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Efforts to reduce the use of plastic grocery bags in California began with a voluntary program that encouraged shoppers to use reusable bags for bringing their groceries home. While a few shoppers complied, most shoppers continued to use plastic grocery bags. Bag Banners were not satisfied with these results and blamed shoppers for being “resistant to change”. They were not happy that shoppers could make their own choice about what kind of shopping bag to use. Instead of recognizing that shoppers rejected using reusable bags and a different solution was required they doubled down and embarked on mandatory programs to ban plastic bags in order to eliminate shopper choice. Bag Banners began to push the state legislature and local jurisdictions to ban plastic bags and in order to coerce shoppers into bringing and using their own reusable bags a fee was placed on store provided paper bags. Local jurisdictions passed mandatory plastic bag reduction programs most of which banned plastic bags from grocery and convenience stores only; thereby only reducing the number of plastic bags in circulation. Eventually a statewide mandatory program was passed and signed into law.

Voluntary Plastic Bag Reduction Programs Failed

Environmentalists have argued that voluntary programs to reduce plastic bag use in the United States and abroad have simply not worked. In addition, they conclude that recycling is not the answer since plastic bag recycling programs have been set up across the country and recycling rates remain at only about 5%. Furthermore, they state that reusable bag policies including bag bans and bag fees are the way to control the source of the problem. (Hickman, 2012)

California Voluntary Program (AB 2449)

The effort to eliminate plastic grocery bags began in 2006 with the passage of AB 2449 (Levine) which required that retail stores that issued plastic bags have a recycling container in or outside each store allowing consumers to recycle plastic carry out bags, produce bags, and other plastic film and wraps. In addition, the store was required to offer reusable bags for sale to customers, report to the state the quantity of plastic bags purchased and the quantity recycled via the in-store recycle bins, and to educate and encourage shoppers to use reusable bags but on a voluntary basis. (California State Assembly, 2006)

California's Voluntary Program Failed to Live up To Expectations

In 2010, bag usage surveys in Santa Monica by Team Marine, an environmental high school group, showed only about 10% of shoppers used reusable bags and 69% of shoppers still used disposable plastic bags and 5% used paper bags. (Team Marine, 2013) Also, according to the State of California, the recycling rate of plastic carryout bags through the **In Store Recycling Program** is less than 5%.

(CalRecycle, 2011) In other words, the public overwhelmingly rejected the voluntary solution offered by state legislators.

Why did the Voluntary Program Fail?

The question we need to ask is “*Why did the voluntary plastic bag reduction program not work?*” The answer to this question is critical to understanding the problem and in devising a solution that is successful and also has full public acceptance.

Plastic Grocery Bags a Convenient, Efficient, and Economical Solution

First, from the grocery store perspective, plastic grocery bags are economical and cost less than paper bags. In addition, plastic grocery bags unlike reusable bags are of a uniform size allowing baggers to safely, efficiently and rapidly fill them with the customer’s purchases.

Second, from the perspective of the shopper, the plastic grocery bag is an extremely convenient and efficient means to carry groceries home. In addition, plastic grocery bags withstand moisture, either from rain or condensation from frozen food items; whereas, paper bags will not.

Third, the plastic grocery bag is reused by shoppers for a variety of secondary purposes, including as trash bags, waste can liners, to pick up pet litter, dispose of kitchen grease, dispose of dirty diapers, and hold wet clothes, as a lunch bag, and a myriad of other uses. These secondary uses of plastic grocery bags are beneficial to the environment in that it prevents the manufacture and purchase of another plastic bag. (Edwards & Fry, 2011)

The most common secondary use of a plastic grocery bag is as a trash bag which ends up in the landfill filled with trash, and once reused in this manner is no longer available to be recycled. Hence, the high reuse rate of plastic bags is one of the reasons why the recycling rate for plastic bags is so low. Bag Banners appear to have a particularly difficult time comprehending this simple fact.

In fact the plastic grocery bag could be the poster child and one of the few success stories of the **3R Program of Recycle, Reuse, and Reduce!** By reusing plastic carryout bags, a certain environmental efficiency is attained that when interrupted will result in a higher overall environmental cost! (van Leeuwen, Bag Bans: Wrong Way To Control Litter, 2013)

There is no other item that enters the home that has as high a reuse rate as plastic bags. In fact, according to a study by the UK Environment Agency, 76% of all plastic carryout bags are reused by consumers for a variety of purposes and 40.3% of all plastic carryout bags are reused as waste bin liners, as trash bags, and to pick up pet litter. (Edwards & Fry, 2011)

In a similar 2007 study, performed by APCO Insight, it is reported that 92% of respondents said they reuse plastic carryout bags and 8% said they did not. Sixty-Five percent (65%) of the respondents used them for trash and the remainder used them for a variety of other purposes. (APCO Insight, 2007)

Both the UK study and the APCO Insight study identify high levels of secondary reuse of plastic carryout bags. The high reuse rate of plastic grocery bags means that fewer are recycled which is exactly what

we see happen. Paper bags have a much higher recycling rate, because there are fewer secondary uses for paper bags.

Reusable Bags an Inconvenient, Inefficient, and Costly Solution

AB 2449 required stores to sell and encourage customers to use reusable shopping bags instead of either plastic or paper single-use (i.e. disposable) bags. In fact, many stores promoted the program called Bring Your Own Bag (BYOB). (California State Assembly, 2006)

Bag Banners are often heard to say that using reusable bags is not that hard and that people will get used to it. In an article “[Using Reusable Bags - Not That Easy](#)” the authors contend that using reusable bags safely is not that easy and is time consuming and costly. (Williams & van Leeuwen, 2014)

Reusable bags are often promoted by Bag Banners as being sturdier than the flimsy plastic grocery bags and that they are larger and hold more. Unfortunately, these Bag Banners did not understand that if the reusable bag holds more it will weigh more when it is filled. In an article titled “[Reusable Bags and Ergonomic Issues](#)” the author explains that heavier shopping bags are not a good thing for the elderly, the handicapped and those individuals with a bad back who are limited in what they are allowed to lift. (van Leeuwen, Reusable Bags and Ergonomic Issues, 2013)

In a companion article titled “[Bacterial and Viral Health Hazards Of Reusable Shopping Bags](#)” the author contends that using reusable bags carries with it health risks that require reusable bags to be washed and sanitized on a regular basis. The fact that most shoppers do not wash bags and that those who are homeless or live in their cars or in the riverbed, have no facilities to wash and sanitize reusable bags poses a public health risk. This risk does not exist with store supplied paper or plastic bags. (van Leeuwen, Bacterial and Viral Health Hazards of Reusable Shopping Bags, 2013)

Using reusable shopping bags has the following disadvantages:

- You must remember to bring them with you to the store
- If you forget, you have to go back to the car/home to get them
- Reusable bags hold more than plastic bags and when filled are heavier
- Reusable bags come in different sizes and are made from different materials and are more difficult to fill and slows down the checkout line
- Reusable bags must be washed regularly to sanitize them
- Reusable bags must be inspected, folded, and put back into the car for the next shopping trip

In an article titled “[Plastic Bag Alternatives Much More Costly To Consumers](#)” the authors describe the costs associated with using reusable bags, including the out-of-pocket cost for purchasing reusable bags, utility costs, and bleach/soap costs involved with regularly washing and sanitizing reusable bags. In addition, there is the value of your personal time to manage reusable bags, put them in the car, and wash them on a regular basis. For example, a family of four will pay indirectly about \$21 annually for plastic bags and about \$300 annually for reusable bags. (van Leeuwen & Williams, Plastic Bag Alternatives Much More Costly to Consumers, 2013)

When you look at the above disadvantages of using reusable bags, you realize that in comparison with using a store provided plastic bag, it is inconvenient, inefficient, and more costly.

Is it any wonder that only 10% of shoppers used reusable bags and that 69% of shoppers continued using plastic bags and 5% used paper bags? Of course not, consumers are smart and do what is best and in their own self-interest. These smart shoppers kept using plastic bags much to the chagrin of the Bag Banners. (van Leeuwen, What Will A Plastic Carrot Bag Ban Cost Your Community, 2013)

What Went Wrong?

The voluntary program of reducing plastic bag use failed because the wrong strategy was employed. If you want to convince consumers to abandon a product they are using, you have to provide an alternative that has more bells and whistles or is as convenient, economical, and efficient as the plastic carryout bags they are using now. Instead, consumers were offered the inconvenient, inefficient, and costly alternative of using reusable bags. Clearly, the meager acceptance by consumers shows that reusable bags are not a winner!

What Should Have Been Done

The environmentalist focused on the problem of plastic grocery bags as litter that enters the environment and causes harm to wildlife. As a result, they wanted to ban plastic grocery bags or at least drastically reduce their numbers.

The focus of the voluntary program was to get consumers to use a different product which was not as convenient, efficient, or economical to use. Instead the focus should have been to find a product that consumers will accept or at the very least to correct the problems with the bag that they are now using.

In an article on the “Bag Monster®” website the following statement was made: *“As you know, the single use disposable plastic bag has a major design flaw. It becomes windblown litter despite proper disposal. They fly out of trash cans, garbage trucks and landfills and litter our landscape at great cost to tax payers and our economy.”* It should be noted that the plastic Bag Monster® a spoof on plastic bags that has entertained so many city council meetings was created by Andy Keller, founder and CEO of ChicoBag™, a manufacturer of reusable bags. (Monster, 2012)

If, for example, we assume that the problem is as stated above, the solution would be to change the characteristics of the bag so that it would not so easily become windblown litter. This could as simple as changing the type of plastic or the thickness of the plastic film used. In fact, the statewide bag ban (SB 270) and local ordinances specify that reusable bags made from plastic film must be at least 2.25 mil thick. Plastic bags made from the thicker plastic film are heavier and are not as prone to become windblown litter or become airborne with the slightest afternoon breeze like thin-film plastic bags.

Had the state legislature just passed a bill to change the thickness of the film from which plastic grocery bags were made, instead of the voluntary program to reduce plastic bag use, consumer acceptance would be transparent. In fact, consumers like the thicker plastic bags more than the thin-film plastic bags. Furthermore, the requirement to use the thicker plastic bags could have been applied to all stores

rather than just grocery and convenience stores, thereby eliminating all thin-film plastic carryout bags, rather than just reducing the number used.

Mandatory Plastic Bag Reductions Programs Also Failed

Even before the ink was dry on the voluntary measure to reduce plastic bag use, environmentalists were already pushing for mandatory bag bans in local jurisdictions and the state legislature. In 2007, San Francisco became the first city and county in California to pass an ordinance that banned plastic carryout bags at large grocery stores. (Goodyear, 2007) Subsequently, in 2012 San Francisco banned plastic bags from all retail stores and restaurants. (Save The Bay, 2012) Other local jurisdictions jumped on the bandwagon and began to pass their own bag bans. To date more than 100 local jurisdictions have passed bag bans.

Mandatory Plastic Bag Reduction Program

Bag Bans throughout the State of California are very similar to one another. They ban plastic carryout bags and also impose a minimum fee on disposable paper and thick plastic reusable bags primarily to coerce shoppers into bringing and using their own reusable bags. Most bans include exemptions from the paper bag fee for certain low income groups receiving public assistance (e.g. food stamp recipients) as well as waivers for plastic carryout bag use by certain non-profit organizations. Produce and product bags without handles are typically exempt along with carryout bags from restaurants. These bans are applicable only to grocery and convenience stores although a few localities have included all retail stores in banning of the thin-film plastic carryout bags.

Mandatory Plastic Bag Reduction Results

The mandatory bag ban did not solve the problems and failures of the voluntary program to reduce plastic bag use. Instead mandatory programs banned thin-film or single-use or disposable plastic grocery bags from selected retail stores (grocery and convenience stores) and imposed mandatory fees on store provided paper and plastic reusable bags. The mandatory fees were imposed in order to discourage the use of store provided paper and plastic reusable bags to coerce shoppers into bringing and using their own reusable bags.

Based on bag usage statistics from Team Marine in Santa Monica, mandatory bag bans have only increased reusable bag use from 10% to 35%, paper bag use from 5% to 29%, and no bags from 15% to 36%. Of course plastic bags were banned and not available. Similar results were obtained in San Jose, where 42.5% of customers left the store with no bag. While the number of customers using reusable bags only increased to 35%, the number of customers using paper or no bags also increased, demonstrating that shoppers have not accepted the mandatory program. The lack of customer acceptance, demonstrates that mandatory programs have also failed.

Some say that, the fact that shoppers are not using single-use plastic grocery bags is a sign of success. On the contrary, single-use plastic grocery bags were banned by the local jurisdiction and were therefore not available for shoppers to use. The fact that reusable bag use increased from 10% to 35%,

paper bag use from 5% to 29%, and shoppers who used no bags increased from 15% to 36% demonstrates that mandatory bag bans have failed and have not gained customer acceptance.

Although Bag Ban Proponents are passionate about their zeal to protect the environment, their ideas are generally disconnected from reality and their solutions don't work and are unrealistic. (Berezow & Campbell, 2012) Nowhere is this more aptly illustrated than in California, particularly in the communities of San Jose and Santa Monica where bag usage surveys reveal that shoppers opt for paper bags or no bags over reusable bags by a ratio of two-to-one. In other words, the majority of shoppers reject using reusable bags. (van Leeuwen & Williams, Bag Bans: A Failure - Not Success As Claimed, 2013)

The Truth about Plastic Reusable Grocery Bags

Most local bans allow the 2.25 mil thick plastic bag to be distributed either free of charge or with a fee of 10-cents, this solution was never considered by itself.

The thin-film plastic carryout bag which is only 0.5 mil thick is classified as a "single-use" bag; whereas, the 2.25 mil thick plastic carryout bag is classified as a "reusable" bag. No evidence exists that shoppers will reuse the thicker plastic bags to any greater degree more than the thinner plastic bags. In fact, an environmental organization [Save Our Shores](#) found that only four (4) out of 740 shoppers returned those thick plastic reusable bags made from 2.25 mil thick plastic film. (Nicholson, 2014) In other words, calling a bag "reusable" does not mean that shoppers will reuse the bag.

The thick plastic bags made from 2.25 mils thick plastic film are called "reusable bags" by most local ordinances and the new state law (SB 270). The new state law does require a minimum fee be paid for thick plastic reusable bags.

To call thick plastic bags "reusable" is really an insult to the intelligence of most shoppers. The "single-use" thin-film plastic bag and the thick-film "reusable" plastic bag are both disposable bags. Consumers are not fooled by Bag Banners and their misleading terminology – a thick plastic "reusable" is no different than a single-use plastic grocery bag. Since consumers like the thicker plastic bags, expect that they will be reused and that recycling rates for these bags will not be appreciably different than for the thin-film plastic bag. In addition, since these bags are used as disposable bags, expect to find them in the landfill and in the litter stream (i.e. environment).

The advantage of using the thick plastic reusable bags over the thin-film plastic bags is that these bags are not prone to become airborne and wind-blown litter when improperly discarded. If littered, these bags can be easily picked up with other litter and properly disposed of.

Bag Banners Failed to Analyze the Problem

Environmentalists were focused on the problem that plastic bag litter presented to wildlife and the environment. City Officials and waste management officials were more interested in reducing unsightly litter in their community and reducing the quantity of plastic bags in the landfill. Plastic bag, paper, and reusable bag manufacturers were more interested in maintaining or increasing their market share and

bottom line. Grocers too, were more interested in the bottom line, i.e. fees for paper and reusable plastic bags. The consumer was totally ignored.

As a result, Bag Banners, by jumping on the bag ban bandwagon saddled shoppers with a solution that is inconvenient, inefficient, and costly. By not focusing on the consumer, and on providing a convenient, efficient, and economical solution, mandatory bag bans are doomed to fail as well. Clearly the results demonstrate that.

So what is the Solution?

Consumers need a convenient, efficient, and economical means to carry groceries and other purchases home. Forcing consumers to use archaic, inconvenient, inefficient, and costly shopping bag to bring groceries home will not gain consumer acceptance. Consumers are not fooled. Only a market place, devoid of nanny state laws, can find good solutions that are economical, convenient, and efficient in resource usage.

Conclusion & Recommendations

Local and statewide bag bans should be repealed for two reasons: (1) shoppers overwhelmingly reject using reusable bags; (2) the market place should be free to find convenient, economical, and efficient solutions for bringing groceries and other purchases home. The American people should have the complete freedom to make their own decisions about what kind of shopping bag they use. Stores should have the complete freedom to offer paper or thick plastic bags to shoppers free of charge. The market place should be free to innovate and create solutions to meet consumer demand rather than be locked in by archaic solutions mandated by nanny state laws. Freedom and liberty have made this nation great and prosperous and must be preserved.

About The Author

Anthony van Leeuwen is the founder of the [Fight The Plastic Bag Ban](http://fighttheplasticbagban.com) website and writes extensively on the subject. He holds a bachelors and Master's degree in Electronics Engineering and has over 40 years of experience working in the federal government.

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