

Is California's Bag Ban Really a Success?

How Should a Plastic Bag Ban's Success Be Measured and Determined?

**By Anthony van Leeuwen
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The San Jose Mercury News recently published an editorial entitled "[Success! California's first-in-the-nation plastic bag ban works](#)". The editorial claims that because fewer plastic bags were found during this year's Coastal Clean Up day proves that California's "grand experiment" with a plastic bag ban is a success. (Mercury News & East Bay Times Editorial Boards, 2017)

But is finding fewer littered plastic bags a real measure of the bag ban's success? If not, how do you really measure the success of the state's plastic bag ban law? Is success not determined by results and how well each of the law's objectives are met? The answer is a resounding, **Yes!**

Success is defined as "*The accomplishment of an aim or purpose.*" (Oxford Dictionary, 2017) Using this definition and assuming a narrowly defined goal to reduce or eliminate single-use plastic grocery bag litter, then the plastic bag ban could be considered "a success". It could never be otherwise! After all, if you ban or sharply curtail the use of single-use plastic grocery bags there will be fewer available to be littered.

However, a plastic bag ban law is not simply about reducing or eliminating single-use plastic grocery bags¹, but it is also about changing consumer behavior and reducing impacts to the landfill and to the environment. These objectives are embodied in the state law and also spelled out in the Environmental Impact Reports (EIRs) developed to support local plastic bag bans. These objectives are as follows". (van Leeuwen & Williams, Bag Bans: A Failure - Not Success As Claimed, 2013):

- "Reducing the environmental impacts related to single use plastic carryout bags, such as impacts to biological resources (including marine environments), water quality and utilities" (solid waste equipment and facilities) (BEACON, 2013)
- "Deterring the use of paper bags by retail customers" (BEACON, 2013)
- "Promoting a shift toward the use of reusable carryout bags by retail customers" (BEACON, 2013)
- "Reducing the amount [SIC] of single-use bags in trash loads to reduce landfill volumes" (BEACON, 2013)
- "Reducing litter and the associated adverse impacts to storm water systems, aesthetics and marine and terrestrial environments" (BEACON, 2013)

These objectives suggest that success cannot simply be determined on the basis of finding fewer littered plastic bags in the environment, but on the successful outcome of all five objectives. In fact, the reader is encouraged to read article titled "[Bag Bans: A Failure-Not Success as Claimed](#)" which evaluates these

¹ Single-use plastic carryout bags are also referred to as "single-use plastic grocery bags" or "thin-film plastic grocery bags" or "lightweight plastic grocery bags".

objectives and demonstrates that the plastic bag ban is a failure and not a success as claimed. (van Leeuwen & Williams, Bag Bans: A Failure - Not Success As Claimed, 2013)

The author also suggests, that other factors also play a role in measuring success. Factors such as consumer cost, convenience, satisfaction, hygiene, and ergonomics? The reader is urged to read the following articles:

- [Bacterial and Viral Health Hazards of Reusable Shopping Bags](#)
- [Reusable Bags and Ergonomic Issues](#)
- [Using Reusable Bags Not That Easy](#)
- [Plastic Bag Alternatives Much More Costly To Consumers](#)
- [Statewide by City Plastic Bag Ban Cost Increase Estimate](#)

Are there other issues in play as well? For example, is the plastic bag ban a result of a genuine and valid concern for the environment or are the public and the environmental community pawns in a corporate struggle for market share between paper, plastic, and reusable bag manufacturers? After all, the Plastic Bag Monster™, that entertained so many city councils, was a spoof invented by reusable bag manufacturer ChicoBag? (ChicoBag) And has the market share of paper and reusable bags not gone up with the passage of the statewide and local plastic bag bans? (Williams & van Leeuwen, 2015)

The purpose of asking these questions is to make sure that we look at the big picture and not focus on a narrowly defined aspect of the plastic bag ban and thereby draw incorrect conclusions.

Let's take a look at the claims made in the editorial: "[Success! California's first-in-the-nation plastic bag ban works](#)" by the Mercury News & East Bay Times Editorial Boards. (Mercury News & East Bay Times Editorial Boards, 2017) In the remaining section of this article we will take their article apart phrase by phrase and look at the lies and misinformation provided. Get ready to be educated.

Claim #1: "...litter data from the Coastal Clean-up Day ... shows that plastic bag litter had dropped by 72 percent when compared to 2010."

Response: The claim in the editorial is misleading. The editorial talks about "plastic bag litter" and does not distinguish between single-use plastic grocery bags and all other plastic bags (e.g. Ziploc bags, produce bags, trash bags, or other plastic bags). In addition, the editorial did not discuss how the **72%** reduction was calculated, what it was based on, or where the number came from!

San Jose's own litter statistics are reviewed in the article entitled: [San Jose Litter Surveys Examined – Plastic Bag Ban Completely Unjustified](#) showing:

- That only half of ALL plastic bag litter found in sampled areas on city streets and creeks consists of single-use plastic carryout bags; hence, a bag ban at most would only eliminate about half of all plastic bag litter.
- That only about 10% of litter in creeks consists of single-use plastic carryout bags; hence, a bag ban affects at most **10%** of ALL litter in creeks, leaving the remaining **90%** of litter unresolved and falling short of the **100%** litter reduction goal required under the federal Clean Water Act.

- That the number of single-use plastic carryout bags found during all of the litter surveys in 2009, 2010, and 2011 (prior to the bag ban) are insignificant and average only 1,000 bags per year, or less than 1 for every 1,000 people, or the equivalent of what two (2) people out of a population of more than 1 million would use annually!

Claim #2: “Plastic bags now account for less than 1.5 percent of all litter, compared to nearly 10 percent in 2010.”

Response: The editorial did not disclose where and how these figures were calculated. Single Use Plastic bag litter only accounts for **0.3%** of roadside litter. San Jose litter surveys in local creeks in 2010 and 2011 found that only about **10%** of all litter in creeks was single-use plastic grocery bags. The author suggests that the bulk of those bags may have originated from homeless encampments in or adjacent to local creek beds. (van Leeuwen, San Jose Litter Surveys Examined – Plastic Bag Ban Completely Unjustified, 2015)

Claim #3: “In Alameda County, officials reported finding 433 plastic bags, compared to 4,357 in 2010. Monterey County reported even better news, with volunteers discovering only 43 plastic bags while performing their clean-up efforts, compared to 2,494 in 2010.”

Response: The editorial focuses on the number of plastic grocery bags found this year compared to 2010 when a total of **4,357** and **2,494** were found in Alameda and Monterey counties with reductions of **90%** and **98%** respectively.

The editorial **conveniently fails** to disclose the total number of plastic bags used annually in Alameda and Monterey Counties. For Example, Alameda County has a population of more than **1,573,254** people and at **511** plastic grocery bags per person would mean that the county used **803,932,794** plastic bags per year. Hence, the **4,357** plastic bags found represents only **0.000542%** of the total number of plastic grocery bags used in the county per year. Furthermore, **4,357** plastic grocery bags represent one (**1**) littered plastic bag for every **361** people or the annual consumption of plastic bags by **8-1/2** persons from a county population of more than **1,573,254** people. In other words, the number of plastic bags in the litter stream is insignificant and not really the problem that it is made out to be. In fact, **“Achieving a 100% reduction in plastic grocery bag litter is INCONSEQUENTIAL because an INSIGNIFICANT number of plastic grocery bags are littered!”** (van Leeuwen, San Jose Litter Surveys Examined – Plastic Bag Ban Completely Unjustified, 2015)

Claim #4: “‘We are seeing a substantial decline in plastic grocery bags litter on beaches, rivers and parkways,’ said John Laird, California’s Secretary for Natural Resources and a former Santa Cruz mayor and legislator.”

Response: Of course, there is a substantial decline in plastic grocery bag litter because millions of people were prevented from receiving safe, clean, and convenient single-use plastic grocery bags when shopping!

However, the statement by John Laird ignores the bigger issue because single-use plastic grocery bags only account for **one (1)** out of every **two (2)** littered plastic bags. And achieving a **100%** reduction in plastic grocery bag litter does **NOT** solve the plastic bag litter problem or the litter problem, for that matter, on beaches, rivers, and parkways. In fact, in the case of San Jose,

at most only about **10%** of litter in local creeks is single-use plastic grocery bags. The origin of those plastic bags was never determined, do they come from city storm drains that empty into creeks and rivers, from recreational use of creeks and rivers, or from homeless encampments in the river bottom? An important fact, that should have been investigated if you are really serious about reducing litter in creeks and rivers. (van Leeuwen, San Jose Litter Surveys Examined – Plastic Bag Ban Completely Unjustified, 2015)

Claim #5: “Voters in 2016 also threw out Proposition 65, one of the most disingenuous ballot measures in state history. Plastic bag makers from South Carolina, Texas and New Jersey spent \$6 million in an effort to convince voters to support a measure that appeared to be environmentally friendly but would have in effect likely killed the ban.”

Response: Proposition 65, was a companion measure that would only be effective if Proposition 67 is passed by voters. This measure would have required grocers and retailers to collect a 10-cent fee for each carryout bag issued at the point of sale and to deposit those moneys into a special fund to support specified environmental projects. (CalRecycle, 2016) The goal of this proposition was to eliminate the windfall grocers receive from the state mandated bag fee and redirect that fee to environmental projects.

The editorial would have you believe that “evil” out-of-state plastic bag makers are responsible for making this proposition happen. But what the editorial does not tell you is that opponents of proposition 67 also included out of state advocacy organizations and grocers. See the article entitled “[Eliminating Competition Is the Real Reason behind Bag Bans](#)” where the author shows who is behind the opposition to Proposition 67.

Moreover, the plastic bag companies did the people of California a big favor by putting the bag ban on the ballot and for the very first time giving the people a direct vote on the issue, and not have it rammed down our throats by a few misguided politicians.

Claim #6: “Until Prop 67 was approved, the plastic bags industry sold about 15 billion single-use plastic bags to California consumers, draining about 2 million barrels of oil in the process.”

Response: The claim that the plastic bag industry sold 15 billion single-use plastic bags to California consumers is **unsubstantiated**. No one really knows how many plastic bags were sold in California! The author in an article entitled “[Do Californian’s Really Use 20 Billion Plastic Bags per Year?](#)” shows how this inflated number is derived and why it is bogus. The real number is more in the range of 9-10 billion! (van Leeuwen, Do Californians Really Use 20 Billion Plastic Bags Per Year?, 2013)

Also, the claim that plastic grocery bags are made from oil is also **misleading**. Plastic bags are made from ethylene which is made from ethane a waste byproduct of natural gas and oil refining. Using the ethane to make plastic does not in any way reduce the amount of fuel available for transportation or power generation or increase our energy imports. (van Leeuwen, Why Not To Ban Plastic Carry Out Bags, 2012)

Claim #7: “Prior to the ban, the state went to great lengths to convince residents to recycle the bags, but the effort resulted in consistent failure. Californians only recycled 3 percent of them, leaving billions to scatter across our beaches, rivers, roads and neighborhoods.”

Response: In an article entitled “[Plastic Bag Recycling Rate – A Non-Issue](#)“, the author shows that the argument that Californians only recycle 3% is a bogus argument. The State of California only counted single-use plastic bags returned to the store for recycling. Bags placed in curbside recycle bins were not counted! Moreover, single-use plastic carryout bags are re-used by consumers for other purposes such as trash can liners. Once used as a trash can liner and disposed of in the trash and ending up in the landfill, the bag is no longer available to be recycled. Hence a lower than expected recycling rate. Furthermore, the elimination of lightweight plastic grocery bags will force consumers to buy heavier plastic trash bags or to use the heavier plastic reusable shopping bags now being distributed in most grocery stores.

Furthermore, the editorial leaves the false impression that the 97% of bags (those not recycled) are scattered across our beaches, rivers, roads, and neighborhoods. This is a **blatant lie!** If this were true, the coastal cleanup day in Alameda County in 2010 would have retrieved a lot more than just the **4,357** plastic bags found!

Claim #8: “Plastic accounts for 60 percent to 80 percent of all marine debris and harms and kills wildlife in devastating numbers.”

Response: This is another **misleading** statement! The statement generalizes about ALL plastic. The truth is that single-use plastic grocery bags only comprise a very small portion of ALL plastic material with discarded fishing nets and fishing line in a much greater proportion. It turns out that discarded and derelict fishing nets and fishing line are the predominant items in the ocean that harm and kill marine wildlife; not plastic bags! (Mostrous, 2008) (Jeftic, Sheavly, & Adler, 2009)

Bag banners have lied about harm to marine wildlife caused by plastic bags. They focused exclusively on plastic bags, giving the public the false impression that harm to marine wildlife would be avoided if plastic bags were banned. Had the bag banners been honest with the public, they would have reported that plastic bags are not the only plastic items that make their way to the ocean and problematic to wildlife through ingestion. These items include golf balls, plastic balls, plastic cigarette lighters, tooth brushes, golf tees, plastic bags, ballpoint pens, etc. (van Leeuwen, Why Not to Ban Plastic Carry Out Bags, 2012)

In addition, bag banners made false claims that plastic bags cause entanglement and death of 100,000 marine creatures per year based on a report that actually stated it was derelict fishing line and fishing nets that was responsible. Harm to marine wildlife will not be prevented by focusing exclusively on a bag ban. (van Leeuwen, Why Not to Ban Plastic Carry Out Bags, 2012)

Claim #9: “Hawaii is the only other state in the nation to ban plastic bags, and its law includes a loophole that many retailers are using to use hand out thicker plastic bags to shoppers.”

Response: The editorial **failed** to state that Hawaii was the first state to ban single-use plastic bags and California was the second! Not by a statewide ban, but by a series of local bans covering the entire state. Not much different from California where local bag bans were

grandfathered in with the statewide ban covering remaining areas where no ban existed. (California State Legislature , 2014)

Furthermore, the claim that ordinances in Hawaii contain a “loophole” allowing stores to hand out thicker plastic bags is **phony argument**. The fact is that the bag bans in Hawaii are more consumer friendly and do not mandate a fee of 10-cents for every paper or plastic reusable bag distributed. Stores are free to charge their customers for carryout bags if they so desire. In California, grocers are also allowed to hand out paper and thicker plastic bags, but must charge the customer 10-cents each, ensuring a financial windfall for supermarkets, who, coincidentally, donated millions to the plastic bag campaign.

Claim #10: “Three states — Idaho, Missouri and Arizona — inexplicably have passed laws forbidding individual cities or counties from passing plastic bag bans.”

Response: That is a **good thing** and not a bad thing like the article wants you to believe. Preserving individual liberty and freedom is what it is all about. After all, a private business owner has every right to provide you a shopping bag (his property) free of charge to carry your purchases home as a matter of good customer service.

Claim #11: “California is proving that its plastic bag ban stops litter from polluting our waterways and filling up our landfills ...”

Response: The statement is **blatantly false**. First, a plastic bag ban eliminates only about 0.3% of roadside litter, leaving 99.7% of litter to be cleaned up by traditional cleanup methods. (Schultz & Stein, 2009) (Stein, 2012) (van Leeuwen, San Jose Litter Surveys Examined – Plastic Bag Ban Completely Unjustified, 2015) In addition, in the article entitled “[San Jose Discovers Bag Ban Does Not Solve Litter Problems](#)” the author shows that San Jose’s plastic bag ban did not reduce the amount of litter polluting creeks in the city of San Jose. It stands to reason that a statewide bag ban will not solve litter problems either. (van Leeuwen, San Jose Painfully Learns Litter Problems Were Not Solved By Plastic Bag Ban!, 2014)

Second, there is no significant change in the amount of plastic going to the landfill since “all” plastic bags make up an insignificant 0.3% of the total amount of waste dumped in the landfill. (Integrated Waste Management Board, 2009) Furthermore, in an article entitled “[California Landfills Impacted By Bag Bans](#)” the author shows that under a plastic bag ban, the amount of plastic shopping bags, paper bags, and reusable bags dumped in the landfill is more than **four times** the amount of single-use plastic bags dumped in the landfill before a bag ban!

Conclusion

The Mercury News and East Bay Times editorial boards had every opportunity for journalistic excellence and to publish a scholarly article about the results of the plastic bag ban to date. Instead of doing that and educating their readers, they chose to feed their readers politically correct and “feel-good” mush! The only good news about the editorial is that 52 out of 61 reader comments expressed a negative reaction to the editorial and to the plastic bag ban! The majority of these readers see the plastic grocery bag ban as a feel-good measure that accomplishes very little while making grocers richer at the expense of shoppers.

The plastic bag ban cost the public an estimated \$230 for every littered plastic grocery bag that has been removed from the litter stream, yet has never been shown to save a single penny in any litter abatement or cleanup costs. The negative consequences of additional littered waste such as reusable bags or the thicker plastic reusable bags was not even been considered. If all you care about is seeing fewer single-use plastic grocery bags in the litter stream, but do not care about the increase of other types of bags, the cost to the public, or the fact that the reduction essentially accomplishes nothing, then you can agree with the Mercury News that the bag ban is a success.

And if you were an actual Mercury News paper edition customer on the day this editorial was published, you couldn't help to notice the irony that the Mercury Newspaper was delivered wrapped in plastic bags because of a slight chance of rain. These bags, somehow, were not included nor even considered in the plastic bag ban. And the Mercury News apparently sees no hypocrisy in the liberal use of single-use plastic bags for their own purposes, yet fervently advocating that the rest of us be denied using a similar type of bag to carry our groceries home.

About the Author

Anthony van Leeuwen is the founder of the [Fight the Plastic Bag Ban](#) website and writes extensively on the subject. He holds a bachelors and Master's degree in Electronics Engineering and has over 44 years of experience working in the federal government and private industry.

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