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Paper or Plastic? Some Communities Say Neither

By MATT RICHTEL

Bill Hoffman, owner of Aptos Jewelers in Aptos, Calif., sells bracelets, rings and pendants for thousands of dollars each. He balks at the notion of charging customers an extra 10 cents for a shopping bag, but Mr. Hoffman has no choice. It is the law.

Not just in Santa Cruz County, where Aptos is, but similar rules apply in more than two dozen California cities. Grocery stores, pharmacies and sometimes other retailers are no longer allowed to use plastic shopping bags and must charge customers for paper ones. Fees typically are 5 or 10 cents, and are aimed at nudging people to carry reusable bags when they shop.

California legislators have pushed for a statewide fee of up to 10 cents, coupled with a ban on plastic bags. The concept is sweeping across the most populous state two years after the District of Columbia adopted a 5-cent charge for paper and plastic. Similar laws are popping up in communities across the country.

But for consumers, it is also developing into something more than an environmental movement — it has become a kind of referendum of shopping culture at the cash register.

That is not by accident. Advocates for the movement (who now have their sights set on Manhattan) say they are trying to create a pointed reminder of waste by introducing a potential irritant to longstanding checkout choreography.

It strikes some retailers like Mr. Hoffman as insulting.

“I won’t ask 10 cents for a bag when somebody spends \$10,000. That’s petty,” said Mr. Hoffman, who asked the county to exempt him from the 10-cent rule, which went into effect in March. The rule does not allow retailers to give away bags and build the charge into prices.

“Someone could walk in here with a cloth bag and carrots in it and stick their ring in it,” Mr. Hoffman said about the prospect of a person’s putting jewelry in a reusable bag. “That looks really good,” he added sarcastically.

Tim Goncharoff, a Santa Cruz County official who wrote the rule, said Mr. Hoffman's exemption request had been denied on the grounds that complying would not create a hardship and that many other businesses had found a way to meet the requirement. Retailers risk a warning and then a fine of up to \$500.

Mr. Goncharoff said the rules were intended to make people think about the wastefulness of single-use products.

"It's the thoughtless disposal of things we want to challenge. It's the throwaway culture," Mr. Goncharoff said. He added that the checkout aisle was the perfect place for the reminder. "It's a little tickle to the conscience."

The plastics industry is fighting back with legal challenges, arguing that cities are not proving there is a sufficient environmental benefit from the policies and that the fees can constitute an improper tax. They say the rules are particularly onerous and impractical in places like San Francisco or New York, where tourists are unlikely to have packed a reusable bag.

"If a tourist buys a reusable bag, it will end up in a hotel trash bin and then a landfill," said Stephen Joseph, lawyer for Save the Plastic Bag Coalition, which sued San Francisco. He is also arguing that plastic bags are safer than paper or reusable bags in certain situations, like carrying hot food from restaurants.

But earlier this month, a court in San Francisco rejected the group's lawsuit. The decision will allow the city to roll out on Oct. 1 one of the nation's most far-reaching bag ordinances, banning plastic bags at all retailers — big and small, and also restaurants — and eventually requiring they charge 10 cents for paper and compostable carryout bags.

Over all, more than 50 California cities have passed some bag ban ordinance (not all have taken effect), and many others are considering one.

Nancy F. Koehn, a retail industry historian at the Harvard Business School, said the rules seemed likely to spread across the country even though they "interrupt the grace and fabric" of the relationship between consumer and retailer. In that way, she said, it is distinct from previous environmental movements, like charging a nickel deposit for a soda bottle, that people could pay without thinking.

Unlike those movements, this one invokes something that bleeds from the checkout aisle into daily lives. Plastic bags are reused as lunch sacks, for composting and recycling, and as a carryall for a day at the beach.

"It's like sharp-edged dental floss," Ms. Koehn said of bag fees. "You've got to do it and maybe

it's good for you, but maybe it doesn't feel so good."

For some consumers, the bag fee can be a source of deep frustration, said Jeffrey Seltzer, an official in the Department of the Environment in the District of Columbia, which in 2010 mandated a 5-cent charge on paper and plastic bags. A report there had found that plastic bags made up 47 percent of the trash in the local streams. They have since seen a sharp jump in the use of reusable bags but have also heard some grumbling.

Referring to free bags, Mr. Seltzer said that some people could feel that "this is something that's a right."

From each nickel consumers pay for a bag, a penny goes to the store and 4 cents goes for restoration projects. Mr. Seltzer has seen people bundle their goods in their arms to avoid paying a nickel for a bag, and has heard of other people driving outside Washington to avoid it. "People go out their way to avoid it," he said.

In Santa Monica, Calif., where a 10-cent charge for paper and a ban on plastic bags went into effect last year, the reusable bag culture has exploded, said Josephine Miller, an environmental program analyst with the city. There are sites where people can leave a bag for others, and she said she has heard stories of grocery employees who say to customers who forgot their bags, "If you give me your keys, I'll get to your car and get it."

People want to be seen with the coolest, hippest reusable bag, she said, adding, "Businesses are putting logos on reusable bags."

Initially in California, cities were focused on banning plastic bags. But they started coupling that with a fee on paper bags after grappling with a question prompted in part by the plastics industry: Wouldn't plastic bag bans drive people to paper bags, which themselves have an environmental cost?

The plastics industry said the cities were not taking into account just how much paper and plastic bags are important parts of daily life beyond the checkout line. The bag, they say, has been demonized, and the reusable bag unfairly celebrated. Such bags often themselves contain plastic and, the industry says, can even be unhealthy.

"They can harbor hazardous bacteria," said Mark Daniels, chairman of the American Progressive Bag Alliance, an industry trade group.

Because of the popularity of reusable bags, he has changed his own shopping habits. He said he would not even get in line at a grocery store behind someone with a reusable bag because he was worried it would not have been cleaned since its last use and would pass bacteria to a

bagger, who in turn could pass it on to his groceries.

Jennie R. Romer, the Atlantic region director of the Clean Seas Coalition, said that reusable bags, like many other items, would sometimes need to be washed, and should be made of washable material.

The coalition recently opened an office in New York City, where it plans to push for a bag ordinance.

In San Francisco, where the 10-cent fee will go into effect next month, many residents appear resigned to the idea.

“You already pay 25 cents for four minutes at a parking meter, so what do you expect?” said Robin Brasso, a retired schoolteacher here, who was shopping at a Trader Joe’s.

She said she had reusable bags but had forgotten them that day. After a bit of reflection, she added this about the rule: “It’s a pain in the butt, but it’s an understandable one.”