

*9/22 FITES COMMITTEE*

VICE MAYOR HARRISON

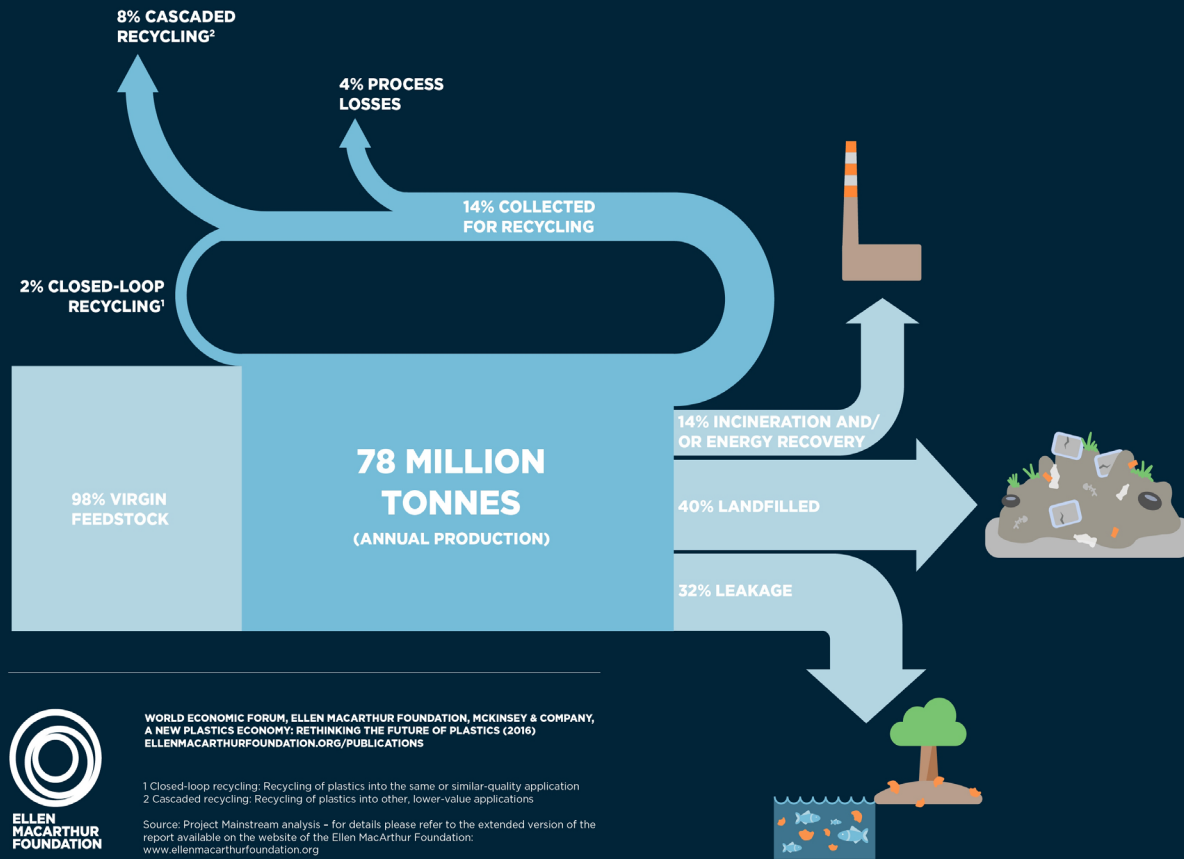
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# Proposed Berkeley Ordinance

Regulating Carryout &  
Pre-checkout Bags



## TODAY, PLASTIC PACKAGING MATERIAL FLOWS ARE LARGELY LINEAR



# What happens to all of that plastic?

Only 10% is recycled

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[https://www.youtube.com/watch?v=K9fOEMloO\\_g](https://www.youtube.com/watch?v=K9fOEMloO_g)



<https://aequoreusvita.weebly.com/effects-of-plastic-bags-to-marine-wildlife.html>



<https://www.marineconservation.org.au/actions/ban-heavyweight-plastic-bags/>



[https://timothyburgess.typepad.com/tim\\_burgess\\_city\\_view/\\_plastic-bags/](https://timothyburgess.typepad.com/tim_burgess_city_view/_plastic-bags/)

# Thicker plastic bags *impact* marine life

Goal: protect our fellow creatures

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# Plastic bags needlessly accumulate in our landfills

Goal: expand policies that encourage reductions and reuse



Our landfill in Livermore, CA

<http://www.mettatechnologies.com/BULL.html>



<https://www.gettyimages.com/detail/news-photo/wind-turbines-stand-in-the-background-of-a-bulldozer-as-it-news-photo/94861357>

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# Plastic bags clog sewers and lead to urban flooding

Goal: keep our urban  
environment clean, our  
roads clear



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# Plastic bags contribute to urban blight

Goal: reduce plastic litter



<https://www.sfweekly.com/topstories/mission-street-getting-less-trashy/>

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# Plastic & non-reused paper bags perpetuate global warming & fossil fuel

Goal: reduce GHGs and air pollution



<https://www.firerescue1.com/camp-fire/articles/fire-in-paradise-documentary-captures-the-first-horrific-hours-of-the-camp-fire-hskeXWSIZAfYSAvy/>



<https://www.climatechangenews.com/2015/01/16/its-official-2014-was-the-hottest-year-ever/>



<https://www.theguardian.com/environment/2019/oct/09/richmond-chevron-california-city-polluter-fossil-fuel>


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
# Gaps in County & State law

Goal: close loopholes

## COMPARISON OF STATE & COUNTY LAW TO PROPOSED BERKELEY ORDINANCE






**CalRecycle** 

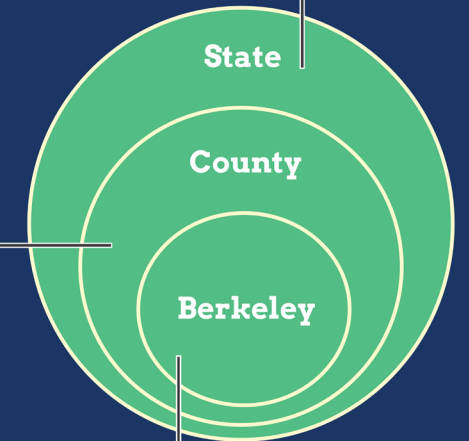
Law: Public Resources Code Sections 42281 et seq., Senate Bill 270, Proposition 67, Senate Bill 1046

Applicability:	Regulation:
 Full-line, self-service retail/grocery stores with annual sales of at least \$2 million that sell some perishable items	 <b>Banned</b> Flimsy plastic film carryout bags
 Large retail stores with a pharmacy that have at least 10,000 square feet of retail space and that generate sales or use tax	 <b>Banned</b> Plastic pre-checkout bags (e.g. produce) <small>Starting Jan. 1, 2025 (SB-1046)</small>
 Convenience stores, food marts, or liquor stores that are engaged in the retail sale of a limited line of goods, generally including milk, bread, soda, and snack foods, and that hold a Type 20 or Type 21 alcohol license	 Thicker film carryout bags
	 <b>\$0.10 min</b>
	 Paper carryout bags
	 <b>\$0.10 min / 20-40% Post-Consumer Material</b>

**STOP WASTE**  
at home • at work • at school






Law: Alameda County Waste Management Authority Ord. 2016-2

Applicability:	Regulation:
 Restaurant take-out food and food-truck establishments	 <b>Banned</b> Flimsy plastic film carryout bags
	 <b>\$0.10 min</b> Thicker film carryout bags
 All retail stores	 <b>\$0.10 min / 40% Post-Consumer Material</b> Paper carryout bags



**CITY OF BERKELEY**

Law: Proposed Ordinance BMC 11.62

Applicability:	Regulation:
 Supermarket, convenience food store, foodmart, or other entity engaged in the retail sale of food items, and > 2,500 square feet floor area	 <b>\$0.10 min</b> Plastic pre-checkout bags (e.g. produce)
 All retail stores not regulated by the state.	 <b>\$0.10 min + signage</b> Non-compostable "compostable" pre-checkout bags
 Any event requiring a street permit	 <b>Banned</b> Thicker film bags
 City of Berkeley and City-sponsored events	





# Ordinance Overview

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# Grocery Stores

## 2023-2025



Law: Proposed Ordinance BMC 11.62

**Applicability:**



Supermarket, convenience food store, foodmart, or other entity engaged in the retail sale of food items, and > 2,500 square feet floor area



\$0.10 min



\$0.10 min + signage

**Regulation:**

Plastic pre-checkout bags (e.g. produce)

Non-compostable "compostable" pre-checkout bags

## 2025 and beyond



Law: Public Resources Code Sections 42281 et seq., Senate Bill 270, Proposition 67, Senate Bill 1046

**Applicability:**



Full-line, self-service retail/grocery stores with annual sales of at least \$2 million that sell some perishable items

**Regulation:**



**Banned**

Plastic pre-checkout bag (e.g. produce)

Starting Jan. 1, 2025 (SB-1046)



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Plastic bags provided to customers after meal to carry home  
leftovers include \$ 0.10 charge.

# Restaurants

# City Events



Any event requiring a street permit



City of Berkeley and City-sponsored events



**Banned**

Thicker film bags

### State Definitions of Retail Store



Full-line, self-service retail stores with annual sales of at least \$2 million that sell some perishable items



Large retail stores with a pharmacy that have at least 10,000 square feet of retail space and that generate sales or use tax



Convenience stores, food marts, or liquor stores that are engaged in the retail sale of a limited line of goods, generally including milk, bread, soda, and snack foods, and that hold a Type 20 or Type 21 alcohol license

# Retail Stores (not regulated by State)



All retail stores not regulated by the state.



**Banned**

Thicker film bags

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*Thank You*

