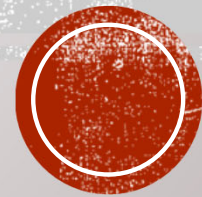


# S864 “BAG BAN BILL”

*What we know, what we need to learn, how we are going to share information going forward.*



# History

- ANJR started participating in “bag ban/fee” bill discussions in 2013
  - Reducing Curbside Contamination
  - Presentations at ANJR events (Surfrider foundation, Princeton, USEPA Trash Free Seas)
  - Discussions with Legislators
  - Participation in proposed bill discussions
- For many years there have been a number of bills that proposed bag fees rather than bans
- In 2018, Governor Murphy vetoed a bill that would place a 5-cent fee on plastic grocery store bags
- On November 4, 2020, Governor Murphy signed the most stringent bag ban in the nation



## **S864(A1978) – SIGNED INTO LAW 11/4/2020**

- No retail store or food service business shall provide or sell a single use plastic carryout bag to a customer– applies to grocery, retail, food service or other small stores.
- No grocery store shall provide or sell a single-use paper carryout bag to a customer.
- “Reusable carryout bag” means a carryout bag that: (1) is made of polypropylene, PET nonwoven fabric, nylon, cloth, hemp product, or other machine washable fabric; (2) has stitched handles; and (3) is designed and manufactured for multiple reuse.
- Carryout bags do not include:
  1. a bag used solely to contain or wrap uncooked meat, fish, or poultry;
  2. a bag used solely to package loose items such as fruits, vegetables, nuts, coffee, grains, baked goods, candy, greeting cards, flowers, or small hardware items;
  3. a bag used solely to contain live animals, such as fish or insects sold in a pet store;
  4. a bag used solely to contain food sliced or prepared to order, including soup or hot food;
  5. a laundry, dry cleaning, or garment bag;
  6. a bag provided by a pharmacy to carry prescription drugs;
  7. a newspaper bag; and
  8. any similar bag, as determined by the DEP pursuant to rule, regulation, or guidance.



## **S864(A1978) – (continued)**

- No person (or company) can sell and no food service business can provide any polystyrene foam food service (expanded/extruded) product. There are limited time exemptions for certain items (including raw meat and fish trays and foods prepackaged by the manufacturer) and those exemptions can be extended by NJDEP.
- Plastic straws are not banned, but they shall only be provided by a food service business at the customer's request. Packages of straws and items like juice boxes may still be sold in stores.
- Existing local/county ordinances on bags, polystyrene and straws are pre-empted once the bans take effect and no new ordinances can be enacted on these items.
- Most provisions start 18 months (May 4, 2022) after the bill is signed, except for straws, which begins 1 year (November 4, 2021) after bill signed.
- NJDEP must establish a program to assist businesses with compliance.
- Clean Communities Council will do a Statewide public information and education campaign (including educational programs, PSAs, distribution of free reusable bags) using \$500,000 from the Clean Communities account (each year for 3 years after bill effective date).





## Now what?

- ANJR plans to work with other groups to put accurate, consistent, information on our websites.
  - [www.anjr.com](http://www.anjr.com)
  - Law
  - Summary
  - Frequently asked questions
- NJ Clean Communities Council – Best Practices Committee  
[www.njclean.org](http://www.njclean.org)
- New Jersey Food Council – Choose to Reuse Campaign  
[www.choosetoreusenj.com](http://www.choosetoreusenj.com)



## FAQs

**If bags are banned, what am I supposed to use to hold my garbage?**

The only bags that will be banned are “single use carryout bags”. This means that you will still be able to buy plastic garbage bags of all sizes.

**What am I supposed to use to pick up pet waste?**

You can still purchase pet waste bags, which are smaller and serve better for their intended purpose than a large grocery bag.

**My child has a disability and needs to use a straw. What are my options when in a restaurant?**

Restaurants will still be able to provide straws, the difference is that a customer needs to ask for one. There are also reusable silicon and metal straws that you can purchase so that you always have one available.

**Aren't we concerned about germs on reusable bags?**

Yes, but these reusable bags can be easily cleaned! For fabric bags, you can just toss them in the washing machine. For the reusable plastic bags, wipe them down with a disinfecting wipe or spray, or wash them in warm, soapy water.

