



May 1, 2019

The Honorable Amy Sheldon, Chair
House Committee on Natural Resources, Fish, and Wildlife
Room 47, Vermont State House
115 State Street
Montpelier, VT

RE: Opposition to S.113

Dear Chair Sheldon and members of the committee,

Thank you for the opportunity to speak on S.113. My name is Matt Seaholm, and I am the executive director of the American Progressive Bag Alliance (APBA), an organization that represents our country's plastic retail bag manufacturers and recyclers.

First, I would like to applaud the authors of S.133 for making sustainability in Vermont a priority. I'd also like to extend my thanks for taking the time to consider the views of the APBA and its members. Like you, we care deeply about environmental stewardship and sustainability, which is a primary reason why our members are pioneers in the field of plastic film recycling. Our members manufacture and promote the responsible use, reuse, recycling, and disposal of American-made plastic bags and support local sustainability initiatives across the country.

We share the committee's goal of protecting the environment and keeping Vermont beautiful. However, it's important to consider the data so that you can make informed decisions on how to move forward. The U.S. Environmental Protection Agency shows that plastic retail bags make up just 0.3% of the nation's municipal solid waste. Additionally, the most recent statewide litter study, commissioned by the New Jersey Clean Communities Council, found that branded plastic retail bags made up 0.8% of litter. We never want to see any of our products disposed of improperly, but with such a small share of litter and waste derived from bags, a bag ban simply won't provide a meaningful improvement in either category.

When you consider the full lifecycle of plastic bags and alternative products – which we always should when discussing environmental impact – plastic retail bags are the best option in terms of sustainability and resource efficiency. Compared directly to reusable bags and paper bags, the traditional plastic retail bag has the smallest environmental footprint every time. They require far fewer resources to produce, they're domestically manufactured, and the vast majority of Americans regularly reuse them, most often as trash can liners or to pick up pet waste.

Bag bans pave the way for thicker, more resource-intensive alternatives to dominate the market. In the wake of a bag ban in Austin, Texas, city officials found that landfill waste increased due to people throwing away their reusable bags. When Thurston County, Washington implemented a plastic bag ban, the use of more resource-intensive paper bags doubled.

Legislation such as S.113 invites unintended costs and consequences, and Vermont residents and businesses will be the ones directly affected by regulatory change. For some, the burden would be significant. People shouldn't have to choose between buying food or paying for bags—but that's often a reality. Standard recyclable plastic bags are low cost, sanitary, highly reused, and the preferred choice for most retailers and consumers. Bag ban policies directly add costs to grocery bills by charging customers for each bag or by forcing them to buy other, more expensive bags.

We feel strongly that promoting recycling and recycling education in Vermont is a positive course of action that would benefit the whole state. Since 2005, the rate of plastic bag, film, and wrap recycling has grown nearly 80 percent. In 2016, 77% of plastic retail bags returned for recycling were recycled in the United States and Canada. All the while, high reuse rates for plastic retail bags rates persist – both of which can be leveraged to support Vermont's larger sustainability goals.

While it is hard for us to support any legislation that bans our products, our biggest concern with S.113 is the required 4 mils in thickness for a plastic bag. The only established statewide definition for a reusable plastic bag is 2.25 mils in thickness and capable of 125 or more uses carrying 22 or more pounds over a distance of at least 175 feet. This definition was championed by environmentalists and codified in California law, and it is a result of extensive scientific testing. When California banned single-use plastic bags, they wanted to create a reusable bag manufacturing industry in the United States rather than importing alternatives from overseas. They achieved that goal and our members have become the leading producers of reusable bags in the United States.

The 2.25 mil definition is the standard for a reusable bag in California, Puerto Rico, and many major cities around the country. Simply put, mandating that a plastic bag be at least 4 mils in thickness will not have any environmental benefit. Deviating from the 2.25 mil standard has serious repercussions as it will lead to significantly increased costs for retailers as well as more plastic being produced and used, an outcome that is not environmentally sustainable.

In fact, the 2.25 mil standard in California is actually one of the stricter laws in the world. Europe is known for their regulations of single-use plastic products, and they are often cited as a model for banning plastic bags and other items. The European Union placed restrictions on single-use plastic bags in 2015 with Directive (EU) 2015/720. This law directed EU member states to reduce consumption of plastic bags less than 50 microns, which is 1.9685 mils. There are no restrictions on bags above 50 microns, or about 2 mils, as they are considered reusable in Europe.

Many other cities and countries have followed suit. Like the EU, India and Montreal both consider 50-micron bags to be reusable and have banned bags below that threshold. Sri Lanka banned plastic bags less than 20 microns (0.78 mils). China's standard is 25 microns (0.98 mils). South Africa has a minimum thickness of 30 microns (1.18 mils). Several Australian states, as well as the biggest retailers in the country, have banned plastic bags less than 35 microns (1.37 mils). Vermont is proposing a ban on bags less than 4 mils, which is 101 microns. This far exceeds the standard for reusable bags in any comparable state or country.

Again, the 2.25 mil thickness and performance standards were established through scientific testing and evaluation involving the industry, environmental community, and government. Increasing the minimum thickness of plastic bags to 4 mils is unnecessary and has no scientific foundation.

The APBA stands ready to work with you on solutions that protect the Green Mountain State's unique environment, increase recycling, decrease litter and waste, and reduce marine debris without placing a burden on residents or the business community. For more information about the record of plastic bag laws, plastic bag recycling, minimum thickness mandates, and the impact of plastic bag reuse, please do not hesitate to reach out. This topic is complex, and we hope our experience and insights can help inform your approach.

Sincerely,



Matt Seaholm
Executive Director, American Progressive Bag Alliance

CC: Hon. Paul Lefebvre, Vice Chair
Hon. Trevor Squirrel, Ranking Member
Hon. Christopher Bates
Hon. Katherine "Kari" Dolan
Hon. James McCullough
Hon. Leland Morgan
Hon. Carol Ode
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