

## **News Bulletin 7/1/07 CA Requires Retailers to sell reusable bags**

New California legislation requires retailers to sell reusable bags effective 07-01-07. Note: the definition of Supermarket is a retailer that is 10,000 square foot or greater that sells dry grocery, perishables, etc; so pharmacies, Target, Wal-Mart etc. are included.

### **State of CA General overview**

Implemented as of July 1st, 2007.

Assembly Bill 2449 (Chapter 845, Statutes of 2006) requires supermarkets over 10,000 square feet to:

- Establish an at-store recycling program that allows customers to return clean plastic carryout bags to a bin at each store that is easily accessible and clearly marked
- Provide plastic carryout bags printed with a recycling message; provide reusable bags for sale to customers
- Collect, transport and recycle all plastic carryout bags maintain and make available records describing the collection, transport, and recycling of plastic carryout bags for three years.

AB 2449 provides that local jurisdictions may not adopt or implement ordinances requiring stores in compliance with the law to collect, transport or recycle plastic carryout bags; impose a fee on plastic carryout bags or require additional auditing or reporting.

Stores not mandated to participate may voluntarily comply with the provisions and receive the same pre-emption.

Required retailers must comply by July 1, 2007. The measure is repealed on July 1, 2013 unless a later enacted statute deletes or extends the date.

Civil penalties are allowed for violations; \$500 for the first violation; \$1,000 for the second violation; and \$2,000 for third and subsequent violations.

Recordkeeping and Reporting Requirements...On June 12, 2008 the California Integrated Waste Management Board (CIWMB) adopted emergency regulations <<http://www.cagrocers.com/pdf/PlasticCarryoutBagRegsfinal.pdf>> governing the recordkeeping and reporting requirements of the law.

### **Jurisdiction law applies (city, state, etc)**

State of California

### **Legislation ID, such as Bill number**

AB 2449 Chapter 845