

## NYS Department of Environmental Conservation Bag Waste Reduction Law: Information for Consumers



### Consumer Participation

Starting March 1, 2020, a new bag waste reduction law will take effect in New York State where over 23 billion plastic bags are typically used each year.

Plastic bag usage affects both our communities and environment. Plastic bags can be seen stuck in trees, as litter in our neighborhoods, and floating in our waterways. From the significant recycling and disposal issues they pose to the harm they can do to wildlife, the negative impacts of plastic bags are easily seen.

As a consumer you can help and [#BYOBagNY](#) - Bring Your Own Bag. Keep reusable bags in your car, or clip folding reusable bags onto your commuting bag or purse so you always have them handy. If you store them near the door or coat closet, you'll be more likely to remember them on the way out. Remember that every time you use a reusable bag, you are doing your part to prevent litter and waste.

Using reusable bags makes sense and is the right thing to do. You can also remind your family, friends, and neighbors to bring their reusable bags whenever they shop.

The Bag Waste Reduction Law applies to more than just grocery stores. Whether you're going to the grocery store, clothes shopping, or to a home improvement store, make sure to bring your reusable bags.

### Types of Bags You Can Use

While shoppers can bring any type of bag - including film plastic - note that there are many alternatives to choose from which are more environmentally friendly. Ideally, a bag should be washable and designed for multiple uses, such as one made from cloth. If you forget to bring a bag with you, many retailers will have reusable bags for sale. An alternative, such as paper, may also be available.

Please note that stores are not required to have bags available for customers. Some stores may choose not to switch to paper and may only have reusable bags for purchase. That is why it is important for consumers to [#BYOBagNY](#) - Bring Your Own Bag. If you have a small purchase, such as a magazine, candy or drink, you can help our environment by saying "No thank you" to a single use paper bag and carrying the item instead.

### The Bag Waste Reduction Law and Who it Affects

Starting March 1, 2020, all plastic carryout bags (other than an exempt bag) are banned from distribution by anyone required to collect New York State sales tax.

For sales that are tax exempt, plastic carry out bags are still not allowed to be distributed by anyone required to collect New York State sales tax unless it is an exempt bag. The law



will affect anyone required to collect New York State sales tax, bag manufacturers and consumers. Cities and counties will also be involved.

Under the law:

- Cities and counties are authorized to adopt a five-cent paper carry out bag reduction fee. This means that in these areas, a consumer will be charged 5 cents for each paper carryout bag provided at checkout.
- In areas that have adopted the five-cent paper carryout bag reduction fee, the fee does not apply to SNAP (Supplemental Nutrition Assistance Program) and WIC (Women, Infants, and Children - a nutrition program) recipients. They are exempt from paying a paper carryout bag reduction fee for paper carryout bags. One way to avoid paper bag fees no matter where you are across New York State is to always bring your own bag.
- Stores covered under the NYS Plastic Bag Reduction, Reuse and Recycling Act will still be required to collect plastic bags and other film plastics from consumers for recycling. Film plastics include items such as bread bags and plastic wraps that come over cases of water, paper towels and other similar items. As a consumer, you can help by continuing to recycle these items at participating retailers.

### Exempt Bags

Some bags are exempt under the law, so plastic bags may still be distributed to consumers in a few [specific circumstances](#), such as a bag used by a pharmacy to carry prescription drugs, and produce bags for bulk items such as fruits and vegetables. But as a consumer, you can aid in protecting our environment by using reusable bags as much as possible.

### More Information

You can access the full text version of the [Bag Waste Reduction law](#) (Environmental Conservation Law ECL Article 27, Title 28). (Link leaves DEC's website) Technical information for manufacturers or retailers is available regarding the [New York State Bag Waste Reduction Act](#).

### More about Bag Waste Reduction Law: Information for Consumers:

- [Bag Waste Reduction Law: Information for Manufacturers and Retailers](#) - Frequently asked questions about the Plastic Bag Ban (Article 27, Title 28 [New York State Bag Waste Reduction Act](#)). The law takes effect March 1, 2020 and prohibits the distribution of plastic carryout bags by certain retailers in New York state.
- [Plastic Bag and Film Plastics Recycling for Consumers](#) - Consumers will be able to recycle plastic carryout bags at certain retail stores and most grocery stores.
- [Plastic Bag and Film Plastics Recycling for Retailers](#) - The law, as adopted, requires stores with 10,000 square feet or more of retail space and chains which operate five or more stores with greater than 5,000 square feet of retail space, and which provide plastic carryout bags to its customers as a result of a product sale.
- [NYS Plastic Bag Task Force](#) - A thorough analysis of the impacts of single use plastic bags and provides several options for legislation that could help develop a statewide solution to the problem.

