



## PLASTIC BAG FAQ

In order to reduce litter, and protect animals, human health, and the environment, City Council voted to restrict the distribution of plastic carryout bags in Salem. Beginning April 1, 2019, large retailers will no longer provide plastic carryout bags and will begin to charge five cents for each paper bag at checkout to encourage customers to bring reusable bags to carry away purchases.

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### Which businesses are impacted?

All retail businesses, including grocery and convenience stores, apparel and department stores, local markets, and farmers markets located within Salem city limits are impacted. Any store or vendor offering goods for sale at retail will only provide recyclable paper bags or reusable bags to customers at checkout.

### How will the City help store owners prepare for this change?

In conjunction with the business community and media, the City's outreach efforts will help prepare shoppers now through April for the transition away from plastic carryout bags. An insert will be sent out with March utility bills to all customers, informing them of the upcoming change. Free downloadable marketing materials and fliers are available on the City's website at [www.cityofsalem.net/plastic-bags](http://www.cityofsalem.net/plastic-bags). If you would like to speak with someone about the ordinance, please e-mail [manager@cityofsalem.net](mailto:manager@cityofsalem.net) or call the City Manager's office at **(503)588-6255**.

### When are retailers required to stop providing plastic carryout bags at checkout?

Large retailers in Salem, with a store size of more than 10,000 square feet, will no longer provide plastic carryout bags to customers starting April 1, 2019. All other retailers have until September 1, 2019, to comply.

### Which plastic bags are prohibited?

All plastic carryout bags, including compostable plastic bags, provided by retailers at the point of sale are prohibited.

### Which plastic bags are still allowed?

Any bag without handles provided to a customer for use within a retail establishment to assist in the collection or transport of products to the point of sale are still allowed. Some examples include:

- Bags used to package bulk items, such as fruit, vegetables, nuts, grains, candy, or small hardware items;
- Bags that contain or wrap frozen foods, meat, and fish;
- Bags that contain or wrap flowers, potted plants, or other items where dampness may be a problem;
- Bags that contain unwrapped prepared foods or bakery goods;

- Pharmacy prescription bags;
- Bags sold in packages containing multiple bags intended to be used for home food storage, garbage, pet waste, or yard debris.

### **Can paper bags be provided at the point of sale?**

**Yes.** Paper bags of any size can be provided by retailers at the point of sale with a minimum charge of five cents for each paper bag. Paper bags offered at checkout, must contain a minimum of 40% recycled content, be 100% recyclable, and be capable of composting completely.

### **Why is there a five-cent charge for paper bags?**

The charge encourages shoppers to bring reusable bags. It also allows retailers to offset the higher cost of paper bags.

### **Who keeps the five-cent charge?**

The five-cent charge remains with retailers.

### **Are any customers exempt from the five-cent charge on paper bags?**

**Yes.** Customers who use a voucher issued under the Women, Infants, and Children (WIC) program, the Supplemental Nutrition Assistance program (SNAP/food stamp/Oregon Trail), or the Temporary Assistance for Needy Families (TANF) program may request a paper bag at no cost at the point of sale.

### **Can retailers provide “reusable” plastic bags?**

**Yes.** Reusable bags are usually made out of woven synthetic fiber, or woven and non-woven polypropylene, and are specifically designed for multiple reuses. They may be provided for free or charged for at the store’s discretion.

### **Are retailers required to provide reusable bags or recyclable paper bags at checkout?**

**No.** Retailers may choose to provide either, both, or neither. If a paper bag is provided, they must charge at least five cents for each bag.

### **Are any businesses exempt from the ban?**

**Yes.** Restaurants and other establishments that sell prepared food or drink may provide customers with plastic carryout bags for those prepared items. Restaurants are not considered retail establishments, so they do not have to charge for paper bags.

### **Are deli counters that serve prepared takeout foods allowed to provide plastic carryout bags?**

**Yes.** Similar to restaurants, prepared takeout foods can be placed in plastic bags at the deli counter as needed to prevent leaks or spills.

### **How can a business apply for an undue hardship exemption?**

If a business would like to apply for a six-month exemption from the ordinance requirements, they may submit a written exemption request to the City of Salem at [manager@cityofsalem.net](mailto:manager@cityofsalem.net) or City of Salem City Manager’s Office, 555 Liberty St SE Room 220, Salem, OR 97301. This request must include the following information:

1. The name, address, and type of retail establishment. For retailers with multiple locations, include addresses for all locations within Salem City limits;
2. A detailed statement describing:
  - a. The reason(s) meeting the code requirements would create an undue hardship or practical difficulty not applicable to others under similar circumstances;

- b. Any and all actions taken by the business to overcome the hardship;
- c. How often the business purchases plastic carryout bags, when the last order of bags was made, and how many bags were ordered.

### **How will this law be enforced?**

As with other similar City rules, the plastic bag ordinance will be enforced on a complaint-driven basis. If a community member makes a complaint, City staff will engage with the retailer to educate them about the law and explain what is needed to comply. Depending on the nature of the violation, penalties can be assessed for the first violation. To report a violation, please use the [online reporting tool](#) or call code compliance at **(503)588-6421**.

### **What are the penalties for businesses that do not comply with the ordinance?**

The penalties for violating the new law are consistent with other penalties outlined in [Salem Revised Code](#). The amount of the fine is based on the frequency of violation and is determined on a case-by-case basis.

### **How should reusable shopping bags be cleaned?**

Here are a few simple tips to keep reusable bags clean and help prevent the spread of germs:

- Wash reusable grocery bags at least once per month:
  - Wash cloth reusable bags in a washing machine using laundry detergent and dry in the dryer or air-dry.
  - Hand wash plastic-lined reusable bags with warm water and soap and air-dry.
  - Make sure reusable bags are completely dry before storing them.
- Always put raw meats into a disposable plastic bag before placing them in a reusable bag.
- When using reusable bags, keep meats, fresh produce, and ready-to-eat foods separated from other food products.
- Clean reusable bags used for carrying food before using for any other purpose.

### **How can retailers help customers remember to bring reusable bags into the store?**

The City created a graphic and posters as free resources for retailers to use to help remind customers to bring reusable bags. The resources can be found on the City's website at [www.cityofsalem.net/plastic-bags](http://www.cityofsalem.net/plastic-bags).

### **If a statewide plastic bag law passes, what will happen to Salem's ordinance?**

Currently there is no statewide ban on plastic bags. If a statewide ban goes into effect, the City will determine the best way to move forward.