

## **New York State's Plastic Bag Reduction, Reuse and Recycling Act**

It is a new statewide law that requires certain retail and grocery stores to set up a plastic bag recycling program for customers to return plastic bags for recycling. The law goes into effect on January 1, 2009.

The law requires stores with 10,000 square feet or more of retail space and chains of 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, to:

- Establish an at-store plastic bag recycling program. Stores must make collection bins for plastic bag recycling available to customers in a visible, easily accessible location. NOTE: There are slightly different requirements pertaining to enclosed malls which differ from free-standing stores and strip malls.
- Ensure that collected plastics are recycled. Stores are required to recycle the plastic bags collected and are prohibited from disposing of the collected plastics as solid waste.
- Label all plastic bags. Any bags distributed in affected stores must state "Please Return to a Participating Store for Recycling" or a similar message approved by the DEC. The message required pursuant to New York City Local Law 1 of 2008 related to plastic carryout bag recycling is an acceptable message which stores may use without seeking specific approval from DEC.
- Keep records on their program. Stores, or their agents, are required to maintain records describing the collection, transport and recycling of plastic bags for at least three years. The records must include the weight of plastics collected and their ultimate disposition (e.g., where they were recycled).
- Sell reusable bags. Stores are required to allow the use of reusable shopping bags and make them available to their customers for purchase.

Food service establishments (restaurants) are exempt from this law.

### **\*Labeling of Plastic Bags**

To be approved by the DEC, all plastic carryout bags given to consumers must state using ½ inch lettering: PLEASE REUSE OR RECYCLE AT A PARTICIPATING STORE. The store may also print a similar message, so long as no lettering is less than a quarter-inch high, and the entire message is at least one-inch high.