

March 11, 2021

Rep. Alex Valdez, Chair
Rep. Edie Hooton, Vice Chair
House Energy & Environment Committee
Colorado General Assembly
200 E Colfax Avenue
Denver, CO 80203

RE: Opposition to HB21-1162

Chair Valdez, Vice Chair Hooton, and members of the committee:

On behalf of the American Recyclable Plastic Bag Alliance (ARPBA), which represents America's plastic bag manufacturers and recyclers, I write to highlight concerns regarding HB21-1162 – legislation that would ban certain kinds of plastic bags statewide, create costly burdens for small businesses and consumers, and move American manufacturing jobs overseas—primarily due to its definition of a “reusable bag.”

While this bill is framed as a “plastic bag ban,” it does not ban plastic bags. Most reusable bags with stitched handles, like the ones available for \$1-2 at most checkout counters, are made from plastic like woven and nonwoven polypropylene, nylon, or polyester.

This bill's mandate that reusable bags have “stitched handles” limits flexibility for small businesses and forces consumers to use bags almost entirely made in Southeast Asia by companies based in some of the world's worst-polluting countries. Bags with “stitched handles” – such as cotton/canvas bags or the \$1-2 totes you can buy at the grocery store checkout – are almost always made overseas due to the decades-long offshoring of the U.S. textile industry.

Further, reusable plastic bags with stitched handles are not recyclable in the United States, both due to the plastic they are made from and the stitching mandated by this bill. As a result, consumers often dispose of these “preferred” reusable bags when they become soiled or otherwise contaminated, often well before they have been reused enough times to offset their environmental impact.

Lifecycle assessments have found that compared to a traditional, thin-gauge plastic retail bag, reusable bags with stitched handles require more reuses to offset the increased environmental effects associated with their production and transport. For example, [Recyc-Québec](#) (the recycling authority of Quebec) released a study in December 2017, which found that the overall lifecycle of the traditional, thin-gauge plastic retail bag—from its production to the end of its life—has far less environmental impact compared with other bags.

Unlike bags with stitched handles, plastic film bags of any thickness are 100% recyclable through the store takeback programs that ARPBA members pioneered. In Colorado, these bags can be recycled at many King Soopers, Safeway, Walmart, and Target stores. However, HB 1162, as drafted, would prohibit these U.S. manufacturers from providing their 100% recyclable, certified-reusable bags to retailers and small businesses.

Further complicating matters is the elimination of Colorado's uniformity statute which was designed to ensure there would be a single standard in the state. If the intent of this bill is to establish a carryout bag policy across Colorado, it makes little sense to grant municipalities the authority to establish a competing patchwork of local regulations on bags that burden small businesses.

Given the [well-documented nationwide shortage of both paper bags and reusable bags](#), there is a risk that a plastic bag ban in Colorado would exacerbate rising operating costs for restaurants, retail stores, and grocery stores at a time when many businesses – both large and small – are struggling to stay afloat. Further, implementing this costly mandate on small

businesses and consumers could represent a hurdle to a strong economic recovery as we emerge from the pandemic, given that the bag shortage is anticipated to [last for several years](#).

For many consumers who rely on public transit, work multiple jobs, or otherwise face challenges when it comes to bringing bags with them, HB 1162 would create significant new costs at checkout. Whether it's a \$10 cotton or canvas bag or a \$1-2 reusable plastic tote bag, like the kind commonly available at most large grocery and retail stores, these costs can add up quickly in the absence of affordable options for businesses and consumers.

Together, these nationwide bag shortages and the unintended consequences they can create for small businesses and consumers have led several other jurisdictions, including Maine, Washington, Oregon, and the cities of Baltimore and Philadelphia, to delay or suspend enforcement of their respective bans.

Importantly, ARPBA shares a commitment to improve sustainability in Colorado. For our members, sustainability is at the forefront of everything we do, which is a key reason our members are pioneers in the plastic film recycling field and committed to meeting standards for recycled content in their products.

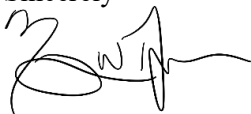
Mandating stitched handles does not necessarily make a bag more durable. California established the first statewide definition for a reusable plastic bag based on scientific testing: 2.25 mils in thickness and capable of 125 or more uses carrying 22 or more pounds over a distance of at least 175 feet. Reusable plastic film bags are allowed under statewide bag bans all over the country, including in California, Washington, Oregon, Maine, Delaware, and Connecticut.

Even as plastic bag bans have become more common in recent years, there is a lot of data out there that says it's not the right way to go. While many suggest that plastic retail bags are filling up landfills and the environment, this simply isn't true. [U.S. Environmental Protection Agency data](#) shows that all plastic "bags and sacks" combined make up 0.3% of the nation's municipal solid waste—plastic retail bags account for a tiny fraction of that amount. Additionally, two recent statewide litter studies, done in [New Jersey](#) and [Pennsylvania](#), found that branded plastic retail bags make up very small percentages of litter in each state: 0.8% and 0.7%, respectively.

Make no mistake: plastic bags do not belong in the environment and should always be disposed of properly, either through reuse or recycling at supermarket drop-off bins. However, blanket bans like HB 1162 miss the mark on sustainability by forcing consumers to use products that cannot be recycled and have greater environmental impacts. We respectfully urge this committee to reject the bill.

ARPBA and its members stand ready to work with you on solutions that protect the state's unique environment, increase recycling, and decrease litter and waste without placing burdens on residents and small businesses that undermine U.S. manufacturing. Thank you for your time and consideration.

Sincerely



Zachary Taylor

Director

American Recyclable Plastic Bag Alliance

CC: Rep. Tracey Bennett
Rep. Meg Froelich
Rep. Dominique Jackson
Rep. Andres Pico
Rep. Emily Sirota
Rep. Matt Soper

Rep. Brianna Titone
Rep. Tonya Van Beber
Rep. Mike Weissman
Rep. Perry Will
Rep. Dan Woog