

Jersey City Plastic Bag Ban FAQs

Consumers' Frequently Asked Questions

Q: Am I allowed to bring plastic bags from my home into retail stores?

A: Yes, consumers are allowed to bring any kind of bag to carry out their groceries. This includes their own private supply of single use plastic bags.

Q: Despite the ban, I believe a local retailer is continuing to give out plastic bags. How can I report this?

A: Before reporting this offense keep in mind that Jersey City has only banned single-use plastic bags. Plastic bags that are 2.25 mils or thicker can be given to consumers because they can be reused up to 125 times and cleaned. The store may have chosen to use a thicker plastic bag for its customers.

If you believe the bags do not meet these requirements, you can report the offense to the Resident Response Center (RRC) by phone 201-547-4900 or on their website: www.Seeclickfix.com.

Q: What plastic bags are banned?

A: Under the Ordinance 18-065, single-use plastic bags are considered lightweight plastic bags that are under 2.25 mils of thickness. These kinds of bags do not meet the requirement of being reusable up to 125 times and are cleanable. Bags that are considered “biodegradable” or “compostable” are not exempt from these requirements.

Q: Why don't retailers just switch to “biodegradable” or “compostable” bags?

A: Research has not found biodegradable or compostable bags to be effective at decomposing back into the environment. At the moment, there is no proof that either of these bags can be better than plastic bags.

Q: How will I pick up my pet's waste, throw away dirty diapers, or line small trash cans now?

A: There are many creative ways to overcome this problem that include newspaper bags or empty bread bags. Please note that conventional plastic trash bags, such as tall kitchen bags, are not banned and you may continue to use them.

Q: *What kinds of bags are not included in the ban?*

A: The following bags are not banned:

- Loose produce bags
 - Dry cleaning bags
 - Bags used by pharmacies to carry-out medicine
 - Bags provided by food pantries
 - Bags provided by food trucks
 - Packaged garbage bags, pet waste bags, yard waste bags
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Q: *I have a lot of single-use plastic bags in my home. What am I allowed to do with them?*

A: Consumers are allowed to bring single use plastic bags to retail stores indefinitely. The ban only applies to retailers' distribution of plastic bags at the checkout line. If you no longer want your bags, we recommend donating them to a local food pantry or recycling them at a participating store. Most large grocery stores recycle films but call in advance to check.

To find a local participating store visit: <https://www.plasticfilmrecycling.org/recycling-bags-and-wraps/find-drop-off-location/>.

Q: *Are thicker plastic bags better for the environment?*

A: For now, we hope that the transition to thicker plastic bags will encourage consumers to use less bags at the checkout line and reuse them as much as possible. Thicker, reusable plastic bags are meant to carry more and last longer. Banning lightweight single-use plastic bags is considered a great first step in the right direction toward reducing the impacts of plastics on our environment.

Q: My local grocery store refused to give me any bag to carry out my groceries. Why?

A: Retailers are **not** required to offer you a bag. It is up to each individual store to decide whether they would like to offer compliant paper or plastic bags for free, for a fee, or at all. We recommend carrying a reusable bag with you whenever you go shopping to prevent this from happening again.

Q: What if I forget my reusable bags?

A: We understand that getting used to new habits takes a little time and practice. Many stores have already put up reminder signs to help customers get used to bringing in their own bags.

Keep your reusable bags in the car, in your purse, or you can invest in a collapsible bag that attaches to your keychain. After you take out your groceries, hang your grocery bags by the door or your keys so you remember to take them back out to the car with you. If you forget your reusable bags in the car while shopping, put your groceries in your cart and take them to your car where you can bag them there.

Q: I received a bag and it immediately broke/did not meet my needs as a consumer. What can I do about this?

A: The law in place mandates that all plastic bags be over 2.25 mils of thickness and all paper 100% recyclable. Aside from these guidelines, the quality of the bag is an issue that needs to be taken up with the consumer. We advise you to communicate with the store owner or their customer service department about these issues. We also recommend purchasing a reusable bag that better suits your needs and having it on you when shopping.

Q: I believe my store is charging outrageous fees for plastic or paper bags. What should I do?

A: As per the Ordinance, every store is allowed to charge for bags at their own discretion. If a store does decide to offer bags, consumers should anticipate a wide variety in the prices being charged. We cannot file or acknowledge a complaint about the price of the bag. We recommend bringing your own bag to this store from now on or switching to another retailer.

Q: If I am using a WIC payment card or voucher or an EBT card to pay, do I have to pay for a bag?

A: Yes, if the retail store decides to charge for complaint bags.

Q: Do the requirements prohibit retailers from selling plastic bags such as garbage bags and pet waste bags?

A: No. The Ordinance only applies to bags provided to customers at check out to carry away purchased items. Bags sold in packages containing multiple bags are not prohibited.

Retailers' Frequently Asked Questions

Q: What bags are banned?

A: The bags that are no longer allowed to be used by retailers are any plastic bag, including compostable or biodegradable bags, that are **under** 2.25 mils of thickness. Additionally, non-recyclable paper bags and paper bags that do not include 40% post-consumer recycled content are also **not** allowed to be distributed.

Q: If I double bag my single-use bags, will I meet the requirements?

A: No, the Ordinance requires that **all** plastic bags distributed to consumers meet the standard of 2.25 mils or thicker. You are no longer allowed to distribute single-use plastic bags at point of sale.

Q: Can my business get an exemption?

A: An exemption will only be issued to stores where switching to reusable plastic poses a threat to the health or safety of the consumers. If you believe that you have special circumstances, you can contact the Office of Sustainability at (201) 547-4632 to inquire about the process of obtaining an exemption.

Q: Am I allowed to charge for bags?

A: Yes, you are allowed to charge for bags at your own discretion. We recommend fees of up to 5 to 10 cents per bag.

Q: If I choose to charge for plastic bags, are the fees taxable?

A: According to the 2018 New Jersey Sales Tax Guide, cloth and plastic bags are taxable. However, we encourage you to consult with your accountant or lawyer on this matter.

New Jersey Sales Tax Guide: <https://www.state.nj.us/treasury/taxation/pdf/pubs/sales/su4.pdf>.

Q: Where can I find signage and guidance about the bag ban?

A: Additional information, signage, and translated materials may be found on the Jersey City website: <https://www.jerseycitynj.gov/bag-ban>.

Q: What are the consequences of continuing to use single use plastic bags?

A: After June 28 2019, it is illegal to use bags that are not compliant with Ordinance 18-065. Retail establishments found to be in violation are subject to a minimum fine of \$100 per offense.

Q: How do you expect to enforce these new requirements?

A: The Department of Public Works Sanitation Inspectors will enforce the plastic-bag ban requirements. If citizens call and complain, Sanitation Inspectors will talk to the retailers about the law and explain what is needed to meet the standards. They may also request supporting documents that prove that the bag supply meets the new standards.

If it becomes clear a retailer is intentionally not complying, they may be fined.

Q: Do I need to submit proof to the City that my business's bags meet the specified standards?

A: No, you do not need to submit proof that your bags meet standards, unless a Sanitation Inspector requests it. You should, however, request supporting documents from your bag manufacturer that states that your bag supply meets the standards. For example, your bag manufacturer may provide you with a receipt or invoice with this information.

Q: Who keeps the proceeds from the sale of reusable grocery bags and recycled paper bags?

A: Proceeds from bag fees are not collected by the City. The stores that sell the bags keep the proceeds.

Q: Do stores have to keep track of how many bags they sell?

A: Currently that is not required by the City ordinance and the City will not audit stores.

Q: Can stores require their customers to purchase reusable grocery bags or recycled paper bags?

A: No. Stores may not require their customers to use, purchase, or accept any kind of bag. Additionally, retailers may not deny customers from using their own supply of single-use plastic bags.

Q: If my customer is using a WIC payment card or voucher or an EBT card to pay, do I have to provide a bag?

A: No. Stores are not required to provide a reusable bag or a recycled paper bag to customers using one of these payment methods. However, if you are able to, we do encourage you to supply bags to customers in need.