



COUNCIL BILLS 08-0205, 08-0208, 08-0209

Plastic Bag Reduction, Plastic Bag Surcharge, Paper Bag Surcharge

June 16, 2009

POSITION: Oppose

Mr. Chairman and Members of the Judiciary and Legislative Investigations Committee:

On behalf of the members of the *Restaurant Association of Maryland*, we oppose Council Bills 08-0205, 08-0208 and 08-0209, which would place additional burdens on our businesses and our customers. All three of these bills are ill-conceived and will fall far short of achieving their intended purpose.

Regarding the proposed plastic bag ban, this legislation would force retailers and restaurants to use paper bags instead. In the foodservice business, plastic bags are more practical and effective in containing common leaks and spills associated with carry-out foods. Moreover, research shows that paper bags could have a greater impact on our natural resources than plastic. Environmental Protection Agency (EPA) research shows that the manufacturing of paper bags generates 70 percent more air pollutants and 50 times the water pollutants of plastic bags. Moreover, since paper bags weigh seven times more than plastic bags, paper bags take up more landfill space and require more fuel to transport. It also takes 91 percent less energy to recycle a pound of plastic than it takes to recycle a pound of paper. Beyond the perceived reduction in plastic bag litter, there would be no significant environmental benefit from such a measure.

The surcharge on both plastic and paper bags undoubtedly creates a new burden on our businesses and the customers we serve. At a time when many of our businesses are struggling with higher labor and energy costs, reduced customer traffic and reduced lines of credit, this legislation forces us to nickel and dime our customers for the convenience of having a bag to carry their purchases. While this legislation affects mostly the carry-out and doggy bag aspects of our business, it would put us in the uncomfortable position of being the "bad cop." We would be forced to collect the fee. We would be forced to face the brunt of customer complaints. We would also be forced to comply with the burdensome reporting requirements contained in the legislation, which creates an additional labor cost. Would such a measure reduce litter or waste? No. Would such a measure foster greater environmental stewardship? No. Would such a measure infuriate customers, burden businesses and create a new tax on those with no means to avoid it? Absolutely.

Plastic bags are not the problem. Paper bags are not the problem. The problem is human behavior, not the products themselves. Effective litter control and recycling programs are more appropriate solutions with the potential for better results.

For these reasons, we oppose all three of these bills and ask that you soundly reject them.

Respectfully submitted,

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