

Plastic Bag & Polystyrene Bans

Under a new bill passed by the Colorado State Legislature in 2021, the state will place a 10 cent fee on plastic and paper bags starting in 2023 and will ban single-use plastic bags and polystyrene to-go food containers starting in 2024 - but there are some major exceptions.

| PLASTIC BAGS | |
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| <p>Covered under the ban and bag fee</p> <ul style="list-style-type: none"> • Major* grocery stores and supermarkets • Major convenience stores • Major liquor stores • Pharmacies and drug stores • Major retailers • Other major stores or retail food establishments providing single use plastic carryout bags <p>*those with more than three locations or with locations outside Colorado</p> | <p>Exceptions from the ban and bag fee</p> <ul style="list-style-type: none"> • Smaller* stores • Restaurants • Farmers and roadside markets • Bags for loose, bulk items including hardware, bolts, screws, nuts, fruits, vegetables, grains • Bags for dry cleaning, laundry, or garments, prescription medication, frozen food, meat, seafood, plants and other items that could otherwise contaminate other items • Bags for unwrapped food or bakery goods such as those used by restaurants for take-home or to-go food • Bags for small pets like fish, crustaceans, mollusks and insects <p>*those with three or fewer locations operating solely in Colorado</p> |

| POLYSTYRENE (STYROFOAM) | |
|---|--|
| <p>Covered under the ban</p> <ul style="list-style-type: none"> • Restaurants • Major grocery stores and supermarkets • Major convenience stores • Other major retail food establishments providing expanded polystyrene containers • Cafeterias in schools, prisons and businesses | <p>Exceptions from the ban</p> <ul style="list-style-type: none"> • Farmers and roadside markets • Stores whose primary sales revenue does not come from food products. |

Important Dates

January 2023 - January 2024: 10 cent fee imposed on paper, plastic bags.

January 2024: Single-use plastic bags banned at most stores, and paper bags still have a 10 cent fee. Polystyrene containers banned at restaurants.

July 2024: Local governments are allowed to impose stricter rules on plastic.

Other provisions

Stores and restaurants are allowed to use up any remaining stock of bags until June 1, 2024 as long as they were purchased by January 1, 2024. Retail food establishments can use up any polystyrene containers purchased by January 1, 2024 until they are gone.

60% of the bag fee goes to the municipality or county where the store does business, to cover administration costs and increase local waste diversion efforts. The store has to remit this amount quarterly, and keeps the other 40% which does not count as revenue for calculating sales tax..

The carryout bag fee does not apply to a customer that provides evidence to the store that the customer is a participant in a federal or state food assistance program.

Local governments were previously prohibited from banning plastics, but will now be allowed to make rules that are more strict than what the state has in place.

WHY A BAN?

Plastics are forever. According to a July 19, 2017 article in Science Advances, 79% of the 8.3 billion metric tons of plastic that humans have produced so far are still around polluting oceans and rivers, littering the landscape and piling up in landfills.¹ It is life threatening to the fish, turtles, and other ocean animals, birds, and even cattle who eat it.

It eventually breaks down into tiny micro-plastics that get into water and rain and enter the food chain. A study by the University of Newcastle in Australia suggests that the average person could be eating a credit card worth of plastic every week.² That's not good for you. It is also produced using fossil fuels which contribute to drought, rising temperatures and extreme weather events. Between manufacturing and the using and disposing of plastic the threats to human health can be linked to birth defects, cancers, immune system problems and more.³

WHAT DO YOU THINK?

Most local businesses will not be covered under the plastic bag ban, though restaurants will need to transition away from polystyrene. We would love to hear your input whether your business uses plastic bags, and if/how you would like to see businesses supported in transitioning away from plastic. Take a brief survey and let us know your thoughts at bit.ly/PlasticBagInput or scan the QR code.

¹ <https://www.science.org/doi/10.1126/sciadv.1700782>

² <https://www.newcastle.edu.au/newsroom/featured/plastic-ingestion-by-people-could-be-equating-to-a-credit-card-a-week>

³ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3299092/>

