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L.A. County passes sweeping ban on plastic bags

The ordinance, which by 2012 will cover 1,000 stores in unincorporated areas, also will require supermarkets and pharmacies to levy a 10-cent surcharge per paper bag. Proponents see it as a model for California.

November 17, 2010 | By Rong-Gong Lin II, Los Angeles Times

The Los Angeles County Board of Supervisors voted Tuesday to ban plastic grocery bags in areas of the county under its jurisdiction, endorsing a broadly worded measure that proponents hope could become a model for California.

The ban, which goes beyond ordinances adopted in Malibu and San Francisco, most directly affects 1.1 million people who live outside the county's incorporated cities. But anyone shopping at stores in such areas would encounter the new rules.

Opponents suggested they might go to court to try to block the ban before the first phase takes effect in July, when 67 large supermarkets and pharmacies must stop providing disposable plastic bags. By January 2012, the ban will cover 1,000 stores throughout the county. The ordinance also seeks to keep shoppers from turning to paper bags as an alternative by requiring stores to levy a 10-cent surcharge per paper bag.

Document: Read the plastic ban ordinance

The goal, officials say, is to get people to adopt reusable bags made of cloth or durable plastic that can be wiped clean. An exception is being made for produce bags that keep raw vegetables and meats from being contaminated by other groceries.

"Plastic bags are a pollutant. They pollute the urban landscape. They are what we call in our county urban tumbleweed," said Supervisor Zev Yaroslavsky.

He expressed particular concern about bags entering the ocean via the county's storm drain system, where he said "they end up threatening rare, valuable, marine life in our oceans and degrading one of this country's great environmental and economic resources: the Pacific Coast."

The 3-1 vote was partisan, with the three Democrats—Yaroslavsky, Gloria Molina and Mark Ridley-Thomas—supporting it. It was opposed by Republican Michael D. Antonovich; Don Knabe, also a Republican, was absent.

Antonovich expressed concern that small, mom-and-pop shops will be at disadvantage financially, in part because they won't have access to volume discounts for paper and reusable bags. He also worried that low-income people would be forced to buy bags to pick up pet waste or carry their lunch.

"At a time of economic uncertainty, with a large number of businesses leaving our state and community, this would not be an appropriate time ... to impose this additional regulation," Antonovich said.

In Los Angeles County alone, 6 billion plastic bags are used each year, an average of 1,600 bags per household a year. Government figures show that only about 5% are recycled.

Mark Gold, president of the Santa Monica environmental group Heal the Bay, said previous county efforts to promote recycling of plastic bags at grocery stores was a failure.

"You cannot recycle your way out of the plastic bag problem," Gold said. "The cost of convenience can no longer be at the expense of the environment."

The proliferation of plastic bags has wreaked environmental havoc. A Pulitzer Prize-winning Los Angeles Times series in 2006 documented how plastics were choking the seas. In one region in the Pacific Ocean halfway between San Francisco and Hawaii, a garbage patch twice the size of Texas is swirling clockwise, filled with plastic debris that is ingested by birds and other wildlife.

On Midway Atoll, 40% of albatross chicks die, their bellies full of trash, The Times reported.

Read: Pulitzer Prize-winning Altered Oceans series

The county's ban is a significant victory for environmental groups, which suffered a major defeat in Sacramento in August with the failure of the state Senate to pass a sweeping plastic bag ban. It failed amid heavy and costly lobbying by plastic bag manufacturers despite winning the support of the state Assembly and Gov. Arnold Schwarzenegger.

L.A. County's decision to go forward with a ban may leave shoppers confused and cause headaches for supermarket chains. Without a statewide ban in place, chains will have to ask customers in unincorporated areas to pay for bags or bring their own, even as shoppers in cities such as Los Angeles, Pasadena and Long Beach can continue to expect free disposable bags.

"It would be better and more effective to have a statewide ban rather than a patchwork of local ordinances," said Dave Heylen, a spokesman for the California Grocers Assn., which supported the statewide ban proposed by Assemblywoman Julia Brownley (D- Santa Monica).

"A statewide answer would have been a nice thing," said Ralphs spokeswoman Kendra Doyel.

Grocers and pharmacies Tuesday were still reviewing the ordinance. None of them said they had immediate plans to expand the county ban to their stores in incorporated cities.

Pro-ban advocates were effusive Tuesday about the county's action. County officials said they plan to lobby the 88 city councils in L.A. County to also adopt the ordinance. City Council members from Culver City and Long Beach expressed support for the measure.

The county's ban went further than bans in Malibu and San Francisco, which do not require a surcharge on paper bags..

"The retailers shifted and went straight to paper, which really didn't solve the long-term goal, which is to move consumers to reusable bags," Heylen said.

In crafting the county ordinance, officials pointed to the success of the 5-cent-per-disposable-bag surcharge in Washington, D.C., which led to an 86% drop in disposable bags given to shoppers there.

But Christopher Gallo, 31, who runs a small store in an unincorporated area near Inglewood, feared his low-income customers would start buying less to avoid the county's 10-cent surcharge on paper bags.

"The 10 cents ... it's just going to kill us," Gallo said.

The ordinance requires stores to provide paper or reusable bags free of charge to recipients of two state-run supplemental food programs.

The American Chemistry Council, a trade association whose members include plastic bag makers, warned the county last week that the proposed ban might be subject to Proposition 26. The initiative, which passed this month, reclassifies most regulatory fees on industry as "taxes" requiring a two-thirds vote in government bodies or in public referendums, rather than a simple majority.

County Counsel Andrea Ordin said Tuesday that the 10-cent surcharge on paper bags is not a fee covered by Proposition 26 because the revenue generated is retained by the grocers, not transferred to a government agency.

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