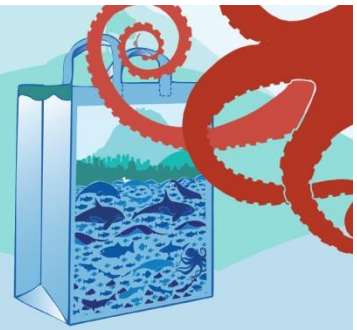


# Bring Your Own Bag

Effective July 12, 2017



## RETAILER FREQUENTLY ASKED QUESTIONS

### What is the Bring Your Own Bag (BYOB) law?

The BYOB law is a ban on thin plastic checkout bags (less than 2.25 mils) and a fee on recycled paper and other retailer provided checkout bags. The law is meant to encourage shoppers to bring their own bag rather than buying a new bag each time they shop.



### Why BYOB?

Most disposable plastic bags end up in the landfill or as litter. When customers bring their own bag, they help reduce waste, prevent litter, beautify our community, and protect marine wildlife.

### What businesses are affected?

All retail businesses in the city of Tacoma are affected by the law. This includes grocery stores, convenience stores, department stores, hardware stores, liquor stores, pharmacies, and all others including temporary retailers and vendors such as at farmers markets and festivals.

### What checkout bags can I provide to customers?

Retailers can provide paper or reusable checkout bags for a pass-through fee of not less than 5 cents. The fee is paid by the customer for each bag the retailer provides. Large paper bags must be made of at least 40% recycled content, and small paper bags (eight-pound or smaller) must be made of at least 20% recycled content. Reusable checkout bags must be designed for long-term multiple reuse, have handles, and must be at least 2.25 mils thick if made of film plastic.

### Can I provide other non-checkout bags?

Other non-checkout bags are not impacted by the law. These include produce bags used to package meat and bulk items inside the store before purchasing, dry-cleaning bags, pet waste bags, tire bags, etc.

### Do I have to charge the customer the pass-through fee?

Yes, the customer must pay the fee for each paper and/or reusable checkout bag they receive. A price signal to the customer can encourage them to bring their own bag, instead of purchasing a disposable bag.

### Are all customers required to pay the pass-through fee?

Customers who have EBT, WIC or TANF benefits do not have to pay the pass-through fee when they receive a recycled content paper or reusable bag during checkout. These exempt customers must show proof of EBT/WIC/TANF benefits at the time of checkout.

## Where does the pass-through fee go?

The pass-through fee is kept by the retailer to offset the cost of providing recycled content paper or reusable bags which are generally more expensive than disposable plastic bags.

## Can restaurants provide disposable plastic bags for takeout food?

Retailers can provide disposable plastic bags for prepared take-out foods and liquids intended for consumption away from the establishment. This is to safeguard public health and safety during transportation of take-out foods. Other items purchased from food establishments, such as cookbooks or collectibles, cannot be carried out in disposable plastic bags.

## If I have leftover disposable plastic bags from before the law, can I still give them out?

No. As of July 12, 2017, retailers can no longer give out disposable plastic checkout bags. Tacoma City Council passed the BYOB law in July 2016, giving retailers one-year to use up existing supplies of disposable plastic bags.

## How is BYOB enforced?

Enforcement of BYOB is complaint based. Residents and others may contact the City of Tacoma through the TacomaFIRST 311 Customer Support Center, either online or by dialing 3-1-1, if they notice retailers that are noncompliant with the law. If a retailer is reported, an educational visit is conducted and warning letters are issued before the noncompliance penalty of \$250 per day is assessed.

## Is the bag fee subject to retail sales tax?

Yes. The pass-through fee charged to customers for checkout bags is a retail sale, subject to retail sales tax and the retailing B&O tax. Learn more at <https://goo.gl/7Y6GZO> or at <http://dor.wa.gov/content/getaformorpublication/publicationbysubject/taxtopics/paperbagfees.aspx>.

## What else is required?

Each year, from 2018 to 2020, retailers are required to report the number of paper checkout bags they provided to customers. Retailers should report the number of bags distributed between August 1<sup>st</sup> of the previous year and July 31<sup>st</sup> of the reporting year. Reporting is due on or before September 30<sup>th</sup> each year. The reporting form will be available at [cityoftacoma.org/shoppingbags](http://cityoftacoma.org/shoppingbags) and through Tax and License.

## What resources does the City of Tacoma offer to support businesses?

The City of Tacoma has developed several resources to help retailers and their customers with this transition. Retailers can visit [cityoftacoma.org/shoppingbags](http://cityoftacoma.org/shoppingbags) to request or download the following: posters, point of sale signs, parking lot signs, and window cling signs for entrance doors. Multilingual materials are available.

## How can I learn more?

Visit [cityoftacoma.org/shoppingbags](http://cityoftacoma.org/shoppingbags) for resources and information about the BYOB law. You can also email [sustainability@cityoftacoma.org](mailto:sustainability@cityoftacoma.org) or call (253) 591-5172 for more information.

