

What Does This Regulation Really Mean? **Bring Your Own Bag (BYOB)**

Any retail establishment including: restaurants, mobile food or ice cream trucks, convenience stores, retail stores, department stores, hardware stores, general merchandise stores, pharmacies, or supermarkets who provide plastic checkout or carry-out bags to customers. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, cheese, bulk foods, wet items, and other similar merchandise, typically without handles, up to point of sale are permissible but they shall not be used as carry-out bags to customers.

Plastic carry-out shopping bags, if used, must:

- (1) Conform to the current ASTM D7081 standard specification for marine degradability and is certified and labeled as meeting the ASTM D7081 standard specification as such by a recognized verification entity; or
- (2) Conforms to the current ASTM D6400 standard specification for compostability and is certified and labeled as meeting the ASTM D6400 standard specification as such by a recognized verification entity.



100% Recyclable
40% Post Consumer Materials
Please recycle this bag

A recyclable “**Paper Bag**” means a paper bag that is:

- (1) 100% recyclable.
- (2) Contains at least 40% post-consumer recycled paper content.
- (3) Displays the percentage of post-consumer recycled content in a visible manner on the outside of the bag.

Questions?

Call: 508-841-8508

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Town of Shrewsbury Plastic Bag Reduction By-Law

Effective July 1, 2017



Clean & Green Shrewsbury

Revised December 12, 2016

PLASTIC BAG REDUCTION BY-LAW

SECTION 1

“Director”: the Director of Public Health or the Town Manager / Board of Selectman designee.

“ASTM D6400”: the American Society for Testing and Materials (ASTM) International “Standard Specification for Compostable Plastics”.

“ASTM D7081”: ASTM International “Standard Specification for Biodegradable Plastics in the Marine Environment”.

“Checkout bag”: a carryout bag provided by a store to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or check-out area of the store.

“Compostable plastic bag”: a plastic bag that:

- (1) Conforms to the current ASTM D6400 for compostability;
- (2) Is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity.
- (3) Conforms to any other standards deemed acceptable by this section.

“Department”: the Shrewsbury Department of Public Health.

“Marine degradable plastic bag”: a plastic bag that conforms to the current ASTM D7081 standard specification for marine degradability; and conforms to any other standards deemed acceptable by the Director, provided additional, Director-approved standards are as stringent as ASTM D7081.

“Recyclable Paper Bag”: means a paper bag that is:

- (1) 100% recyclable.
- (2) Contains at least 40% post-consumer recycled paper content.
- (3) Displays the percentage of post-consumer recycled content in a visible manner on the outside of the bag.

“Reusable check-out bag”: a bag with sewn handles that is specifically designed for multiple reuse, can carry 25 pounds over a distance of 300 feet; and is either:

- (1) Made of cloth or other machine washable fabric.
- (2) Made of durable plastic that is 4.00 mils thick; or;
- (3) Made of other durable material.

“Retail establishment”, any retail space located in the Town of Shrewsbury including without limitation a restaurant, mobile food or ice cream truck, convenience store, retail pharmacy, or supermarket.

SECTION 2

If a retail establishment as defined in SECTION 1 provides plastic checkout bags to customers, the plastic bags shall comply with the requirements of being compostable plastic bags, as well as marine degradable plastic bags. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, cheese, bulk foods, wet items and other similar merchandise, typically without handles, are permissible.

SECTION 3

(a) Nothing in this section shall be read to preclude any establishment from making reusable checkout bags available for sale to customers or utilizing recyclable paper bags as defined in this section at checkout.

- (b) The Director may promulgate rules and regulations to implement this section.
- (c) Each Retail Establishment as defined in SECTION 1, located in the Town of Shrewsbury shall comply with this by-law.

- (1) If it is determined that a violation has occurred the Director shall issue a warning notice to the Retail Establishment for the initial violation.
- (2) If an additional violation of this by-law has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the retail establishment.
- (3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:
 - (a) \$50 for the second offense paid with 21 days to the Department of Health.
 - (b) \$100 for the third offense and all subsequent offenses.
- (4) No more than one (1) penalty shall be imposed upon a Retail Establishment within a seven (7) calendar day period.
- (5) A Retail Establishment shall have fifteen (15) calendar days after the date that a notice of violation is issued to pay the penalty.
- (6) All subsequent offenses may be penalized by a non-criminal disposition as provided in the General Laws, Chapter 40, Section 21D.

All of the requirements set forth in this by-law shall take effect July 1, 2017. In the event that compliance with the effective date of this by-law is not feasible for a food service establishment because of either unavailability of alternative checkout bags or economic hardship, the Director may grant a waiver of not more than six (6) months upon application of the owner or the owner’s representative. The waiver may be extended for one (1) additional six month (6) period upon showing of continued infeasibility as set forth above.