

# Plastic Bag Reduction, Reuse and Recycling Law Information for Retailers



**Plastic Bag Reduction, Reuse and Recycling Law**—Article 27, Title 27 of the Environmental Conservation Law (ECL) requires stores to make film plastic collection bins available for customers in visible, easily accessible locations so they can recycle their clean and dry film plastics.

## Stores Required to Collect Film Plastics

**Any store that provided plastic carryout bags to its customers at any time and:**

- has more than 10,000 square feet of retail space; or
- that is part of a chain with five or more locations of more than 5,000 square feet in New York State under common ownership and management.

The owner of an enclosed shopping mall is required to place film plastic collection bins at reasonable intervals throughout the mall. Large mall stores (50,000 square feet or more of retail space) are required to establish their own film plastic recycling programs. Smaller stores (less than 50,000 square feet) within an enclosed shopping mall are not required to maintain a collection bin.

## How to Participate

- Stores with corporate offices should contact them to obtain a bin and work with the corporate office's contracted recycling vendor.
- Independent stores should contact their distributors to set up a film plastics recycling program.

## Examples of Acceptable Film Plastics

- All-plastic shipping envelopes (labels removed)
- Air pillows for shipping (deflated)
- Bread bags
- Bubble wrap
- Cereal liner bags (if it tears like paper, do not include)
- Dry cleaning bags
- Furniture and electronic plastic wrap
- Garment bags
- Grocery bags
- Newspaper bags
- Plastic overwrap from paper products (paper towels, napkins, etc.)
- Produce bags
- Retail bags with string ties removed
- Stretch/shrink wrap
- Zip-top storage bags



*Note: Any film packaging or bag with the “How2Recycle” label indicating “plastic film – store drop-off” can be returned to a store’s collection bin.*

## Examples of Unacceptable Materials

- Degradable/compostable bags
- Bags used for bottle returns
- Bottles
- Chip bags
- Frozen food bags
- Mesh bags
- Polypropylene or #7 “Other” film or bags
- Rigid food containers
- Salad mix bags
- Six-pack rings
- Snack/candy wrappers

*Note: Bags labeled “COMPOSTABLE BAG – DO NOT PLACE IN RECYCLING BIN” should not be included in a film plastics collection/recycling bin.*

## Penalties for Non-compliance

In accordance with ECL § 71-2728(1), after receiving a warning notice, a person shall be liable for a civil penalty of up to one hundred dollars (\$100) for a second violation, and for a third or subsequent violation, a penalty of up to five hundred dollars (\$500).

## Plastic Film Collection Bin Best Practices

- Make sure the bin is highly visible, easily accessible, and near a trash bin.
- Keep the bin out of bottle return areas.
- Make sure signage is easy to see and read. The bin should be clearly marked as available for the purpose of collecting and recycling film plastics.
- Make sure there is adequate storage space for materials between pickups.

## Benefits of Film Plastics Recycling

- Properly recycling film plastics at a local retail recycling location allows for those film plastics to have a second life. They can be made into composite lumber and used in decks, benches, and playground sets. They can also be turned into pellets and used to make new bags, pallets, containers, crates, and pipes.
- Recycling film plastic reduces litter in our streets, parks, and waterways, and protects fish and wildlife.
- Consumers appreciate stores that have a film plastics recycling bin available. A film plastics recycling bin provides a valuable customer service.

## For Questions or Assistance

- Contact New York State Department of Environmental Conservation by phone at 518-402-8706, or by email at [plasticbags@dec.ny.gov](mailto:plasticbags@dec.ny.gov).
- Visit DEC at <https://www.dec.ny.gov/chemical/50058.html>.

The information above highlights the major provisions of the law and does not address all aspects of the law and the applicable 6 NYCRR Part 351 regulations. More information and a complete copy of the law and regulations are available on DEC’s website at <https://www.dec.ny.gov/regulations/118810.html>.