



# TOWN OF ANDOVER

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## Important Information Regarding Thin Film Plastic Bag & Polystyrene Ban

At the 2018 Annual Town Meeting, Andover voters approved two citizen sponsored bylaws regarding the ban of thin film plastic bags and polystyrene products for establishments permitted to sell food in Andover.

Originally, both bylaws were to have gone into effect as of January 1, 2019. However, to complete the comprehensive education and outreach component needed for business compliance of these bylaws, enforcement will be delayed until March 1, 2019, with an opportunity for additional waiver consideration.

Here are some important facts about the bylaws:

### **Thin Film Plastic Bags**

- The purpose of this bylaw is to reduce the number of thin film, single use plastic checkout bags and to encourage use of reusable bags, paper bags (made of at least 40% Post Consumer content) and cardboard boxes (that would otherwise be discarded by an establishment).
- This affects only establishments that have a permit to sell food in Andover.
- The only bags food establishments may provide are recyclable paper bags or reusable check out bags that meet the definition in the bylaw (generally reusable check out bags must be sewn bags with stitched handles that are specifically designed for multiple reuse, and are made of either polyester, polypropylene, cotton or other natural fiber material, greater than 4.0 mils thick) further guidance is being developed for this. Cardboard boxes may also be used for food distribution.
- Establishments have the option of charging the customer a fee for the compliant paper bags, except for SNAP and WIC program participants.
- Plastic produce bags may still be used in self-service bulk food operations such as nuts, candy, fruits, and vegetables.

### **Thin Film Plastic Bag Exemptions**

- Farmers markets, food pantries, and non-food stores such as clothing stores are exempt from the plastic bag bylaw.

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**Polystyrene Products**

- Food establishments may not provide prepared food, drink, or leftovers to customers in Foam Polystyrene or Rigid Polystyrene food containers. This includes all containers, bowls, plates, trays, cartons, cups, and lids.
- Plastic Utensils/Cutlery - The bylaw specifically states that disposable food service ware must be biodegradable, compostable, reusable, or recyclable; because the Town does not recycle plastic utensils/cutlery, establishments will need to distribute biodegradable or compostable utensils if reusable utensils are not used.
- Plastic straws will no longer be allowed; other types of straws such as biodegradable, compostable, paper, metal or pasta (to name a few) may be used.
- Residents may still purchase any of the regulated products for use in their home and it is acceptable for these products to be sold in bulk and for residents to use them.
- Cardboard, paper, aluminum, plastic containers (except #6 polystyrene), and compostable carry out containers are allowed.

**Polystyrene Product Exemptions**

- Coolers & ice chests are exempt from the bylaw.

**Waivers**

- The Polystyrene Bylaw allows the Board of Health to issue waivers of up to six months when an establishment can show that strict enforcement would incur a hardship particular to that facility.
- The Thin Film Plastic Checkout Bag Bylaw allows the Health Director to issue waivers of up to 6 months when there is an undue hardship to the establishment.
- Waivers will be considered on a case-by-case basis; affected establishments will be provided a form to be submitted to the Health Division.
- The Board of Health has stated that establishments will be given time to use stock that may already exist. Recognizing the transition that will need to occur for many businesses, it is expected that businesses may not be penalized for non-compliance for several months.

**Business Outreach Plans**

- Guidance documents for the affected businesses (about 170) are being finalized.
- Educational material will be sent to businesses through the mail and to email addresses the town has.
- An educational forum on these bylaws will be held for affected businesses to attend. More information will follow.
- The documents will be posted to the Town's website.
- The town will develop a streamlined process to seek waivers.