City of Davis Single-Use Carryout Bag Ordinance

Fact Sheet

• Retail sales and take-out food orders:
  • No single-use plastic carryout bags
  • Carryout bags must be recycled paper or reusable
• Retail sales: Min. 10¢ charge per paper or reusable bag

Carryout Bag Options

Does NOT apply to:
• Bags for take-out food or other products that may spill or leak (take-out soups & sauces, frozen foods, etc.)
• Leftover bags from dine-in restaurants
• Pharmacy bags
• Bags for meat or fish
• Bags for bulk items (produce, candy, bakery goods, hardware, etc.)
• Bags to prevent damage to other goods (paper bags for greeting cards, etc.)
• No 10¢ bag charge required for WIC, SNAP, and CalFresh food stamp program transactions

These bags are still free
City of Davis Carryout Bag Ordinance

- Stores and restaurants may not provide single-use plastic carry-out bags to customers.
- Retail stores may provide customers with a recycled paper bag or reusable bag, but only if the store charges a minimum price of 10 cents per bag.
- Restaurants may provide customers with a recycled paper bag or reusable bag for take-out food orders and are not required to charge a bag fee.
- A business may exempt customers paying for goods with WIC, CalFresh, SNAP or other food stamp cards from bag fees.
- Businesses retain money collected from bag charges. The 10 cent paper bag pass-through is exempt from sales tax.

- Bags used for these purposes are exempt from the ordinance:
  - Any bags used to package loose bulk items, such as fruit, vegetables, nuts, grains, candy, cookies, or small hardware items;
  - Any bags used to contain or wrap frozen foods, meat, or fish, whether prepackaged or not;
  - Any bags used to contain or wrap flowers, potted plants, or other items where damage to or contamination of other goods placed together in the same bag may be a problem. This includes paper bags to protect bottles, newspaper bags, laundry dry-cleaning bags, plastic bags around ice cream or other wet items, small paper bags for greeting cards and plastic bags that enclose soup containers for take-out food orders.
  - Any bags used to contain unwrapped, prepared goods or bakery goods.
  - Any bags provided by pharmacists to contain prescription drugs.
  - Any bags provided for leftover food from sit down dining (“doggy bags”).
  - Newspaper bags, door-hanger bags, or laundry dry-cleaning bags.

- Paper bags must meet certain criteria:
  - Paper carryout bag must be 40 percent post-consumer recycled content minimum.
  - An eight pound-rated or smaller paper carryout bag must be 20 percent post-consumer recycled content minimum.
  - The bags recycled content percentage must be printed on the paper carryout bag. (example: “Made from 40% post-consumer recycled materials”).
  - The paper carryout bag must be recyclable and compostable (no plastic or cloth handles or other components).

- Reusable bags must meet certain criteria:
  - Must be machine washable or easily cleaned or disinfected.
  - Does not contain lead, cadmium, or any other heavy metal in toxic amounts, as defined by applicable State and Federal standards and regulations for packaging or reusable bags.
  - If made of plastic, is a minimum of at least 2.25 mils (thousandths of an inch) thick.
  - Has a minimum lifetime of 125 uses, which for purposes of this subdivision, means the capability of carrying a minimum of 22 pounds 125 times over a distance of at least 175 feet.