

# California bill restricting plastic straws goes to governor

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California is poised to become the first state to restrict the distribution of plastic straws at restaurants under a bill approved Thursday by lawmakers, capturing the attention of environmentalists nationwide who hope the idea, like many with origins in the Golden State, will spread

across the nation.

The legislation, which would prohibit full-service, dine-in restaurants from offering plastic straws to customers unless they are requested, passed on a 45-20 vote by the Assembly and now goes to Gov. Jerry Brown for his signature.

Although the bill stops short of an outright ban, environmentalists say they expect it will again make the state—which represents the world's fifth-largest economy—a trendsetter.

Its approval is the latest of several actions by California to reduce [plastic pollution](#). In 2014, Brown signed into law a ban on single-use plastic bags at food markets, liquor stores and pharmacies. Voters rejected an effort by the bag industry to repeal that law two years later. In 2015, California lawmakers voted to ban the sale of personal care products that contain plastic microbeads starting in 2020.

Ban backers including the bill's author, Democratic Assemblyman Ian Calderon, say oceans, rivers and other areas of the environment have been harmed by discarded plastic. Calderon noted that the California Coastal Commission has recorded roughly 835,000 straws and stirrers picked up between 1988 and 2014 during beach cleanups and other pollution reduction campaigns.

The U.S. Environmental Protection Agency estimates that Americans disposed of more than 33 million tons of plastic in 2014, most of which was not recycled. Technomic, a marketing analysis company that watches the food service industry, recently issued a study that estimated Americans use 172 million straws each day.

"Plastic pollution continues to pose a significant threat to our oceans, our waterways and our landfills," Calderon told his colleagues Thursday.

"Reducing consumer demand for plastic straws can help decrease plastic pollution."

The measure drew opposition from Republican lawmakers, including Assemblyman Matthew Harper of Huntington Beach, who said restricting straws may add more plastic to the waste stream as businesses use strawless lids made of plastic, or paper straws that he said can come wrapped in plastic.

"This is a feel-good movement to ban straws that actually does little to clean up the environment," Harper said. "California needs to stop being the nanny state that ... tells restaurants how to run their businesses."

Some environmentalists would like to see the state go further. Calderon's bill exempts fast-food or "quick-service" restaurants, where the bulk of plastic straws are provided. Blake Kopcho of the Arizona-based Center for Biological Diversity said the state should require all straws to be made of biodegradable material.

The bill was opposed in the Senate by Republicans, including Sen. Ted Gaines, who worried about the negative impact on businesses.

"I'm just questioning the need for the legislation, quite frankly," Gaines said during floor debate. "I think the market, given time, will come up with alternatives."

Brown generally supports environmental legislation but has not said how he will act on the straw bill.

The measure would require full-service restaurants that primarily serve food to offer plastic straws only to customers who request them. It allows restaurants to offer paper or metal alternatives, and permits customers to bring their own plastic straws to the restaurants.

Calderon said plastic waste is harmful to marine animals, contaminates the human food supply and can lead to contamination of drinking water.

One study by the University of California, Davis researchers found that 25 percent of fish from markets in California and Indonesia contained plastic debris, Calderon said.

"It's critical that we reduce the negative effects of plastic pollution," the legislator said. "By removing the default behavior of providing straws with every drink, consumers have an opportunity to make a deliberate, small change that will lessen the harmful impacts of single-use plastic straws in our environment."

If Brown signs the bill, California would follow the lead of cities such as Malibu, Davis, Alameda, Carmel, San Luis Obispo, Manhattan Beach, Oakland and Berkeley that adopted policies either regulating or banning plastic straws.

Politically powerful groups that traditionally challenge new state regulations on businesses have refrained from opposing the bill, removing obstacles to its movement through the Legislature. Two of the most prominent, the California Restaurant Association and the California Chamber of Commerce, have remained on the sidelines.

"We haven't taken a position because our members do not consider this a mandate," said Denise Davis, a vice president for the chamber.

Even the Plastics Industry Association, which has voiced concerns about similar proposals in the past, is not fighting Calderon's bill.

"While we would prefer to work with policymakers to enact more comprehensive solutions to the challenges facing waste management and recycling, we do not oppose straws-upon-request legislation as long as it

allows customers to choose a plastic straw if they want or need one," the group said this week in a written statement.

A legislative analysis hints at why there may be a lack of opposition, except from a few local chambers of commerce: The first and second violations would result only in warnings, while offenders could face fines of \$25 a day for subsequent violations.

The bill, with its minimal penalties, might not achieve a sizable reduction in the number of plastic straws in California—in part because of its exclusion of fast-food restaurants, according to a bill analysis from legislative staff.

"If anything, it sets the stage to make it more difficult to ban single-use plastic items," the analysis warns, saying the bill would set a precedent for fast-food restaurants to be excluded from future bans.

Still, supporters of the restriction on straws hope it will have the same educational effect as the state's ban on restaurants' serving water unless requested during the 2015 drought, which forced many Californians to think about the need to conserve water.

The national group Defenders of Wildlife is among those urging California to take the lead on the straws issue, said Kim Delfino, the organization's California program director.

"We think that if California adopts this innovative approach to reducing plastic pollution, other states will see the benefits to the environment and the cost savings for businesses and follow in our footsteps," Delfino said.

Some food and drink businesses already have moved voluntarily to limit the use of plastic straws. Starbucks Corp. said last month that it would eliminate single-use [plastic](#) straws from all of its locations within two

years.

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