

## New Carryout Bag Law

Beginning February 15, 2017, all stores covered by the Carryout Bag Law must charge their customers at least five cents (\$0.05) per carryout bag provided by the store, with some exceptions. This fee should be clearly indicated on the receipt issued to the customer and should not be charged if the customer brings their own carryout bags to transport items purchased at your establishment. Covered stores found in violation of this law will be liable for a penalty of \$250 per transaction. Notices of Violation will not be given during the warning period from February 15—August 14, 2017. For more information, contact 311 or visit [on.nyc.gov/bag-fee-stores](http://on.nyc.gov/bag-fee-stores).

### WHAT STORES ARE COVERED BY THIS LAW?

- Retail and wholesale stores including, but not limited to, green carts, drug stores, pharmacies, grocery stores, convenience stores, apparel stores, hardware stores, office supply stores, and food service establishments located within these stores.
- Emergency food providers, mobile food vendors, liquor stores, and food service establishments located outside a retail or wholesale store are not required to charge a bag fee.

### WHAT IS A CARRYOUT BAG?

- Any bag provided by a covered store used by a customer to carry goods. This includes plastic, paper, and cloth bags.
- Does not include:
  - Bags without handles used for produce, meats, poultry, fish, dairy, dry goods, or other non-prepackaged food items
  - Bags provided by a pharmacy to carry prescription drugs
  - Garment bags

### CAN I PROVIDE MY CUSTOMERS WITH REUSABLE CARRYOUT BAGS FREE OF CHARGE?

- Yes, but only during the following periods of time:
  - February 15–April 30, 2017
  - Every year from April 17–30
- Reusable carryout bags provided to customers must be made of cloth or other machine washable material. Reusable bags provided to customers must be conspicuously labeled “reusable”.

### ARE THERE ANY INSTANCES WHEN CUSTOMERS SHOULD NOT BE CHARGED FOR A CARRYOUT BAG?

- Customers should not be charged the fee for carryout bags used to transport items purchased using SNAP or WIC.

### WHAT OTHER REGULATIONS FOR CARRYOUT BAGS MUST MY BUSINESS COMPLY WITH?

- Plastic carryout bags provided by covered stores:
  - May not be labeled as “biodegradable”, “degradable”, or “decomposable”; and
  - May only be labeled “compostable” if they meet standards of the American Society for Testing Materials (ASTM D6400-12).
- Paper carryout bags provided by covered stores must be made of at least 40% recycled content—and the amount of the recycled content must be conspicuously labeled.
- Covered stores must notify customers about the carryout bag fee by posting a sign near or at the checkout register. (See sample sign on next page.)

## **REQUIRED SIGNAGE: New Carryout Bag Law**

**All stores covered by the Carryout Bag Law must post a sign near or at the point of sale notifying customers of the fee charged per carryout bag provided by the store.** Below is a sample sign that may be posted. If your business creates its own sign, it must contain the text in the example and may not be smaller than 5" x 7".

Pursuant to New York City law, all carryout bags provided by this store to a customer, with limited exceptions, shall be subject to a fee of not less than five cents (\$0.05) per bag.

Carryout bags brought by customers into this store to carry purchased goods from this store shall not be subject to a fee.