MAINE AUDUBON

Committee on Environment and Natural Resources
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

February 22, 2021

RE: LD 39, LD 108, and LD 244—Legislation to Repeal Maine's Ban on Single-use Plastic Bags

Dear Senator Brenner, Representative Tucker, and Members of the Joint Standing Committee on Environment and Natural Resources:

My name is Allison Briggs, and I am a law student at Maine Law and a legal extern at Maine Audubon. Thank you for the opportunity to share testimony in opposition to LD 39, LD 108, and LD 244, legislation to repeal Maine's ban on single-use plastic bags, on behalf of Maine Audubon and our 30,000 members and supporters.

Eight million metric tons of plastic end up in our oceans every year,[1] and, by 2050, scientists expect plastic to outweigh all of the fish in the sea.[2] The plastic pollution crisis is significantly harming our wildlife, and seabirds in particular. Every year, a large portion of the seabird population ingest plastic, and plastic fragments have been found in forty-four percent of all seabird species.[3]

The average American family takes home about 1,500 single-use, plastic shopping bags every year, but only one percent of those are later recycled, while the rest end up in a landfill or littering the landscape.[4] A plastic bag never fully degrades, and it takes 500 years for a plastic bag to photo-degrade, a process in which the bags break down into microplastics that continue to pollute the environment for hundreds of thousands of years.[5]

Scientists are still unearthing the far-ranging damages of accumulating microplastics in wildlife. A recently published study demonstrated how microplastics in fish changed their behavior. The study demonstrated that, compared to controls, fish exposed to microplastics had weakened feeding activity. The fish had reduced swimming speed and range of movement, suggesting that

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[1] *The Problem with Plastics*, OCEAN CONSERVANCY, https://oceanconservancy.org/trash-free-seas/plastics-in-the-ocean/.
[2] *Ocean Plastics Pollution*, CTR. FOR BIOLOGICAL DIVERSITY, https://www.biologicaldiversity.org/campaigns/ocean_plastics/.
[3] *Wildlife over Waste*, ENV'T AM., https://environmentamerica.org/feature/ame/wildlife-over-waste.
[4] *NRDC Lauds Passage of New York City Council Legislation Requiring Groceries, Retailers to Provide Plastic Bag Recycling for Consumers*, NRDC (Jan. 9, 2008), https://www.nrdc.org/media/2008/080109; *Bags by the Numbers*, WASTE MGMT., http://www.wmnorthwest.com/guidelines/plasticvspaper.htm.
[5] *Microplastics*, NAT'L GEOGRAPHIC, https://www.nationalgeographic.org/encyclopedia/microplastics/#:~:text=Microplastics%2C%20as%20the%20name%20implies%2C%20are%20tiny%20plastic%20particles.&text=The%20problem%20with%20microplastics%20is,wreak%20havoc%20on%20the%20environment.

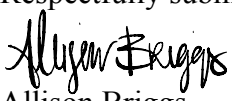
microplastics could have negative effects on hunting behavior. Furthermore, microplastics accumulated in the gills and intestine of the fish, causing significant changes to the gallbladder and liver, leading to lower growth, protein, and lipid contents. Fish are eaten by coastal birds, other wildlife, and humans, meaning that the known impacts of microplastic ingestion are not isolated to fish.

Wildlife ingest far more than microplastics. Sea turtles and whales often mistake plastic bags for jellyfish, a primary food source. Once ingested, plastic bags cannot be digested or passed by these animals. This can prevent food digestion and can lead to a very slow and painful death.[6] Marine life can also become entangled in plastic bags, causing suffocation, starvation, drowning, exhaustion, infection, and increased vulnerability to predators.

For the same reasons that we strongly supported the 129th Legislature's adoption of LD 1532, we strongly oppose the legislation that seeks to overturn it. LD 1532, which made Maine the fourth state to implement a statewide ban on single-use plastic bags, was—and still is—overwhelmingly supported by the people of Maine.[7]

Although the implementation of LD 1532 was postponed due to COVID-19, claims that reusable grocery bags carry and transmit COVID-19 are demonstrably false.[8] Single-use plastic is not safer to use during the pandemic than reusable bags. In fact, recent studies show that the virus remains active on plastic much longer than on cotton or paper.[9] Moreover, the chance of transmission through inanimate objects is very small,[10] and the data does not support taking drastic steps, such as allowing plastic bags to continue to pollute Maine's waters and harm its wildlife.

Respectfully submitted,



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[6] *Wildlife over Waste*, ENV'T AM., https://environmentamerica.org/feature/ame/wildlife-over-waste.
[7] Maine Grocers and Food Producers Association, the Retail Association of Maine, Maine's Environmental Priorities Coalition, and municipal leaders have all spoken out in strong support of LD 1532.
[8] R.C. Hale and B. Song, *Single-Use Plastics and COVID-19: Scientific Evidence and Environmental Regulations*, 54 ENV'T. SCI. TECH. 7034-36 (2020) (available at https://pubs.acs.org/doi/10.1021/acs.est.0c02269).
[9] Denis E. Corpet, *Why does SARS-CoV-2 Survive Longer on Plastic Than on Paper?*, 146 MED. HYPOTHESES (2021), doi:10.1016/j.mehy.2020.110429, https://doi.org/10.1016/j.mehy.2020.110429.
[10] Emanuel Goldman, *Exaggerated Risk of Transmission of COVID-19 by Fomites*, 20 LANCET INFECTIOUS DISEASES 892–93 (2020), https://doi.org/10.1016/S1473-3099(20)30561-2.