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February 22, 2021

Senator Stacy Brenner  
Representative Ralph Tucker  
Environment and Natural Resources Committee  
c/o Legislative Information Office  
100 State House Station  
Augusta, ME 04333  
[ENR@legislature.maine.gov](mailto:ENR@legislature.maine.gov)

Re: Friends of Casco Bay Testimony in Opposition to LD 39, LD 108, and LD 244, which seek to repeal the plastic bag reduction law, 38 M.R.S.A. § 1611

Dear Senator Brenner, Representative Tucker, and Distinguished Members of the Environment and Natural Resources Committee,

**Friends of Casco Bay submits this testimony in opposition to LD 39: An Act to Remove the Plastic Bag Ban, LD 108: An Act to Improve Public Safety by Repealing the Single-use Plastic Carry-out Bag Ban, and LD: 244: An Act to Repeal Maine's Single-use Plastic Bag Law.** These bills seek to repeal the plastic bag reduction law (38 M.R.S.A. § 1611) passed by the 129<sup>th</sup> Legislature with strong support and firm recognition of the harms plastic bags pose to human and environmental health. That law did not go into effect as intended, due to preliminary uncertainty about whether the COVID-19 virus could be transmitted via reusable bags. We now know that the spread of disease is uncommon through reusable bags, and the harm done by single-use plastic bags remains pervasive and severe.<sup>1</sup> The plastic bag reduction law is slated to be enforced this summer. Please do not repeal this much-needed ban before it even goes into effect.

Friends of Casco Bay is a marine stewardship organization whose mission is to improve and protect the health of Casco Bay. We monitor the health of the Bay and use our data to inform our advocacy and community engagement. We engage our volunteers in coastal cleanups, and in recent years have tracked the debris they remove using the Ocean Conservancy's Trash Free Seas Program.<sup>2</sup> **In 2019 alone, our volunteers and others removed over 1000 plastic bags from the shores of Casco Bay.** This total does not account for the bags that were not cleaned up or that went unreported to the Trash Free Seas Program. These data illustrate a fraction of the problem caused by plastics pollution.

<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads.html>

<sup>2</sup> <https://www.coastalcleanupdata.org/>.

**Plastics pollute our coastal waters and kill marine life.** Plastic never degrades; once added to the ocean, it stays there forever. Thousands of seabirds and sea turtles, seals, and other marine mammals die each year from ingesting plastic or getting entangled in it.<sup>3</sup> Plastics also litter our beaches, making them unattractive for tourism, to the detriment of Maine’s economy.<sup>4</sup>

**Plastic bags harm human health.**<sup>5</sup> Plastics do not degrade, but can break into smaller and smaller particles, known as microplastics. These can end up in our drinking water and food.<sup>6</sup> As plastics breaks down, they releases toxic substances,<sup>7</sup> the cumulative effects of which can be substantial.<sup>8</sup> These toxins are carcinogenic and contribute to developmental, reproductive, neurological, and immune disorders.<sup>9</sup>

**Recycling plastic bags is not a solution.** In 2018, for example, only 10% of plastic bags were recycled.<sup>10</sup> That means, nationally, 3.8 million tons of plastic bags ended up in landfills or in our environment. Now, China has stopped recycling 700,000 tons annually of U.S. plastic refuse. As a result, more plastic waste is getting burned or put in landfills, increasing pollution from plastic particles and toxic substances.<sup>11</sup>

**The FDA and CDC do not promote single use plastic products to prevent the spread of COVID-19.**<sup>12</sup> Dr. Benjamin Locwin, a CDC consultant, opined that “you . . . are almost at nil risk of getting a surface contact transmission of COVID-19.”<sup>13</sup> The FDA Guidance on Best Practices for Retail Food Stores, Restaurants, and Food Delivery Services during the COVID-19 Pandemic recommends social distancing, washing and sanitizing, and personal protective equipment (PPE) for workers.<sup>14</sup> The Guidance does not mention threats posed by reusable bags, cups, cutlery or other reusable products.<sup>15</sup>

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<sup>3</sup> [https://www.biologicaldiversity.org/campaigns/ocean\\_plastics/](https://www.biologicaldiversity.org/campaigns/ocean_plastics/).

<sup>4</sup> <https://www.mainebiz.biz/article/maine-fishing-industry-to-receive-201m-in-federal-aid>.

<sup>5</sup> <https://business-ethics.com/2010/09/17/4918-plastic-grocery-bags-how-long-until-they-decompose/>

<sup>6</sup> <https://blog.marinedebris.noaa.gov/clean-water-our-homes>

<sup>7</sup> <https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=76F8D2A9-1A1D-4A2F-8A6F-0A70149FD4D5>.

<sup>8</sup> <https://sites.psu.edu/taxtheplastic/statistics-3/>

<sup>9</sup> <https://www.iucn.org/resources/issues-briefs/marine-plastics>

<sup>10</sup> <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/frequent-questions-regarding-epas-facts-and#PlasticBags>

<sup>11</sup> <https://www.npr.org/sections/goatsandsoda/2019/03/13/702501726/where-will-your-plastic-trash-go-now-that-china-doesnt-want-it>

<sup>12</sup> <https://www.fda.gov/food/food-safety-during-emergencies/best-practices-retail-food-stores-restaurants-and-food-pick-updelivery-services-during-covid-19>

<sup>13</sup> <https://www.youtube.com/watch?v=xKGDRAwIxpW&feature=youtu.be>

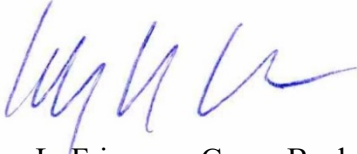
<sup>14</sup> <https://www.fda.gov/food/food-safety-during-emergencies/best-practices-retail-food-stores-restaurants-and-food-pick-updelivery-services-during-covid-19>

<sup>15</sup> <https://www.fda.gov/food/food-safety-during-emergencies/best-practices-retail-food-stores-restaurants-and-food-pick-updelivery-services-during-covid-19>

## Conclusion

For the reasons set forth above, Friends of Casco Bay respectfully requests that this Committee vote that LDs 39, 108, and 244 Ought Not To Pass. Thank you for considering our testimony.

Respectfully submitted,



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