Plastic Bag Ban Frequently Asked Questions

- **Who is impacted by the City & County of Honolulu’s Plastic Bag Ban?**
  o All businesses operating in the City and County of Honolulu (O‘ahu) must comply. Each county in the state of Hawai‘i has its own plastic bag ban.

- **When should I charge customers the minimum 15 cent fee?**
  o When a business provides an acceptable bag at the point of sale for the purpose of transporting groceries or other merchandise, they must charge customers a minimum of 15 cents (no matter the bag size or bag material). If the customer carries out 2 bags of merchandise, they must be charged two 15 cent fees. See below for list of exemptions.
  o The business cannot pay the fee on behalf of the customer.

- **What are the exemptions?**
  o The terms “plastic checkout bag” and “plastic film bag” do not include the following types of bags. The following types of bags are exempt from the ban and may continue in use.
    A. Bags used by customers inside a business to package loose items, such as fruits, vegetables, nuts, ground coffee, grains, candies, or small hardware items;
    B. Bags used to contain or wrap frozen foods, meat or fish, flowers or potted plants, or other items to contain dampness;
    C. Bags used to protect or transport prepared foods, beverages, or bakery goods, including takeout bags used at restaurants, fast food restaurants, and lunch wagons, to transport prepared foods;
    D. Bags provided by pharmacists to contain prescription medications;
    E. Newspaper bags for home newspaper delivery;
    F. Door-hanger bags;
    G. Laundry, dry cleaning, or garment bags, including bags provided by hotels to guests to contain wet or dirty clothing;
    H. Bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags;
    I. Bags used to contain live animals, such as fish or insects sold in pet stores;
    J. Bags used to transport chemical pesticides, drain-cleaning chemicals, or other caustic chemicals sold at the retail level; provided that this exemption shall be limited to one bag per customer
  o Effective January 1, 2021, the exemptions will be changing (via Ordinance 19-30 (Bill 40)).

- **How do the exemptions work?**
  o A bag is exempt if it is included in Exemptions A-J. The exempt bag does not have to comply with the ordinance, including the bag type and the 15 cent minimum fee.
  o As long as there is at least one item inside the bag that makes it exempt, the bag remains exempt even if other groceries or merchandise are added.

- **What happens if my business does not implement the minimum 15 cent fee and/or gives out un-acceptable bags?**
Recycling Specialists conduct random business inspections throughout the year, and also investigate complaints reported by the public. Violation fines are not less than $100 and not more than $1,000 for each day of the violation.

- **How should the minimum 15 cent fee be recorded?**
  - The easiest way to confirm you are charging customers for each carryout bag is to show the fee on the receipt as a separate line item.

- **Who keeps the revenue from the fee? Is the revenue from the fee taxable?**
  - Businesses keep the minimum 15 cent fee. The purpose of the fee is to discourage customers from wanting a bag, and to encourage them to bring their own reusable bag to the store. For tax questions, please contact the State of Hawai‘i, Department of Taxation at (808) 587-4242.

- **Is the fee EBT and WIC eligible?**
  - Regarding EBT, please contact the State of Hawai‘i, Department of Human Services at (855) 643-1643. Regarding WIC, please contact the State of Hawai‘i, Department of Health at (808) 586-8175.

- **How do I know if my paper bags are considered acceptable “Recyclable Paper Bags”?**
  - To be an acceptable Recyclable Paper Bag, it must meet all three qualifications. 1) It is one hundred percent recyclable. It is not recyclable if it contains non-paper materials or if it has a glossy finish or plastic/laminated coating. 2) It contains a minimum of forty percent post-consumer recycled content. Some bags have this percentage labelled. If not, contact the bag manufacturer. 3) It displays both the words “Reusable” and “Recyclable” in a highly visible manner on the outside of the bag. If your Recyclable Paper Bags do not display both “Reusable” and “Recyclable”, you may stamp the bag with both these words. The words “Reuse” and “Recycle” are also acceptable.
  - If your paper bag has handles, is specifically designed and manufactured for multiple reuse, and is made of durable material, then it is considered an acceptable “Reusable Bag”.

- **What is a mil?**
  - A mil is a unit of measurement equal to one thousandth of one inch (it is not the same unit of measurement as a millimeter). Effective January 1, 2020, plastic film bags made out of thin flexible sheets of plastic will only be considered acceptable if they are thicker than 10 mils (and have handles). Contact your bag manufacturer for specifications.

- **What are “loose items” (regarding Exemption A)?**
  - Items such as fruits, vegetables, nuts, coffees, grains, candies, or small hardware items. “Loose items” does not include already packaged items. For example: a pre-packaged bag of oranges is not considered loose fruit, so the bag for this item is not exempt. Only the first bag used for loose items is exempt.
  - Effective January 1, 2021, Exemption A will be amended in the following way (via Ordinance 19-30 (Bill 40)):
    - [Bags] Handle-less plastic bags used by customers inside a business to package loose items, such as bakery goods, fruits, vegetables, nuts, ground coffee, grains, candies, or small hardware items.
• **What about packaged versus un-packaged bakery goods (regarding Exemption C)?**
  o For unpackaged bakery goods (like a cookie directly from the display case), the first two bags it goes into are exempt; the first bag is for protection and the second bag is for transport. For packaged bakery goods (like a cookie that was put into a sleeve or box), only the first bag it goes into is exempt.
  o Effective January 1, 2021, Exemption C will be removed from the ordinance (via Ordinance 19-30 (Bill 40)). Also effective January 1, 2021, loose item bakery goods will be added to Exemption A.

• **Are all bags with medications inside exempt (regarding Exemption D)?**
  o In order to be exempt, it must be a pharmacist providing a bag for prescription medications. “Pharmacist” does not include veterinarians, dentists, chiropractors, health stores, etc.
  o Effective January 1, 2021, Exemption D will be removed from the ordinance (via Ordinance 19-30 (Bill 40)).

• **Are complimentary goodie bags exempt?**
  o Free goodie bags are not impacted by the bag ban because they are not provided to customers at the point of sale. Example: courtesy dentist baggies containing only free items.

• **How are omiyage bags impacted?**
  o As long as the omiyage bags are not being provided at the point of sale to transport merchandise, they can be given without charge.

• **What about products that already come in pre-packaged bags?**
  o Items that were pre-packaged in bags by the manufacturer or distributor are not impacted by the bag ban.

• **What about bags used for home delivery?**
  o The bag ban still applies to bags provided to customers at the point of sale for the purpose of transporting groceries or other merchandise.

• **What are the Ordinance 19-30 (Bill 40) changes to the Plastic Bag Ban, effective January 1, 2021?**
  o Please read Section 2 of Ordinance 19-30 (Bill 40) by clicking [here](#).

For further clarification, contact a Recycling Specialist at [businessrecycle@honolulu.gov](mailto:businessrecycle@honolulu.gov) or 768-3200 ext. 6