



**THE PRINCE GEORGE'S COUNTY GOVERNMENT**  
**Office of Audits and Investigations**

October 9, 2019

**MEMORANDUM**

TO: Robert J. Williams, Jr.  
Council Administrator

William M. Hunt  
Deputy Council Administrator

THRU: David H. Van Dyke *DHV*  
County Auditor

FROM: Josh Hamlin *JH*  
Senior Policy Analyst

Alex Hirtle *AH*  
Policy Analyst

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Senior Legislative Auditor

RE: Policy Analysis and Fiscal Impact Statement  
CB-52-2019 Non-Compostable Straws and Stirrers Ban

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***Legislative Summary***

CB-52-2019, sponsored by Councilmembers Dernoga, Glaros, Ivey, Taveras, Streeter, and Hawkins was presented on September 24<sup>th</sup>, 2019. CB-52-2019 would prohibit food services businesses from providing or selling certain straws and stirrers under certain circumstances. The legislation also calls for provisions in enforcement with fines and penalties, and education and outreach of the legislation.

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***Background/Current Law***

CB-52-2019 calls for a general ban on providing non-compostable straws and stirrers at food service businesses, which would include restaurants, take-out eateries, government cafes, food trucks, and sales at grocery stores and supermarkets. The legislation allows for exemptions, including pre-packaged beverages with plastic straws affixed during the pre-packaging process, and received by the food service business with the straw attached. Additionally, *reusable* straws made of metal or rigid plastic are exempt. The legislation also spells out that the Department of the Environment (DOE) will be responsible for enforcement of the legislation, and calls for a violation and fine structure that parallels that of the County's polystyrene ban

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(CB-004-2015): first time violation is a warning; second violation is a \$250 fine; third violation is a \$1,000 fine within a twelve-month period. Each day a violation exists is a separate offense.

General bans on plastic straws and stirrers are not unprecedented- this legislation is modeled on the straw/stirrer ban in Charles County, Maryland (Bill 2018-07). The District of Columbia passed legislation on a plastic straw ban in 2014, and the City of Rockville and Town of Garret Park recently enacted similar legislation. Other major cities like Seattle, Miami, and coastal cities such as Monmouth Beach, New Jersey have enacted plastic straw bans with certain conditions, as well as Los Angeles County, the State of Oregon, and many others. Even large corporations like Starbucks Coffee, McDonalds, and Marriott have committed to phasing out non-compostable plastic straws sometime in the future.

This legislation, like the County polystyrene ban, is part of a larger effort to clean the waterways and reduce the amount of solid waste that enters our watersheds, and eventually our oceans. Current estimates indicate that hundreds of millions of straws and stirrers are used in the U.S. every day, and a notable percentage of them end up in our waterways and the ocean. The Anacostia Watershed Society documented that over 4,000 straws were collected in less than a four-hour period from clean-ups occurring in just a portion of that watershed.<sup>1</sup> Studies have indicated that more than eight million tons of new plastic waste flows into our oceans every year, straws being nearly 5% of that total, by volume.<sup>2</sup> Plastic straws and stirrers have consistently been one of the top ten forms of litter that are collected in coastal clean-ups, both in Maryland and the United States.<sup>3</sup>

Limiting single-use straw usage is consistent with the County's most recent Comprehensive Ten Year Solid Waste Management Plan, which calls for protection and valuing of our natural resources and prioritizes recycling and re-use of materials.

There are challenges with converting from single-use plastic straws to "compostable", and/or reusable straws. Compostable paper straws cost about 2 1/2 cents per unit, whereas plastic straws cost about 1/2 cent per straw, so there are cost differentials that both the consumer and business owner need to consider.<sup>4</sup> Additionally, the ability to be compostable varies with the type and material of the straw used- many plant-based plastic straws may be able to be composted at home, but are recommended for composting at industrial composting facilities.<sup>5</sup> Finally, disability rights groups have often opposed outright bans on plastic straws, arguing that biodegradable or reusable alternatives are not feasible options for some people with disabilities.<sup>6</sup> Some "bans," include exceptions which allow restaurants to give disposable plastic straws to customers who need them for physical or medical reasons, and the District of Columbia Department of Energy and Environment has indicated that it will not enforce against plastic straws offered to consumers with disabilities who require these products.<sup>7</sup>

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<sup>1</sup> Data confirmed by James Foster, President of Anacostia Watershed Society.

<sup>2</sup> Data confirmed by Ashley Van Stone, Executive Director of Trash Free Maryland.

<sup>3</sup> IBID.

<sup>4</sup> <https://www.cnbc.com/2018/07/09/paper-straws-are-better-for-the-environment-but-they-will-cost-you.html>

<sup>5</sup> [https://www.amazon.com/200-Clear-Drinking-Straws-Compostable/dp/B07FJN3NY7/ref=sr\\_1\\_8?keywords=compostable+straws&qid=1570550070&sr=8-8](https://www.amazon.com/200-Clear-Drinking-Straws-Compostable/dp/B07FJN3NY7/ref=sr_1_8?keywords=compostable+straws&qid=1570550070&sr=8-8)

<sup>6</sup> <https://www.npr.org/sections/thesalt/2018/07/11/627773979/why-people-with-disabilities-want-bans-on-plastic-straws-to-be-more-flexible>

<sup>7</sup> [https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service\\_content/attachments/Straw%20and%20Rec-Comp%20FAQs.pdf](https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/Straw%20and%20Rec-Comp%20FAQs.pdf)



***Resource Personnel***

Council District 1 Staff  
Director of Department of the Environment

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***Assumptions, Methodology, and Policy Analysis***

Consumers that prefer to use straws or need a straw due to a physical challenge have alternative materials such as metal, glass, silicone, bamboo, and hay. These types of straws can either be re-used, or will compost under proper conditions.<sup>8</sup>

Food Service Businesses, which includes restaurants, cafes and cafeterias that serve food at county government buildings, convenient stores, food trucks, grocery stores and supermarkets and other venues, should be familiar with and could adapt to this ban due to its parallel legislative structure to the County's polystyrene ban- the violation and fine system are the same, and the same agency (DOE) will be administering the ban through spot checks and consumer complaints.

This legislation is aimed at changing behavior, and altering the paradigm of single-use plastic products as a convenience utilized at most eating establishments and purchased at grocery and retail stores. When both Montgomery County and the District of Columbia placed a fee on single-use plastic bags, consumers quickly learned to utilize re-usable bags. As a result, the use of plastic bags declined and both the respective governments and local environmental groups documented lower rates of these bags in waterways and as part of the overall solid waste stream. Consequently, adjacent jurisdictions like the counties in Virginia without bans continue to see plastic from straws and bags rise in waterway clean-ups.<sup>9</sup>

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***Fiscal Impact***

- Direct Impact

Enactment of CB-052-2019 may have minimal fiscal impact on the County related to the costs of the educational and outreach campaign required under Section 19-154. Any additional costs may be absorbed within DOE's current appropriated budget.

- Indirect Impact

Enactment of CB-052-2019 should not have an adverse indirect fiscal impact on the County.

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<sup>8</sup> <https://www.wasserstrom.com/blog/2018/08/17/alternatives-to-plastic-straws-a-definitive-guide/>

<sup>9</sup> Data confirmed by Ashley Van Stone, Executive Director of Trash Free Maryland

***Issues for Committee Consideration***

- Fines will not be issued prior to January 1, 2021, so certain businesses might still sell or distribute plastic straws and stirrers until that time.
- As with the polystyrene ban, public outreach and education is critical- businesses that are unaware of a ban on plastic straws and stirrers will not likely stop selling/distributing them.
- Although there are compostable alternatives, some environmental advocates have suggested that these straws and stirrers do not readily decompose in less-than-ideal conditions, and would continue to add to the solid waste stream. However, these alternatives have not been known to increase the micro-plastics syndrome that single-use plastic items have created.
- Exemptions (Sec. 19-153 (b) ) do not include straws or stirrers made out of glass, silicone, or other recyclable or more benign materials than rigid plastic, which may limit food service and retail stores' options to distribute or sell.

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***Effective Date of Proposed Legislation***

Forty-five (45) calendar days after it becomes law.

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If you require additional information, or have questions about this fiscal impact statement, please call me.