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# Heal the Bay.

July 16, 2012

Councilmember Huizar  
Chair, Energy and Environment Committee  
Los Angeles City Council  
200 N. Spring Street, Room 465  
Los Angeles, CA 90012  
Fax: (213) 847-0680

CF # 11-1531

BY  
CITY CLERK

2012 JUL 23 PM 2:48

RECEIVED  
CITY CLERKS OFFICE

Re: **OPPOSE** - Parks/Perry motion to commission a report on redirecting the single-use paper bag fee for public education on reusable bags, food handling, hygiene and recycling [11-1531-S3]

Dear Councilmember Huizar,

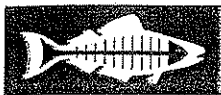
On behalf of Heal the Bay and its members, I write in strong opposition to the motion introduced by Councilmember Parks on May 30, 2012 [11-1531-S3] ("motion"). Specifically, Councilmember Parks' motion calls for the City Administrative Officer, Chief Legislative Analyst and the Bureau of Sanitation to report to the Council on the viability of "redirecting the [10 cent single-use paper bag] fee to non-profits with the sole purpose of educating the public on the health and safety impacts of reusable bags, food handling, hygiene and recycling." The motion is not a scientifically valid or justified use of retail funds, or City efforts. For these reasons, the Energy and Environment Committee should not move forward with this motion.

The motion is unwarranted because there is little evidence that simply using reusable bags make people sick. With over 49 jurisdictions in California that have adopted ban/fee ordinances that encourage the use of reusable bags and no reported health impacts, this motion does not warrant serious consideration. The motion cites a study conducted jointly by the University of Arizona and Loma Linda University ("Gerba study") that looked at the potential for cross-contamination of food products from reusable bags used to carry groceries<sup>1</sup> as a basis for necessary health and safety education. Specifically, Councilmember Parks states that based on the study, "it is probable that harmful bacteria and illnesses such as E. coli, Salmonella, and Campylobacter could easily be spread." However, the same study notes that:

"[C]ontamination of raw meat products with *Salmonella*, *Campylobacter* and *E.coli* is common. Studies have shown that children are at increased risk of both *Salmonella* and *Campylobacter* infections if they ride in a shopping cart carrying meat products and eating fruits and vegetables prepared in the home (Jones et al., 2006; Fullerton et al., 2007). This suggests that proper handling of raw food products during shopping and transport to the home is a route of exposure for the transmission of these pathogens." (emphasis added)<sup>2</sup>

<sup>1</sup> It is important to consider the source of this information; the authors of this study acknowledge and thank the American Chemistry Council for providing funding to support this study. Gerba, Charles, et al., *Assessment of the Potential for Cross Contamination of Food Products by Reusable Shopping Bags* (June 9, 2010). Available at: <http://www.nashvillewrapscommunity.com/blog/wp-content/uploads/2010/09/Reusable-Shopping-Bag-Safety.pdf> (last accessed July 12, 2012).

<sup>2</sup> *Ibid.*



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Thus, exposure to these pathogens is not exclusive or unique to the use of reusable bags, and arguably, the study's findings suggest that proper handling of food (both at the grocery store, during transportation, and at home) is a critical element for public health protection. In fact, this study notes that hand or machine washing bags was found to reduce the bacteria count by >99.9%.<sup>3</sup> The Gerba study certainly didn't advocate for continued reliance on single-use plastic bags to protect public health.

Further, a *Consumer Reports* article, published on July 22, 2010, subsequently debunked the American Chemistry Council-funded study, and quoted a senior staff scientist at Consumers Union as saying, "A person eating an average bag of salad greens gets more exposure to these bacteria than if they had licked the insides of the dirtiest bag from this study."<sup>4</sup> This motion and its reliance on the Gerba study is simply a resurrection of these types of subversive attempts to manipulate science to discredit plastic bag bans.

Instead of pursuing this misguided effort, the Council should focus on developing the ordinance itself and ensure that the definition of "reusable bags" only includes those bags that are, among other things, made from a material that can be cleaned or washed, similar to the definition in the L.A. County ordinance.<sup>5</sup> There is no reason that the Council should deviate from the process of developing the ordinance, a process that will include an environmental review of the policy and opportunity for public comment.

For the forgoing reasons, we strongly oppose the motion introduced by Councilmember Parks, and we urge the Energy and Environment Committee to not move forward with this motion. Rather, the City of Los Angeles should focus its efforts on finalizing a citywide single-use bag policy.

Sincerely,

Kirsten James  
Water Quality Director  
Heal the Bay  
(310) 451-1500

Cc: Councilmember Koretz

*City Council*

<sup>3</sup> *Ibid.*

<sup>4</sup> Consumer Reports, Consumer News, *Safety & Recalls: Can reusable grocery bags make you sick, or is that just baloney?* (July 22, 2010). Available at: <http://news.consumerreports.org/safety/2010/07/can-reusable-grocery-bags-make-you-sick-or-is-that-just-baloney.html> (last accessed July 12, 2012).

<sup>5</sup> [http://ladpw.org/epd/aboutthebag/pdf/BagOrdinance\\_final.pdf](http://ladpw.org/epd/aboutthebag/pdf/BagOrdinance_final.pdf)