



# SHOPPING BAG BY-LAW – JANUARY 1, 2022

## FREQUENTLY ASKED QUESTIONS

### Where can I find the shopping bag by-law?

The rules governing shopping bags are a series of amendments to License By-law No. 4450. These by-law amendments are available at [vancouver.ca/bags](https://vancouver.ca/bags) and include:

- **By-law No. 12624 (amends License By-law 4450 regarding shopping bags)**
- **By-law No. 12843 (amends License By-law 4450 regarding the effective date of requirements for shopping bags)**
- **By-law No. 12866 (amends License By-law 4450 regarding shopping bag fee increases)**

The consolidated License By-law No. 4450 is available at [vancouver.ca/your-government/licence-bylaw](https://vancouver.ca/your-government/licence-bylaw)

### Why regulate shopping bags?

The shopping bag by-law is part of a suite of actions the City is taking to reduce single-use item waste as we work towards becoming a zero-waste community by 2040.

In 2018, about 89 million plastic shopping bags and 4 million paper shopping bags were thrown in the garbage in Vancouver. Despite how common it is for residents to reuse plastic shopping bags (66% are reused as garbage bags), 30 million empty plastic shopping bags were still disposed to garbage in 2018.

These statistics do not include bags that are recycled or composted, or littered in the natural environment. Plastic bags were the sixth most common type of litter found on shorelines in 2019, according to the Great Canadian Shoreline Cleanup.

### **In addition to plastic bags made from fossil fuel products, why does the ban on plastic shopping bags apply to plastic labeled or described as compostable, degradable, bioplastic and plastic made from plants or other biological materials?**

Plastic that is labeled or described as compostable, degradable (biodegradable, oxodegradable, photodegradable, etc.), bioplastic and plastic made from plants or other biological materials  
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As we take steps to reduce waste from single-use items during COVID-19, we have worked to ensure all of our by-laws align with the latest public health guidelines and protect the health and safety of residents, businesses and their staff.

For the latest COVID-19 health requirements and resources, please visit:

- The Provincial Health Officer's web page for orders, notices and guidance.
- The British Columbia Centre for Disease Control (BCCDC), including the food business web page.
- Vancouver Coastal Health's environmental health and inspections web page.
- Work Safe BC.



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- Is not accepted in the City's Green Bin program
- Contaminates existing composting and recycling streams
- Is not approved for composting under provincial regulation
- Is not designed to biodegrade if littered in the natural environment

Plastic that is labeled or described as compostable or degradable is also not accepted in Recycle BC's residential recycling collection program.

As contaminants, these types of plastics are most likely to be removed from local composting streams and then disposed to landfill or incinerator.

### **Why are the minimum fees set at \$0.15 in 2022 and \$0.25 in 2023 for paper shopping bags, and \$1 in 2022 and \$2 in 2023 for new reusable shopping bags?**

The fees are harmonized with other cities in BC that have regulated shopping bags, and are high enough to give customers an incentive to bring their own reusable bags. The fee schedule gives businesses and customers time to adjust. Help your customers avoid fees by encouraging them to bring their own bag, or by offering a "take-a-bag, leave-a-bag" shopping bag sharing program.

### **Are fees on paper and reusable shopping bags subject to GST and PST?**

Yes.

### **Do the minimum fees on paper and reusable shopping bags have to be communicated to customers?**

Yes. The amount of the fees must be displayed as a separate line item on any receipts provided to customers by using wording such as "PAPER BAGS" and "REUSABLE BAGS".

### **Does the minimum fee on reusable shopping bags apply to bags that customers already own and bring to the store?**

No. The fees only apply to new reusable shopping bags sold to customers.

### **Can I charge more than the minimum fees on paper and reusable shopping bags?**

Yes. Businesses, charities and not-for-profits can choose to charge more than the minimum fees as part of their own business practices.

### **Who keeps the fees from paper and reusable shopping bags? Is revenue from shopping bags remitted to the City?**

Businesses, charities and not-for-profits keep the fees from bags they distribute. Revenue from bag fees is not remitted to the City.



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### **What should businesses, charities and not-for-profits do with the fees they collect on paper and reusable shopping bags?**

Organizations are encouraged to use the fees to cover the cost of complying with the shopping bag by-law, like software updates, training staff etc. Businesses could also use fee revenue to fund the donation of reusable shopping bags to not-for-profits and social enterprises that offer programs to residents disproportionately affected by income inequality.

### **Can I subsidize the cost of paper or reusable shopping bags and provide them for free to my customers?**

No. The minimum fees must be charged on all new paper and reusable shopping bags. The exception to this rule is that businesses, charities and not-for-profits are allowed to provide free paper and reusable shopping bags if they have previously been used by a customer and brought back to the store (e.g. a “take-a-bag, leave-a-bag” shopping bag sharing program).

### **Can I offer my customers a discount for bringing their own reusable shopping bags?**

Yes. However, organizations that offer discounts to reward customers for bringing their own reusable shopping bags are still required to charge fees on all new paper and reusable shopping bags distributed.

### **What kinds of paper shopping bags can I sell to my customers under the shopping bag by-law, and how should they be labeled?**

Paper shopping bags must contain at least 40% recycled paper content.

The outside of the bag must display the words “recyclable” and “made of 40% recycled content” or “made of 40% post-consumer recycled content,” or a higher amount if applicable.

### **What types of reusable shopping bags are allowed within the shopping bag by-law?**

Reusable shopping bags must be designed and manufactured to be capable of at least 100 uses, and be primarily made of fabric (e.g. cotton, canvas, jute, burlap, nylon, polyester, recycled polyethylene terephthalate, woven and non-woven polypropylene). Health Canada recommends washing reusable bags frequently with hot, soapy water, especially after using them to carry fresh produce, meat, poultry and seafood. Examples of suggested reusable shopping bags are available on our website at [vancouver.ca/bags](https://vancouver.ca/bags) and in our Single-Use Item By-law Guide.

### **If reusable shopping bags are designed to be capable of 100 uses, but are not primarily made of fabric, do they meet the shopping bag by-law requirements?**

No. The by-law requires reusable shopping bags to be primarily made of fabric (e.g. cotton, canvas, jute, burlap, nylon, polyester, recycled polyethylene terephthalate, woven and non-woven polypropylene). Examples of suggested reusable shopping bags are available on our website at [vancouver.ca/bags](https://vancouver.ca/bags) and in our Single-Use Item By-law Guide.



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### **Does the City of Vancouver approve or certify reusable shopping bags for compliance with the shopping bag by-law?**

No. It is up to business licence holders and manufacturers to ensure the reusable shopping bags they distribute meet the by-law requirements for reusable shopping bags.

### **What do business licence holders need to do to report their annual distribution of paper and reusable shopping bags?**

If requested by the City, and no sooner than Jan 1, 2023, businesses, charities and not-for-profits must report the number of paper and reusable shopping bags distributed in the past 12 months. The City will give instructions for reporting the number of paper and reusable shopping bags distributed when the request is made.

We recommend business licence holders put a system in place to track the number of paper and reusable shopping bags distributed each year. Examples include electronic point of sale (POS) systems, or counting your inventory of bags at the beginning and end of the year.

### **What types of bags are exempt from the shopping bag by-law?**

The shopping bag by-law exempts:

- Paper and new reusable shopping bags used for prescription drugs
- Paper and new reusable shopping bags used by registered charities and not-for-profit corporations to provide food for free or at low cost
- “Bag-share” or “Take-a-Bag, Leave-a-Bag” programs where the paper or reusable shopping bags have already been used by a customer at least once and are re-used by other customers
- Small paper bags (less than 15 cm x 20 cm when flat)
- Large shopping bags used to transport linens, bedding or other similar large items that cannot easily fit in a paper or reusable shopping bag
- Also, the shopping bag by-law does not apply to:
- Bags that aren’t shopping bags, such as produce bags, bulk food bags, bags to contain or wrap meat or fish, bags for baked goods, bags for loose hardware, dry cleaning bags, hospital bags used to hold patient belongings etc.
- Packages of at least five bags sold for personal use, such as garbage bags, bin liners and pet waste bags
- For more information, visit our website at [vancouver.ca/bags](https://vancouver.ca/bags) or our Single-Use Item By-law Guide.



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### **Do charities and not-for-profits have to comply with the shopping bag by-law?**

Yes. All organizations that are required to hold a business licence under the City of Vancouver's License By-law No. 4450 must comply with the shopping bag by-law, including registered charities and not-for-profit corporations.

However, registered charities and not-for-profit corporations are exempt from charging fees on paper and reusable shopping bags used to provide charitable food services, or report the number of bags used for this purpose. "Charitable food services" means providing food for free or at low cost by an organization that is incorporated and in good standing<sup>1</sup> under the Societies Act, or registered as a charitable organization under the federal Income Tax Act.

**Note:** During COVID-19, charitable food services may continue to distribute single-use items with food or meals, including shopping bags, but are expected to begin working towards complying with the by-laws as soon as it is possible for them.

### **Are food delivery services required to comply with the shopping bag by-law?**

All organizations that are required to hold a business licence under the City of Vancouver's License By-law No. 4450 must comply with the shopping bag by-law. The by-law applies to bags used to deliver food in Vancouver, whether the bag is supplied by the food delivery service or the food vendor. All food delivery service providers should update their online, mobile and telephone ordering platforms to ensure the minimum fees are charged on any paper and reusable shopping bags provided with food delivery orders.

### **How will the City enforce the shopping bag by-law?**

Due to the extenuating circumstances of COVID-19, City staff are prioritizing outreach and education to ensure businesses have the support they need to comply with the single-use item by-laws. If a business is found to be out of compliance with the single-use item by-laws that are in effect, initial City actions will focus on education, outreach and support to help them comply.

Following these initial educational actions to achieve compliance, increasing levels of enforcement may be applied to address non-compliant operators. Enforcement may include issuing tickets, which carry a fine of \$500 per offence, or further prosecutions in provincial court that could be subject to a maximum fine of \$10,000 per offence. Ongoing non-compliance may also result in business licence suspensions, or recommendations for business licence revocation.

For the latest updates on enforcement, visit [vancouver.ca/reduce-single-use](https://vancouver.ca/reduce-single-use)

### **Will there be a grace period once the by-law takes effect where businesses can use up their remaining stock of plastic shopping bags and non-compliant paper shopping bags?**

No. Use, sell or donate your remaining stock of these items before the by-law comes into effect.

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<sup>1</sup> Organizations must be incorporated and in good standing under the Societies Act, or registered as a charitable organization under the federal Income Tax Act to qualify for the charitable food services exemption.





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### **What should I do with any leftover stock of plastic or non-compliant paper shopping bags after the by-law comes into effect?**

Any remaining plastic shopping bags can be:

- Donated to charitable and not-for-profit organizations (if they are accepting donation of plastic bags). Charitable organizations sometimes provide empty plastic shopping bags to residents disproportionately affected by income inequality for various uses, such as garbage bin liners or to make footwear more waterproof.
- Sold to businesses in other jurisdictions that do not restrict these types of shopping bags.

### **Are reusable shopping bags allowed during the COVID-19 pandemic?**

Under current BC Centre for Disease Control and Vancouver Coastal Health guidelines, vendors can provide reusable cups and accept customers' reusable shopping bags during the COVID-19 pandemic, provided food vendors document their store policy and follow the required prevention measures.

For the latest COVID-19 health requirements, please visit the organizations listed at the bottom of the first page of this document.

### **How can businesses, charities and not-for-profits safely accept customers' reusable shopping bags during the COVID-19 pandemic?**

The BC Centre for Disease Control provides prevention measures for accepting reusable shopping bags, such as increased cleaning and sanitizing at high touch areas, and staff washing their hands after handling reusable items received from customers. For more information, visit the BC Centre for Disease Control food business web page.

### **How can businesses, charities and not-for-profits ensure bags offered through “Take-A-Bag, Leave-A-Bag” or “bag sharing” programs are clean?**

Work with Vancouver Coastal Health to ensure that reusable shopping bags collected through bag-sharing programs are cleaned and sanitized effectively within your sanitation plan before customers reuse them. This means the reusable bags must be washable or constructed from a material that can be effectively sanitized.

### **How can businesses, charities and not-for-profits encourage their customers to bring clean reusable shopping bags?**

Our by-law toolkit includes a poster to encourage customers to bring clean reusable shopping bags, including cleaning tips from Health Canada. Visit [vancouver.ca/bags](https://vancouver.ca/bags) to download these resources.