



7338 Baltimore Ave
Suite 102
College Park, MD 20740

Committee: Economic Matters

Testimony on: HB 296 Environment – “Single-Use Plastic Straws - Use in a Food Service Business”

Position: Support with Amendments

Hearing Date: February 19, 2020

The Maryland Sierra Club supports HB 296 as the lead sponsor, Delegate Love, proposes to amend it (we do not have any amendments ourselves beyond hers).

As originally proposed, the bill would have limited the provision of plastic straws in most food service businesses by specifying that plastic straws be given to only those customers who request them. The bill would have excepted beverages provided by a food service business at a drive-through window, pre-packaged beverage products, and self-service beverages.

As revised by Delegate Love, the bill now would generally prohibit food service businesses (including drive-throughs) from providing plastic straws and stirrers to customers. The exceptions would be pre-packaged beverages that have a plastic straw included in the pre-packaging, and plastic straws used to accommodate the physical or medical needs of individuals. Further, as we understand it, the revised bill would allow for use of “compostable straws” limited to non-plastic straws “that will break down into usable compost,” and plastic straws that are “home compostable as defined in Section 9-2102 23 (b)(2), of the Environment Article.”

We fully support this approach over the one set forth in the original bill.

The plastic pollution crisis and why this bill will help address it.

The plastic pollution crisis in the world’s oceans and waterways has been indelibly highlighted by the searing image of a plastic straw impaled through the nostrils of a sea turtle. Plastic straws and stirrers are not recyclable, and pose the same hazards to wildlife as other single-use plastics. The Ocean Conservancy annually documents the kinds and amounts of plastic collected world-wide from coastal clean-ups; plastic straws are the seventh-most commonly collected item. Single-use plastics of all types make up nine of the top ten items collected.¹

Marylanders use a staggeringly large number of plastic straws annually, estimated at 3.3 billion. Ending this source of plastic waste and pollution in our state would be a major win for the environment.

Many alternative straws are already available.

Banning plastic straws should have little effect on food service businesses and customer use because so many alternatives already exist in the marketplace. A wide variety of paper straws are available to accommodate any kind of beverage served. Re-usable straws also are available, from tempered glass to silicon to metal to bamboo.

¹ <https://oceanconservancy.org/wp-content/uploads/2018/07/Building-A-Clean-Swell.pdf>.

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has approximately 800,000 members.

We agree with precluding distribution of plastic compostable plastic straws other than those that are home compostable.

Generally speaking, compostable plastic straws and utensils are compostable only in an industrial composting facility, and will not decompose easily, if at all, as litter in the natural environment. Industrial composting facilities provide microbes from a large pile of decomposing materials, moisture, and heat that help the process along. These conditions do not exist when compostable straws are left by the roadside, littered elsewhere, or deposited in a marine or other water environment. It is highly unlikely that compostable single-use plastic straws will find their way to facilities like the Prince George's Organic Composting Facility, the largest industrial composting facility on the East Coast. Most will be landfilled, where they will not decompose, or will litter the landscape and end up in streams, the Bay, and the ocean.

The failure of compostable plastic straws to break down in the natural environment was recently demonstrated in a study by the 5-Gyres Institute.² They tested the biodegradability of compostable straws in land-based and aquatic conditions over a 24-month period. Paper straws decomposed immediately, but the bio-plastic compostable straws made from PLA (a plant-based plastic) showed very little degradation after 24 months in the sea (see Exhibit 1).

For these reasons, we agree with the bill disallowing the distribution of straws generally designated as “compostable.” Should plastic straws, in the future, be developed that are “home compostable,” then we agree that such straws may be allowed.

Conclusion.

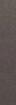
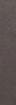
We respectfully request a favorable report on this bill as proposed to be amended by Delegate Love.

Sydney Jacobs
Co-chair, Conservation Committee
Sydney.jacobs@mdsierra.org

Josh Tulkin
Chapter Director
Josh.Tulkin@MDSierra.org

² 5-Gyres Institute et al. 2017. B.A.N. List 2.0, online publication: <https://www.5gyres.org/publications> pp. 21-22.

Exhibit 1: Extent of decomposition of "compostable" plastic straws

CUPS, STRAWS & UTENSILS						
PRODUCT	STANDARDS & CLAIMS	ENVIRONMENTAL PERFORMANCE				
		New	6 mo. on land	12 mo. on land	24 mo. on land	24 mo. in the sea
 Eco Products Cold Cups	Compostable BPI certified, made from corn					
 Planet Compostable Hot Cups	Compostable. Made from Ingeo, a brand name for PLA.					
 Aardvark Paper Straws	Described as "Earth-friendly".					
 World Centric PLA Straws	100% compostable, ASTM D-6400, EN13432. Breaks down in commercial compost.					
 Rossetto Cutlery	Compostable, natural materials.					
 Bio-Based Eco-Products PSM Cutlery	Made from 70% renewable resources. Not compostable.					

Source: 5-Gyres Institute (2017), p. 21.

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