

Dan Simons

Restaurateur, Founding Farmers, Farmers & Distillers, Farmers Fishers Bakers

Bill #: HB 314 and SB 223

Position on the Bill: Support the intent, but not as written.

Good afternoon. My name is Dan Simons; I'm a co-owner of seven restaurants. One of my restaurants, called Founding Farmers, is located in Montgomery County, Maryland. My other restaurants are in DC, Virginia, and Pennsylvania. I'm also a co-owner of a Distillery, Founding Spirits.

I am a businessperson and a restaurateur. I understand the negative impact unnecessary regulations can have on a business. I know very well the vital need for profit. I understand tax burdens and rising wages, P&L statements, and Balance Sheets. I understand the impact of the pandemic on my businesses and across the retail, restaurant, and hospitality industries. I have almost 30 years of experience in the restaurant industry, and I have been an owner for the past 15 years. I know this is a competitive business with high costs.

I am here today to state my clear support for the legislative movement to ban plastic bags. I am thrilled you are immersing in the topic and exploring steps in the right direction. I support the Bill as-is, but frankly, this bill does not go far enough. I believe it allows for some exceptions where they aren't needed – for example, supermarkets should be required to offer compostable bags in their produce sections rather than using plastic bags.

I promise, businesses do not need plastic bags in order to succeed. We can thrive with bio- and marine-degradable alternatives. We can thrive by educating consumers that they can re-use bags. We can thrive by passing legislation that shows investors and manufacturers they have a huge opportunity to invest in innovation and create new products that don't require fossil fuels to make, and don't litter the planet for hundreds of years after a single use.

I can debate and debunk any businessperson or related business association that takes the position that plastic bags are necessary for success. And I'm not alone; as plenty of mindful leaders of restaurants, retailers, and grocers have done. It does require some effort on behalf of the businessperson, but so what; effort, adaptation, innovation, that's what businesspeople should be doing. There's no value to the vast majority of stakeholders to protect the entrenched interest in the status quo of a very few stakeholders. These entrenched interests remind me of the voices who said we'd go out of business if banned smoking indoors, or in public – they were lies then, and they are lies now.

Single-use plastic bags provide a few minutes of upside, in return for hundreds of years of downside.

They don't get recycled, they don't get composted. They end up on our streets and shorelines, in our vital Chesapeake Bay, and in our oceans, where they essentially last

forever, slowly breaking down into microplastics; then they get eaten by the animals that humans consume. So, enjoy a fish sandwich today, and you may be eating tiny bits of a plastic bag used decades ago. The chemicals from plastics have been found in our ground water...and in our bodies. The health effects of ingesting microplastics are awful – when your kids or grandchildren get cancer from this sort of toxic soup, I promise, the cancer doesn't get care which side of the aisle you're on. Human health and environmental health affect all of us.

We can do better. We *have to do better*. The Chesapeake Bay is our jewel; why do we allow it, and our oceans, to be filled with plastic?

The solution is to use bags made of marine-degradable material, while being careful not be fooled by the marketing of some bioplastics, or businesses saying they can't afford alternatives.

In my restaurants we use primarily paper bags for togo. At certain times, I do use plastic bags – they are more convenient in some uses, they hold up much better than paper if they need to be kept in refrigeration – but, knowing the trade-off, I'd be fine to forgo forever using traditional plastic bags.

Solving plastic pollution is not a partisan issue; it is human issue. I'm a conscious capitalist; I'm able to win for my investors, my employees, my customers, AND my core values.

Thank you for allowing me to provide this testimony.