

# State Bag Laws: For grocery stores, food marts, convenience stores and stores that sell alcohol and perishable items

## The State Carryout Bag Law and Pre-Check Out Bag Law apply to the following types of retail stores:

- Large retail stores (sells \$2 million+ per year) that sell perishable items that require temperature control
- Stores with 10,000+ square feet of retail space and a pharmacy
- Convenience food stores, food marts, or other stores that sell a limited line of goods, generally including milk, bread, soda and snack foods and that have a license to sell alcohol for off-premise consumption
- Convenience food stores, food marts or other stores that sell goods intended to be consumed off the premises and that have a license to sell alcohol for off-premise consumption

## Carryout Bag Requirements

**Stores are only allowed to distribute recycled carryout paper bags to customers for a minimum \$0.10 per bag at checkout counters and self-checkout kiosks and for in-store pickup, curbside delivery and home delivery.** Stores may continue to sell reusable grocery bags that are not located at the point of sale. Customers paying for goods with WIC vouchers are exempt from bag fees.

### Stores may also continue to distribute the following types of bags:

- Bags used by pharmacies for prescription medication
- Bags without handles used to protect a purchased item from damage or contamination
- Bags used to contain unwrapped food items, like bulk foods or loose produce
- Bags without handles that are designed to be placed over articles of clothing on a hanger, such as dry-cleaning bags.



### Carryout paper bags must meet these criteria:

- Carryout bags must be made from at least 40% post-consumer recycled content.
- Beginning January 1, 2028, recycled paper bags must contain at least 50% postconsumer recycled materials.
- An eight pound-rated or smaller paper carryout bag must be made from at least 20% post-consumer recycled content.
- The bag must be printed with the name of the manufacturer, the country where the bag was manufactured and the minimum percentage of postconsumer content.
- The paper carryout bag must be recyclable (no plastic, metal or cloth components).

## Pre-Check Out Bag Requirements

**Stores may only provide customers with pre-checkout bags that are recycled paper bags or compostable bags.** Pre-checkout bags are bags provided to a customer before checkout to contain unwrapped items like bulk foods or loose produce or protect a purchased item from damage or contamination.



### Compostable pre-checkout bags must meet the following requirements:

- Cannot have a chasing arrow resin code or recycling symbol
- Cannot be labeled with the terms "biodegradable," "degradable," or "decomposable"
- Must have a minimum 15-inch mouth width
- Must either be:
  - Green and labeled with the word "compostable" on one side in one-inch lettering
  - Labeled with the word "compostable" on both sides in either one-inch green lettering or within a one-inch green color band with contrasting lettering
- Be distinguishable from other non-compostable plastic bags and consistent with the Federal Trade Commission Green Guides
- Meet the ASTM D6400-19 standard specification, as verified by a recognized independent third-party, and is labeled with a certification logo
- Be eligible to be labeled "compostable" or "home compostable"



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