

County Council agrees to ban on plastic straws by 2022

Bill would take effect in May, allows restaurants one year to comply

[Source: Bethesda Beat]

BY ROSE HOROWITCH | DECEMBER 14, 2020 | 10:36 AM



The Montgomery County Council has passed a bill to phase out plastic straws in restaurants over the coming year.

PHOTO BY ROSE HOROWITCH

The Montgomery County Council has approved a bill phasing out the use of plastic straws at local restaurants.

The county's Department of Environmental Protection drafted the bill, which local environmental groups and some businesses supported. If County Executive Marc Elrich signs [the bill](#), it will go into effect in May 2021, and start a one-year clock for restaurants to phase out plastic straws.

The bill strengthens existing law: closing loopholes, making it more enforceable, and mandating that plastic straw alternatives meet a high environmental

standard. The county already prohibited single-use plastic, such as plastic foam; the new law zeroes in on straws.

It includes an exception for people with disabilities, requiring restaurants to keep a small supply of plastic straws for people with a medical need for them.

Additionally, food service businesses may provide a reusable, home compostable or marine degradable straw in a self-serve dispenser or with carryout, delivery or drive-through orders.

“The key message was that this may seem like something new, but this is actually something old,” DEP Director Adam Ortiz said. “We’re just trying to get people on board.”

Because straws are plastic, people might think they are recyclable, Ortiz said. Though there isn’t hard data about how many straws mistakenly enter the recycling center, he said they are often there.

Additionally, straws are often thrown to the side of the road, and end up in waterways and trash traps. Because they are small, they are particularly challenging to see and clean up, he said.

The county will phase in the bill. Starting May 1, 2021, the DEP will launch a yearlong education and outreach period for restaurants to phase out plastic straws. That will help restaurants get used to not automatically distributing straws, and help customers adjust to not automatically expecting them.

Under the bill, food service businesses must provide straws only upon request by a customer, and if a customer requests a straw, the provided straw must not be plastic.

There was a consensus on making straws available upon request, Ortiz said, but there was disagreement on a full ban. Some restaurants — including members of Our Last Straw, a coalition of businesses aiming to eliminate single-use plastic straws — were the biggest supporters and encouraged the DEP to draft the legislation, Ortiz said.

But the Restaurant Association of Maryland, the Montgomery County Chamber of Commerce, the Greater Bethesda Chamber of Commerce, the Gaithersburg-Germantown Chamber of Commerce and the Greater Silver Spring Chamber of Commerce opposed the ban.

“The Chamber opposed the bill at this time because we are in the middle of a global pandemic and those industries that would be most impacted by this legislation — restaurants — were one of the hardest hit and will be one of the last industries to get back to normal,” Tricia Swanson, vice president of government relations for the Montgomery County Chamber of Commerce, wrote in an email to Bethesda Beat on Monday morning.

The Chamber supports sustainability efforts, Swanson noted — it worked with the DEP and Montgomery College to create the Green Business Certification Program — but the timing was off for this bill.

The Chamber asked that the bill be delayed until after the pandemic ends “to allow restaurants to get back on their feet,” Swanson wrote.

Dan Simons, a co-owner of the Founding Farmers restaurants and Our Last Straw’s founder, said it is a terrible time to burden restaurants already facing economic challenges due to the pandemic.

But he found he can save money by using fewer straws overall and by using straws made of paper when necessary.

There are numerous new innovations for straw materials, including bamboo, silicone, paper, and stainless steel. Only giving straws on demand reduces straw use by 50 to 70 percent, or more, Simons said.

“One of the challenges was just to make sure that everybody understood that restaurants can still handle good regulation that is sensible,” he said.

In implementing the bill, the county will first focus on education. The DEP will work with the county and local chambers of commerce. The Our Last Straw coalition will coach restaurants and offer guidance on using plastic alternatives.

Specifically, the coalition will help restaurants financially adjust to the legislation and find more environmentally friendly products through the supply chain. It will introduce restaurants to vendors and distributors with the best prices for nonplastic straws, Simons said.

Additionally, Our Last Straw will provide stickers and signs for restaurants to put in their windows to tell people about the bill.

Some alternatives to plastic straws — which include paper straws or reusable metal options — are comparably priced and cost competitive to plastic straws, according to Ortiz’s testimony before the council.

“Paper straws have actually come a pretty long way,” Ortiz told Bethesda Beat. “There’s some that can sit in a cocktail for 30 minutes or more and still function perfectly.”

The bill also bans straws derived from plant-based plastics. Those straws only break down into compost in an industrial composting facility.

“At the end of the day, they’re basically a plastic product,” Ortiz said. “It can be litter in the environment for a long, long time.”

Our Last Straw pushed for the bill to ban all straw materials that can't be composted at home or degrade in oceans and other waterways.

Simons said legislation like this bill sends a message to manufacturers and investors that they should produce more alternatives to single-use plastic products.

For restaurants to transition away from plastic, there needs to be reusable options that function well and are inexpensive, Simons said. He hopes that Our Last Straw soon can focus instead on the last plastic fork, plastic to-go container or water bottle.

"I think it's a great example that even while my industry and all of society is battling this raging COVID pandemic, we can still be mindful of the effect that we're having on the planet," Simons said. "The more momentum we have to push against single-use plastics, the more new products and innovation we'll get that allow us to stop using single-use plastics."