



May 15th, 2020

Governor Gavin Newsom
 1303 10th St, Suite 1173
 Sacramento, CA 95814

RE: Executive Order N-54-20 on Actions in Response to COVID-19

Dear Governor Newsom,

We, the undersigned organizations, write to you in regards to your recent Executive Order N-54-20, issued on April 23, 2020 on actions in response to COVID-19. We are disappointed by your decision to suspend the State of California’s plastic bag ban and bottle redemption program. There is no doubt that the safety of frontline workers, protection of vulnerable community members, and efforts to flatten the curve of COVID-19 are the first priority and we fully support such priorities that actually protect public health. However, this order lacks any evidentiary basis for rolling back a sound policy that addresses both the climate and plastic pollution crises. While this suspension is only temporary, we fear it could have long-lasting impacts on our local communities and our environment. **We strongly urge you to immediately reinstate California’s bag ban and bottle redemption**

program after the 60-day suspension and increase fact-based communication with the public regarding the safety of reusable items.

We do not have to choose between worker safety and the sustainability of our communities - this is a false dichotomy. Reusable items like grocery bags are safe and sustainable, and are no more likely to carry the virus than their disposable counterparts. This Executive Order will not only propagate misinformation that reusables are unsafe, but will also lead to increased pollution from the production and disposal of single-use plastic bags that disproportionately impacts vulnerable frontline communities, without protecting workers' health in any way.

COVID-19 is not known to spread through surface contact. According to the US Centers for Disease Control and Prevention (CDC), the COVID-19 virus “is thought to spread mainly from person-to-person...(between people who are in close contact with one another, through respiratory droplets produced when an infected person coughs, sneezes or talks)”¹ Guidance from the CDC points out that transmission of the virus from surface contact has not been documented.² Aerosolized droplets are the only known method of COVID-19 transmission to date. Recommendations for disinfection of surfaces made through an abundance of caution, not based on evidence that surfaces are a known source of viral transmission.

Even if surface contact were a known vector of transfer for COVID-19, disposable and reusable products would be equally problematic. The plastics industry often cites a debunked study funded by the American Chemistry Council that found reusable bags can carry bacteria to support claims that reusable grocery bags can be a vector of transfer for disease³. The study, however, did not demonstrate any health-related threats posed by the levels of bacteria in the reusable bags. The bacteria detected in this study are not at all relevant to coronavirus transmission and the authors suggested that reusable bags, like other surfaces, be disinfected and washed, not replaced with disposable alternatives. **The most effective methods for protecting front-line workers are increased access to personal protective equipment, precautionary sanitation, practicing physical distancing, and issuing guidance for how customers can bring their own bags for groceries without putting workers at risk.** Recently released OSHA guidelines do just that. They provide recommendations for how to safely use reusable grocery bags to prevent any contact and/or spread of illness.⁴ The most effective way to protect public health is widely sharing this science-based information, not encouraging the use of harmful disposable products.

¹ *How COVID-19 Spreads*, Centers for Disease Control and Prevention <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads.html>

² *Cleaning and Disinfecting for Household*, Centers for Disease Control and Prevention <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cleaning-disinfection.html>

³ A Point-Source Norovirus Outbreak Caused by Exposure to Fomites, Kimberly K. Repp & William E. Keene, *The Journal of Infectious Diseases*, Volume 205, Issue 11, 1 June 2012, Pages 1639–1641, <https://doi.org/10.1093/infdis/jis250>

Published: 08 May 2012

⁴ *Safety and Health Guidance: COVID-19 Infection Prevention in Grocery Stores*, California Department of Industrial Relations Division of Occupational Safety & Health Publications Unit <http://www.dir.ca.gov/COVID19GROC>

Additionally, in their recommendations for reopening, cleaning, disinfecting, and worker safety, **neither the CDC⁵ nor the U.S. Food and Drug Administration (FDA)⁶ recommend using disposable items in place of reusables, but instead offer guidance on how to protect workers and keep work areas clean and safe.** The California Department of Industrial Relations Division of Occupational Safety & Health (Cal OSHA) also offer guidance on the use of reusable bags while keeping grocery store workers safe.⁷ Input from medical professionals indicates that the use of disposable products creates a false sense of security and that proper disinfection and physical distancing are far more effective methods of slowing transmission and protecting public health. Suspending our bag ban and bottle redemption program is not an action in line with these guidelines and only encourages the use of pollution-causing disposable plastic products. Instead, these documents and guiding information should be made available to the communities and employers who need to follow them.

Our beach cleanup data shows marked reduction in plastic bags at beaches and rivers since the bag ban went into effect in 2014⁸. Plastic bags are not only a danger to our environment and wildlife, but also wreak havoc on recycling systems, clogging machinery and endangering facility workers who must halt conveyor belts and remove plastic bags by hand. **We do not want to go back to a time when these bags were littered throughout our communities, congesting our recycling systems, and endangering our waste haulers.** Not only are plastic bags a headache, but our state's waste and recycling programs were already stressed before the COVID-19 pandemic. Suspension of California's plastic bag ban and bottle redemption program will only increase stress on our state's recycling system. In the past ten years, California has grown no closer to meeting our 2020 target recycling rate of 75% and, following China's National Sword Policy and the onset of the COVID-19 pandemic, our recycling systems will only continue to struggle. Finally, California's bottle redemption program provides invaluable income to countless residents statewide, and suspension of this program puts at-risk community members in even more danger. We are in the midst of a waste crisis and, unless we take rapid action to slow our use of disposable plastics, that crisis will only continue to worsen.

Executive Order N-54-20 not only puts our environment and recycling systems at risk, it puts California's most vulnerable communities at risk. Plastic is a petroleum product. It is disturbing to see the oil industry, which profits from manufacturing disposable plastics, taking advantage of this terrible pandemic to make even more money at our expense. Fossil fuel production to make plastics not only contributes to climate change, but burdens vulnerable communities who bear the brunt of the pollution and health impacts from oil extraction, transportation, and refining which contribute to underlying health issues that can make them more susceptible to COVID-19. Environmental justice communities, including communities of color and frontline communities, who already bear the burden of pollution from fossil fuel product production, are also the most susceptible to negative

⁵ *Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes*, Centers for Disease Control and Prevention <https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html>

⁶ *Best Practices for Retail Food Stores, Restaurants, and Food Pick-Up/Delivery Services During the COVID-19 Pandemic*, U.S. Food and Drug Administration <https://www.fda.gov/food/food-safety-during-emergencies/best-practices-retail-food-stores-restaurants-and-food-pick-updelivery-services-during-covid-19#operations>

⁷ *Safety and Health Guidance COVID-19 Infection Prevention in Grocery Stores* California Department of Industrial Relations Division of Occupational Safety & Health, May 5 2020 <https://www.dir.ca.gov/dosh/Coronavirus/COVID-19-Infection-Prevention-in-Grocery-Stores.pdf>

⁸ *Heal the Bay's Marine Debris Database* <http://sites.healthebay.org/MarineDebris/MDDDB/>

impacts from the COVID-19 pandemic.⁹ Additionally, during the pandemic, the fossil fuel industry has spent an enormous amount of time and money lobbying our decision makers for relief money, expecting those same taxpayers they are poisoning every day to bail them out of economic hardship.¹⁰ Actions to suspend plastic pollution reduction policies only benefit the pockets of big corporations while negatively affecting environmental justice communities on multiple levels and increasing already disproportionate impacts.

Governor Newsom, we urge you to immediately reinstate California's bag ban and bottle redemption programs following the 60-day suspension. We also urge you to spend our state's resources on supporting our healthcare system, protecting essential employees, disseminating fact-based information and guidance, and providing assistance to vulnerable communities instead of suspending waste reduction and pollution prevention policies. Executive Order N-54-20 is a shortsighted response that encourages disposables, and perpetuates a throwaway culture that takes us further away from being a healthy and sustainable community. Thank you for your time and consideration.

Sincerely,

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⁹ *Implications of COVID-19 on At-Risk Workers by Neighborhood in Los Angeles*, Paul Ong, PhD, Chandara Pech, MURP, Silvia Gonzalez, PhD Candidate, and Carla Vasquez-Noriega. UCLA. 4/1/2020 <https://latino.ucla.edu/wp-content/uploads/2020/04/LPPI-Implications-from-COVID-19-res2.pdf>

¹⁰ The COVID-19 Crisis and Climate Lobbying, Influence Map, April 20, 2020 <https://influencemap.org/report/The-Coronavirus-Crisis-and-Climate-Lobbying-23249d39450ff19b441090a6a50174eb>

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