



City of Toronto: Plastic Shopping Bag By-Law Merchants Required to Charge Fee as of June 1, 2009

Effective June 1, 2009, new policies in the City of Toronto will impact all retail merchants, including restaurateurs, with regard to the use of plastic retail shopping bags.

As of June 1, 2009:

- Retail merchants, including restaurateurs, are required to charge a minimum of five cents for each plastic retail shopping bag requested by the customer to carry out their purchases, or if plastic bags are not offered merchants must provide a free alternative (paper bag, cardboard box, etc.)
- Prominent signs must be posted at the point of sale to let customers know about the City's requirement to charge customers at the point-of-sale for each plastic retail shopping bag requested.
- Retailers must accept the use of any reusable container (cloth bags, bins, boxes, etc.) brought in by customers to transport their purchases.
- The plastic bag charge, detailing the number of bags used and the total amount charged must be recorded on the receipt, if one is issued.
- Canada Revenue Agency and Ontario's Ministry of Finance advise that the five cent fee is taxable.
- Restaurateurs are entitled to keep the money received from the plastic bag charge. The money is not to be remitted to the City of Toronto.
- Staff assigned to the City's Municipal Licensing and Standards division will be responsible for the education and enforcement of this bylaw.

With regard to the signage requirements, the City of Toronto has developed a postcard, sticker and poster for merchants' use. These are available to be downloaded free of charge on the City's website. Alternately, merchants can pick up City-produced signs at civic centres, free of charge, as of May 15. The City will also be mailing information and signage materials to all retail merchants shortly. Alternately, merchants may make their own signs, but must display at least 1 point-of-sale sign indicating both the five cent fee per plastic bags as well as a reference to the City By-Law ("The City of Toronto Municipal Code Chapter 604, Packaging")

It is important to note also, that effective June 1, 2010 retail merchants, including restaurateurs, will be prohibited from offering or providing to customers plastic retail shopping bags that are incompatible with Toronto's recycling program (including biodegradable or compostable plastic bags, plastic bags with metal grommets, rope or hard plastic handles etc.). The City will provide further direction to retail merchants in the near future.

On your behalf, the ORHMA has raised concerns with the City of Toronto regarding numerous policies proposed concerning food packaging. The ORHMA has worked with the City of Toronto to ensure that the policies related to plastic bags are not cumbersome for restaurateurs, and to provide clarity for consumers that the five cent fee is a requirement of the City. We continue to seek clarification about signage at point of sale requirements for full-service operators where customers do not pay at a traditional cash register or standard retail point of sale. The ORHMA

continues to work with the City of Toronto to raise strong concerns and suggested remedies to ensure the best policies for the foodservice industry.

For more information, including a copy of the municipal by-law and downloadable signage, please visit <http://www.toronto.ca/5centbag>