

Plastic Shopping Bag Ban (PSBB) FAQ

Q: Does the PSBB law cover Trash Bags?

A: No. The ban covers plastic shopping bags distributed at wholesale and retail businesses. Trash bags used for yard work or household wastes are not covered under this ban.

Q: Do I need to throw out all my plastic shopping bags at home?

A: No. The PSBB only prohibits business from distributing plastic shopping bags to customers/consumers.

Q: What types of businesses are covered under the PSBB?

A: All wholesale and retail establishments are covered under the PSBB. These include places where goods, food, food products, wares or products are offered to the public for sale or lease including markets, grocery, and retail merchandise stores. It also includes anyplace where food is prepared, mixed, cooked, baked, smoked, preserved, bottled, packaged, handled, stored, manufactured, and sold or offered for sale including restaurants, dining areas, fast food businesses, road-side food sales and farmers markets.

Q: Does the PSBB law apply to farmers who sell their produce on the side of the road?

A: Yes. The ban applies to all wholesale and retail establishments located or doing business in American Samoa including road-side food sales and farmers markets.

Q: Where can I buy biodegradable/compostable plastic bags (bags that comply with the law)?

A: AS-EPA cannot recommend or endorse a specific product, supplier or manufacture for biodegradable/compostable (plastic like) bags or any other product. It is AS-EPA's policy to provide the standards required under the laws and regulations set forth by the Fono. Under the current PSBB, the only plastic bags allowable are those that meet ASTM International Standard D6400 and those made from non-petroleum-based biodegradable plastic such as cellulose based or other substances that microorganisms can break down into carbon dioxide, water, or compost (humus) with no generated products (final or intermediate) being detrimental to public health. It is likely that your current supplier of shopping bags is familiar with the ASTM D6400 standard and/or cellulose based non-petroleum bags. They would be a good first contact point for meeting your purchasing needs under the PSBB.

Q: Can I import my own biodegradable/compostable plastic bags?

A: Yes. However, all biodegradable/compostable plastic bags must be approved by AS-EPA. Therefore, AS-EPA encourages all businesses to submit the specifications from the manufacture or supplier prior to purchasing any biodegradable/compostable plastic bags to avoid unnecessary cost or delay.

Q: Can storeowners continue to distribute the plastic bag inventory they currently have after February 23?

A: No. As of February 23, 2011, no wholesale or retail establishment located or doing business in American Samoa shall directly or indirectly give, provide, or make available plastic shopping bags to customers or consumers. However, consumers can continue to use their own plastic bags at home or when they go to stores covered under the PSBB.

Q: Are there going to be any citations involved with the enforcement of the PSBB Law?

A: Yes. Citations will be issued, as will Stop Orders. Seizures and forfeiture of non-compliant plastic bags are also authorized under the PSBB. Penalties range from minimum of \$50 for an initial infraction up to \$1000 for multiple infractions.

Q: Will AS-EPA supply biodegradable/compostable plastic bags for businesses to purchase?

A: No. AS-EPA is a regulatory agency charged with the responsible for the implementation, administration and enforcement of the PSBB. Wholesale and retail establishments are responsible to find a vendor to provide them with conforming bags.

Q: Do stores have to provide biodegradable/compostable plastic bags to customers or consumers?

A: No. There are many other choices available that AS-EPA endorses such as paper bags, reusable cloth bags, and traditional woven baskets.