



**House Bill 242 – Written Testimony
Kristin Mullins, President/CEO
Ohio Grocers Association – May 20, 2020**

Chairman Manning, Vice Chair Brenner, Ranking Member Maharath, and members of the Senate Local Government, Public Safety and Veterans Affairs Committee, thank you for the opportunity to offer written testimony in support of House Bill 242, legislation that would establish commerce uniformity pertaining to the regulation of auxiliary containers in Ohio.

As President of the Ohio Grocers Association, I proudly represent over 400 food retail, wholesale and supply companies across the Buckeye state. My members range from the largest chain stores to the smallest “mom and pop” independent grocers as well as some convenience stores and of course the food wholesalers who supply these stores.

Over the last year, we’ve seen a national influx of city and local ordinances pertaining to types of auxiliary containers such as plastic bag fees, taxes and even outright bans. Several municipalities in Ohio have adopted or introduced the concept of a fee and/or ban on auxiliary containers. Plastic bag fees/taxes and outright bans can pose a significant burden for grocery and retail food establishments. There are numerous potential hardships associated with instituting a bag fee, particularly at the local level, that negatively impact our industry.

Many OGA members operate across multiple municipalities. Varying rules and regulations relating to fees across a number of jurisdictions would be a logistical nightmare and prove difficult to manage. Our members have also noted that these regulations create customer and employee confusion. Employees need to be adequately trained at the checkout in order to promptly adhere to the regulations. Furthermore, without proper education, consumers often associate these fees with the store itself and will simply choose to shop elsewhere. Lastly, the reporting and remittance requirements associated with a plastic bag fee would create devastating drawbacks to our small business’ ability to effectively operate their stores – and in the most challenged of demographics - could even result in store closures.

As you know, our members have been serving on the front lines of this current crisis, remaining open to provide essential services to thousands of customers needing to feed themselves and their families. The costs and challenges of additional operating requirements for essential businesses to function in this uncertain environment are numerous, and we support additional efforts like HB 242 to help keep the cost and complexity of operations in check as we work towards a more stable economy.

Due to safety concerns, many stores have banned the use of multi-use containers or have stopped customers from bringing their own bags into the store at this time. Giving the state sole authority in matters related to laws on auxiliary containers makes sense as policies are changing and best practices are re-evaluated, and this will provide our members with the much-needed consistency they must have to safely and efficiently operate their stores during this pandemic and beyond.

We commend the leadership of Representative Lang and Representative Jones for their sponsorship of this important legislation and urge your favorable consideration of House Bill 242.

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