

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AFFAIRS  
AND BUSINESS LICENSING

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December 7, 2021  
Start: 9:03 A.M.  
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HELD AT: Remote Hearing - Virtual Room 4

B E F O R E: Margaret S. Chin  
Acting Chair

Diana Ayala  
Chairperson

COUNCIL MEMBERS:

Justin L. Brannan  
Margaret S. Chin  
Ben Kallos  
Peter A. Koo  
Karen Koslowitz  
Brad S. Lander  
Carlos Menchaca  
Kalman Yeger  
James G. Van Bramer

## A P P E A R A N C E S (CONTINUED)

Gregory Anderson  
Department of Sanitation Deputy Commissioner

Steven Ettannani  
Executive Director of External Affairs

Matt Gove  
Surfrider Foundation

Carlos Castell Croke  
New York League of Conservation Voters

Kathy Nizzari  
Manhattan Solid Waste Advisory Board

Eric Goldstein  
Natural Resource Defense Council

Oliver Wright  
Brooklyn Solid Waste Advisory Board

Karl Palmquist  
Vice Chair Sierra Club of NYC Group

Cassia Patel  
Oceanic Global

Brian Langloss  
Oceana Field Representative

Raine Manley Robertson  
Reusable NYC Coalition

## A P P E A R A N C E S (CONTINUED)

Alexis Goldsmith  
Beyond Plastics

Caroline Soussloff  
Environmental Justice Program at NYLPI

Diana Blackwell  
Frederick E. Samuel Development at NYCHA

Jane Seldon  
350 NYC

Debby Lee Cohen  
Cafeteria Culture

Sandra Noonan  
Just Salad

Lauren Sweeney  
Deliver Zero

Madeline MacGillivray-Wallace  
5 Gyres

Judith Weis

Anna Sax [sp?]

Patrick Houston

Anita Chan  
Earth Matter New York



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2 SERGEANT AT ARMS: Good morning and  
3 welcome to today's Committee-- hearing of the  
4 Committee of Consumer Affairs and Business Licensing.  
5 At this time, can all panelists please turn on your  
6 cameras? Silence all electronic devices. If anybody  
7 would like to send in testimony, you can send it to  
8 us at [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Again, that is  
9 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Madam Chair, we are ready  
10 to start.

11 COUNCIL MEMBER CHIN: Good morning. I'm  
12 Council Member Margaret Chin. I am sitting in today  
13 for the Committee Chair, Council Member Diana Ayala.  
14 The Committee on Consumer Affairs and Building  
15 Licensing will hold a hearing today to consider  
16 Proposed Introduction Bill 1775B in relation to  
17 eating utensils, and the Committee has invited the  
18 Department of Consumer Affairs and Worker Protection,  
19 DCWP, businesses and trade association, and  
20 environmental groups, and other interested  
21 stakeholders to testify at today's hearing. First,  
22 I'd like to introduce Council Member Van Bramer who  
23 is the sponsor of this legislation to give some  
24 opening remarks. Thank you.

25

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2 COUNCIL MEMBER VAN BRAMER: Thank you  
3 very much, Council Member Chin, for your pinch-  
4 hitting duties today, and I want to thank Chair  
5 Ayala, Speaker Johnson, Jason Goldman, and the whole  
6 team, as well as the majority members of this Council  
7 who have co-sponsored Intro. 1775B along with myself,  
8 sometimes known as the Skip the Stuff Bill [sic]. I  
9 want to start by saying that this bill was drafted in  
10 close consultation and collaboration with the  
11 Reusable NYC Coalition which includes the National  
12 Resources Defense Council, Surf Riders, Oceania, the  
13 New York League of Conservation Voters, and very  
14 importantly with the Hospitality Alliance, the  
15 organization that represents restaurants and so many  
16 in the hospitality industry because we want a bill  
17 that is sustainable, but that also saves money for  
18 our small businesses and food establishments, and we  
19 believe that this bill accomplishes both of these  
20 very important goals. Skip the Stuff, not unlike a  
21 law recently passed in Los Angeles, would very simply  
22 take out delivery services from providing plastic  
23 utensils unless they're requested. If folks want  
24 them, they certainly can get them, but the default  
25 won't be to throw in tons of plastic forks and knives

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2 and sporks unless they are asked for. this  
3 relatively minor but common sense changes to the way  
4 we order food will have no discernable impact on the  
5 consumer, but will save restaurants money in  
6 unnecessary costs which of course is more important  
7 than ever with the COVID-19 losses that the industry  
8 has felt very, very powerfully. Restaurants in the US  
9 spend about 19 billion dollars per year on take-out  
10 food ware, plastic utensils and such while an  
11 estimated 100 million plastic utensils are used and  
12 discarded every day in this country. New York City  
13 alone spends at least 42 million per year on waste  
14 management fees just for single-use disposable food  
15 ware. COVID-19 has more than doubled the use of food  
16 delivery apps and takeout orders placed in New York  
17 City over the last year. That's a practice that is  
18 probably going to continue. I myself order out an  
19 awful lot from my local restaurants here in Queens.  
20 The focus of this legislation is to help business and  
21 to create a new normal where we don't rely on single-  
22 use plastics with every order. And it is needless to  
23 say very good for the environment. In California  
24 where this law, similar law, has already passed, it's  
25 estimated that small restaurants are saving over

1 COMMITTEE ON CONSUMER AFFAIRS & BUSINESS LICENSING 8  
2 3,000 dollars a year in not having to provide all of  
3 these plastic utensils unless requested. Again, if  
4 they're requested, you will certainly get your  
5 plastic utensils. More than 90 percent of plastics  
6 end up in landfills and incinerators, and this is not  
7 good for the environment. Disposable utensils,  
8 throw-away plastics contribute to the climate crisis,  
9 but they also clog our sewers, and as we've seen here  
10 with recent super storms in Queens and other places,  
11 flooding can often be deadly. These products are  
12 also manufactured from fossil fuels, the primary  
13 source of global warming emissions, and to make  
14 matters worse, the momentum building to phase out the  
15 use of petroleum as a motor vehicle fuel, the oil and  
16 gas industry is counting on continued growth in  
17 throw-away plastics for future profits. We are very,  
18 very proud to bring this bill to the hearing that  
19 we're at today. I want to thank all the advocates,  
20 all of the organizations that are present. I see  
21 many of them on my Zoom screen here, and once again,  
22 thank Chair Ayala, our sitting Chair today, Council  
23 Member Chin. Again, the majority of Council Members  
24 in this Council who have signed on as co-sponsors,  
25 and Speaker Johnson, Jason Goldman, and all the folks



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2 who have worked on the legislation including on my  
3 team, my Legislative Director Jack [inaudible], Chief  
4 of Staff Matt Wallace [sp?], Legislative Counsel,  
5 Nicole Abine [sp?], Stephanie Jones who has been  
6 working closely with the advocates to make this bill  
7 a reality, and everybody here today. Look forward to  
8 the testimony from the Administration and the  
9 advocates, and look forward to passing Skip the Stuff  
10 once and for all. Thank you very much, Madam Chair.

11 COUNCIL MEMBER CHIN: Thank you, Council  
12 Member Van Bramer. I'm also a proud co-sponsor.

13 COUNCIL MEMBER VAN BRAMER: Thank you.

14 COUNCIL MEMBER CHIN: So we'll definitely  
15 help move this forward. We also have been joined by  
16 Council Member Yeger, Council Member Brannan, and  
17 Council Member Koo. I see that Council Member Yeger  
18 has his hand up. Do you want to make a statement?

19 COUNCIL MEMBER YEGER: Yes, thank you,  
20 very briefly. I applaud Councilman Van Bramer for  
21 this bill, the intent which is to help the  
22 environment and I appreciate it. As I've spoken  
23 frequently in this Council when we pass bills like  
24 this, you know, the idea that we're doing something  
25 to help the environment or to help the City with a

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2 punishing arm of a department that sends out its  
3 ticket warriors relentlessly, weaponizing our  
4 statutes for purposes of raising revenue for the City  
5 is problematic in many ways. This bill in particular  
6 even though the goals are very good, the intent is  
7 very good, the clarity of what the purpose is very  
8 good, but it provides for any person who violates the  
9 provision of this section will-- in the first  
10 instance, for the first violation receives a hundred  
11 dollar penalty. The In the first instance, for the  
12 first violation, receive a hundred dollar penalty.  
13 The second time a 200 dollar penalty. Third, a three  
14 hundred dollar penalty and so on. And it does have a  
15 small section that-- a warning would be issue for the  
16 first violation, but it doesn't delete the provision  
17 that it would have a fine of a hundred dollars for  
18 the first violation. So my only objection would be  
19 that if we-- when we pass new laws that businesses  
20 don't know about, and for the first time they're--  
21 we're asking them to do something different than  
22 they've ever done before, and then the Department  
23 goes out with the summons book for purposes of  
24 enforcing these laws that we have passed with good  
25 intents for sure. The businesses end up with fines,

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2 and then we get the calls about them. How do I know?  
3 That's what's happening right now. About a year ago  
4 we passed a bill-- it came out of this committee-- to  
5 ban businesses from not accepting cash. The intent  
6 of that was to make sure that all businesses are  
7 available to all New Yorkers. This is a kind of a  
8 bill that most businesses didn't know that they were  
9 subject to, and for the last several weeks, for the  
10 last several months we've been hearing about the  
11 Department running around the City rampantly throwing  
12 summonses at people. So, my suggestion, and I would  
13 urge my colleagues to take a quick second, amend the  
14 bill just to make sure that the first time a  
15 violation is issued, it's simply a warning. This is  
16 the new rule. Here's what you got to do. Don't do  
17 it again. Give businesses a chance to comply before  
18 we start slapping them with the summonses as the  
19 Department is here to deny that they will do, but we  
20 know that they do it anyway. Thank you very much,  
21 Madam Chair, and welcome to your acting role today.  
22 It's good to see you.

23 COUNCIL MEMBER CHIN: Thank you, Council  
24 Member Yeger, for your comment. Now I'm going to  
25

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2 turn it over to Committee Council to administer the  
3 oath. Thank you.

4 COMMITTEE COUNSEL: Good morning. My  
5 name is Leah Skrzypiec. I'm Senior Policy Analyst on  
6 the Committee on Consumer Affairs and Business  
7 Licensing, and I will actually be moderating this  
8 hearing today. So before we begin, I'd like to  
9 remind everybody that you'll be on mute until you are  
10 called on to testify, at which point you will be  
11 asked to accept the unmute by the host. During the  
12 hearing I'll be calling on panelists to testify.  
13 Please listen for your name to be called, as I will  
14 periodically be announcing who the next panelist will  
15 be. At this hearing, we will first be inviting  
16 testimony of the Department of Consumer and Worker  
17 Protection followed by testimony from members of  
18 public. During the hearing, if Council Members would  
19 like to ask a question of the Administration or a  
20 specific panelist, please use the Zoom raise hand  
21 function and I will call on you in order. We will be  
22 limiting Council Member questions to five minutes  
23 which includes the time it takes to answer your  
24 question. For all panelists, the time limit on your  
25 testimony will be two minutes. When called to

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2 testify, please state your name and organization you

3 represent, if any. So we will now call

4 representatives from the Administration to testify.

5 We will be hearing testimony from Gregory Anderson,

6 Deputy Commissioner of Policy and External Affairs at

7 the Department of Sanitation, and Steven Etannani,

8 Executive Director of External Affairs, and DCWP will

9 be available for questions. AT this time I will

10 administer the affirmation. Administration

11 panelists, please place-- raise your right hand and I

12 will call on each of you individually to respond.

13 Panelists, do you affirm to tell truth, the whole

14 truth and nothing but the truth before this committee

15 and respond honestly to Council Member questions?

16 Deputy Commissioner Anderson?

17 DEPUTY COMMISSIONER ANDERSON: I do.

18 COMMITTEE COUNSEL: Executive Director

19 Ettannani?

20 EXECUTIVE DIRECTOR ETTANNANI: I do.

21 COMMITTEE COUNSEL: At this time I'd like

22 to invite Deputy Commissioner Anderson to present his

23 testimony.

24 DEPUTY COMMISSIONER ANDERSON: Thank you.

25 Good morning, Acting Chair Chin, members of the City

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2 Council Committee on Consumer Affairs and Business  
3 Licensing. I'm Gregory Anderson, Deputy Commissioner  
4 for Policy and External Affairs at the New York City  
5 Department of Sanitation. I'm joined today by Steven  
6 Ettannani, Executive Director for External Affairs at  
7 the Department of Consumer Protection. Thank you for  
8 the opportunity to provide testimony on Intro. 1775,  
9 also known as the Skip the Stuff Bill. Before I get  
10 into my testimony, I want to thank Council Member and  
11 Acting Chair Margaret Chin for her leadership on many  
12 zero waste issues over the last several years. She  
13 has been a partner, a leader, an advocate on topics  
14 like composting, single-use plastics, and reducing  
15 waste. And I also want to thank Council Member Van  
16 Bramer for his sponsorship of this important  
17 legislation. New York City has long been a leader in  
18 the fight to reduce the use of some of these  
19 products, especially plastics. In the last eight  
20 years, the City has repeatedly taken bold action to  
21 take on these products, many of which are difficult  
22 to recycle, often end up in landfills and are  
23 manufactured using harmful fossil fuels. These  
24 efforts are an important part of our efforts to fight  
25 climate change, achieve carbon neutrality, and send

2 zero waste to landfills. In 2016, New York City  
3 passed a law implementing a five cent fee on all  
4 carryout bags, including the nearly 10 billion  
5 plastic carryout bags that were used in the City  
6 every year. While that law was subsequently preempted  
7 by the State Legislature, we are proud to have worked  
8 with the state to enact and implement a statewide ban  
9 on plastic bags and a local fee on paper bags. These  
10 policies encourage the use of reusable bags and  
11 collect vital fee revenue to support the manufacture  
12 and distribution of reusable bags in New York. The  
13 State Department of Environmental Conservation began  
14 enforcing this law October 2020. In 2017, DSNY  
15 banned foam food service products and packing peanuts  
16 following repeated attempts by the plastics industry  
17 and challenged the ban. That ban occurred as a  
18 result of a detailed analysis of the recyclability of  
19 these products which determined that they cannot be  
20 recycled in an economical and sustainable manner.  
21 The ban on foam food service products took effect on  
22 January 1<sup>st</sup>, 2019. In April 2019, Mayor de Blasio  
23 signed Executive Order 42 to eliminate the use of  
24 city funds for the unnecessary purchase of single-use  
25 plastic food ware, including but not limited to

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2 forks, spoons, knives, and straws. Pursuant to this  
3 Executive Order all city agencies as well as the  
4 Department of Education and Health + Hospitals were  
5 required to develop and implement a plan to eliminate  
6 the expenditure of city funds for direct purchase of  
7 unnecessary single-use plastic food ware. In favor  
8 of reusable, compostable, or recyclable alternatives  
9 as determined eligible by the City. And agencies  
10 were required to submit their plans to the Mayor's  
11 Office of Sustainability and the Mayor's Office of  
12 Contract Services. In just last month, Local Law 64  
13 of 2021 took effect, prohibiting food service  
14 establishments from providing plastic straw, except  
15 upon request. The law also bans all plastic stirrers  
16 and splash sticks and requires that food service  
17 establishments do provide plastic straws to customers  
18 that request them, an important protection for New  
19 Yorkers that rely on straws to eat and drink. DSNY  
20 has conducted outreach to more than 33,000 businesses  
21 to-date and is ending a multi-lingual mailer to  
22 69,000 businesses this month. We will continue to  
23 educate businesses and residents about this important  
24 law until the warning period expires on October 31<sup>st</sup>,  
25 2022. Now I'll turn to Intro 1775. This bill would



1 COMMITTEE ON CONSUMER AFFAIRS & BUSINESS LICENSING 17  
2 require food service establishments to only provide  
3 utensils upon request for takeout or delivery. These  
4 utensils include forks, spoons, knives, chopsticks,  
5 plates, bowls, cups, and lids. They would also  
6 require food services establishments to only provide  
7 condiment packets and napkins upon request as well.  
8 While these products make up a relatively small share  
9 of the city's waste stream, this is an important  
10 symbolic and principled step toward giving consumers  
11 more agency [sic] in reducing their own personal  
12 waste footprint. And as Council Member Van Bramer  
13 mentioned, I'm sure we've all ordered takeout or  
14 delivery and received unnecessary and unwanted  
15 plastic utensils, often wrapped themselves in film  
16 plastic and packages of condiments. This bill will  
17 give customers the choice of whether to receive these  
18 products with their takeout or delivery food order,  
19 eliminating unnecessary waste and potentially  
20 reducing costs for businesses. We look forward to  
21 discussing this bill further with the Council and  
22 working together to enact this important legislation.  
23 Reducing the use of single-use products is an  
24 important part of achieving our zero waste goals.  
25 This approach reduces our overall waste stream and

1 COMMITTEE ON CONSUMER AFFAIRS & BUSINESS LICENSING 18  
2 encourages New Yorkers to use and reuse more  
3 sustainable and durable alternatives. Thank you for  
4 the opportunity to testify today, and Steve and I now  
5 happy to answer your questions.

6 COMMITTEE COUNSEL: Thank you. So I now  
7 turn it over to Council Member questions.

8 COUNCIL MEMBER CHIN: We've also been  
9 joined by Council Member Kallos.

10 COMMITTEE COUNSEL: Thank you.

11 COUNCIL MEMBER CHIN: Council Member Van  
12 Bramer, do you want to start with some questions?

13 COUNCIL MEMBER VAN BRAMER: Yes, thank  
14 you very much, Chair Chin, and thank you for your  
15 testimony. I just wanted to clarify and ask Deputy  
16 Commissioner, like many other important pieces of  
17 legislation that we've passed along these lines,  
18 there is an education period in this bill and wanted  
19 to ask you to speak about that because Council Member  
20 Yeger raises a real issue, but in this bill is a six-  
21 month education period, and maybe you can talk a  
22 little bit about that.

23 DEPUTY COMMISSIONER ANDERSON: Sure,  
24 absolutely. Thank you for the question, Council  
25 Member. With every bill like this, every new

2 requirement that Sanitation-- and just for  
3 information. You know, we at Sanitation I think  
4 would be supportive of moving this language into the  
5 Sanitation Permissions of the Administrative Code to  
6 go along with the straw bill. There's a section in  
7 there on reducing single-use products. So that's  
8 why, you know, Sanitation is here testifying. DCWP  
9 is here as well to support. with every bill that's  
10 passed that imposes new requirements on businesses,  
11 the Sanitation Department tries to do as much  
12 outreach and education as we can, meeting businesses  
13 where they are in the language that's most  
14 appropriate for them. We're currently in the process  
15 of actually staffing up a pretty sizable commercial  
16 outreach team in support of our commercial waste  
17 zones program. So we'll have a number of staff on  
18 board starting in January who can actually go out and  
19 do this work in the streets, walking down commercial  
20 corridors all over the City, working with bids,  
21 working with other business groups. We also  
22 regularly do multi-lingual mailers, advertising in  
23 particularly community and ethnic media outlets in a  
24 variety of languages. So we really do try to get the  
25 word out there. We're also very supportive of

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2 warning periods for these laws. You know, we  
3 definitely want the first interaction a businesses  
4 has with these laws to either be an outreach employee  
5 trying to educate them or someone if they are doing  
6 enforcement providing a warning for any violation.

7 COUNCIL MEMBER VAN BRAMER: Thank you for  
8 clarifying that. I think it's safe to say that none  
9 of us want to do anything that would in any way hurt  
10 our small businesses. This is a bill that would  
11 ultimately save our local small restaurants' money,  
12 and it's one of the reasons why I believe in it so  
13 much. Obviously, the goals are incredibly important  
14 in terms of sustainability, and having a future world  
15 to leave to our children and grandchildren, but the--  
16 this law itself will actually save small businesses  
17 and small restaurants money, and so there is this  
18 education period. I'm also supportive of that minor  
19 adjustment that you just mentioned. Also, important  
20 here is that first violations are not met with a  
21 direct fine, right? That is something that is also  
22 in the legislation already, and I just wanted to make  
23 those two points and ask the agency to speak to that.  
24 I have great respect for my colleague Council Member

25

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2 Yeger, and just wanted to make sure those two points  
3 are clarified. Thank you very much, Madam Chair.

4 COUNCIL MEMBER CHIN: Thank you. I guess,  
5 Deputy Commissioner, can you just answer what Council  
6 Member Yeger raised? When you issue a warning, it's  
7 a-- you don't issue a fine at the same time, right?

8 DEPUTY COMMISSIONER ANDERSON: That's  
9 correct. So, for example, with the straws bill, we  
10 are issuing only warnings for the first 12 months of  
11 the bill being in place. We are doing that alongside  
12 the education and outreach to bring businesses up to  
13 speed on the requirements of that bill. So, you  
14 know, the warnings not only include-- if you were to  
15 receive a ticket, the ticket would be 100 dollars,  
16 but they also indicate how to get more information,  
17 how to comply with the law in plain language, in  
18 multiple languages on a warning. So that's, we  
19 think, an effective communication tool for those  
20 businesses.

21 COUNCIL MEMBER CHIN: And you are doing  
22 that in multi languages?

23 DEPUTY COMMISSIONER ANDERSON: That's  
24 correct.

25

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2 COUNCIL MEMBER CHIN: To the different  
3 community, yeah.

4 DEPUTY COMMISSIONER ANDERSON: Yeah, and  
5 the mailer going out to 69,000 food service  
6 establishments, and other businesses this month will  
7 include the whole range of languages that are  
8 required by law as well as other languages. We have  
9 all of our outreach materials will be available  
10 online in many different languages as well. So we  
11 want to really make that available to as many people  
12 as possible.

13 COUNCIL MEMBER CHIN: Now, on the-- you  
14 know, when we order food on the app, they do have a  
15 box that you can check if you don't want it, but  
16 often times that doesn't work, because I always check  
17 it and then here when the delivery come there's, you  
18 know, all the chopsticks and plastic forks and  
19 everything is still in there and it's very  
20 frustrating. So, are you planning on working with  
21 these delivery apps to maybe switch that around, that  
22 only have the box and request to check the box, and  
23 not say that you don't want?

24 DEPUTY COMMISSIONER ANDERSON: Yeah, so I  
25 think that's part of the intended purpose of this

2 legislation. I know that Department of Consumer and  
3 Worker Protection is working to stand up some of  
4 their other regulation of these third party meal  
5 delivery providers. Sorry, I don't have the exact  
6 language, but they certainly could speak to how this  
7 would apply to those businesses.

8 EXECUTIVE DIRECTOR ETTANNANI: Yeah,  
9 absolutely, and thanks for the question, Acting  
10 Chair. This bill already contemplates an opt-out  
11 provision. So, basically consumers would have to  
12 affirmatively say that they would like utensils to be  
13 included. The default will be that they will not be  
14 included in orders. I think that that's the  
15 appropriate policy approach, as the Deputy  
16 Commissioner alluded to. As you already know, you  
17 and your colleagues have passed legislation that  
18 certainly implicates DCWP in the third-party app  
19 industry, including standing up a licensing regime  
20 just next month. So we'll be working very closely  
21 with our colleagues in Sanitation to communicate any  
22 necessary regulations and education to the apps to  
23 ensure that they know their obligations under this  
24 introduction should it be adopted by the Council.

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2 COUNCIL MEMBER CHIN: Good, that would be  
3 really helpful. I think that-- I think a lot of the  
4 customers that do online and they check the box, we  
5 don't want it, and we still get it. So, I think it's  
6 really good to change that around. Council Member  
7 Bramer, do you have any other questions, or other  
8 Council Member? No, okay. So, Committee Counsel, I  
9 turn it back to you. Moderator, I turn it back to  
10 you.

11 COMMITTEE COUNSEL: Thank you, Acting  
12 Chair. So, seeing no other Council Members hands  
13 raised, we'll now turn it over to public testimony.  
14 So, the first witness called will be Matt Gove  
15 followed by Carlos Castell Croke, then Kathy Nizzari,  
16 and Eric Goldstein [sp?]. So I now call on Matt  
17 Gove. Please begin after Sergeants call time.

18 MATT GOVE: Can you hear me?

19 COMMITTEE COUNSEL: Yes.

20 SERGEANT AT ARMS: Clock is ready. You  
21 may proceed.

22 MATT GOVE: Alright, thank you. Thank  
23 you, Chair Ayala who's not here. Thank you, Council  
24 Member Chin for pinch-hitting and for being a sponsor  
25 of this bill. Thanks so much to Council Member Van



2 Bramer for really sponsoring and pushing this bill,

3 and the other Committee Members, good morning. My

4 name is Matt Gove. I work for Surfrider Foundation.

5 I'm Mid-Atlantic Policy Manager. Today I'm

6 representing our local chapter of volunteers, the New

7 York City Chapter of Surfrider Foundation.

8 Basically, Surfrider is people that love the beach, a

9 grassroots organization trying to keep beaches clean,

10 water clean, and keep them open for everyone. We are

11 a member of the Reusable NYC Coalition that's been

12 supporting this bill, and we at Surfrider support

13 1775B, Skip the Stuff. Our angle is a little bit

14 specific. We do a lot of beach clean-ups. In 2021 we

15 did 10 beach clean-ups in the Rockaways, and in just

16 those 10 beach clean-ups we picked up over 500

17 plastic straws, 350 plastic lids, 120 plastic

18 utensils, and surprising to me, almost 250 paper

19 napkins. So, as mentioned before, these are small

20 items. They're a small amount of the waste stream in

21 New York City, but they're a really impactful part of

22 the waste stream as they end up out of the waste

23 stream. They end up on the beach. They end up in

24 our streams, our rivers, in the ocean, everywhere,

25 and we all know what happens then. The plastic

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2 pollution crisis we're facing where we're finding  
3 plastic in our air, our water, our soil, and our  
4 bodies [sic] which is very scary. We support this  
5 bill because as mentioned it'll save restaurants  
6 money. We have a program called Ocean-friendly  
7 Restaurants--

8 SERGEANT AT ARMS: [interposing] Time  
9 expired.

10 MATT GOVE: excuse me?

11 SERGEANT AT ARMS: Time expired.

12 MATT GOVE: Oh, that was fast.

13 COUNCIL MEMBER CHIN: Just wrap up, Matt.

14 MATT GOVE: We'll just say, you know, the  
15 bill is simple. It flips the script so customers  
16 will be expecting none of the extras, and that's a  
17 great thing. It's going to be a win, win, win all  
18 around, and we thank you so much for the hearing, and  
19 please pass this bill. Thank you.

20 COUNCIL MEMBER CHIN: Thank you, Matt.

21 COMMITTEE COUNSEL: Thank you. I now call  
22 on Carlos Castell Croke followed by Kathy Nizzari,  
23 and Eric Goldstein.

24 SERGEANT AT ARMS: Clock is ready.

25

2 CARLOS CASTELL CROKE: Good morning. My  
3 name is Carlos Castell Croke and I am the Associate  
4 for New York City Programs at the New York League of  
5 Conservation Voters. I'd like to thank Council  
6 Member Chin, Van Bramer, and all the members of the  
7 Committee for the opportunity to testify today.  
8 Since their creation, single-use plastics have  
9 plagued the environment. Our climate is impacted by  
10 the carbon emissions, and their manufacturing and  
11 shipping, and the litter pollutes our streets, parks  
12 and beaches and waterways causing damage to wildlife.  
13 Intro 1775, also known as Skip the Stuff, is an  
14 incredibly important piece of legislation that if  
15 passed will help us protect and preserve our  
16 environment and public health, the simple and obvious  
17 shift in behavior. New York City, we spend an onerous  
18 amount of time and money dealing specifically with  
19 single-use items from takeout and delivery such as  
20 plastic utensils, napkins, and condiment packages.  
21 The Mayor's Office reported approximately 36 million  
22 pounds of single-use plastic food ware is collected  
23 from New York City's residential waste stream, and we  
24 single-handedly spent 42 million a year just to  
25 manage the waste from single-use cutlery. All this

2 processing and management just to send these items to  
3 landfills or incinerators. None of these items are  
4 recyclable, so they degrade into harmful micro-  
5 plastics that threaten the health of our wildlife and  
6 it can eventually into their food supply. Plastic  
7 production, shipping, and waste management are all  
8 fossil fuel intensive processes that pollute our air  
9 and contribute to climate change. Production and  
10 waste facilities are also often located in low-income  
11 communities of color where the residents are already  
12 overburdened by poor air quality and other major  
13 environmental injustice. Therefore, we urge the  
14 Council to pass Intro 1775 to reduce the nevus [sic]  
15 waste that occurs when takeout and delivery meals  
16 come with utensils, condiments, napkins, and other  
17 accessories that consumers don't want or need. This  
18 bill, if it were to become law, it would require the  
19 restaurants who only provide single-use accessories  
20 when unless customers specifically request them.  
21 Some delivery services are already doing this, but we  
22 need a permanent mandated fix to truly reduce waste  
23 and shift culture away from reliance on single-use  
24 items. Thank you.

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2 COMMITTEE COUNSEL: Thank you. Just a  
3 reminder that if Council Members have questions,  
4 please use the Zoom raise hand function. Next I will  
5 call on Kathy Nizzari, followed by Eric Goldstein,  
6 and then Oliver Wright. Kathy Nizzari?

7 SERGEANT AT ARMS: Clock is ready.

8 KATHY NIZZARI: Thank you. Good morning,  
9 Acting Chairwoman Chin and members of the Committee.  
10 I am Kathy Nizzari from Manhattan Solid Waste  
11 Advisory Board. [inaudible] support of Intro 1775  
12 known as Skip the Stuff. MSWAB, along with our  
13 coalition partners, Brooklyn Solid Waste Advisory  
14 Board [inaudible] Cafeteria Culture, Citizens  
15 Campaign for the Environment, Food and Water Watch,  
16 the Sleepy Bean Green [sic], Oceania Global,  
17 Surfrider Foundation, 350 NYC, and Upstream [sic]  
18 thank you for today's hearing, and urge you to  
19 support and call for passage of this vital bill that  
20 requires restaurants, food delivery apps, and online  
21 delivery platforms that provide [inaudible] utensils,  
22 [inaudible] and napkins only if requested by the  
23 customer. This legislation is simple, saves  
24 restaurants money and reduces unnecessary waste, most  
25 of which makes it way to landfills or incinerators.

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2 Every year, billions of utensils, napkins, condiment  
3 packets and other accessories are included in takeout  
4 and delivery orders, even if customers don't want or  
5 need them. Almost every New Yorker has that drawer  
6 in their kitchen that is chocked full of plastic  
7 utensils [inaudible]. According to an Overbrook  
8 [sic] Foundation Report, restaurants in New York  
9 spend about 20 billion dollars a year on such items  
10 that often get thrown out. Plastic pollution is  
11 inextricably linked the climate crisis and threat to  
12 human health. Much of Manhattan's waste is  
13 incinerated in [inaudible], significantly impacting  
14 public health and quality of life of New York's  
15 lower-income communities of color where the childhood  
16 asthma rate of 25 percent is three times higher than  
17 the national average. The public health and  
18 environmental justice [inaudible]. The solution is  
19 simple and elegant. Customers need to ask for these  
20 items only if they truly need them. Delivery and  
21 takeout food has become even more popular during the  
22 COVID pandemic. As New York City restaurants  
23 continue to struggle financially, this bill would  
24 allow them to save money on [inaudible] supplies.

25 SERGEANT AT ARMS: Time expired.

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2 KATHY NIZZARI: I'm just wrapping up.  
3 Passing Intro 1775 would be a win for consumers,  
4 restaurants, and the environment. Please show your  
5 support for this bill by passing it in your committee  
6 and urging the Speaker to schedule it for a floor  
7 vote before the current Council session ends. Thank  
8 you for your time, and thank you Councilman Van  
9 Bramer for this important bill.

10 COMMITTEE COUNSEL: Thank you. I'll now  
11 call on Eric Goldstein followed by Oliver Wright and  
12 then Karl Palmquist. Eric Goldstein?

13 ERIC GOLDSTEIN: Good morning, Chair.

14 SERGEANT AT ARMS: [inaudible] go ahead.

15 ERIC GOLDSTEIN: Good morning Chair Chin  
16 and members of the Committee. My name is Eric  
17 Goldstein, New York City Environment Director at the  
18 Natural Resources Defense Council. NRDC strongly  
19 supports Intro 1775B and it's been spearheaded by  
20 Council Member Van Bramer as well as 25 of his  
21 colleagues, including you Chair Chin and Council  
22 Member Brannan, Koo, Kallos, Lander, and Menchaca,  
23 all members of this committee. This sensible  
24 legislation would advance two objectives that are  
25 important to the city. First, it will reduce waste

2 and cut pollution from fossil fuel-based plastics.

3 Most every New Yorker who orders takeout food has had

4 the experience of receiving not only the food they

5 requested, but plastic plates, forks, knives, cups,

6 spoons, as well as various packets of ketchup,

7 mustard, [inaudible], chopsticks and napkins that

8 they didn't-- here's the unwanted junk that we've

9 received at my family's household, and I found in our

10 kitchen drawer yesterday. Unfortunately, on the

11 screen you can't even see it, but believe me,

12 millions of New Yorkers' households are receiving all

13 of this same amount of junk, and New York City

14 Sanitation Department and tax payers are paying to

15 dump it in landfills and incinerators every year. To

16 say nothing of the environmental and climate change

17 inducing impacts of producing all this throw-away

18 plastic in the first place. And of course, the

19 amount of this plastic has increased in the pandemic.

20 Studies show that takeout and delivery orders have

21 more than doubled since March 2020, and consumers

22 indicate that they're going to continue ordering

23 take-out meals even after the pandemic is under

24 control. Second major benefit from the proposed

25 legislation is obvious: Reduce costs to our beloved



2 and beleaguered restaurants. Right now they're  
3 spending large sums of money every year to purchase  
4 all of these utensils, only to have most of it tossed  
5 out, unused, and or into kitchen drawers or the  
6 garbage can. When Los Angeles City Council enacted  
7 similar legislation, utensils on request, earlier  
8 this year for restaurants, and the sponsor of that  
9 bill reported that restaurants that had begun  
10 implementing the policy is California. We're saving  
11 3,000 dollars or more a year in reduce costs. And if  
12 this committee passes Intro 1775B and the Council  
13 follows suite, you'll be following other cities that  
14 have already adopted similar legislation including  
15 Seattle, Portland, Honolulu, and Denver. This is a  
16 sensible environmentally sound, restaurant-friendly  
17 piece of legislation, and it's a fitting bill for the  
18 holiday season and to end the Council's -- this  
19 Council's legacy of environmental advances. Finally,  
20 in response to Councilman Yeger and his question,  
21 which is a legitimate one. The current legislation  
22 definitely includes a provision indicating that the  
23 first violation will be treated as a warning and a  
24 fine will not be issued, which is exactly why this  
25 bill is supported by the restaurant industry,

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2 including the New York City Hospitality Alliance.

3 Thank you for your attention and we look forward to  
4 both the committee and the Council passing this bill  
5 this year, and thank you, Chair Chin, for your  
6 leadership.

7 COMMITTEE COUNSEL: Thank you. I noticed  
8 that Council Member Van Bramer has his hand raised.

9 COUNCIL MEMBER VAN BRAMER: Yes, thank  
10 you, Eric. Could you put up that poster board again  
11 for everyone to see and for my staff to get a picture  
12 of it?

13 ERIC GOLDSTEIN: Yeah. Yes, I can,  
14 Council Member. What I will do is I will-- In my  
15 written testimony I will take a picture of this, and  
16 as soon as this hearing is done I will make sure to  
17 send this by email to your staff, which has played  
18 such an important role in advancing this legislation.  
19 Again, this was just in our family's kitchen drawer  
20 which I found yesterday, but you can't even see all  
21 of it. And just a small sampling of what we have  
22 received throughout the year in--

23 COUNCIL MEMBER VAN BRAMER: [interposing]  
24 Yeah.

25

2 ERIC GOLDSTEIN: unwanted takeout  
3 materials.

4 COUNCIL MEMBER VAN BRAMER: No, I have  
5 the same thing as I alluded to before. I am not a  
6 good cook at all, and so we order out, but I love  
7 ordering out because we're supporting our local small  
8 businesses, of course, right? I mean, I'm glad that  
9 takeout orders have jumped in many ways, but I am so  
10 frustrated when I get even those big plastic plates,  
11 right? And they come in the order, and you're like,  
12 how did that happen? I obviously don't need that and  
13 want that. So, thank you for that, Eric. And also  
14 thank you for reporting-- again, I mentioned it.  
15 You've mentioned it a few times-- the Hospitality  
16 Alliance and Andrew Riggy [sp?] whose been obviously  
17 out there championing our restaurants and our local  
18 small businesses. We've written this bill in  
19 consultation with them as well. They're supportive  
20 and I know that Andrew is not able to be here, but is  
21 submitting supportive testimony on behalf of this  
22 legislation. So thank you again.

23 ERIC GOLDSTEIN: And thank you for your  
24 leadership, Council Member.

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2 COUNCIL MEMBER VAN BRAMER: Thank you,  
3 Chair.

4 COMMITTEE COUNSEL: Thank you. I noticed  
5 that Council Member Yeger has his hand raised.

6 SERGEANT AT ARMS: Clock is ready.

7 COUNCIL MEMBER YEGER: Thank you very  
8 much. Mr. Goldstein, it's good to see you. I agree  
9 with your comment about what that section about the  
10 penalty says, but my point is that like you I'm a  
11 lawyer. I read the words and the words mean what they  
12 say. It's an inconsistency in that paragraph, I  
13 think you would agree. It says-- in the first  
14 instance it says that there will be a penalty for the  
15 first violation. And then at the closing it says  
16 there won't be a penalty for the first violation.  
17 There's a way to statutes clearer. I'm sure that you  
18 agree having been involved in many lawsuits about  
19 statutes and what they say and what they mean, and I  
20 think that there's a way we could do this very  
21 clearly so that the agency doesn't get the mixed  
22 signal when they send out their summons warriors with  
23 marching orders and to our small businesses across  
24 the City. And I don't think there's a single Council  
25 Member who would mind if perhaps some of our

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2 restaurants and eateries don't get fines for a little  
3 while so that they can get a chance to comply with  
4 this.

5 ERIC GOLDSTEIN: I think we're all in  
6 agreement and supportive of that, Council Member.

7 COUNCIL MEMBER YEGER: Thank u. It's  
8 good to see you.

9 ERIC GOLDSTEIN: Same here.

10 COMMITTEE COUNSEL: Thank you. Council  
11 Member Van Bramer, you have another question?

12 COUNCIL MEMBER VAN BRAMER: I just want  
13 to say to Council Member Yeger, I too am in support  
14 of that clarification which is an important one.

15 COMMITTEE COUNSEL: Before I call the  
16 next witness, I'd just like to remind everybody that  
17 you can submit your testimony to

18 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). The next member of the  
19 public we'll call is Oliver Wright, followed by Karl  
20 Palmquist, and then Cassia Patel.

21 SERGEANT AT ARMS: Clock is ready.

22 OLIVER WRIGHT: Good afternoon, Acting  
23 Chair Chin and members of the Committee. My name is  
24 Olive Wright and I'm pleased to provide testimony at  
25 his hearing on behalf of the Brooklyn Solid Waste

2 Advisory Board. Thank you for taking the time to  
3 hold a hearing on this important topic so late in the  
4 session, and thank you to Council Member Van Bramer  
5 and everybody else who has sponsored, brought,  
6 supported, and championed this bill. The Brooklyn  
7 SWAB supports the New York City Council's Intro.  
8 1775B as a simple and effective way to significantly  
9 reduce this problematic waste stream in New York  
10 City. We know from the Department of Sanitation's  
11 2017 waste characterization study that single-use  
12 plastic food-related items and food-soiled paper make  
13 up nearly 90 percent of [inaudible] waste in New York  
14 City. Given the rise in takeout orders as a result  
15 of COVID, this figure is only likely to have  
16 increased in the interim. By requiring restaurants  
17 and third-party platforms to provide condiments,  
18 napkins, and plastic utensils on demand, this bill  
19 approaches the problem from the top of the waste  
20 hierarchy for eliminating the waste at source. This  
21 bill says it's a compliment to the recently passed  
22 straws on request bill and the 2019 Mayoral Decree to  
23 New York City agencies purchasing of single-use  
24 plastic food ware. The decrease in the number of  
25 single-use items distributed reduces costs to

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2 restaurants already struggling as a result of the  
3 pandemic and would save the Department of Sanitation  
4 the cost of cleaning up and processing the resulting  
5 litter and trash, including costs of street cleaning,  
6 exporting, land filling, and incineration. Because  
7 the policy allows for these single-use items to be  
8 given by request instead of by default, the bill will  
9 not create problems of accessibility, as the option  
10 to receive these items will remain for any customer  
11 who so chooses. According to the World Wildlife  
12 Federation, annual plastic waste generation is set to  
13 increase by 41 percent over the next 15 years. The  
14 solution to the plastic pollution crisis will not be  
15 market-driven. This necessary reduction must start  
16 with legislation. We therefore strongly encourage  
17 the Council to pass this bill and hope that this  
18 simple measure feeds [sic] will in both the Council  
19 and the electorate for further urgently needed  
20 climate and waste production policy. Thank you for  
21 your consideration.

22 COMMITTEE COUNSEL: Thank you. Next, I  
23 will call on Carl Palmquist followed by Cassia Patel,  
24 and then Brian Langloss. Karl Palmquist?

25 KARL PALMQUIST: Hello.

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2 SERGEANT AT ARMS: Clock is--

3 KARL PALMQUIST: Hello. Thank you to the  
4 Committee for giving me the chance to testify today.  
5 I'm Karl Palmquist, Vice Chair of the Sierra Club New  
6 York City Group. I'm a scientist on the upper east  
7 side of Manhattan, and I have written about the  
8 intersections between environmental and human health.  
9 We're in the midst of a crisis, one of climate, one  
10 of bio diversity, one of mentality. We have long  
11 hurt the environment by pulling from it non-renewable  
12 resources and putting into it non-biodegradable  
13 waste. We are at a turning point. The importance of  
14 Skipping the Stuff should not be underestimated.  
15 Indeed, the name stake of Intro 1775B is all about  
16 using less, asking consumers to think before using.  
17 The same idea has been implemented now with CM  
18 Rosenthal's Skip the Straw bill, and I believe we  
19 will be pleased with its results. Being sustainable  
20 is about more than just buying green products. It is  
21 about living in harmony with our ecosystem,  
22 understanding that the waste we generate actually  
23 goes somewhere, and more often than not, that it goes  
24 into nature in the form of large debris, bulk  
25 plastics, sometimes in the form of stealthy micro



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2 plastics that enter our food and bodies. The best  
3 way to reduce harmful debris and chemicals from  
4 entering our environment is by reducing how much we  
5 use. Skip the Stuff is a necessary step forward in  
6 this fight. Our environment is becoming inundated  
7 with disposable utensils, napkins, and other single-  
8 use items. Just think about all the recent  
9 complaints about overflowing garbage receptacles  
10 around the City. Skip the Stuff can help with this.  
11 Let consumers ask for what they need. Let us stop  
12 living in excess. The New York City Group of Sierra  
13 Club urges the City Council to support Intro 1775B,  
14 Skip the Stuff. Thank you.

15 COMMITTEE COUNSEL: Thank you. I will  
16 now call on Cassia Patel followed by Brian Langloss  
17 and then Raine Manley Robertson. Cassia Patel?

18 SERGEANT AT ARMS: Clock is ready.

19 CASSIA PATEL: Hi, all, good morning,  
20 Council Member and thank you to all Council Members  
21 co-sponsors and supporters in this room. Special  
22 thank you to Matt Gove and Raine Manly Robertson  
23 [sp?] for coordinating and your tireless leadership  
24 in rallying our Reusable NYC Coalition. And thank  
25 you all for allowing me to testify here today. My

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2 name is Cassia Patel. I'm the Program Director at

3 Oceanic Global, and we really focus on behavior

4 change working at a grassroots level and also with

5 businesses. And so our history in New York City has

6 been to engage primarily the hospitality sector in

7 eliminating single-use plastics and improving waste

8 management. So we're actually a part of the effort

9 surrounding the straw bill in partnership with the

10 WCS, Give a Sip [sic] Campaign, and Lonely Whale to

11 get 100 businesses to move away from using single-use

12 plastic straws in support of that legislation.

13 Similarly, here, we've been reaching out to our

14 industry partners throughout New York City. Sadly, we

15 weren't able to get more to join today, although, I

16 know we'll be hearing from some today as well. And

17 many have actually already stopped offering single-

18 use plastic utensils, and in support of this movement

19 and our seeing cost savings through that as well. So

20 I do want to mention that while this is already

21 happening by pioneering businesses, legislation is so

22 crucial to make sure that we have a level playing

23 field and all businesses are really acting in the

24 same way and can get that same recognition as well.

25 Consumers are really starting to demand sustainable

2 practices and are choosing to support businesses that  
3 are offering those options for them as well. So our  
4 work is more voluntary, but it goes really hand-in-  
5 hand with the enforcement measures and the  
6 legislative law, and absolutely here that we need to  
7 be compassionate and supportive of our local  
8 businesses, especially in this moment, and that this  
9 is a great way to do that and to start tackling  
10 single-use plastics with the hospitality industry  
11 here in New York City. So I urge the Council to pass  
12 this legislation. Oceanic Global is supportive of  
13 Council Member Van Bramer's Skip the Stuff bill,  
14 Intro 1775. Thank you all.

15 COMMITTEE COUNSEL: Thank you. Next, I  
16 will call on Brian Langloss followed by Raine Manley  
17 Robertson and then Alexis Goldsmith [sp?]. Brian  
18 Langloss?

19 SERGEANT AT ARMS: Clock is ready.

20 BRIAN LANGLOSS: Good morning. Thank  
21 you, Council Member Chin, Council Member Van Bramer  
22 and committee members for the opportunity to testify  
23 in support of the Skip the Stuff ordinance. My name  
24 is Brian Langloss and I'm the New York Field  
25 Representative at Oceana. Oceana is the largest

2 international advocacy organization dedicated solely  
3 to ocean conservation. Plastic pollution is a  
4 growing threat to the world's oceans, as well as our  
5 food, health, and the climate. Each year an  
6 estimated 33 billion pounds of plastic enter the  
7 marine environment. This is roughly equivalent to  
8 two garbage trucks full of plastic being dumped into  
9 the oceans every minute. Plastic pollution is  
10 everywhere. Scientists have found plastic floating  
11 on the surface of the ocean, washing up on the  
12 world's most remote coastlines, melting and arctic  
13 sea ice raining onto the Rocky Mountains, and even  
14 sitting at the deepest part of the ocean floor. It's  
15 even been found in beer and honey. As plastics  
16 continue to flood into our oceans and other water  
17 ways, the list of marine species effected by plastic  
18 pollutions expands. A piece of plastic can look like  
19 food to a fish, turtle, dolphin, whale, or bird.  
20 Tens of thousands of individual marine animals have  
21 been observed suffering from entanglement or  
22 ingestion of plastic, and plastic ingestion and  
23 entanglement can lead animals to die from starvation  
24 or suffocation. While we begin to realize the extent  
25 of plastic pollution's effects, plastic production

2 continue to increase at a rapid rate. The plastics  
3 industry expects annual production will more than  
4 triple by 2050. As plastic production increases, so  
5 will the amount of plastic entering into the ocean.  
6 Recycling is not enough to solve the plastic  
7 pollution crisis. In fact, only nine percent of all  
8 the plastic waste every produced has been recycled.  
9 The rest ends up in an incinerator, landfill, or the  
10 environment. Policies governing the production and  
11 use of single-use plastic are the most effective way  
12 to stem the flow of plastics into our oceans, and  
13 these policies are become more common all around the  
14 world. And in closing, the Skip the Stuff ordinance  
15 will reduce plastic pollutions, help local  
16 businesses, and we urge you to pass this ordinance to  
17 truly make an impact and help protect our oceans.  
18 Thank you for the opportunity to testify.

19 COMMITTEE COUNSEL: Thank you. I will  
20 now call on Raine Manley Robertson followed by Alexis  
21 Goldsmith, and then Caroline Soussloff, Raine Manley  
22 Robertson?

23 SERGEANT AT ARMS: Clock is ready.

24 RAINE MANLEY ROBERTSON: My name is Raine  
25 Manly Robertson, and I'm here on behalf of the

2 Reusable NYC Coalition. Thank You to the Committee  
3 for scheduling this hearing and for engaging with us  
4 on this issue. What you see in front of me is the  
5 reason I joined this coalition, just hundreds of  
6 single-use utensils that I personally tried to  
7 refuse. A day is coming incredibly soon where all of  
8 this is going to end up the only place that it can,  
9 in the trash, and then to a landfill where New York  
10 City is going to have to store it forever. None of  
11 this can be recycled, so we're just going to have to  
12 hold onto it. I'm just one New Yorker, so I'm asking  
13 the committee to think about the millions of us with  
14 drawers that are filled with all this stuff that we  
15 didn't ask for and that we don't need. We're  
16 ordering takeout to our homes where we've got what we  
17 need, reusable forks and knives, cloth napkins,  
18 bottles of ketchup. Beyond the residents I'm asking  
19 the Committee to think about the owners of our  
20 restaurants. As Council Member Van Bramer said, in  
21 LA they passed similar legislation, and we're already  
22 seeing that restaurants who have made the switch are  
23 saving approximately 3,000 dollars a year. When  
24 you're operating on razor thin margins, money like  
25 that can make a huge difference. Beyond the

2 restaurants, I ask the committee to think about the  
3 city itself, think of our streets, our parks, our  
4 rivers, our oceans, our wildlife, and all the single-  
5 use waste that's bound to pollute it if we don't  
6 divert it. And beyond our city I ask the committee  
7 to think about our climate. Plastic production is a  
8 huge contributor to greenhouse gas emissions, and New  
9 York City has to continue to invest in climate  
10 solutions as we've done with the plastic bag ban and  
11 more. With all this in mind, the solution is simple  
12 and elegant, Skip the Stuff. Don't give it to us  
13 unless we ask for it. Thank you to the committee  
14 here, commitment to this great city and for making  
15 space for us to make our voices heard about why we  
16 think this is so important. Thanks for your time.

17 COMMITTEE COUNSEL: Thank you. Council  
18 Member Van Bramer has his hand raised.

19 COUNCIL MEMBER VAN BRAMER: Yes, thank  
20 you very much. So I'm grateful to all of the  
21 advocates who are here testifying, part of this  
22 coalition. But I do want to single you out, Raine,  
23 because your advocacy on social media, I know you've  
24 been leading the effort to call many of our  
25 colleagues. You personally have been successful in

2 getting Council Members to sign on to the  
3 legislation. so, just want to thank all of the folks  
4 who are here testifying, all the folks that are part  
5 of the coalition, but Raine, you are all over my  
6 social media feed, and I say that in a very, very  
7 complementary way, so thank you so much for  
8 everything you've done. And I thought Eric had a  
9 really good visual for this hearing, but-- and my  
10 staff said we need a photo for Eric's board, and I  
11 said you can't see her yet, but wait until Raine  
12 comes up. She's got a really good visualization of  
13 the problem here. So, thank you again to everyone,  
14 and thank you Raine.

15 RAINÉ MANLEY ROBERTSON: Thank you so  
16 much, Council Member Van Bramer. It's been an honor  
17 and a pleasure to be in contact with your office,  
18 with Jack every single week, and it's been wonderful  
19 to see local government in action. So, thank you so  
20 much for your leadership. Thank you so much to all  
21 the members of the committee who took all of our  
22 calls and all of our emails. You guys were so  
23 wonderful, so we appreciate it immensely and I'm so,  
24 so happy that this day is finally here. So thank you  
25 for having all of us.



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2 COMMITTEE COUNSEL: Thank you. I will now  
3 call on Alexis Goldsmith followed by Caroline  
4 Soussloff, and then Diana Blackwell. Alexis  
5 Goldsmith?

6 SERGEANT AT ARMS: Clock is ready.

7 ALEXIS GOLDSMITH: Hi, thank you. My  
8 name is Alexis Goldsmith and I work with Beyond  
9 Plastics based at Bennington College. I applaud the  
10 Council for taking this important step and holding  
11 hearing on the Skip the Stuff Bill. This is a very  
12 important plastic waste reduction bill that will  
13 complement the New York City Skip the Straw bill, the  
14 New York State plastic bag ban, and the New York  
15 State polystyrene ban that goes into effect on  
16 January 1<sup>st</sup>. I do believe this rule will help New  
17 York City businesses and encourage more people to  
18 order takeout. A 2019 study from Shelton [sic] Group  
19 called "Waking the Sleeping Giant" found that half of  
20 Americans have changed their spending habits to avoid  
21 plastics. A full third of those consumers chose to  
22 buy products that did not have plastic packaging,  
23 regardless of the price or the quality. This signals  
24 an important shift in consumption patterns that  
25 should encourage stronger rules cutting down

2 unnecessary single-use plastics. It is important to  
3 note that single-use plastic utensils will be  
4 available upon request for those who need them. It  
5 can't be oversaid how quickly the problem of plastic  
6 pollution is expanding as plastic production  
7 facilities in the US could quadruple capacity by just  
8 2050, and emissions from productions will exceed US  
9 coal emissions by just 2030. The fun flying [sic]  
10 where these facilities would be built have made it  
11 clear they do not want these facilities, and I would  
12 argue this expansion is being driven by the  
13 extraction of fossil fuels rather than demand for  
14 plastics. We really need rules like Skip the Stuff  
15 in the US' largest city which has a metropolitan area  
16 of 20.1 million people to signal that the theory of  
17 the single-use economy is changing. I've also  
18 struggled with that decision of whether to order  
19 takeout and support my local businesses or to get the  
20 plastic utensils that I really don't want. But I was  
21 so happy. Over thanksgiving I went to Charlene's  
22 [sp?] in Brooklyn and I got a paper straw. So I know  
23 that this is changing, and the new normal will not  
24 rely on unnecessary plastics. So thank you.

25 SERGEANT AT ARMS: Time expired.

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2 COUNCIL MEMBER CHIN: We also have been  
3 joined by Council Member Lander.

4 COMMITTEE COUNSEL: Thank you, Council  
5 Member Chin. Next will be Carolyn Soussloff followed  
6 by Diana Blackwell, and then Jane Selden. Caroline  
7 Soussloff.

8 SERGEANT AT ARMS: Time begins.

9 CAROLINE SOUSSLOFF: Good morning. My  
10 name is Caroline Soussloff, and I'm a legal fellow in  
11 the Environmental Justice Program at New York Lawyers  
12 for the Public Interest, or NYLPI as we call it.  
13 NYLPI works with communities across New York City to  
14 combat inequalities, injustices, and infringements on  
15 civil rights. Our Environmental Justice Program has  
16 advocated and litigated against inequitable  
17 distribution of environmental burdens and benefits in  
18 our city for almost three decades. Thank you to the  
19 Council, the Committee on Consumer Affairs and  
20 Business Licensing, and Chair Chin for the  
21 opportunity to testify in support of Intro. 1775B,  
22 the Skip the Stuff Bill. For decades we have  
23 partnered with environmental justice communities to  
24 fight for a more equitable solid waste management  
25 system. Our city's waste infrastructure such as

2 waste transfer stations and trash depots has  
3 historically been concentrated in few low income  
4 communities of color. These communities have for too  
5 long borne the brunt of the resulting poor air  
6 quality, unsafe traffic, noise, odors, and vermin  
7 with measurable repercussions for public health. For  
8 this reason, NYLPI has long-supported a  
9 comprehensive, equitable reforms to reduce and divert  
10 the massive amount of waste that New York City  
11 currently tucks to landfills and incinerators.

12 Reducing waste at its source is an important piece of  
13 this effort because the more solid waste that is  
14 produced, the more the communities who live adjacent  
15 to waste infrastructure suffer. We urge the city to  
16 build widespread behavior changes that the single-use  
17 bag fee has enabled and do the same with other  
18 single-use plastics. There is an especially urgent  
19 need for waste reduction on the commercial side, and  
20 this bill is well-timed to help support the  
21 implementation of Local Law 199 of 2019, New York's  
22 landmark commercial waste zone law. It is our  
23 recommendation that the commercial waste zone  
24 contracts being negotiated next year will include  
25 strong incentives for both the selected haulers and

2 their customers to implement robust waste reduction  
3 programs. This bill will help business reduce one  
4 source of plastic waste. Reducing our city's  
5 reliance on single-use plastics has far-reaching  
6 implications for environmental justice, affecting  
7 communities, environmental justice communities and  
8 other parts of the country as well.

9 SERGEANT AT ARMS: Time's expired.

10 CAROLINE SOUSSLOFF: Implications also  
11 for climate pollution. Reducing plastic usage in our  
12 city is thus a step towards climate resilience. We  
13 therefore urge the Council to vote to Skip the Stuff.  
14 Thank you all for your time and consideration today.

15 COMMITTEE COUNSEL: Thank you. Next I  
16 will call on Diana Blackwell followed by Jane Selden,  
17 and then Debby Lee Cohen. Diana Blackwell?

18 SERGEANT AT ARMS: Clock is ready.

19 DIANA BLACKWELL: Good morning. My name  
20 is Diana Blackwell from the Frederick E. Samuel  
21 Development at NYCHA. Good morning Acting Chair Chin  
22 and the New York City Council Members here at part of  
23 the Committee of Consumer Affairs and Business  
24 Licensing. Thank you for scheduling today's hearing  
25 on today's hearing on the proposed Skip the Stuff

2 ordinance to reduce plastic pollution through the  
3 common sense provision that this ordinance is passed  
4 would require restaurants to distribute single-use  
5 plastic utilities by request only in deliveries and  
6 takeout. I'm speaking to you today from my  
7 neighborhood in Central Harlem as both a resident and  
8 the Fred Samuel Association President NYCHA. As an  
9 advocate for public and affordable housing and as a  
10 member of the Manhattan Squad, I serve a diverse  
11 community of residents with a goal of preserving our  
12 neighborhood's quality of life. As such, I strongly  
13 advocate for the Skip the Stuff Ordinance to be  
14 recommended for a council-wide vote and pass. As  
15 with most New Yorkers, residents of public and  
16 affordable housing suffer when the neighborhood gets  
17 caught in the crossfire of big plastic corporations  
18 trying to pass off their cost of doing business and  
19 our city trying to pay for it. The result is that  
20 our trees, or doorsteps, our communities, and our way  
21 of life gets trashed with plastic products that are  
22 used once, yet made from a material that lasts for  
23 generations. This must stop. Our community needs  
24 plastic-free choices. We must be able to say no, no  
25 to plastic, and the Skip the Stuff Ordinance will

2 protect our ability to do so for residents of  
3 affordable and public housing and for our city at  
4 large. I urge you to move the Skip the Stuff  
5 Ordinance Forward and pass it into law. Thank you.

6 COMMITTEE COUNSEL: Thank you. I now  
7 call on Jane Selden followed by Debby Lee Cohen, and  
8 then Sandra Noonan. Jane Selden?

9 SERGEANT AT ARMS: Clock is ready.

10 JANE SELDEN: My name is Jane Selden and  
11 I'm testifying today on behalf of the climate  
12 activist group, 350 NYC. We at 350 know that the  
13 world can't reach its greenhouse gas emission  
14 reduction goals without seriously addressing the  
15 environmental impact of plastic. Plastic reduction  
16 has grown exponentially in the last 20 years. In  
17 fact, if plastics were a country, it would be the  
18 fifth largest emitter of greenhouse gases in the  
19 world. The sourcing, production, and disposal of  
20 plastic isn't only accelerating the climate crisis,  
21 but has a disproportionate impact on how low income  
22 communities and communities of color. The most  
23 effective way to address the single-use plastic  
24 pandemic is to reduce demand for it, which is why 350  
25 NYC fully supports Skip the Stuff bill. Plastics'

2 adverse impact on the environment and human health  
3 begins with its sourcing. Ninety-nine percent is a  
4 product of the fossil fuel industry, much of it in  
5 the US, a byproduct of fracking. Methane is released  
6 during fracking. It's a greenhouse gas with 84 times  
7 the global warming potential of CO2 in the short-  
8 term, and local communities are exposed to over 170  
9 chemicals the EPA has identified as harmful to human  
10 health. Next is the product stage which happens  
11 ethane cracker [sic] plants. According to report, a  
12 recent report, by Beyond Plastics in 2020 these  
13 plants and the oxide power plants needed to operate  
14 them release greenhouse gas emission equivalent to 35  
15 coal plants, and these plants also emit toxic  
16 chemicals that poison frontline communities to the  
17 extent that there's one area of Louisiana that's  
18 known as Cancer Alley. The final stage is disposal,  
19 but as has been pointed out, the recycling rate is  
20 less than nine percent for plastic. So it usually  
21 ends up in landfill where it can take hundreds of  
22 years to decompose and will leak chemicals into the  
23 local ground water. Even worse is when it's  
24 incinerated. It produces CO2 and other greenhouse



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2 cases and dangerous chemicals including dioxins and  
3 heavy metal.

4 SERGEANT AT ARMS: Time expired.

5 JANE SELDON: Almost done. IN the United  
6 States 80 percent of these incinerators are located  
7 in low income communities and communities of color.  
8 We can't recycle our way out of the problem. We need  
9 to focus on solutions requiring us to reduce, reuse,  
10 and refill. Intro 1775 is an important step in the  
11 right direction. We urge the City Council to pass the  
12 Skip the Stuff bill. Thank you.

13 COMMITTEE COUNSEL: Thank you. Next we  
14 will hear from Debby Lee Cohen followed by Sandra  
15 Noonan, and then Lauren Sweeney. Debby Lee Cohen?

16 SERGEANT AT ARMS: Clock is ready.

17 DEBBY LEE COHEN: Good morning  
18 Councilwoman Chin and members of the Committee.  
19 Thank you for this opportunity to testify. I'm Debby  
20 Lee Cohen, the Executive Director and founder of  
21 Cafeteria Culture and Co-Director and Producer of the  
22 movie "Micro-plastic Madness." I'm also a Stage IV  
23 cancer patient. Cafeteria Culture has been developing  
24 innovative, interdisciplinary, zero-waste climate  
25 education partnering with DOE students and staff on

2 zero-waste pilots and victories since 2010. Thank  
3 you Councilwoman Chin for your support on many of  
4 those. We strongly support Intro 1775, Skip the  
5 Stuff. It's a critical step towards our city's  
6 climate mitigation and zero-waste goals, and we  
7 urgently need our policy-makers like all of you to  
8 understand the connection between plastics, public  
9 health, and the climate emergency. We need more laws  
10 like this. We need to support regulations to  
11 carefully consider city contracts that address the  
12 compounding problems of plastic pollution, public  
13 health, and environmental degradation and to protect  
14 our most vulnerable communities and our children  
15 before it's too late. Passing the Skip the Stuff  
16 bill is a timely action that demonstrates your  
17 concern for these overlapping crises. Plastics are  
18 made from a multitude of toxic chemicals, as well as  
19 fossil fuels, as you heard. When in the environment  
20 they do not biodegrade. They break down into small  
21 pieces called micro-plastics which have caused near  
22 permanent contamination of the environment. They are  
23 in the air we breathe, our soil, our food that we  
24 eat. Scientists have found micro-plastics in our  
25 organs, human stool, and a human placenta.

2 Scientists warn that micro-plastics constitute a  
3 public health threat worse than asbestos. As a Stage  
4 IV cancer patient who gets chemo every other week, I  
5 feel compelled to address this. I worked as a scenic  
6 designer with toxic plastics in my formative years,  
7 and I know firsthand how toxic plastic pollution,  
8 micro-plastic dust can negatively impact one's life.  
9 I don't wish this on anyone. I feel like this is such  
10 an easy step to protect the health of people. And  
11 I'm passionate about it, if you want to talk to me  
12 afterwards. I can't prove that my cancer is related  
13 to plastic, but I've seen thousands and thousands of  
14 images of my lungs and of my liver, and I don't wish  
15 that anybody else. It's a lot of suffering to go  
16 through. New York City single-use plastics are  
17 contributing to the climate emergency, our food  
18 service industry, including our publicly funded  
19 school food meals with precious dollars on the  
20 purchase and disposal of unacceptable amounts of  
21 single-use plastic items, many that never even get  
22 used before they're thrown away. Knowing that  
23 Manhattan, much of Manhattan's garbage is being  
24 exported to Newark, New Jersey on a nightly basis.  
25 It's really important for us to look at how our

2 plastic disposal also is affecting communities of  
3 color and communities-- our neighbors, our neighbors  
4 in Newark, New Jersey, and the winds do not always  
5 blow west. So why would we want to give out more  
6 plastic? Most of it is wasted and not necessary, and  
7 actually for the danger of impacting our neighbor's  
8 health and our own health. I just want to end this  
9 with last spring, our fifth grade students and our  
10 programs at PS188 the Island School, and PS34  
11 Franklin D. Roosevelt School, they're both schools on  
12 the lower east side-- programs funded by New York  
13 City Council. Thank you. They studied about the  
14 plastic connection to climate environmental justice.  
15 They collected plastic waste data from their own  
16 school lunches, and they analyzed their own data.  
17 They asked their school food manager if she could  
18 make plastic utensil and napkin packages available by  
19 request only and she agreed. Within one week, the  
20 change was made in those two schools. After they  
21 learned about their victory, they screamed, "Detley  
22 [sic] is next." I urge you, let's learn from our  
23 children. Let's skip the stuff, and let's protect  
24 their health and the health of all our vulnerable

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2 communities. Thank you so much for this time to  
3 speak.

4 COMMITTEE COUNSEL: Thank you. Next--

5 COUNCIL MEMBER CHIN: [interposing] Thank  
6 you, Debby, yeah. I just wanted to really thank you  
7 for all your work with the kids and Cafeteria  
8 Culture. I know a lot of the Council Members we have  
9 really have the honor of working with you, and let's  
10 finish this session with a strong, you know, passage  
11 of this bill, and we will have, you know, done quite  
12 a bit on this plastic issue. So, thank you, Debby,  
13 and I wish you the best of health. Keep going  
14 strong. Thank you.

15 DEBBY LEE COHEN: Thank you so much.

16 COMMITTEE COUNSEL: Thank you. So next  
17 we will hear from Sandra Noonan followed by Lauren  
18 Sweeney, and then Madeline MacGillivray. Sandra  
19 Noonan.

20 SERGEANT AT ARMS: Clock is ready.

21 SANDRA NOONAN: Good morning. My name is  
22 Sandra Noonan, and I am Chief Sustainability Officer  
23 of Just Salad. We are a New York-based restaurant  
24 chain founded in 2006 in New York City, and we have  
25 25 locations spanning Manhattan and Brooklyn

2 currently. Today, I want to express my full support  
3 for the Skip the Stuff Bill. At Just Salad we offer  
4 a 10 cent discount to any delivery customer who opts  
5 out of utensils on orderjustsalad.com, but this  
6 voluntary effort is not enough to eliminate a  
7 necessary utensil waste in the restaurant industry.  
8 In the two years since the Skip the Stuff bill was  
9 introduced, hundreds of millions of pounds of non-  
10 recyclable throw-away plastics have accumulated in  
11 streets and landfills. We believe it's time to make  
12 it mandatory for New Yorkers to actively request to  
13 receive these items with their food delivery and  
14 takeout orders. We need policies like Skip the Stuff  
15 to make this uniformed across our industry and help  
16 to accelerate the cultural change that has to happen  
17 in order for our city and our society to stop being  
18 wantonly wastefully. As a restaurant leader and as a  
19 consumer, I must say that I'm utterly sick and tired  
20 of unwanted utensil waste that enters my home as well  
21 every time I order delivery not from Just Salad, and  
22 even when I request no utensils, I still receive them  
23 because there are no consequences and no policies  
24 telling restaurants that this wasteful behavior must  
25 stop. If we do not pass Skip the Stuff, we will

2 continue to have a patchwork of restaurants who are  
3 trying to lead this change. That is sub-optimal  
4 because a patchwork system confuses the public and  
5 fails to establish the necessary no-waste default.  
6 Failing to pass this measure will also impose extra  
7 burdens on restaurants like Just Salad that do want  
8 to do the right thing in the form of extra training  
9 and communication with customers.

10 SERGEANT AT ARMS: Time expired.

11 SANDRA NOONAN: By passing this measure,  
12 you will send a clear signal to restaurants that  
13 their hard work to eliminate unnecessary plastic are  
14 appreciated and supported. Thank you.

15 COMMITTEE COUNSEL: Thank you. Next we  
16 will hear from Lauren Sweeney followed by Madeline  
17 MacGillivray, and then Judith Weis. Lauren Sweeney?

18 SERGEANT AT ARMS: Clock is ready.

19 LAUREN SWEENEY: Hi everyone. Thank you  
20 for being here today. My name is Lauren Sweeney. I'm  
21 Co-founder and CMO of Deliver Zero, a network of  
22 reusable containers intended to product single-use  
23 plastic. So in my role as a co-founder at Deliver  
24 Zero I understood very well the impact that plastics  
25 have on the environment [inaudible] upstream and

2 downstream [inaudible]. Manufacturing and shipping  
3 all of this stuff creates emissions, and then  
4 disposing of it. There's no reliable means of  
5 disposing of single-use plastic. So they're ending  
6 up in landfills. They're ending up in the natural  
7 environment, and this is a problem that could very  
8 easily be solved by making single-use utensils opt-in  
9 only. There's absolutely no reason to continue  
10 sending out utensils that customers do not want, and  
11 similarly when customers do want utensils, it should  
12 be easy for them to opt-in and say I do want  
13 utensils, because some environmentally conscience  
14 chains have, you know, not including them by default  
15 because of a shifting customer preference for not  
16 including the stuff. So, the Skip the Stuff bill  
17 will help restaurants keep their customers happy by  
18 including utensils when the customer wants them, and  
19 by not including them when a customer does not want  
20 them one, and reducing significant amounts of waste  
21 in the process. We have a limited amount of time to  
22 deal with climate change. We need to do everything  
23 we possibly can. Some climate solutions are going to  
24 be difficult and cumbersome to enact. It's worth it.  
25 Some are very simple and straightforward, and this is



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2 one of the simple, straightforward, and obvious  
3 places to name [sic]. Thank you for your time today.

4 COMMITTEE COUNSEL: Thank you. Next we  
5 will hear from Madeline MacGillivray and Judith Weis,  
6 followed by Jonathan Jackson. Madeline MacGillivray?

7 SERGEANT AT ARMS: Clock is ready.

8 MADELINE MACGILLIVRAY-WALLACE: Good  
9 morning Madam Chair, Council Member Van Bramer,  
10 Committee Members, and fellow panelists. Thank you  
11 for this opportunity to be heard. My name is  
12 Madeline MacGillivray-Wallace, and I'm a native New  
13 York, born and raised. I am an ambassador of the  
14 Five Gyres Institute, a prominent plastic and micro-  
15 plastics research and education organization. My  
16 research background is in micro-plastics, and I've  
17 witnessed devastating plastic pollution. I'm also  
18 the Climate Science and Policy Fellow for Seeding  
19 Sovereignty, an indigenous rights organization where  
20 I focus on plastics and climate. But above all, I'm  
21 a New Yorker who gets takeout, and like most of us,  
22 has a pile of completely unnecessary plastic utensils  
23 sitting in their home. I was so excited to hear  
24 about this bill, thanks to the tireless work by Raine  
25 Manley. Thank you so much to everyone involved in

2 bringing this bill to the floor, so much so that I  
3 knew I had to testify. This is my first public  
4 hearing testimony. The reasons for the passing of  
5 this bill are seemingly endless. Most takeout is  
6 delivered to homes and workplaces, where especially  
7 during COVID consumers have plenty of silverware and  
8 in fact prefer eating with silverware. Restaurants  
9 are allocated a considerable chunk of their spending  
10 on purchasing, storing, packing, and delivering  
11 plastic utensils that will never be touched. All  
12 these unused plastic utensils place unnecessary  
13 burden on both the consumer and the city with how to  
14 recycle them. And finally, these plastic utensils  
15 will ultimately burden our environment because they  
16 break down into micro-plastics which also impact our  
17 health. So, this bill really is a win/win/win/win,  
18 and I know that myself and probably millions of New  
19 Yorkers will let out a big sigh of relief if the bill  
20 passes. Delivery, as we all know, is convenient, but  
21 what to do with these utensils is extremely  
22 inconvenient, and for me and many others the guilt is  
23 real. So, as both a scientist and a New Yorker, I  
24 know that these local legislative measures are the  
25 first steps in moving towards a sustainable future

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2 and showcasing our city as a global leader. This one

3 really couldn't be easier. So, let's skip the stuff.

4 Thank you so much.

5 COMMITTEE COUNSEL: Thank you. So, next

6 we will hear from Judith Weiss, followed by Jonathan

7 Jackson, and then Anna Sax [sp?]. Judith Weis?

8 SERGEANT AT ARMS: Clock is ready.

9 JUDITH WEIS: Good morning. Thank you

10 for having this hearing and having this bill. I'm

11 Judith Weis. I'm a Marine Biologist, a Professor

12 Emerita from Rutgers University. My studies over

13 many decades have focused on estuaries and coastal

14 areas, and one of my focuses has been pollution. I've

15 spent a great deal of time around our local waters in

16 New York and northern New Jersey doing studies.

17 Plastic waste was initially found on beaches and

18 ocean environments, but now has been found worldwide.

19 In freshwater, the air, soil, and our own bodies, the

20 beaches in New York and New Jersey and other places

21 are contaminated with plastic waste that may take

22 centuries to break down. Animals mistake plastic for

23 food and consume it. Many animals, marine animals,

24 fish, crabs, clams, and so forth eat a lot of tiny

25 pieces of plastic. That is micro-plastics that have

2 been mentioned before. They can arise from breakdown  
3 of larger pieces like utensils. This may cause great  
4 problems in those animals. These micro-plastics also  
5 go up the food chain. If a small fish eats it, it  
6 can get eaten by a bigger fish, and then that fish  
7 can end up on our dinner plate. So we are full of  
8 plastics ourselves. Single-use plastic is really  
9 very commonly found because there's just so much of  
10 it, and the numbers have been increasing, and these  
11 include the utensils and food ware and straws that  
12 can be included in this bill. This is a no-brainer  
13 to pass this bill. This is beneficial to the  
14 environment, beneficial to restaurants which will  
15 save money by not having to provide them to  
16 everybody.

17 SERGEANT AT ARMS: Time.

18 JUDITH WEIS: I think this bill is a  
19 win/win situation, and I thank you for having a  
20 hearing, and I thank you for putting forth this great  
21 bill.

22 COMMITTEE COUNSEL: Thank you. Next I  
23 will call on Jonathan Jackson followed by Anna Sax  
24 and then Patrick Houston. Jonathan Jackson?

25 SERGEANT AT ARMS: Clock is ready.

2 JONATHAN JACKSON: Hello? Can you hear  
3 me?

4 SERGEANT AT ARMS: We hear you.

5 JONATHAN JACKSON: Oh, great. Okay, I  
6 just want to thank everybody for getting this bill  
7 together. I'm just a regular person, not affiliated  
8 with any organization, although I'm here through  
9 Raine Manley and her advocacy and her getting  
10 volunteers together to call, you know, City Council  
11 Members about this bill. And it was great, as soon  
12 as I heard about this bill, it ws like, wow, this is  
13 perfect. Because normally some bill there's some  
14 group and they have all the right to be opposed to  
15 new bills, but normally environmental bills also have  
16 their kind of position, but I really don't see any  
17 opposition in this bill. You know, even as far as  
18 like anti-regulation situation, because it really is  
19 just a choice, and instead of the choice-- or the  
20 lack of choice by just being automatically given all  
21 this stuff that we don't need. So, you know, it  
22 really-- I don't see any negative impacts as far as  
23 that, just lots of positives. Thirdly, recently  
24 there's another kind of campaign going-- the cutlery  
25 thing that I saw just online the other day, and it's

2 really kind of pressurizing the delivery apps and  
3 stuff to institute this idea of opting-in to the--  
4 having your plastic and napkins and condiments  
5 included in your takeout, which often most is as  
6 home. What I wanted to say to that I think it's more  
7 important that law-- that we have a law here rather  
8 than the apps having this thing that could change in  
9 the future. We need-- you know, this is the time  
10 now. I mean, it's such a great bill. We shouldn't  
11 leave it up to the apps to do that, although I do  
12 commend their, you know, their positive actions and  
13 [inaudible] bill. Anyway, thank you everybody, and I  
14 hope the bill passes. It's going to be great for New  
15 York with 80 million consumers, this will be a big  
16 deal.

17 SERGEANT AT ARMS: Time expired.

18 COMMITTEE COUNSEL: Thank you. Next I  
19 will call on Anna Sax followed by Patrick Houston and  
20 then Anita Chan. Anna Sax?

21 SERGEANT AT ARMS: Clock is ready.

22 ANNA SAX: Hi everyone. My name is Anna  
23 Sax. I'm a New Yorker involved in waste issues. I  
24 wanted to show just a few of my useless utensils that  
25 I didn't want, I didn't ask for, but I received them

2 anyways, and I have too much guilt to throw them  
3 away, so I just stock piled them and I think that's  
4 very relatable and something similar to what Eric and  
5 Raine were talking about. Regarding recycling, you  
6 can't recycling this. The plastic will not make its  
7 way through the recycling machinery. It will fall  
8 through the literal cracks. Regarding composting, if  
9 it's compostable, no composters actually want this  
10 material. It's bulky. It doesn't nutritional value  
11 to the compost, and it actually eliminates in markets  
12 [sic] because the finished compost can't be certified  
13 organic if it stops [inaudible] compostable  
14 materials. So there really is no alternative other  
15 to landfill or incinerate it at the end. I think  
16 this is such common sense legislation that like  
17 you've been saying there's no opposition really to  
18 this. It's a win/win for the environment, for  
19 individuals, for the restaurant industry, because  
20 they're going to be reducing cost. And I think just  
21 to address the Council directly, it does not bode  
22 well for the Council if this does not pass. It is  
23 common sense, low hanging fruit, non-controversial.  
24 There are going to be more difficult, you know,  
25 legislative bills coming up about the environment.

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2 This is not one of them, and so if this is unable to  
3 pass, that's honestly really depressing, and it's-- I  
4 think will, as a result of this not passing,  
5 [inaudible]-- if this doesn't pass, I think it will--  
6 it will hurt the Council and it will leave a bad  
7 legacy for those in it right now. So, that's what I  
8 wanted to say. This is-- it should be easy, and I  
9 hope this passes. Thank you.

10 COMMITTEE COUNSEL: Thank you. Next we  
11 will hear from Patrick Houston and then Anita Chan.  
12 Patrick Houston?

13 SERGEANT AT ARMS: Clock is ready.

14 PATRICK HOUSTON: Okay, sorry, I was  
15 muted. Good morning, everyone and thank you for  
16 holding this hearing today. My name is Patrick  
17 Houston. I'm a resident of Brooklyn, New York  
18 concerned about plastic waste and environmental  
19 sustainability. Intro 1775B is a common sense piece  
20 of legislation to help fight the plastics crisis, cut  
21 cost for restaurants, cut cost for New York City  
22 waste management, and reduce environmental pollution  
23 to communities and individuals. Plastics are  
24 infiltrating nearly every part of our environment.  
25 They have been found not only in our oceans and



2 natural environments, but also in our food, water,  
3 air, rain, and our bodies. According to a study by  
4 the World Wildlife Fund for Nature, each human on  
5 earth is consuming nearly five grams of plastic per  
6 week. In the last 18 years, since 2002, we have  
7 produced more than half of the plastics ever created.  
8 If we continue our pace of plastics production and  
9 consumption, it is with -- pace with our plastics  
10 production and consumption, it's predicted that the  
11 tonnage of plastics by 2030 will be roughly half the  
12 tonnage of all the fish we catch annually. We are  
13 dramatically and unsustainably altering [sic] our  
14 environment and ecology. Plastic has also had  
15 significant financial costs. As has been mentioned,  
16 New York City spends about an estimated 42 million  
17 per year on processing plastic waste. As for  
18 plastics recycling, we know it's more myth than  
19 reality. According to the Journal of Science  
20 Advances, only nine percent of the 6.3 trillion  
21 kilograms of plastics created since 1950 has ever  
22 been recycled. And while I live in Brooklyn, I'm  
23 originally from Pennsylvania. In 2016, I toured the  
24 Cabana Waste Energy Plant in Chester County. This  
25 incineration plant spews harmful emissions into the

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2 environmental justice Chester community in which it  
3 is located. I'm finishing up here. I know my time's  
4 getting short. It was cited as one of the largest--

5 SERGEANT AT ARMS: [interposing] Time's  
6 expired.

7 PATRICK HOUSTON: Okay-- of the largest  
8 polluters of its kind in the US and from where our  
9 tons of waste at the Cabana incinerator shipped, from  
10 New York City. Included in my testimony, which I'll  
11 submit for the record is also the connection to the  
12 fossil fuel industry who under fire for cooking the  
13 planet, is now trying to shift to plastics and  
14 building plants like the large Royal Dutch Shell  
15 Petro-Chemicals plant in Pennsylvania as well, which  
16 produces plastic ingredients. So, finally, thank  
17 you, Council Member Bramer. Thank you. Everyone's  
18 who's fighting on this, let's move this forward.  
19 Let's pass this legislation, lower costs for  
20 businesses, for our city, mitigate damage to the  
21 environment and our public health. Thank you for the  
22 opportunity to testify.

23 COMMITTEE COUNSEL: Thank you. The next  
24 witness I will call is Anita Chan. Anita Chan?

25 SERGEANT AT ARMS: Clock is ready.

2 ANITA CHAN: Good morning. My name is  
3 Nita and I'm the Zero Waste Manager at Earth Matter  
4 New York, a nonprofit environmental organizations on  
5 Governor's Island. I am in support of the Skip the  
6 Stuff bill. Most of us who order takeout or delivery  
7 probably have a collection of unused single-use  
8 utensils and condiment packets that were  
9 automatically given even if we opted out on the  
10 special instructions. We really need to avoid the  
11 wasteful practice of automatically giving these  
12 things, which in many cases the food and drinks are  
13 consumed at home or other settings where supplies are  
14 already available. Production of single-use items,  
15 much of which is plastic, creates air and water  
16 pollution and often leads to litter from improper  
17 disposal. These past two years, the use of single-  
18 use items has only increased based on the claim that  
19 is safer to use them instead of reusables during  
20 COVID-19. However, many studies have already proved  
21 that to be a false claim. On Governor's Island,  
22 Earth Matter has been working with food and drink  
23 vendors to reduce the use of unnecessary items when  
24 serving food and drinks. Allowing customers to opt-in  
25 to reusing-- to receiving utensils, napkins and

2 condiments rather than getting them by default really  
3 makes a huge difference. This proactive behavior is  
4 one of the strategies we use as part of the Zero  
5 Waste Island Initiative, a partnership with the Trust  
6 of Governor's Island. An individual instance may  
7 seem minor, but it really adds up over time to all  
8 this unnecessary waste and pollution. When reuse  
9 isn't a viable option, we need to take action to cut  
10 down where we can and be responsible for all of the  
11 waste that we generate. This bill will create a  
12 win/win/win situation. Restaurants will be able to  
13 save money and space because they can buy less  
14 inventory. Our environment will benefit as less  
15 waste will be generated, and the demand for single-  
16 use production and associated transportation  
17 footprint cost will decrease. This bill will help  
18 with a smoother transition to reuse models.  
19 Customers will be able to live a more sustainable  
20 lifestyle and have less clutter of single-use items,  
21 signaling to others that they can make a choice to  
22 refuse what they don't need. Let's--

23 SERGEANT AT ARMS: [interposing] Time  
24 expired.

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2 ANITA CHAN: [inaudible] and pass this  
3 bill to cut down the waste without compromising the  
4 needs of customers. Thank you.

5 COMMITTEE COUNSEL: Thank you. If I have  
6 inadvertently missed any public witnesses who have  
7 registered to testify today and have yet to be  
8 called, please use the Zoom raise hand function, and  
9 you will be called on in the order you've raised your  
10 hand. I will note that we've just been joined by  
11 Council Member Menchaca as well. Now, Acting Chair  
12 or bill sponsor Council Member Van Bramer, do either  
13 of you have closing remarks? Council Member Van  
14 Bramer?

15 COUNCIL MEMBER VAN BRAMER: Thank you  
16 very much to Acting Chair Margaret Chin for being  
17 with us and leading us here. I want to thank Chair  
18 Ayala, Speaker Johnson, Jason Goldman, and everyone  
19 who allowed for this moment to take place, all the  
20 advocates, everyone who's worked on this, all the co-  
21 sponsors. I don't know exactly how many people we  
22 had testify here today, but it was significant big  
23 group, everyone supportive of this on so many  
24 different levels. So, I'm just absolutely thrilled  
25 that we've taken it to this point. And now we have

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2 one, of course, last important thing to do which is

3 to pass the bill. So, thank you everyone. Eric says

4 22 organization and advocates testified. Thank you

5 all very, very much. Thank you very much, Chair

6 Chin,

7 COUNCIL MEMBER CHIN: Thank you, Council

8 Member Van Bramer for sponsoring this bill and

9 getting, you know, all of us to join you in co-

10 sponsoring, and thank you to all the advocates. It's

11 been an honor working with all of you trying to get

12 to zero waste, and I remember, you know, all the work

13 that we did on the plastic bag bill. Ended up being

14 the plastic bag ban from the state, but yeah,

15 Cafeteria Culture and all the environmental groups

16 and all the great work that you have done. And we

17 will definitely work to make sure that we pass this

18 bill before the end of session, and then in the next

19 session we're counting all of you and all of us to

20 continue on this journey to make sure that we get to

21 zero waste. So, I also wanted to thank our Committee

22 Counsel, all the committee staff, Stephanie Jones,

23 Senior Legislative Council, Leah Skrzypiec, who

24 moderated today's hearing. Thank you Leah. Noah

25 Messler, our Senior Legislative Policy Analyst and

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2 Jay Florentine Cabor [sp?], our Financial Analyst of  
3 this committee, and thank you to all the sergeants  
4 for helping us run this hearing smoothly, and we will  
5 look forward to the passage of this bill. Thank you  
6 again everyone for being here today. This hearing is  
7 now adjourned.

8 [gave]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date January 31, 2022