

**TESTIMONY OF THE MAYOR'S OFFICE  
BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON  
CONSUMER AFFAIRS AND BUSINESS LICENSING**

*June 21, 2018*

**I. INTRODUCTION**

Good afternoon. My name is Mark Chambers and I am the Director of the Mayor's Office of Sustainability (MOS). I want to thank Chairperson Espinal and members of the committee for this opportunity to discuss Introduction 936, banning single-use plastic straws and beverage stirrers.

I want to say at the outset that the Administration strongly supports this bill, provided that it also addresses the needs of people with disabilities and others who still may require the use of plastic straws. Single-use plastic straws and stirrers are a pernicious source of pollution; they are among the most common type of litter worldwide. Ending our reliance on single-use plastics like straws, stirrers, and plastics bags – especially when there are viable convenient and sustainable alternatives available – is a shared goal between the Administration and the Council and aligns with the City's Zero Waste and 80 x 50 greenhouse gas reduction commitments. It is also an issue the public is urging us to act on.

**II. A PERNICIOUS PROBLEM**

Simply put, plastic straws and stirrers are very difficult, if not impossible, to recycle. According to the Department of Sanitation (DSNY), plastic straws and stirrers are too light and too small to be caught by the screening mechanisms in our mechanical recycling sorters. They drop through sorting screens and mix with other materials contaminating recycling loads or getting disposed as garbage.

Mostly because of their size and weight, it is difficult for the City to track how many single-use plastic straws and stirrers are sent to our landfills, but the national statistics suggest approximately 13 million straws are used and discarded each day by a city as large as ours. That adds up to over 4.7 billion straws a year. Assuming those 13 million straws make it into trash cans, that volume is the same as putting approximately six school buses per day or over 2,000 per year into landfills.<sup>1</sup>

Making matters worse, single-use plastic straws are also made with dirty fossil fuels. Polyethylene (PET) the type of plastic most commonly used for plastic bags and straws is most often derived from crude oil and natural gas. The EPA estimates for every ounce of PET produced, one ounce of carbon dioxide is emitted. For example, the emissions from a year's worth of straws would be like burning over two million pounds of coal.<sup>2</sup>

In 2017, New York City residents discarded more than half a million tons of plastic in either the refuse or recycling streams – about 15 percent of all residential waste.<sup>3</sup> New Yorkers sorted less than half of these plastic items into recycling bins, the rest went straight to landfills. Bills like Introduction 936, limiting plastic waste, will not only help us meet our Zero Waste goals but also help cut our carbon emissions. By banning these single-use plastics we can help cut emissions associated with manufacturing straws, but also cut noxious emission closer to home: reducing waste reduces truck traffic and increases our air quality.

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<sup>1</sup> This assumes the volume of an average school bus is 960 cubic feet and the volume of average plastic straw is .75 cubic inches.

<sup>2</sup> Based on national statistics, the number of single-use plastic straws and stirrers estimated to be consumed in a city the size of New York City each year is 4.74 billion, which would weigh approximately 4 million pounds. That is over 4 million pounds of carbon dioxide equivalent or the same as burning roughly two million pounds of coal, according to EPA's Greenhouse Gas Equivalencies Calculator. <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

<sup>3</sup> See "2017 NYC Residential, School, and NYCHA Waste Characterization Study", New York Department of Sanitation, 2017.

Beyond their climate impacts, plastic straws and stirrers also pose environmental harms. Single-use plastics don't biodegrade but breakdown into ever smaller pieces, and as health studies increasingly show, they're entering the food chain. Straws and stirrers are among the most common piece of garbage found on beaches in the United States. Trash, like single-use straws, discarded on New York City streets wash down catch basins and end up in our waterways —threatening marine wildlife, putting human health at risk, negatively impacting recreational activities, and costing our taxpayers millions of dollars to clean up.

### **III. ENFORCING A BAN**

Enforcing Introduction 936 will be crucial to its effectiveness. Given the Department of Consumer Affairs' limited oversight with the food and beverage establishment, the Administration suggests vesting the authority to enforce this bill with the Department of Health and Mental Hygiene, which already inspects these establishments.

#### ***Protecting People with Disabilities***

While the Administration supports the principal environmental goals of Introduction 936, we also want to acknowledge the concerns of the disability community that the bill as written may not adequately address the needs of people with disabilities who require plastic straws. We hope to work with the Council to address these concerns and would support amendments to ensure that people with disabilities are not adversely affected by the passage of this proposed legislation in collaboration with our colleagues at the Mayor's Office for People with Disabilities.

### **IV. BUILDING MOMENTUM**

Banning single-use plastic straws and stirrers is an important step to cut our plastic consumption. But our plastic problem will only get bigger if we don't take additional steps. Driven by cheap natural gas prices, fossil fuel companies, like Exxon and Shell, will invest over \$160 billion in the next five years into new facilities to produce the raw material for everyday plastics.<sup>4</sup> New investments like these could undermine efforts to reverse plastic pollution and lock in plastic production for decades to come.

The good news is the movement to ban single-use plastics is gaining momentum. Across the country voluntary grass roots efforts to curb plastics have led to local governments pursuing bans and fees on single-use plastics. California and Michigan have banned plastic bags; San Francisco banned bags and has an ordinance prohibiting municipal funds from purchasing plastic water bottles; Malibu banned all plastic straws, stirrers, and utensils. And on July 1, 2018, Seattle will become the first city in the country to ban the widest range of single-use plastics including bags, utensils and straws.

Here in New York City, the Council banned the use of its funds from purchasing plastic water bottles. Next year, thanks to our recent victory in litigation, the ban on foam food service products will finally go into effect, preventing this pernicious and environmentally unfriendly substance from flooding our streets, landfills, and waterways. And as you know, Mayor de Blasio remains firmly committed to reducing waste from single-use plastic bags, and we look forward to continued work with the Council on this issue. Through MOS's GreeNYC program, the Administration has engaged tens of thousands of New Yorkers in making different choices that have big impacts for themselves, their city and the planet. More than 30,000 pledged to bring their own bottle, bag or coffee mug; and in coordination with DSNY, we've handed out more than 550,000 reusable bags and 23,000 reusable bottles to show practical, sustainable and convenient alternatives to single-use plastic items.

### **VI. CONCLUSION**

In conclusion, I want to thank Chairperson Espinal and the committee for introducing this important and necessary bill. My office stands ready to work with the Council to explore more ways we can tackle plastics pollution together in a way that also adequately address the concerns of the disability community. We are proud of our efforts to date but recognize we have to be bolder than ever before, because the challenges are greater than ever before.

I am happy to take your questions.

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<sup>4</sup> See American Chemistry Council, "Shale Gas and New U.S. Chemical Industry Investment: \$164 Billion and Counting," April 2016, available at <https://www.slideshare.net/MarcellusDN/acc-shale-gas-and-new-uschemical-industry-investment-164-billion-andcounting>.



**Testimony**

of

**Mary T. Bassett, MD, MPH  
Commissioner**

**New York City Department of Health and Mental Hygiene**

before the

**New York City Council Committee on Health**

on

**Intro: 965**

**June 21, 2018  
Council Chambers  
New York City**

Good afternoon, Chairperson Espinal and members of the Consumer Affairs Committee. I am Dr. Mary Bassett, the Commissioner of the New York City Department of Health and Mental Hygiene. Thank you for the opportunity to testify on Introduction 965.

Since 2002, New York City's adult smoking rate has dropped by 39 percent, from 21.5 percent in 2002 to 13.1 percent in 2016, and the youth smoking rate has dropped by 72 percent between 2001 and 2017, from 17.6 percent to 5.0 percent. However, more than 850,000 adult and 13,000 young New Yorkers still smoke, and an estimated 12,000 New Yorkers die from tobacco-related illnesses each year. Up to half of people who continue to smoke will die of a smoking-related disease. This may be old news but it is still true: nationally and here in New York City, tobacco use remains one of the leading causes of preventable death.

Less than a year ago, New York City regained its place as the national leader of smoking and tobacco control policy with the enactment of a historic package of laws. This comprehensive package protects New Yorkers by increasing the price of cigarettes and other tobacco products as well as reducing access to tobacco products and exposure to second-hand smoke, and it will help us meet our goal to reduce the number of smokers in the city by 160,000 over three years. These laws will help thousands of New Yorkers live longer, healthier lives, and the City is working diligently to implement them.

Local Law 146 of 2017, one of the laws enacted as part of the package last year, takes a multi-pronged approach to restricting access to tobacco products. The law updates the existing cigarette retail license to include all tobacco products, and it establishes a process for reducing the number of licenses to sell these products over time by implementing a cap on the number of retailers per community district. Retailers that did not apply before the deadline and wish to receive a license must now wait until the number of licenses in their community district falls below the cap dictated by local law. Research shows that easy access to tobacco retailers makes it harder for smokers to quit, and regular visits to retailers that sell tobacco products make youth more likely to try smoking. We estimate that this strategy may reduce the number of tobacco retailers by up to 40 percent over the course of 10 years, and the Administration stands firm in its support of this law.

New York City has a higher tobacco retailer density than San Francisco, Boston, or Philadelphia, with approximately 27 retail stores per square mile. At present, the Department of Consumer Affairs licenses more than 8,000 retailers who complied with Local Law 146 by applying for and receiving a license during the application period. Intro 965 would create a special carve-out to allow some retailers that missed the deadline to apply for a tobacco retail dealer license. This would give these retailers a significant advantage in receiving licenses regardless of the cap, thus undermining the protective intent of the City's package of tobacco laws. Based on a comparison of data maintained by the City and State, DCA believes that it is likely that the majority of the retailers eligible for this exemption to the local law are located in Central Brooklyn, the Bronx, and Upper Manhattan. These are neighborhoods of color that already carry the highest burden of poor health outcomes in our city and are often a target of predatory marketing practices by the tobacco industry. The Administration cannot support the current draft of this bill and the potential harm to the health of New Yorkers that it poses.

This bill would allow more sales of these deadly products to continue in neighborhoods where we work tirelessly to address health inequities. We look forward to working with Council to ensure that this commitment to public health is maintained.

Thank you for the opportunity to testify. We are happy to answer questions.

**Testimony of Tamala Boyd  
New York City Department of Consumer Affairs**

**Before the  
New York City Council Committee on Consumer Affairs and Business Licensing**

**Hearing on  
Introductions 823, 936, and 965**

**June 21, 2018**

Good morning Chair Espinal and members of the Committee on Consumer Affairs and Business Licensing. My name is Tamala Boyd and I am the General Counsel for the New York City Department of Consumer Affairs (DCA). Today, I will present testimony on Introduction 823, a bill that would allow bars and restaurants to impose surcharges unrelated to any additional services requested by consumers to the amounts already owed, so long as the bar or restaurant makes certain specified disclosures.

DCA protects and enhances the daily economic lives of New Yorkers, including consumers, workers and business owners, to create thriving communities. By supporting businesses through equitable enforcement and access to resources and, by helping to resolve complaints, DCA protects the marketplace from predatory practices and strives to create a culture of compliance. Through its community outreach and the work of its offices of Financial Empowerment and Labor Policy & Standards, DCA empowers consumers and working families by providing the tools and resources they need to be educated consumers and to achieve financial health and work-life balance. DCA also conducts research and advocates for public policy that furthers its work to support New York City's communities.

As a licensor and regulator, DCA hears from businesses both large and small every day. One of the things we've learned from these interactions is that, while New York City presents businesses with unique opportunities, those opportunities come with unique challenges. Because we recognize these challenges, DCA has made educating businesses and helping them understand and comply with our laws and rules major agency priorities. DCA conducts hundreds of outreach events including business education days, licensee open houses, online live chats, training webinars, and other events, each year. Last year, we rolled out our new Visiting Inspector Program, which provides new licensees with no-fine visits by a senior inspector to identify problems and help businesses correct them before a fine is issued. Thanks to this program, the first interaction that a new licensee has with a DCA inspector will be collaborative and educational, rather than potentially punitive.

Notably, DCA also collaborates with our sister agencies across the Administration to streamline the services we offer businesses, and to make the regulatory process more efficient. We routinely seek feedback from businesses on our education and outreach events and have even instituted business roundtables as critical feedback sessions for our Commissioner and senior staff.

In the hospitality industry specifically, DCA enforces key consumer protection and workplace laws, and licenses the sidewalk café activity of almost 1,300 restaurants across all five boroughs. All new sidewalk café licensees were offered VIP inspections. Our Licensing and Enforcement Divisions regularly interact with the industry, and our External Affairs Division has a direct line to many industry advocates. So, while we understand and appreciate some of the challenges particular to the hospitality industry, DCA opposes this bill's attempt to authorize the imposition on consumers of surcharges on top of the stated price of menu items, and unrelated to any additional service requested by the consumer. Currently, a DCA rule prohibits the imposition of such surcharges, but nothing in this rule prevents businesses from setting their menu prices at a level sufficient to cover their expenses, turn a profit, and grow their operation. What DCA's rule does prohibit are attempts to mask part of those prices as "surcharges."

Social science research, both from inside and outside the hospitality industry, has long indicated that the manner in which a price is presented can have a profound effect on how consumers perceive that price. For example, a recent study found that consumers rated menu prices that included an automatic service charge of 15% or less as better deals than menu prices that factored in the cost of service, even when the total amount paid by consumers was the same. Similarly, research has shown that consumers tend to be "price focused," meaning that they concentrate on the total price of an item or service, oftentimes to the exclusion of other fees or charges associated with a purchase.

DCA believes that consumers have a right to have terms and prices communicated to them in a way that they can understand and internalize. Allowing businesses to mask price increases as "surcharges" takes advantage of consumers' perception that they are getting a deal when, in fact, they are not. We believe that preventing that behavior is a common-sense consumer protection measure and thus we oppose Intro. 823 in its current form.

DCA will continue to work diligently to make it easier for businesses to understand and comply with the important protections for consumers and workers that we are charged with enforcing. We take our mission of helping consumers, workers and businesses very seriously and we are happy to engage in further conversations with you about any legislation that furthers that mission.

Thank you for the opportunity to testify today. I will be happy to take any questions.



**Testimony of  
Vanessa Vargas  
Youth Advocate, Wildlife Conservation Corps  
Wildlife Conservation Society**

**New York City Council Committee on Committee on Consumer Affairs and Business Licensing**

**June 21, 2018**

Good Afternoon,

My name is Vanesa Vargas. I'm currently a sophomore at Edward R. Murrow High School, and I'm part of the Wildlife Conservation Corps (WCC). I am here representing my other 14 partners in WCC I work with.

The purpose of the Wildlife Conservation Corps at the New York Aquarium is to advocate for ocean conservation and to focus on how plastics affect us and the oceans. As high school students, we are part of a reputable program that educates and inspires other high school students to engage on ocean conservation and educate others who are not aware.

**It is vital that we seek to inform and inspire people of all ages about how plastics are affecting all of us, and how we are not conscious of its presence and impact.** The Give a Sip Campaign provides us the opportunity to do just that; translating these city-wide initiatives into calls of action. **As teens, we are soon to vote and expand our voices even more.**

On behalf of the WCC, we thank Council Member Espinal, members of the Committee, New York City businesses and other amiable voices we've heard from. We hope all of us take meticulous actions to protect our beautiful local seascapes and our marine wildlife. We are one step closer to making our oceans happy and our marine life beatific.

Thank you!



**Testimony of  
John F. Calvelli  
Executive Vice President, Public Affairs  
Wildlife Conservation Society  
before the  
New York City Council Committee on Committee on Consumer Affairs and Business Licensing**

**June 21, 2018**

Thank you for the opportunity to testify regarding the prohibition of single-use plastic beverage straws and stirrers in New York City and the important role of Int. 936, to address concerns of plastic pollution in our waters. Thank you Chairman Espinal for the opportunity to present on behalf of the Wildlife Conservation Society. My name is John Calvelli and I am the Executive Vice President for Public Affairs.

Based in New York City since 1895, the Wildlife Conservation Society (WCS) is a global conservation organization to save wildlife and wild places worldwide through science, conservation action, education, and inspiring people to value nature. We harness the network and power of our Global Conservation Program in approximately 60 countries and all the world's oceans and our five New York City-based wildlife parks, including the Bronx Zoo, and New York Aquarium in Brooklyn which inspire 4 million people each year.

WCS combines its expertise in the field, zoos, and aquarium to achieve its conservation mission with the aim of conserve the world's largest wild places in 16 priority regions, home to more than 50 percent of the world's biodiversity. One of the sixteen regions includes the New York Seascape, which consists of the coasts and seas of the mid-Atlantic. At the end of this month, WCS's New York Aquarium will open the Donald Zucker and Barbara Hrbek Zucker Ocean Wonders: Sharks! exhibit, featuring over 115 marine species and with a focus on engaging New Yorkers of all ages to be stewards of the ocean and the New York Seascape.

Everyday, we're hearing new and staggering information on the impacts of plastic pollution. Plastic has the potential to stay in the environment for hundreds of years; the use of plastic has increased twenty-fold in the last 90 years and is expected to double in the next twenty! According to the Washington Post, nearly eight million tons of plastic enter the ocean each year, about a dump truck of plastic every minute. Some of the most disturbing statistics are impacts on wildlife -- like the fact that by 2050, there will be more plastic than fish in our oceans.

While this information can be disheartening, U.S. coastal cities are not sitting idly by. Seattle enacts its ban on single-use plastic straws next month and other cities like Malibu, CA and Ft. Myers, FL have passed similar bans. New York City and our waters and wildlife are not free from



the dangers of plastic, which is precisely why with Int. 936 New York City is aiming to tackle straws -- one common source of plastic pollution -- directly. Plastic straws cannot be recycled, so they either end up in a landfill or as litter where they eventually wind up in the ocean and are consistently among the most common litter items found during beach cleanups.

Int. 936 focuses on eliminating single-use plastic straws and stirrers at food establishments throughout the city. The bill also notes that restaurants and bars can encourage individuals to use alternatives like metal or paper straws or simply skip the straw altogether. The bill also includes common sense exemptions for instances where individuals might need plastic straws in cases of disabilities or medical reasons.

To support this exciting legislation and the broader movement to eliminate plastic straws, WCS has launched our Give a Sip campaign – that's Give a Sip dot NYC – which asks all New York City consumers, along with restaurants and businesses, to support the legislation to stop using single-use plastic straws, which contribute to plastic pollution that harms a wide array of marine wildlife from whales to sea turtles.

Eliminating plastic straws is not an impossible task. WCS, which runs the Bronx Zoo, New York Aquarium, Central Park Zoo, Prospect Park Zoo, and Queens Zoo, has already eliminated plastic straws from all of its parks. Furthermore, many partners throughout the city have already joined in our efforts to take on this issue.

Restaurants like Pier A and Craft have already done so or committed to removing plastic straws from their operations. In fact, working closely with our NGO partners, we've engaged more than 150 NYC restaurants already in our campaign.

Another essential partner has been the Yemini American Merchants Association (YAMA), which runs many of the city's bodegas. The association seeks to support the growth and development of Yemeni-American merchants and their families through education, capacity building services, information, networking, and advocacy.

Our fellow environmental NGOs like NRDC, Bronx River Alliance, Waterfront Alliance, and NYC Audubon have all recognized that this issue is an important, and have committed to supporting it as well.

This is a growing movement that is not slowing down. Major companies and small businesses alike are recognizing that they can have an impact on how much plastic ends up in our environment. Through Int. 936, New York City has the opportunity to lead in combating plastic pollution in New York's waters and beyond. Thank you for this opportunity to testify today.

Thursday, June 21, 2018  
250 Broadway, 14<sup>th</sup> floor, Committee Room  
New York, NY 10007

**Comments of the New York City Hospitality Alliance on Int. 823 – in relation to allowing restaurant surcharges**

My name is Andrew Rigue and I am the Executive Director of the New York City Hospitality Alliance, a not-for-profit trade association that represents thousands of eating and drinking establishments in the five boroughs, many of whom want the option of adding a clearly disclosed surcharge to menu prices, a right given to restaurants throughout the rest of New York State and the country. That's right, New York City, the most competitive restaurant market in the world, is the only place that we're aware of where restaurants don't have this freedom. Restaurants in other progressive cities like San Francisco and Seattle may use a surcharge, and they do successfully. In NYC we should have the same freedom too.

The cost to operate a restaurant in New York City is sky high and the regulatory environment is daunting. Contrary to Mayor de Blasio's comments that he isn't sure the restaurant industry is struggling; many local businesses are – just speak with a few in your Council district. Employment growth in our city's full-service restaurant industry has been chopped in half in recent years. The growth of liquor licensed establishments plummeted. Many established full-service restaurateurs, and new operators are opening in other cities, or opening limited service restaurants, which are great, but they don't employ as many New Yorkers, nor do workers earn such significant money from tips. They also don't offer the same full-service dining experience that has made New York City the Restaurant Capital of the World.

So, in today's changing business environment, full-service restaurants seek new ways to modify their business model and stay competitive. That's where a clearly disclosed surcharge comes in. It is not a fix-all, but it is one tool commonly used by many other industries, that may help some restaurants and their workers in today's challenging climate. If restaurateurs believed they could just continue to raise menu prices, they would, and we wouldn't be having this conversation. Your favorite restaurant didn't design consumer purchasing behavior, they are just trying to run a business, employ people, pay taxes and create nice experiences within its confines.

If their customers don't like the surcharge, they won't continue using it. And, as long as the charge is clearly disclosed to the customer where menu prices are listed, as required by the proposed law, nothing is deceptive about the practice.

This point leads us to question the legality of the Department of Consumer Affairs ("DCA") Rule prohibiting a clearly disclosed surcharge. The Rule is promulgated under the section of the law that prohibits deceptive trade practices. If the surcharge is clearly disclosed, then it clearly is not deceptive. And, because surcharges are permitted in all other industries in the city, the Rule is also discriminatory towards the restaurant industry. Over the years, the DCA has issued multiple opinion letters on the Rule, providing various exemptions, except the one restaurateurs want, which has turned the Rule into swiss cheese, and further delegitimized its standing. It is clear however, that if this proposal is enacted into law, or the Rule is repealed, the City would and



should retain the authority to penalize a restaurant that applies a surcharge without properly disclosing it to a customer.

It's important to note that full-service restaurants are the ones asking for permission to use a surcharge. They are respected business owners, many of whom sit on the Mayor's own NYC Food and Beverage Hospitality Council, of which I am a member. The surcharge has not been a limited-service restaurant issue. And, we're unaware of limited service restaurants in other cities that use a surcharge.

Two camps of full-service restaurants want the option of using a surcharge. Some want to use a small surcharge (around 3-4%) where customers still tip. Others may experiment by having a larger surcharge but eliminate tipping. Both can use the revenue to cover operating expenses like high rents, high labor and benefit costs, and to help reduce the disparity in wages between tipped workers (servers and bartenders) and kitchen workers who work so hard but are prohibited by law to participate in a restaurant's tip pool. So, a surcharge can help businesses and help create a more fair and equitable workplace. In both examples, restaurants would independently set the surcharge percentage and business model, so it is tailored for their specific needs.

In my nearly 15 years representing the City's hospitality industry, I have seen very few issues so important to so many restaurateurs for a consistent period. Nearly every day, for two years, I've had one or more restaurateurs ask me when Mayor de Blasio will step up and help them by getting rid of this antiquated prohibition. Regretfully, I haven't been able to provide them with an answer they deserve. So, it is with great thanks to Council Member Borelli, Chair Espinal, members of this committee, and the City Council at large for hearing the voice of our city's restaurant operators and taking action on getting this inappropriate Rule off the books.

Regardless of how you feel about a restaurant surcharge, we urge you to let businesses owners have the same right others have throughout the rest of the state and country, and let their customers decide if they like the system or not. We urge you to please support and pass Int. 823 – in relation to allowing restaurant surcharges.

Respectfully Submitted,

Andrew Rigue  
Executive Director  
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**Testimony**

**Regarding**

**Int 0965-2018 - A Local Law in relation to applications for retail dealer licenses for sale of cigarettes or tobacco products**

**Submitted by:**

**American Heart Association / American Stroke Association**

**Robin Vitale, Vice President, Health Strategies**

**June 21, 2018**

Members of the Committee on Consumer Affairs and Business Licensing:

The American Heart Association / American Stroke Association is our nation's largest, voluntary-led, science-based organization focused on the prevention and treatment of cardiovascular diseases and stroke. Approximately 80% of diagnoses involving these chronic diseases could be prevented if Americans improved their lifestyles and adopted healthier behaviors.<sup>1</sup>

In the last 50 years, 20 million Americans have died prematurely due to tobacco-caused illnesses.<sup>2</sup> Smoking tobacco or breathing in secondhand smoke damages arteries throughout the body, the heart, and the brain. Clots in arteries are more likely to form as a result, causing a heart attack or stroke. Smoking also lowers the level of HDL or 'good' cholesterol, raises heart rate, and replaces oxygen in the blood with carbon monoxide. In short, smoking wreaks havoc on the cardiovascular system.<sup>3</sup>

And the toll is not just on our health but on the health of our economy. Smoking has been estimated to cost the U.S. economy between \$289 billion and \$333 billion per year, including workplace productivity losses of \$151 billion, and direct medical expenditures between \$133 billion and \$176 billion.<sup>4</sup>

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<sup>1</sup> <http://www.cdc.gov/vitalsigns/HeartDisease-Stroke/index.html>

<sup>2</sup> <https://www.surgeongeneral.gov/library/reports/50-years-of-progress/50-years-of-progress-by-section.html>

<sup>3</sup> Barnoya J, Glantz SA. Cardiovascular Effects of Secondhand Smoke Nearly as Large as Smoking. *Circulation*. 2005;111:2684-2698.

<sup>4</sup> US Department of Health and Human Services. 50 Years of Progress: A Report of the Surgeon General, 2014. 2014. Available at: [http://www.surgeongeneral.gov/library/reports/50-years-of-progress/50-years-of-progress-bysection.html](https://www.surgeongeneral.gov/library/reports/50-years-of-progress/50-years-of-progress-bysection.html).

For these reasons, the AHA advocates for policies that serve to reduce access to tobacco, limit exposure to secondhand smoke and generally promote awareness about the dangers of tobacco use. While our city has often lead the way in pioneering health policies, there is always more work to be done until every New Yorker is able to steer clear of nicotine addiction. Empirical research establishes the need for a comprehensive, multi-pronged approach to tobacco control, including measures that change social and cultural norms about tobacco use, limit tobacco accessibility and restrict smoking. As we continue to lose approximately 12,000 city residents to tobacco-related illness every year, the city has a responsibility to pursue more solutions against this health risk.<sup>5</sup>

These were the reasons the American Heart Association, along with our colleagues in the tobacco control community, worked to secure the passage of a suite of tobacco laws last year. Local Law 146 of 2017 was among these. The intention behind the law is to help reduce the number of tobacco retailers, thereby lessening the presence and resultant influence on New Yorkers by the tobacco industry. Intro 965 appears to threaten the course of a decades-long standard our city has maintained. This is not a city that caters to Big Tobacco. While the scope may be intended to be limited, this bill could ultimately increase the number City-licensed tobacco retailers. And we already have a higher tobacco retailer density per square mile than many other metro regions, including Philadelphia, Boston, or San Francisco. With a reported 8100 businesses having secured their city licenses, it's unclear how some businesses are claiming to have been caught off guard by the new regulation.

Evidence shows that it is more difficult for smokers to quit, particularly in low-income areas when they reside in close proximity to a tobacco retailer. And children exposed to tobacco retailers can double the risk of tobacco use initiation.<sup>6</sup> Communities adopt tobacco retailer licensing laws as one way to ensure compliance with tobacco laws and to combat the public health problems associated with tobacco use. We are grateful for the city's past courage to take a stand against the interests of Big Tobacco and promote public health as a top priority. We ask that you continue this legacy and maintain the purpose of Local Law 146 of 2017.

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<sup>5</sup> <http://www1.nyc.gov/site/doh/health/health-topics/smoking.page>

<sup>6</sup> Lorraine R. Reitzel, et al The Effect of Tobacco Outlet Density and Proximity on Smoking Cessation, Am J Public Health. 2011 Feb; 101(2): 315–320. doi: 10.2105/AJPH.2010.191676

LISA DICAPRIO, JUNE 21, 2018 SIERRA CLUB NYC GROUP STATEMENT IN SUPPORT OF INT. 0936-2018.

My name is Lisa DiCaprio. I am a professor of Social Sciences at NYU and the Conservation Chair of the Sierra Club NYC Group.

Thank you for the opportunity to participate in this hearing.

The Sierra Club NYC Group supports Int. 0936-2018, which was introduced by Council Members Rafael Espinal, Helen Rosenthal, who represents me in the City Council, and Barry Grodencik. The bill will ban single-use plastic straws and stirrers at NYC food and beverage service establishments. This is an important initiative to reduce plastic pollution which includes millions of plastic straws and stirrers that cannot be recycled, are not biodegradable, and for which alternatives are available.

The proposed legislation reflects an increasing global awareness about the destructive impact of various kinds of plastic pollution. Today, plastics represent the most common form of debris in our oceans and the Great Lakes.

Single-use plastic straws and stirrers comprise more than seven percent of plastic products, plastic straws represent the sixth most common type of litter, and only one percent of these straws are recycled. As related in the National Geographic issue, Planet or Plastic?, 18 billion pounds of plastic end up in our oceans every year and more than 40% of plastics that are produced are only used once and then discarded. (See: <https://www.nationalgeographic.com/environment/planetorplastic>)

Here, for example, is a photograph of a stork in a landfill in Spain that is fully encased in a plastic bag and only survived because it was freed by the photographer.

As voluntary initiatives are not sufficient, legislation to ban single-use plastic straws is gaining momentum within and outside of the U.S.

Several cities, such as Seattle, Malibu, and Miami Beach have imposed bans that are now being considered on a state-wide level in California and Hawaii.

On April 16 of this year, British Prime Minister Theresa May announced the formation of the Commonwealth Clean Oceans Alliance which will focus on eliminating single-use plastics in order to reduce marine pollution. (See: <http://sdg.iisd.org/news/commonwealth-clean-oceans-alliance-supports-sdg-14-achievement/>)

Most recently, on May 28, the European Commission, which proposes legislation for the European Union, announced a directive that, if approved by the EU's 28 member states, will ban several single-use plastic items, such as plastic straws, for which sustainable alternatives are available. (See: <http://fortune.com/2018/05/28/eu-plastic-straw-ban-environment>) In announcing this directive, Frans Timmermans, the vice president of the European Commission, stated, "We are at risk of choking our oceans in plastic." (See: <http://www.startribune.com/european-commission-moves-to-take-on-plastics-industry/483896971>)

In addition to supporting Int. 0936-2018, the Sierra Club NYC Group is advocating for Council Member Espinal's bill Int. 0839-2018 to prohibit the sale or distribution of single-use bottles for commercial purposes at NYC beaches and parks (see: <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3486131&GUID=1CA49309-A39D-4873-BCEE-CDFBE93BA2D1&Options=ID|Text|&Search=Int.+0839-2018>) and Council Member Ben Kallos' bill Int. 0846-2018 to prohibit the sale or distribution of single-use water bottles on NYC property (see: <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3486159&GUID=623F5432-DA9F-4AD9-99CC-BD4862805649&Options=ID%7CText%7C&Search=0846-2018>).

With these three, interrelated bills, the NY City Council is contributing to the global campaign to protect our oceans, which are essential for marine life and the habitability of our planet.



## Billion Oyster Project

*City Council NYC Straw Ban Legislation Hearing*

*Thursday June 21st - City Hall, NYC*

Good morning, I'm Blyss Buitrago the Community Stewardship and Engagement Manager for the Billion Oyster Project. I will be testifying on behalf of the Billion Oyster project and the countless, students, volunteers, donors, academic partners, waterfront communities whose support make our work possible and meaningful.

Thank you City Council Speaker Corey Johnson, Councilman Rafael Espinal, and all of the City Council Members for your time and passion towards this issue.

New York Harbor was once a robust estuary teeming with over 220,000 acres of oyster reefs. However by the early 1900s oysters were functionally extinct due to pollution and overharvesting. Thanks to measures such as the Clean Water Act and progressive city waterfront plans, the Billion Oyster Project can today work in partnership with the New York Harbor School to restore oyster reefs to NYC waterways. Oysters are surviving and building the foundation for future populations, biodiversity is increasing and whales have returned to NYC. Despite their size, oysters contribute towards improved water quality, build habitat for many of our marine critters, and help protect our shoreline from major storms surges like Superstorm Sandy.

The hundreds of students, teachers, environmental educators, community based organizations, academic institutions, and restaurants we work with are passionate about the oyster reefs they're creating with us and the harbor they want to see protected. As they work alongside our team to restore and steward their local waterfront, they are deeply disappointed to witness piles of plastic floatables along their shoreline. Plastic straws find their way into our local waterways through storm drains, as litter on streets sidewalks, and overflowing trash bins. Our city agencies are trying to address this growing problem, but it's time we stop the pollution at its source and ban straws from New York City as a whole.

Waterborne plastics aren't just a health concern for our marine ecosystems, it's a major public health issue for seafood eaters and the public swimming in waters where plastic debris carries pathogens and toxins. Here in New York City, waterborne trash can sometimes cause beach closures and impact our team's fieldwork across the Harbor.

As if it weren't bad enough, plastic straws break down into smaller pieces of plastic called microplastics, that pose a huge threat to our marine organisms, our public health and filter feeders like our oysters. Oysters unintentionally ingest microscopic plastic particles when feeding and recent studies have shown that microplastics can negatively impact their reproductive rates, decreasing their population. Any negative impact on oyster populations can cause a cascade effect on the countless marine organisms that call New York Harbor home. Organisms like crabs, fish, shrimp, seahorses (probably didn't think we had organisms as cool as seahorses!) rely on oyster reefs for food, habitat, and nurseries.

We're trying to provide our estuary with the best opportunities to rebuild its underwater community and microplastics can undo the efforts of our team, our constituents, and our Harbor School students.



## Billion Oyster Project

*City Council NYC Straw Ban Legislation Hearing  
Thursday June 21st - City Hall, NYC*

Today, seventy NYC restaurants sort and collect their oyster shells as part of the Billion Oyster Project Shell Collection Program. Billion Oyster Project uses the shells as the foundations of our oyster reefs. We often find plastic straws in our shell piles and look forward to the day when we no longer have to pull out the plastic straws before reintroducing the shells to NY Harbor. We are committed to supporting our seventy partners in ending their use of plastic straws and turning to alternatives like steel, bamboo, silicone, or paper straws. We understand this will be a lifestyle change for all New Yorkers, but this is the time! Passing this legislation will cause a sea change for the health of NY Harbor and build upon the strong foundation of outreach and education work of sustainably minded environmental organizations, like many of those we testify in solidarity with today.

We have a unique moment to set an example as a major urban coastal city and make further progress towards a more sustainable and healthy waterfront for future generations to enjoy. The Billion Oyster Project and our constituents will continue to work towards the New York Harbor we envision and we hope you help us by supporting the plastic straw ban.



Reclaimed oyster shells from participating NYC restaurants, where plastic straws are commonly found and picked before used for restoration

Coney Island Shoreline Full of Plastic Floatables  
(Photo Credit: Pamela Pettyjohn of Coney Island Beautification Project)





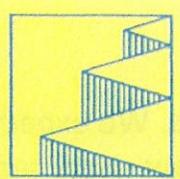
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## New York City Council Hearing – June 21, 2018

### Intro. 936 – Single-Use Plastic Drinking Straw Prohibition

Testimony of Sharon Shapiro-Lacks

Board Member of the Brooklyn Center for independence of the Disabled  
and

Executive Director of Yad HaChazakah-The Jewish Disability Empowerment Center

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Members of the Council, I am Sharon Shapiro-Lacks. I represent two fine disability organizations and I am a plastic straw user.

The bill as written must be rejected by this Council. It does not go far enough to protect food service customers who need to use plastic drinking straws. It's unfortunate that once again policies are drafted without effectively consulting the disability community. Any future bill must be drafted in consultation with organizations, including independent living centers, that represent people with the broad array of obvious or hidden disabilities.

I personally have had distasteful "sips" of the results of a no plastic straw policy. I am unable to use paper straws because I am not able to control the pressure with which my mouth holds the straw. As a result, paper straws flatten at the mouth tip. For example, when I go to the Brooklyn Botanical Gardens Café, I'm told that they do not carry straws. My husband has had to hold the cup to my mouth in order for me to drink in a manner that draws public attention. This compromises my privacy and dignity.

"Why don't you carry your own straws?" you may ask. I ask you; have you ever drunk through a plastic straw that has been transported in a bag or pocket? It often becomes bent or punctured and is not useable. Also, I ask you, why don't you carry your own fork, knife, or spoon? You expect these utensils to be provided to you by the restaurant or food stand. Plastic drinking straws to customers who require them are directly analogous to eating utensils for all

(Turn Page Over to Continue)

eatery customers. We expect that beverage vendors will provide plastic straws through which saw-users can imbibe the drink.

The drafters of this bill made an attempt to address this situation. However the related provisions in the bill are inadequate given that the drafters did not get adequate input from relevant representative from the cross-disability community. What works for a quadriplegic adult may not work for autistic child.

The bill states that “Food service establishments **may** provide suitable beverage straws or beverage stirrers, including those prohibited by this section, to a person that requires a straw due to a disability or medical condition as defined by this section.” No, it should *not* be “may provide...”; it **should** be “**must** provide...” Also, the bill as written implicitly places the onus upon the customer to prove that he or she has a disability. This is absolutely unacceptable. The bill must explicitly state that the customer **must** *not* bear the responsibility of proving that she or he requires a plastic drinking straw. Plastic straws must be provided to any customer upon the customer’s request.

**Please reject this bill and work with the full array of straw-reliant users and their representative organizations to draft a bill that addresses the concerns of straw users and environmentalists.**

Written and Submitted by

Sharon Shapiro-Lacks

Board Member of the Brooklyn Center for independence of the Disabled  
and

Executive Director of Yad HaChazakah-The Jewish Disability Empowerment Center

## FOR THE RECORD

My name is Jeremy Vladis and I own and operate three restaurants on the Upper West Side and one in Harlem. Until the past year, my company had six restaurants but we had to close two of them due to the increasing costs of doing business in New York City. My four remaining stores are small neighborhood restaurants that are in serious danger of closing. I fully support Int 0823-2018.

Everytime we raise prices, we lose some business. With the increased wages, we need to be allowed to add a surcharge or **we will go out of business**. Restaurants throughout the rest of the country are allowed to use an administrative fee. Why, in the most competitive city in the country is this prohibited? We would prominently display the fee on the menu with full transparency.

We have been waiting on Mayor de Blasio for two years to change this legislation. We are respectfully asking the City Council to help. As small business operators, we are running out of time.

We employ approximately 120 people, many of whom are career restaurant workers. Some of these employees are in their 50s and 60s and will find it very hard to get other restaurant jobs in this climate. One of our restaurants, Good Enough to Eat, is 38 years old and attracts tourists and locals alike. If we have to close, it will be a great loss to the neighborhood. Good Enough to Eat is so popular that it is packed for breakfast and lunch, has lines around the corner for brunch, is busy for dinner and does a decent delivery business. It is one of the busiest restaurants in the neighborhood and one of the few to turn a profit yet it barely generates a small income. Our Harlem restaurant is in an up and coming neighborhood where businesses are struggling. Marcus Samuelson, one of the most beloved chefs in the country, just closed a restaurant a few blocks from our location.

I have been in the restaurant business since I was 15 years old and I have never seen the industry in a bleaker situation. I have worked hard over the past 40 years and I loved knowing that my restaurants could contribute to the neighborhood --- they were fun places to gather; they provided jobs; fostered community; and we constantly donated food to charities and local schools. Now every day is filled with stress and worry. I know I am not alone.

On a final note, the closure of small businesses is terrible for the city of New York. Recently in our immediate three block radius alone, six restaurants and other businesses have closed..

New York is a unique city that draws tourists from all over the world who want to participate in our special culture. If we become a city of chain restaurants and mega stores then we lose the essence of this great city. I can't imagine that anyone who loves New York wants to see that happen. This surcharge is probably the only hope that our restaurants will survive.

Thank you very much for your time.

Jeremy Wladis

## **Testimony for NYC Straw Ban Bill**

Ayana Elizabeth Johnson, Ph.D.

As a marine biologist, and a Brooklyn native, watching our plastic pollution problem grow and grow and grow is horrifying. Single-use plastics -- straws, bags, bottles -- pollute our parks and streets and waterways.

Globally, a ton of plastic ends up in the ocean every 4 seconds. I've done the math myself -- it's mind boggling. And it's also one of the easiest environmental problems to fix. I am eager to see my hometown become a true leader in fighting the massive cultural addiction to plastic.

We have to get this right. The stakes are high. 83% of drinking water is contaminated -- both bottled and tap. Once plastic is in the ocean, it is broken down into smaller pieces by sun and salt; it becomes microplastic and gets incorporated in the food chain. One third of fish are contaminated with microplastic. Oysters and mussels are contaminated. And seaweed and fish meal, the foundation for pet food and livestock feed, are contaminated. Contamination of sea water itself means there is microplastic in our table salt. We are eating plastic every day, and we have no idea what the health impacts of that will be -- but common sense says that it is not good.

We used science to create a material that lasts forever, and now we throw it away, all day, every day. Most of the plastic we use is "single-use." It's completely unnecessary. And plastic straws are the most absurd. It is estimated that Americans use 500 million straws daily — which if laid end to end would wrap around the Earth's circumference more than twice.<sup>1</sup> We use these straws for only a few seconds, before we throw them away. But there is no "away." Every single piece of plastic that has ever been created is still with us.

The first straws were made of rye reeds, and then paper, and consumers happily used these straws until the plastic variety was introduced in the

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<sup>1</sup> Be Straw Free, 2016.

1960s.<sup>2</sup> Plastic straws are now one of the most frequently found items in beach cleanups, along with plastic bags and cigarette butts.<sup>3</sup>

Paper straws are beginning to make a comeback, and reusable straws are readily available in metal, bamboo and recycled plastic.<sup>4</sup> We have plenty of other options. **We do not need single-use plastic straws.**

People are turning to compostable plastics as the answer, but even these plastics made from corn starch turned into durable polymers, can take years or even decades to biodegrade. They need to be put under specific conditions to break down. And NYC does not have the infrastructure, the industrial composting facilities to properly break them down. So, these compostable plastics will sit in landfills like all the other plastics.<sup>5</sup>

This problem is massive, but some governments are already stepping up to break our addiction to plastic.

- The European Union has a proposal to ban of several single-use plastic products with readily available alternatives, such as plastic utensils, straws, and cotton buds.<sup>6</sup>
- Malibu, Seattle, Vancouver, and Taiwan have already banned plastic straws.
- New Delhi, India, placed ban on all single-use plastics in 2017.<sup>7</sup>
- Costa Rica aims to be the first country to eliminate all single-use plastics.<sup>8</sup> The phase-out of these products has already begun and will culminate in a complete ban by the year 2021.

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<sup>2</sup> Smith/Atlas Obscura, 2017.

<sup>3</sup> Ocean Conservancy, 2017.

<sup>4</sup> Smith/Atlas Obscura, 2017.

<sup>5</sup> Ren, 2003.

<sup>6</sup> European Commission, 2018.

<sup>7</sup> UNEP, 2018.

<sup>8</sup> UNEP, 2018.

It will take much more strong leadership — concrete and ambitious commitments from governments within each region and at every level to tackle our global plastic epidemic.

NYC sets global trends. Our city is a cultural arbiter. We say what's cool. And plastic straws are not cool, they are not necessary, they are not good for the planet, and they are not good for us. If NYC steps up and leads it will make a huge difference.

NYC has committed to achieving the United Nations' sustainable development goals, which includes the aim to prevent plastic pollution. We have a VERY long way to go to achieve that goal. But we can start by banning plastic straws. And we must certainly not stop there.

*Dr. Ayana Elizabeth Johnson is a marine biologist, policy expert, Brooklyn native, and founder and president of Ocean Collectiv, a consulting firm for conservation solutions. She is an adjunct professor at NYU and a visiting scholar at Pioneer Works. She works toward a healthy ocean that supports food security, economies, and cultures.*



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June 21, 2018

**Hon. Rafael L. Espinal, Jr. – Chair, NYC Council Committee on Consumer Affairs and Business Licensing**

Good Afternoon Chair Espinal, other committee members and guests.

I'm Melissa Chapman, Senior Vice President for Public Affairs at the Brooklyn Chamber of Commerce, and I'm delivering testimony on behalf of our Acting President, Rick Russo.

With over 2,000 active members, the Brooklyn Chamber is the largest and # 1 ranked Chamber of Commerce in New York State. We promote economic development across the borough of Brooklyn, as well as advocate on behalf of our member businesses. The Brooklyn Alliance is the not-for-profit economic development affiliate of the Brooklyn Chamber, which includes the Business Solutions Center in the borough that we manage. Brooklyn Alliance Capital is the third affiliate of the Brooklyn Chamber and provides micro loans to immigrant and minority-owned small businesses.

The bills being considered today will directly impact the local business community that we serve, and so we are very appreciative of the chance to provide feedback. I will now outline our positions on Int. No. 0823 and Int. No. 0936.

**Int. No. 0823 – In relation to allowing restaurant surcharges**

The Brooklyn Chamber supports this bill, as it seeks to address rising operating costs faced by restaurant operators by allowing them to add a surcharge to the amount owed by a paying customer. The cost of doing business, as well as new compliance requirements are increasing in our city and oftentimes operators are unable to keep pace with unpredictable expenses.

In the Brooklyn Chamber's 2017 Member Issues Survey, our members highlighted specific obstacles to doing business in New York City. For example, the increased cost of providing health insurance to employees was the number one concern for our businesses -- 38 percent viewed this as a severe problem, with nearly two-thirds of our members citing this as a problem in general. Further, the cost and availability of commercial space was another top issue cited by our members -- more than half stated this was a problem, with 27 percent telling us it is a major concern. In addition, 29 percent identified government regulation, fines and fees as a problem, while 15 percent said that it was a severe problem.

These challenges can have a crippling effect on a restaurant's ability to remain in business, as well as hire and retain employees. Allowing restaurants to implement a surcharge will have a meaningful impact on offsetting rising operational costs so that they can keep their doors open and create job opportunities.

**Int. No. 0936 – In relation to prohibiting single-use plastic beverage straws and beverage stirrers**

This bill would ban food service establishments from providing non-biodegradable, plastic straws and beverage stirrers to consumers. Non-compliance can result in a fine of up to \$400 for such businesses. Earlier this



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month, the Brooklyn Chamber surveyed its members on this bill, and 81 percent of respondents supported it. We believe that enactment of this legislation will address serious environmental concerns related to plastic pollution, which is very harmful to marine life. However, educational outreach by the relevant enforcement agencies before and after the law takes effect will be very important in helping these business to be in compliance, and to avoid related fines for violations. We recommend the use of the city's *Chamber on the Go* program in each borough so that businesses can receive the information without having to leave their establishments.

Thank you for the opportunity to testify in these matters.



# RIVERKEEPER

NY's clean water advocate

## Riverkeeper Strongly Supports Int. No. 936

Testimony of Jessica Roff, Director of Advocacy and Engagement  
Committee on Consumer Affairs and Business Licensing

June 21, 2018

Good afternoon. Thank you Chairperson Espinal and the other members of the Committee on Consumer Affairs and Business Licensing for inviting me to speak today. My name is Jessica Roff and I am the Director of Advocacy and Engagement at Riverkeeper and I'm here today to support Int. No. 936 on behalf of Riverkeeper's thousands of members and supporters.

Through advocacy, prevention, community education and stewardship, Riverkeeper is working towards realizing our vision of a trash-free Hudson. Our annual day of service, the Riverkeeper Sweep, engages thousands of New Yorkers from Brooklyn to the Adirondacks at over 100 sites to clean-up our shorelines and waterways; this year volunteers removed 37 tons of trash from the Hudson River and its tributaries, including 6,000 pounds of recycling.<sup>1</sup> Over the past 7 years, plastic pollution has constituted one of the main sources of the marine debris at the Riverkeeper Sweep. In many cases, we can see the full cycle of degradation occurring at a single clean-up site — with new, intact litter sitting beside smaller and smaller pieces that accumulate on the shore. Our direct experience with plastic pollution through research and cleanups on our shorelines underlines the existing science and informs our advocacy to eliminate the scourge of plastic pollution in the Hudson River Estuary.<sup>2</sup>

Data gathered by Riverkeeper and others points to the prevalence of microplastics—which can result from the degradation of plastic straws and other plastic items—in waters worldwide, including the Hudson River Estuary.<sup>3</sup> The plastic manufacturing process uses and creates numerous toxic materials and plastics, particularly in water, accumulate toxins.<sup>4</sup> Pesticides, toxic industrial compounds—including PCBs—as well as pharmaceuticals and other unregulated contaminants adhere to plastics, and can both contaminate fish and contaminate drinking water supplies.<sup>5</sup> A Lamont Doherty Earth Observatory study found microplastics in the digestive tracts

<sup>1</sup>

<https://www.riverkeeper.org/news-events/news/get-involved/riverkeeper-sweep-2018-results-2200-volunteers-clear-36-tons-of-trash-194-tires-in-a-day/>

<sup>2</sup> <https://www.riverkeeper.org/blogs/boat-blog/scientists-sample-hudson-river-nyc-waterways-study-microplastics-microbeads/>

<sup>3</sup> <https://www.riverkeeper.org/wp-content/uploads/2018/04/Microplastics-Poster.pdf>

<sup>4</sup> 10 Rochman, C.M., Hoh, E., Hentschel, B.T. and Kaye, S., 2013. Long-term field measurement of sorption of organic contaminants to five types of plastic pellets: implications for plastic marine debris. *Environmental Science & Technology*, 47(3), pp.1646-1654.

<sup>5</sup> Hirai, H. et al. Organic micropollutants in marine plastic debris from the open ocean and remote and urban beaches. *Mar. Pollut. Bull.* 62, 1683–1692 (2011)

<sup>6</sup>

<https://www.poughkeepsiejournal.com/story/tech/science/environment/2016/08/04/valley-environment-rozalia-project-microfibers>



of each of the five types of marine organisms it studied.<sup>7</sup> Another study found that nearly all U.S. drinking water supplies sampled - 94% - had evidence of microplastic pollution.<sup>8</sup>

It is estimated that Americans use roughly 500 million straws everyday, or 1.6 straws per person per day.<sup>9</sup> That's enough straws to circle the earth two and a half times each day.<sup>10</sup> The recent B.A.N. List 2.0 report prepared by 10 partner organizations analyzed statistics from multiple datasets, in order to pinpoint the top 20 plastic pollutants prominent in U.S. waterways. Plastic straws and stirrers is ranked fifth, accounting for about 7.5% of plastic pollution.<sup>11</sup>

Alternatives to single-use plastic straws are readily available. Businesses and consumers may choose from a variety of options, from single-use to glass or metal that may be used multiple times. Single-use options range from paper to bamboo to highly compostable and marine environment biodegradable grain pulp or seaweed based fibers.<sup>12</sup> A robust public awareness and education campaign should also be part of the plan to eliminate single-use plastic straws, especially in the lead up to implementing the legislation.

Riverkeeper urges New York City to follow in the footsteps of municipalities along the coasts and serve as a leader in New York State to take action to significantly reduce single-use plastic pollution in our communities and waterways. This will protect wildlife, reduce marine pollution, and improve the quality of life for New York City residents.

I appreciate the opportunity to be here today and hope the City Council will pass Int. No. 936.

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<sup>7</sup> <https://www.riverkeeper.org/hudson-river-marine-life/88066716/>

<sup>8</sup> <https://www.riverkeeper.org/wp-content/uploads/2018/04/Microplastics-2-2017-Poster.pdf>

<sup>9</sup> <https://www.theguardian.com/environment/2017/sep/06/plastic-fibres-found-tap-water-around-world-study-reveals>

<sup>10</sup> <https://thelastplasticstraw.org>

<sup>11</sup> <https://upstreampolicy.org/ban-list-20/>

<sup>12</sup> <https://thelastplasticstraw.org/resources/>



If plastic had been invented when the Pilgrims sailed from Plymouth, England, to North America—and the *Mayflower* had been stocked with bottled water and plastic-wrapped snacks—their plastic trash would likely still be around, four centuries later.

Source: National Geographic, June 2018

STATEMENT of the  
NATURAL RESOURCES DEFENSE COUNCIL  
Before the  
NEW YORK CITY COUNCIL  
COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS LICENSING  
Re: Plastic Straws and Plastic Stirrers – Intro. 936

NATURAL RESOURCES DEFENSE COUNCIL

40 W 20TH STREET | NEW YORK, NY | 10011 | T 212.727.2700 | F 212.727.1773 | NRDC.ORG

Good afternoon, Chairman Espinal and members of the Committee. My name is Eric A. Goldstein, and I am the New York City Environment Director at the Natural Resources Defense Council (“NRDC”). As you know, NRDC is an international, non-profit legal and scientific organization active on a wide range of environmental issues around the world, across the country and right here in New York City, where we were founded in 1970 and where our main office is located. For more than three decades, NRDC staff have been engaged in advocacy on, among other things, New York City sanitation issues, seeking to transform the waste system from one that relies primarily on landfilling and incineration to one whose cornerstones are waste prevention, composting, recycling and equity.

We are pleased to be here today to testify regarding Intro 936, which would ban food service establishments from offering to consumers single use plastic straws and plastic beverage stirrers. In brief, we strongly support the thrust of this legislation. While we have several suggestions regarding the details of the legislation, we want to commend you and your co-sponsors, Chairman Espinal, for your leadership in this latest effort to reduce the ever-growing explosion of single-use plastics in our city and throughout our environment.

In focusing on the reduction of single-use plastics, Intro 936 is wisely aimed at an environmental problem of the first order. Over the past five or six decades, the amount of throw-away plastics used by New Yorkers has grown exponentially. The increase has been fueled by an explosion of such plastic products as product packaging; grocery bags; disposable razors, pens and lighters; and food service items such as utensils and straws. The manufacture and transportation of these and other plastic products create significant air and water pollution problems even before these items reach the marketplace.

Nationally, over 33 million tons of plastics are discarded every year, according to the U.S. Environmental Protection Agency. Less than 10% of these plastic discards are recycled; most of this waste is sent to landfills where it can live on for centuries. Huge volumes of discarded plastics end up as street litter and much of this waste makes its way into storm drains and ultimately to surrounding rivers and bays. The World Economic Forum has projected that, unless things change, plastics floating in the oceans will outweigh fish, pound for pound, by 2050. And today's Washington Post has a report of the expected impacts of plastics on land; the ominous headline: “A Giant Wave of Plastic Garbage Could Flood the U.S., a study says.”

To be sure, plastic straws and plastic beverage stirrers are a small part of the overall problem. But Intro 936 is right to focus on them. For one thing, these products are used for literally minutes, but remain in the environment for hundreds of years. Additionally, the amount of this waste is not trivial; while we could not confirm the often-cited figure of 500 million straws discarded every day in the United States, it is safe to assume that right here in New York City we use and discard several million straws, and hundreds of thousands of plastic stirrers, every 24 hours. Finally, the impact of a ban on plastic straws and stirrers can have an impact even beyond diminishing litter and pollution from these two products; the phase-out of plastic straws could serve an important educational function by getting New Yorkers to think, if only for a moment, about the amount of plastic waste we generate and how simple it is to cut back.

Intro 936 wisely seeks to ensure that, as New York City moves to reduce plastic straw and stirrer waste, it does so in a way that respects the needs of residents with medical conditions or physical or intellectual impairments. While seeking to cut back on plastic waste, it would be a mistake to create new burdens for New Yorkers who already face physical or mental challenges in their daily life. Regardless of the final language set forth in Intro 936, we hope that the bill is designed in a way to ensure that it does not place new hurdles in the way of some of our most vulnerable citizens.

Having said that, we offer several modest structural suggestions to the bill, all of which are designed to achieve the exact goal of the current bill – to slash the number of plastic straws and plastic stirrers being utilized and discarded in New York City food service establishments.

First, we believe that the starting point for the operative section of this bill should be language that requires all food service establishments to dispense straws and beverage stirrers only on demand. Such language could advance the fundamental goal of significantly cutting straw and stirrer waste generation regardless of the composition of the materials used in their manufacture. The point is, a great deal of the consumption of straws and stirrers in New York City is simply unwanted and unnecessary – neither requested by customers nor utilized by them even when provided. Requiring that straws and stirrers be offered only on demand could reduce litter and pollution, be implemented in short order, save money for retail establishments, and have no adverse impacts that we can see.

A second substantive provision that we suggest should be added to the bill is a requirement that, following an appropriate lead time, all straws and stirrers offered by food service establishments in New York City be made of commercially compostable materials, as that term is defined by the Biodegradable Products Institute. Ensuring that those straws and stirrers that are used are compostable is needed to help address another key challenge facing the city's waste disposal system – removing contaminants from the city's organic waste stream. For the past several years, the city has been expanding the separate collection of organics (food and yard waste) so that those materials can be composted and/or put to beneficial reuse rather than being sent to landfills (where they generate climate-warming methane gas) or to incinerators (where they interfere with the burning process and produce additional air pollutants). Plastic straws and stirrers contribute to the contamination of separated organic waste, thus limiting the value of those organics and threatening one of the city's most important sustainability initiatives. Among the materials that could be suitable as compostable straws and/or stirrers are paper, bamboo, and wood, and perhaps down the line some bio-plastics as well.

Fortunately, other jurisdictions are beginning to move in this direction. Seattle, for example, offers a similar model. As of July 1, 2018, all food service businesses there will be required to use compostable or recyclable service ware, including straws. See, Seattle Ordinance 122751 and Director's Rule SW-500-1.

We stand ready to work with you, Chairman Espinal and your staff, to discuss these recommendations and assist you in advancing Intro 936. We greatly appreciate your leadership and thank the Committee members and staff for your attention.



## FOR THE RECORD

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**Testimony of Katrina Tomas,  
New York Lawyers for the Public Interest,  
Before NYC Council Committee on Consumer Affairs and Business Licensing  
Hearing on Intro 936  
Dated June 21, 2018**

Good afternoon, my name is Katrina Tomas, and I am a legal intern in the Environmental Justice Program at New York Lawyers for the Public Interest ("NYLPI"). I would like to thank Chair Espinal, the members of the Committee, and the other members of City Council here today, for giving me the opportunity to speak. NYLPI has been working for many years alongside community partners to remedy the adverse effects that waste and waste infrastructure have on disenfranchised communities of color in our City. It is this perspective that informs our support of Intro 936.

We applaud and thank Council Members Espinal, Rosenthal, and Grodenchik for introducing and sponsoring this important legislation banning single-use plastic straws and beverage stirrers. Plastic straws and stirrers are harmful to the environment from production, to consumption, and especially in disposal. Plastic straws and stirrers contribute to the growing urgent problem of non-degradable plastics being disposed of in our environment.

Americans alone use 500 million plastic straws daily, which are immediately discarded ending up in landfills and as pollutants in oceans. Plastic straws and stirrers are not biodegradable and take nearly 200 years to begin breaking down. Additionally, because they are generally not recyclable, straws and stirrers will clog our waste system for generations. Banning straws will diminish the amount of plastics in our landfills, and also further efforts in moving our City towards its zero waste goals. Supporting New Yorkers' habits in reducing waste, increasing the use of reusable items (as opposed to disposable), and increasing recycling rates are all significant and necessary steps towards making our City's sustainability goals a reality. Additionally, and importantly, all efforts to reduce any portion of our waste stream have significant positive impacts on our

communities who are overburdened with waste processing facilities: Reducing any portion of our waste stream means less waste going to the many land-based transfer stations clustered in overburdened communities of color in North Brooklyn, the South Bronx, and South East Queens.

For most people, plastic straws and stirrers are unnecessary to drink beverages. These indulgent luxuries, moreover, are not only environmentally deleterious but also damaging from a public health perspective. Most plastic straws are made with BPA, an industrial chemical that is carcinogenic and can disrupt the endocrine system. Research has shown that BPA can seep into food or beverages and the health risks associated include breast cancer, early puberty, and infertility. Paper and stainless steel straws are preferable alternatives to plastic straws because they can either be composted or reused, and do not contain damaging chemicals like the plastic alternative.

Intro 936 is an important step towards a sustainable and equitable future for New York City. Ultimately, eliminating plastic straws and stirrers is beneficial not only to our City, but to our planet, communities, and collective health. With the passage of Intro 936, we move towards fulfilling our City's laudable zero waste goals – ensuring a cleaner and healthier city for all.

Thank You.



A non-profit environmental education organization working creatively to achieve zero-waste schools, plastic free water, and climate smart communities

## TESTIMONY of CAFETERIA CULTURE

City Council Committee on Consumer Affairs

Testimony in support of Intro 963, Thursday, June 21, 2018

Chair, Committee Members and staff, thank you for allowing me this opportunity to speak in support of Intro 963, the bill to ban plastic straws and plastic stirs.

I am the Executive Director and Founder of Cafeteria Culture, a non-profit environmental education organization, originally called Styrofoam Out of Schools. We engage students as our partners in change, working creatively to achieve zero waste schools, plastic free waters, and climate smart communities by teaching innovative PK-12 environmental-STEaM education. Our innovative school programs merge citizen science and civic action with media production and the arts. Students in our programs, overwhelmingly from low-income communities of color, are providing an urgently needed voice in NYC's environmental movement.

**With the popularity of iced lattes, smoothies, and bubble tea has come the proliferation of plastic straw litter.**

- 500,000,000 plastic straws are used and discarded every day in the U.S alone, more than enough to wrap around the earth 2.5 times. That adds up to 175 Billion pieces of plastic straws per years.

**Polluting plastic straws are consistently one of the top 10 litter items surveyed on beach clean-ups** (Ocean Conservancy 2016).

- Approximately 80% of marine debris originates from land and 89% of ocean trash comes from single-use plastics.
- NYC plastic straws that do not end up as costly, exported waste to out of state landfills, either end up as toxic incinerated waste at Covanta in Newark NJ, or they become troublesome bits of street litter, that on rainy days can slip easily through the grates of corner catch basins. Due to the city's Combined Sewer Systems, this plastic litter all too often makes its way to our beaches, rivers, bays and eventually making their way into our seafood chain.
- Straws are commonly used for twenty minutes or less.
- NYC Sanitation does not recycle plastic straws. Most straws are too small and lightweight to be sorted properly in recycling facilities.

**The leaching of plastic into our oceans, contaminating our seafood web, may be the greatest concern and the primary reason to ban polluting plastic straws. It is estimated that that plastic pollution kills millions of marine animals annually.**

From tiny plankton, the base of the seafood chain, to gigantic, majestic whales, plastic has impacted nearly 700 species in our oceans - including endangered ones.

Many species are harmed visibly. In 2015, a YouTube video went viral that shows a research team struggling to extract a 10-12 cm long plastic straw that had lodged into a sea turtle's nose (Christine Figgener, marine biologist at Texas A&M University). This is just one of many examples of how plastic threatens the health and biodiversity of ocean ecosystem.

## Plastic pollution is everywhere - even in melting cores of arctic ice.

Globally, 8 million metric tons of plastic leach into our oceans each year (Jenna R Jambeck study). At this rate there will be more plastic in the ocean than fish by 2050.

It is predicted that in 10 years the amount of plastic in the world's oceans will triple unless immediate action is taken to deal with the problem (Foresight Future of the Sea Report, UK, 2018 )

**There are 5.25 trillion pieces of plastic debris in the ocean** (Marcus Eriksen, 5 Gyres)

**The New York' waterways are also contaminated with microplastics, that are multiplied in toxicity due to chemical pollutants.**

In 2016, the first study of plastic waste in New York and New Jersey's waterways was conducted by NY/NJ Baykeeper, concluding that **at any given time, about 165 million plastic particles are floating in NYC estuaries.** This is more than 256,000 plastic particles per square kilometer. and 85% of these plastics were microplastics.

**There is an absence of scientific research yet to be completed on the effects of microplastics on human health,**

A potentially devastating crisis is brewing. Scientists have predicted that if we do not take immediate action to reduce plastic marine pollution, the problem will get exponentially worse.

This past school year, Cafeteria Culture piloted new microplastics curriculum with PS15 Patrick F Daly students in Red Hook Brooklyn. Students studied the degradation of plastic debris collected at Jamaica Bay and at Valentino Pier in Red Hook, Brooklyn. I urge you to visit these beaches and to see our local, unacceptable amounts of microplastics.

The head of the United Nations Environment Program referred to our global plastic marine crisis as an "**Ocean Armageddon.**" Plastic straws may seem small in stature, insignificant in the scale of our global plastic marine pollution crisis, but they are the low hanging fruit.

***"For humans, all we know at this point is that there is no doubt we are eating plastic when we eat seafood. Studies have shown plastic debris in shellfish, fish and even sea salt. So, yes, we need more research to answer questions about how plastic debris may impact food security (i.e. fish stocks) and food safety."*** - Dr Chelsea Rochman, Ecotoxicologist, Huffington Post, Jan, 2016

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Debby Lee Cohen

- Director and Founder, Cafeteria Culture (a partner project of Fund for the City of New York)
- Member of the Manhattan Solid Waste Advisory Board
- Plastic Free Waters Partnership NY/NJ - Chair of Steering Group

## What are microplastics?

Microplastics are tiny plastic particles that are less than five millimeters in diameter, about the size of a grain of rice and can be as small as 20 micrometers, invisible to the human eye

## Microplastics can be eaten by filter-feeding animals and passed up the food chain.

Microplastics often come from pieces of larger plastic debris, such as plastic straws, breaking off into tiny pieces. This can happen when the plastics are overexposed to ultraviolet radiation (UV) rays on a beach or on the ocean's surface. The UV rays cause the plastic to become oxidized, which then causes the bonds of polymers to break. In simpler terms, the plastic becomes brittle and microplastics easily break off (Nicolas Biber).

*FOR THE RECORD*

Hello, my name is Adrian Grenier. I am an actor, UN Environment Goodwill Ambassador, co-founder of Lonely Whale, and a proud New Yorker - bred right here in Manhattan. .

I am here today to testify on public record in support of Intro No. 936, legislation introduced by Council Member Espinal Jr., to ban plastic straws and stirrers in New York City's eating and drinking establishments.

When Lonely Whale considered the best way to reduce plastic pollution and protect marine life - and human health - eliminating straws was a natural starting point. Since we began our work on the topic under our Strawless Ocean initiative, we've seen the conversation around plastic straws flourish -- with policy passed in Malibu, Seattle, Taiwan, Vancouver, and ongoing legislation in San Francisco and in both the UK and the EU.

But not my home town; not my backyard. Until today.

This bill, introduced by Councilman Espinal Jr., is a critical next step in the global movement for Clean Seas.

Plastic pollution is not only a threat to the planet, but also to our human health. One metric ton of plastic enters our ocean every 4 seconds. If we don't change our habits now, most of us in this room - and certainly our children - will live to see the day, when there is more plastic in the ocean than fish.

I've seen the destruction firsthand in my work with the UN Environment and here at home -- in New York City.

Last February I helped the UN Environment launch their pivotal Clean Seas campaign on the shorelines of Bali. Even for someone intimately aware of the plastic pollution crisis, I was shocked when I walked down the beach, picking up handfuls of plastic. Straws were among the most prominent in my collection.

Growing up in New York City I was always aware of my environment - the corner store, the kids I played with up and down Broadway, my messy room.

But I learned that the environment is not just what I see, but it is what WE SHARE, and it's all connected. I learned that what goes in our rivers - two of the greatest which hug our city - flows directly out to sea. Since I was a kid my mom taught me to clean my messy room - what I later learned, and what I hope we all learn, is that my room was not just in Brooklyn - my room was an entire shared earth.

That is why I stand in support of Councilman Espinal so that all New Yorkers are presented with the opportunity to live in a clean room and to lead by example because their government recognizes it's the right thing to empower a city to protect its shared environment.

We have seen corporations - such as McDonalds in the UK, Tom Colicchio's Crafted Hospitality, Alaska Airlines, Live Nation Entertainment, and, most recently, Brooklyn's very own BSE Global (including Barclay's Center, home of the Brooklyn Nets) - begin to lead the way, opting to pre-empt policy with bold announcements to transition their plastic straws to marine friendly alternatives and empower their customers and their fans.

The investors behind these brands have not only realized their fiduciary duty to understand their portfolios' impact on the environment but have also leveraged their early leadership into increased brand value.

Governments also have a duty, a duty to protect and empower the people they serve and the brand of the cities they represent. For this reason I am calling on you, our government leaders, to meet the market, mirror this leadership and to protect YOUR investments, our communities, by passing this bill.

While saving our ocean will take much more than a ban on plastic straws, all corporations and governments must start somewhere. This one is an easy first step, as demonstrated by the citizens and businesses who have already embraced this movement, opting for marine friendly alternatives.

Our people care about others, they care about things outside themselves, and they want to make the right choices for their fellow people and for their planet. So let's make it easy for them.

It shouldn't be the burden of the people to choose between their environmental morals or convenience.

So I urge you to level the playing field to include all people which would eliminate an approximate 16 million plastic straws from the city every single day by passing Intro No. 936. We have market-ready marine friendly paper straws - we simply need to demonstrate to business owners at the scale of the city that this alternative is available and in demand.

Nature is in peril. Plastic pollution knows no borders, it doesn't discriminate against race, ability, class, countries, cities or even continents. We are truly in this TOGETHER and it's vital we unite as New Yorkers to begin addressing plastic pollution.

Intro No. 936 offers an opportunity for New Yorkers from every borough, every industry, and every walk of life a seat at the table in this global movement for a Strawless Ocean.

So I hope you will join me, join us, in protecting our city's legacy by voting yes on Intro No. 936.

Thank you.



## **Testimony in support of the implementation of the Administrative - "Int 0823-2018" allowing restaurant surcharges.**

I am Jeremy Merrin, owner of Havana Central, a restaurant serving Cuban food located on 46th street between 6-7th avenues.

I am here to express my full support of "Int 0823-2018" allowing restaurant surcharges.

Over the past five years, the restaurant industry has been hit with an extraordinary number of business-suffocating costs and regulations. A dramatic increase in the minimum wage, a corresponding decrease in the tipped wage credit, spread of hours fees and reporting, paid sick leave reporting, affordable care act costs and reporting to name a few. Just look around you. See and acknowledge all the "for rent" signs on almost every commercial block of this city and you must understand that many restaurants have not been able to handle the increased costs. More restaurants are closing every week.

We need more tools to handle the cost increases. A clearly disclosed administrative fee will be an important tool for my business to help absorb these extra costs without raising our prices to the point where no one will perceive value.

I sell rice, beans, chicken and pork. My best-selling item is a \$3.50 empanada. I have been forced to raises prices 3 times in the last 2 years. I ask you, how many of you would be willing to pay over \$20 for a dish of chicken and rice. Who is willing to pay \$5 for an empanada?

We have already raised our prices to the point where we are scaring diners away.

A tool we need is the option of a clearly disclosed fee.

Over the past few years, we have all squeezed as much fat out of our restaurants as possible. Most restaurants do not make a lot of money and most restaurateurs are not getting rich from our businesses. In order to cut costs we have all "laid off employees," "cut hours for many employees," "changed our menus to try to control kitchen payroll and increase margins," "been forced to increase menu prices," and even "closed restaurants," but that these measures are not doing the trick. Costs have increase and profits have decreased.

In addition, "The restaurant industry is experiencing a cook shortage of epic proportions.". We have been struggling to close the pay gap between BOH and FOH workers but have been unable to due to all these additional costs. Again, allowing us a surcharge will help in this effort.

New York is the only major U.S. city where this kind of surcharge is banned — restaurateurs elsewhere have turned to these fees to offset their increased costs of doing business. In fact, surcharges are allowed throughout the rest of NY State! Why is NYC, the most competitive restaurant market in the country not allowed this tool?

I am a member of the NYS Restaurant Association. Through various channels including a task force set up by the mayor, we have been working toward getting an admin fee through the Department of Consumer Affairs. The mayor says he wants to help small businesses. Well, the biggest industry of small businesses in NY is the restaurant industry.

A clearly disclosed administrative fee will help me reduce disparity in wages between tipped and non-tipped employees by providing dollars to raise back of house wages. It will help me generate needed revenue to stay in business. I beg you to do what the rest of the United States has done and allow a clearly disclosed surcharge.

Thank you for your time and attention to this very important issue

Jeremy Merrin  
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212 584-4020



Testimony of Edita Birnkrant, Executive Director, NYCLASS; [edita@nyclass.org](mailto:edita@nyclass.org)  
In Support of Intro 936, Consumer Affairs Committee Hearing, June 21, 2018

My name is Edita Birnkrant, and I am the Executive Director of NYCLASS, an animal advocacy and political action non-profit organization with supporters and activist chapters all five boroughs. I am a resident of Queens.

NYCLASS is strongly in support of Intro 936, which would prohibit food service establishments from providing non-biodegradable, single-use plastic straws and beverage stirrers.

We commend Council Member Espinal for his leadership on this incredibly important initiative. This legislation acts on the philosophy of acting locally and thinking globally, positioning New York City as a leader by taking historic steps to protect our environment.

500 million plastic straws are used every day in the United States—that's enough straws to circle the Earth 2.5 times. It takes up to 200 years for a plastic straw to decompose, and they can't be recycled in most places.

I've done many beach cleanups here in New York City and the amount of straws that are collected in just one day is staggering. According to a 2016 report by the World Economic Forum, if we don't take action by 2050, there will be more plastic in the ocean than fish. According to the report, titled "The New Plastics Economy," the worldwide use of plastic has increased 20-fold in the past 50 years, and it is expected to double again in the next 20 years. Intro 936 is a powerful step to help combat this systemic problem.

In addition to being an environmental hazard, plastic straws are also harmful to animals, going as far as contributing to the deaths of significant populations of marine life. Perhaps many of you have seen the heartbreaking footage of marine biologists painfully removing plastic straws from the noses of turtles. Turtles are just some of the animals injured or killed by plastic straws and other plastics—marine life varying from plankton to pilot whales are being poisoned by plastic that ends up in our waterways. Each year, 1 million seabirds and 100,000 marine animals die from ingesting plastic. Because of the size and shape of straws, they are often mistaken by animals for food.

June 8 was World Oceans Day. Our oceans are the source of 97% of water on earth, they cover 70% of our planet, and they sustain all life on earth. Yet we are doing immense damage to our

oceans, and our addiction to plastic products is a big culprit. Every single year we dump up to 14 million tons of plastic into the ocean.

Other cities, and entire countries, are on the way to banning plastic straws, and more and more companies are making the switch to plastic straw alternatives, including McDonalds, Ikea, Seaworld and Royal Caribbean, which all recently announced their intention to phase out plastic straws. Biodegradable or reusable alternatives to plastic straws such as paper, bamboo, metal or glass are already available and passing Intro 936 will help ensure that they become even more widely available. New Yorkers can feel empowered that they are doing their part to help achieve plastic-free oceans, one sip at a time. NYLCLASS therefore supports this legislation, and we commend Council Member Espinal for his leadership.

Hello my name is Emy Kane and I am here testifying on behalf of Lonely Whale in support of Intro No. 936 presented by Councilman Espinal Jr..

1 metric tonne: that is how much plastic enters our ocean every 4 seconds.

2050: that is the year in which there will be more plastic in our ocean than fish by weight.

These statistics are scary and seemingly insurmountable with the evidence of plastic pollution, and our role in its destruction, growing each day. So how do we, citizens and business owners, help protect our ocean? Help protect the safety and security of the tap water our children drink which we know is already riddled with microplastic?

At Lonely Whale we believe in the power of market leadership, of celebration, and the positive chain reaction of starting with just one thing. One year ago we aimed to kick start this positive chain reaction with a challenge to #StopSucking -- on plastic straws. Within four months of launching this challenge we saw 304.6 million organic impressions on social media with challenges accepted in over 25+ languages, accepted by celebrities and social influencers from around the world and championed by the United Nations' Environment program's Executive Director Erik Solheim.

Since, our movement For A Strawless Ocean, supported by over 50 ocean health NGOs, has been embraced by countless more individuals, corporations (including Alaska Airlines, Coachella Music Festival, the Marley Family, and Live Nation Entertainment), and governments around the world. We released a toolkit to empower these corporations and also individuals to take action within their establishments and communities - ensuring that once they embraced this movement that they were not alone in their action but instead, part of something much larger than themselves.

Today, Councilman Espinal Jr.'s bill is positioned to further the efforts of the global conservation community in a critical first step towards a larger global chain reaction led by New York City.

Straws are just one of many single-use plastic items that contribute to the growing amount of plastic waste entering our ocean, an estimated 4 - 12 million metric tonnes every year, but a critical one we view as the gateway plastic to addressing this issue at scale.

Just this May, Dr Marcus Eriksen, co-founder of the 5Gyres Institute and a leading researcher on microplastics, led a team of scientists on a two-hour trip on the East River to document microplastic pollution plaguing the waters surrounding Manhattan.

During the 20 minute trawl Marcus and his team found three plastic drinking straws.

While 3 straws might not sound like an overwhelming discovery, these straws found in a small stretch of the East River represent the much larger plastic pollution crisis plaguing the waterways surrounding New York City. Marcus and his team estimate there could be as many as 130,000 plastic straws floating in the waterways around Manhattan, in both the East River and Hudson.

At Lonely Whale, we recognize that we can't solve this problem alone. It cannot be overstated that this movement must be diverse and inclusive. It is critical that we recognize and lift up the voices of our allies in the disability community and those that are underserved. We need ALL voices, ALL industries, and ALL communities to come together in support of this important first step to protect our environment and, ultimately, ourselves.

Today, New York City has the opportunity to demonstrate bold leadership and join the to the global movement For A Strawless Ocean.

That is why I, on behalf of Lonely Whale, am honored to stand alongside the leaders present today in supporting Councilman Espinal Jr. and Intro No. 936.



NEW YORK  
STATE  
RESTAURANT  
ASSOCIATION

## In support of 823 – Allowing Restaurants to Institute Surcharges

Good afternoon. My name is Kevin Dugan and I am the Director of Government Affairs for the New York State Restaurant Association, a trade group that represents food and beverage establishments both in New York City and throughout New York State. The Association is the largest hospitality trade association in the State of New York and it has advocated on behalf of its members for more than 80 years. Our members represent one of the largest constituencies regulated by the City as nearly every agency regulates restaurants in one aspect or another.

Restaurants employ hundreds of thousands of New Yorkers and are a backbone of the tourism trade here in New York City. To ensure the continued viability of the restaurant and hospitality industry, New York City must have sensible and reasonable regulations that protect consumers and the restaurants that serve them. Currently our members across the five boroughs are facing challenges that seem to escalate daily. Rents are continuing to increase at an exponential pace and eateries are running out of ways to make ends meet. Prices can only be raised so much before customers stop coming. The City needs to do all it can to help support these important businesses or be prepared to see many of the restaurants that make New York City what it is, close their doors for good.

Intro 823 would go a long way to improving the business climate for many owners as it provides them with a much needed economic tool. Therefore we applaud Councilman Borelli for introducing this important legislation. Allowing restaurants to incorporate a surcharge structure would allow them to offset costs and bring pay equity to their operations. As businesses continue to fight uphill against ever increasing costs, it is many of the employees that work in the kitchens that suffer. These employees are currently not allowed to take part in any kind of tip pool due to New York State Department of Labor law, while other employees have the ability to supplement their income through tips, these workers do not. This forces them to rely solely on the hourly wage their employers can afford to pay them and with dollars becoming stretched, back of the house employees are forced to go longer without seeing any kind of increase. By allowing restaurants to institute an administrative fee or surcharge, owners would be able to bring in additional income to give these workers raises they so richly deserve.

In 1976 the New York City Department of Consumer Affairs implemented a rule that prohibits restaurants from adding certain types of charges to their menus. The original intent of the rule was to protect consumers against unfair practices which saw restaurants change prices

tableside without disclosing the fact that these prices would differ before seating. This practice was primarily done in response to unforeseen spikes in beef prices during this time period.

Clearly, these issues are no longer prominent and further consumer protection laws have been established. Simply put - the current law that prohibits this practice is out of date and no longer serves the purpose it was created for. No longer do customers have to worry about being charged a price that differs from what they would see on the menu. Over the last few years we have continually made this point to the New York City Department of Consumer Affairs and we have still have yet to see any progress made in getting this law changed. Every other corner of this State allows restaurants to operate with this type of fee or surcharge. This simply isn't fair.

We agree that any surcharge or administrative fee needs to be fully disclosed on any menu or menu board in a clear and conspicuous manner. We are not looking to have legislation passed that would "put one over" on the customer or in any way deceive them in what they will see on their check. We would also encourage a significant amount of time be devoted to customer education if a restaurant were to institute this type of charge.

Our support for this legislation boils down to the fact that our industry is sitting on a knife edge and we need all the help that we can get. Over the last few years at both the State and City levels, the restaurant industry has seen a number of bills passed that have dramatically affected their ability to make ends meet. We are asking for your help on this because simply put, the restaurant industry in New York City desperately needs this.

New York City restaurants are being forced to operate at a disadvantage due to a rule that no longer fits the purpose it was set out to fulfill. We urge the City Council to correct this mistake and pass this needed legislation. In conclusion, the New York State Restaurant Association supports Int. 823 and urges the Council to look for further ways to assist the businesses that call this City home. We look forward to working with the Council on future bills that also touch on this area.

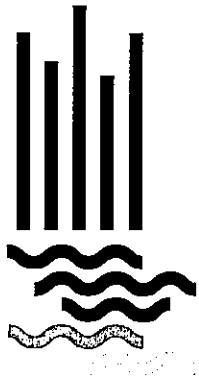
Respectfully Submitted,

Kevin Dugan  
Director of Government Affairs  
New York State Restaurant Association

## Public Testimony New York City Council, Committee on Consumer Affairs and Business Licensing

Re: Int 0936-2018 - Prohibiting single-use plastic beverage straws and beverage stirrers

June 21, 2018



**Roland Lewis**, President and CEO  
Waterfront Alliance

The Waterfront Alliance is a non-profit civic organization and coalition of more than 900 community and recreational groups, educational institutions, businesses, and other stakeholders committed to restoring and revitalizing New York Harbor and the surrounding waterways. New York City is a city of water, with our waterways serving as a vital resource for commerce, transportation, education, and recreation. The waterways that surround us are a powerful reminder that we live among nature, and share the benefits the waters provide as well as the risks they pose.

**Waterfront Alliance strongly supports Intro. 0936-2018 to prohibit single-use plastic beverage straws and stirrers**, sponsored by Chair Espinal and several other members of the City Council. We support this legislation as part of the wider effort to remove from our wastestream many types of harmful plastic pollutants, which cause disproportionate impact to our waterways and marine habitats. Many plastic products, including single-use plastic straws, are carried through storm sewers and into our local rivers and onto our coastlines. This legislation is an important step forward toward reducing the use of single-use plastics, to improve the health of our waterways, for the people that use and enjoy the water, and the aquatic species that call them home.

**Our waterways are an increasingly vital resource for recreation and education.** Over the last generation, thanks to progress spurred by the Clean Water Act, many of New York's waterways are clean enough for regular recreational use, as more people are boating, fishing, and swimming in our shared waters. Although our rivers continue to be polluted by approximately 20 billion gallons of raw sewage annually, when our combined sewer system overflows into the waterways, we have made significant progress over the past several decades to improve water quality. That has brought more and more New Yorkers not only to the water's edge, but onto and into the water: from paddling and sailing, to fishing and oyster monitoring. According to a survey we conducted last year, the growing community of volunteer-led, human-powered boating organizations put more than 100,000 people on the water.

**Our harbor should be an ecological treasure, restored with a thriving marine environment.** New York Harbor is now a more conducive place for fish, shellfish, and marine bird populations, even as commercial shipping grows. Across our region, networks of stewardship groups and concerned citizens have contributed to improving our urban habitat through restoration initiatives, beach cleanups, and water quality testing. This legislation can significantly reduce the impact of plastics on our local waterways. Plastic straws are among the most common items found during beach clean-ups, and can cause significant harm to birds, turtles, and other marine animals.

**Single-use plastic straws cause unnecessary, disproportionate harm relative to their benefit.** Contrary to common belief, they are effectively non-recyclable. Plastic straws are too small and lightweight to pass through mechanical recycling sorters. As a consequence, many of the 500 million straws used by Americans every day end up downstream, polluting the water and threatening marine life. For most (but not all) New

New Yorkers, plastic straws are a convenience, rather than a necessity. We recognize that people with medical needs or disabilities may require straws for drinking water or other beverages, and support efforts to ensure that this legislation does not place undue burdens on New Yorkers with disabilities.

**New York must be a leader in this global challenge.** A recent study by the World Economic Forum estimated that, at current rates, ocean plastics are projected to outweigh fish by 2050.<sup>1</sup> Other cities, primarily on the Pacific coast, have taken steps to reduce or eliminate single-use plastics straw use, from Seattle to Malibu. California and Hawaii are considering statewide bans. The world takes its cues from New York, and any actions we take to reduce our dependency on plastic will have a ripple effect far beyond our shores. We must work even more diligently to ensure that the progress we have made toward clean waterways continues for future generations. We join environmental advocates across our city in urging the New York City Council to pass this legislation to substantially reduce the use of single-use plastic straws in New York City. We thank you for the opportunity to present this testimony, and welcome any questions you may have.

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<sup>1</sup> "The New Plastics Economy: Rethinking the future of plastics." World Economic Forum (January 2016). [http://www3.weforum.org/docs/WEF\\_The\\_New\\_Plastics\\_Economy.pdf](http://www3.weforum.org/docs/WEF_The_New_Plastics_Economy.pdf)

June 21, 2018

Hello, my name is Ben Schneider and I am the owner, along with my wife Sohui Kim, of The Good Fork in Red Hook Brooklyn. I am here today in support of Int 0823-2018 allowing restaurant surcharges.

When my wife and I opened The Good Fork 12 years ago, we did so with a great deal of enthusiasm but a small amount of capital and an even smaller amount of knowledge about business and restaurants. Somehow, though, we managed to create a special and unique place that has had meaning in the lives of many of our customers and employees over the years. Engagements, graduation parties, memorable dinners with friends, the marriage of a cook and a server; we have prided ourselves in fostering a sense of community in our neighborhood and a feeling of family amongst our staff. And along the way we managed to learn a little about business; money in, money out, food costs, fixed costs, labor costs etc.

Restaurants are a notoriously small margin business. I have a metaphor for it: money in restaurants is like the ocean, it washes up on shore and then goes back out to sea, the foam that's left on the beach is what you make. Over the past 12 years the waves haven't gotten any smaller but the foam is disappearing faster. When we first opened skirt steak was \$3.75 a pound, now it is \$10 per pound. The tipped minimum wage was \$4 now it is \$8.70 and rising. It is this second example that is at the crux of the problem and why so many of us are here today. Let me explain.

First of all, I FULLY SUPPORT an increase in the minimum wage. In fact, I personally think it should go higher and as fast as possible. If I was benevolent dictator it would go to \$17 an hour tomorrow. The problem is not in the minimum wage, it is in the tipped minimum wage. But here is where it gets complicated. The tipped minimum wage is intended to ensure that tipped workers in businesses that don't generate high tips will achieve the minimum wage overall. This is important and I believe in it. However, in a large portion of restaurants in New York City, the tipped workers are already earning well above the minimum wage in tips alone. Often three or four times the minimum wage. Please know that I value my servers very much and I want them to do well financially. But I also want my cooks and dishwashers to do well! Right now, the average wage for a line cook is \$35,000 a year. This is hardly a livable wage in New York City, especially considering the skillset involved. And the problem is that by being forced to supplement the front of house income with the rapidly increasing tipped minimum wage we are not able to increase the back of house in the way we would like, let alone make improvements to the business.

So how does all this fit into support of Int 0823-2018? I fits in because I think it will be the tool by which the new landscape can reconcile with the old and be beneficial to everyone who works in this industry. This has been shown throughout the entire rest of the country where it is currently the law of the land. Giving restaurants in New York City the ability to charge a clearly disclosed administrative fee will in my opinion contribute to the wellbeing of all who work in them by equalizing a bit the disparity in wages between front and back and mitigating

the financial pressure that new laws and increasing prices have put on these businesses. And from a consumer perspective I think it will be more transparent and ultimately make more sense than restaurants just raising their prices to compensate. We are not trying to line our pockets with this proposed administrative fee. We are simply trying to catch up with the rest of the country, improve the industry, and, frankly, stay in business. On behalf of myself, my wife Sohui and The Good Fork family we thank you for listening.

Sincerely,  
Ben Schneider

- FOR THE RECORD*
- Good morning, Chairman Espinal, and members of the committee.
  - My name is Robert Sunshine, and I am the Executive Director of NATO, Theatre Owners of New York State, Inc., a not-for-profit trade association representing the movie theatre industry.
  - In New York City we represent 37 movie theatres, with 327 screens, and 1,600 employees across the 5 boroughs.
  - We are here today to reluctantly testify against INT-936.
  - Our opposition, however, is not because we oppose the legislation's very laudable goals of removing plastic waste from the environment.
  - Yet, we oppose this well intended legislation for three reasons.
  - First, the cost of alternatives to plastic straws is as much as eight times higher.
  - Second, suitable alternatives to plastic straws are not presently available.
  - Third, a different approach to this legislation already exists, which is proving to both reduce pollution caused by plastic straws and allowing businesses to comply in a timely and cost-effective manner.

## 1) COST:

- In terms of the cost, as a food service establishment in New York City, we are already facing a long list of increases. These include rising rents, rising taxes, and rising wages and benefits.
- There is only so much that a business can afford, and only so much that can be passed onto a customer.
- The movie theatre industry is already facing an onslaught of competition for movies, whether it is at home, or on a tablet or computer.
- In 2017, fewer movie tickets were sold in the United States than any year since 1992, with the numbers down almost 6% since 2016.

- This has a profound impact on the financial viability of the theatres.
- If we begin to add to it a higher cost of doing business with more expensive straws, we will likely have to add that cost to the price of concessions, and that may further depress ticket sales.
- Our research shows that plastic straws cost about half a cent each, corn-based straws cost 2 cents each, paper straws cost about 4 cents each, and other plant based compostable alternatives cost more.
- As an industry in New York City, our theatres utilize tens of millions of straws each year, and the higher costs of alternatives would quickly add up.

## 2) AVAILABILITY:

- Our members researched if there is a viable and presently available alternative to plastic straws, and unfortunately there is not.
- We would need a certain quantity and quality, which can last in a beverage during the course of a two-hour film and also fit with the specifications required by some of the domed lids on our beverages.
- Moreover, with the legislation's 180-day effective date, we are concerned that we will simply be unable to comply given the lag time between researching alternatives, finalizing purchasing agreements, and delivery.
- Even if there is a two-year delay in enforcement, we do not believe that it would be a sufficient amount of time for making the transition away from plastic, because our members operate theatres across the country and around the world, and make regional and statewide purchasing decisions.

## 3) DIFFERENT APPROACH:

- However, as seen in some locations, there is a viable alternative that can get everyone to the same place.

- There is a way to reduce the amount of plastic waste harming our oceans without increasing costs or burdening businesses to quickly find a suitable and feasible alternative.
- Instead of legislatively mandating a costly and financially difficult straw ban, we respectfully suggest voluntarily offering a “straw upon request” policy.
- Under “straw upon request”, not every patron automatically gets a straw with every beverage.
- Those that want a straw would have to affirmatively request one.
- Such a system can be implemented very quickly because there is no need for sourcing, purchasing and stocking difficult to find alternatives.
- Theatres could put up a sign, retrain employees, and quickly educate New Yorkers about this issue through PSAs during movie previews.
- The NYC DEP could also promote a “straw upon request” ad campaign.
- Additionally, this “straw upon request” approach would allow businesses to have enough time to find a long-term solution to the issues of cost and availability regarding alternatives to plastic straws.
- At the same time, it could help the organizations involved with various alternatives to plastic straws to ramp up their production to meet the specifications and quantities needed by New York City businesses.
- Ultimately, I think it can get everyone to the same place – reducing plastic waste - without increasing costs. That's a win-win.
- Therefore, we respectfully suggest that the ban language of section (b) of the bill be amended to: “Restaurants shall only provide single-use plastic straws to customers when explicitly requested by the customer.”
- I thank you for your time and am happy to answer any questions.

**RODNEY HANKINS**  
885 Gates Ave Brooklyn Ny 11221 Apt 4C

JUNE 21 2018

Hello everyone My name is Rodney Hankins

I'm a Special Olympics Athlete with a intellectual disabilities.

I am speaking for my friends as well as myself on why you should not do away with plastic straws.

When I was younger I was underweight . I did not like to drink plain milk as a child. My doctor told my mother to give me strawberry milkshake so I can get some protein, fats and minerals in my body. But when my mom got the milkshake for me to drink with the paper straws, I had a very hard time to drinking from the paper straws and I had to get a new one every time the paper straw broke . So that one of the reason.

The 2nd reason why is this. I have friend who has CP she has a very hard time drinking as her hands shakes very bad so she needs a plastic straw so she can drink water and her favorite drinks .

I have another friend from Special Olympics who also an athlete with CP. She has to have water with a plastic straw at all times. She has a hard time drinking from a glass without a straw . I do understand how bad the earth is ,but there must be a way to recycle these plastic straws . I went with my cousin to Universals Studios in Hollywood CA and they had recycling bins for metal, glass, plastic , and cartons and the other is for paper. I talk to some of the workers at the Unniversal stores and they say that the recycling has help out a lot.

I live in NYCHA housing AS we have two bins for recycling I have a green bin for paper and cardboard, and the blue bin is for metal, glass, plastic and cartons. It has been three years now and so far so good.

All am trying to say is this I have former co- workers ,friends family members who needs plastic straws and trying wash them do not work . So I am asking you to please to think about my friends who have to drink from a plastic straws. I am pleading with you as a Special Olympics World Games Gold Medal Winner Don't DO AWAY WITH THE PLASTIC STRAWS

Thank You for listing

Rodney Hankins

1999 Special Olympics Gold Metal Winner.

Intro 0936  
in opposition to

Hello, my name is Lea d'Auriol and I am here testifying on behalf of Oceanic Global Foundation, in support of Intro No. 936 presented by Councilman Espinal Jr.

I would like to begin by expressing my gratitude for the chance to stand before you during this very important event for New York City, and this highly visible moment for the rest of the world.

The proposed Bill, No. 936 has been presented as the restriction or ban on single-use plastic items – particularly straws and stirrers. While that certainly is our goal, my hope with my testimony today is to demonstrate that despite the connotation associated with the terms “ban” “eliminate” and “restrict” this bill is not proposing a negative or inconvenient outcome. It is rather, proposing tremendous opportunity for positive change. It’s proposing the opportunity to protect human and planetary health for now and for the future. The opportunity to give individuals, businesses, and corporations the power to make a difference. The opportunity to underscore New York’s role as one of the most influential cities in the world. And the opportunity to create a groundswell amongst the cities, states, and countries, that follow in its lead.

As we have heard this morning and will continue to hear throughout the afternoon, plastic pollution poses an undeniable threat to both human and planetary well-being. It’s devastating ecosystems, disrupting food chains, threatening animal species, and spreading illness and disease. At the rate that we are currently consuming plastic, these threats are only expected to increase, as newer threats will undoubtedly arise.

Nonetheless, I would like to clarify, that plastic in itself is not the problem. Plastic is a valuable material that has saved lives in the medical field and allowed for technological advancements for a more sustainable planet. The problem is the way that we are using plastic. You’ve heard that we consume 500 million plastic straws per day in the US alone. A material that is made to last forever is used for 10 minutes, destined to live out eternity cycling through our seas – through the fish we eat, and the water we drink. It is estimated that 93% of NYC tap water is contaminated with traces of plastic.

We have an unnecessary reliance on single-use plastics, which stems from convenience, habit, and cost efficiency. Very few people have a true need to use straws, and even fewer require those made of plastic. That’s why the environmental community has identified eliminating plastic straws as the first viable step in addressing bigger picture issues related to plastic, and to building a more sustainable planet for us all.

At Oceanic Global, we have not only raised awareness for the problem of plastic straws, but we have also identified, as well as promoted, industry-specific solutions that make eliminating plastics both easy and cost-efficient. We have even developed a free downloadable tool-kit entitled “The Oceanic Standard” (TOS) that walks readers through the reasoning, process, benefits, and marketing opportunities tied to going straw-free.

Since its launch in early May, we have signed on over 100 restaurants, hotels, nightclubs, bodegas, and corporate offices in moving from plastic straws to more sustainable alternatives such as paper, pasta, or hay. We have found that when provided with options for vendors, or ideas such as providing sustainable straws only upon request, businesses have not only been keen to make the switch, but they have also been empowered to tackle larger eco-initiatives.

We have also found that although these sustainable options can be slightly more expensive, removing straws unless upon request, ultimately saves venues money. Meeting both business and environmental need. The businesses in this city are a core part of its foundation. We want to continue to support their success and as an organization have made ourselves a resource, available to help anyone in the process of making this change.

There is a reason that New York City is known as the greatest city in the world. I have mentioned that its businesses, of all sizes, are part of that reason. But when it comes down to it- it’s the people that make this city great. New Yorkers are passionate, they fight for what they believe in, and they take action towards protecting each other, and doing what is right. This is evident by the New Yorkers here in this room taking a stand to pass a bill that will make a small change in New York City, but will create a lasting impact on the rest of the world.



## Disabled In Action of Metropolitan New York, Inc.

City Council Committee on Consumer Affairs and Business Licensing  
June 21<sup>st</sup>, 2018 - Intro 936 Plastic (non-biodegradable) Straw Ban

My name is Edith Prentiss; I am President of DIA. Thank you for the opportunity to testify today.

There have been two recent articles in the Huffington Post that explain the importance of plastic straws to many People With Disabilities (PWDs) – I Need Plastic Straws to Drink. I Also Want To Save The Environment and Straws Save Lives Like Mine - Don't Ban Them. Both articles discuss why plastic straws are better for the authors than other drinking straw options (Hard plastic, metal, glass, rubber, silicon etc). The first time I used a metal straw, I injured my mouth.

It was very disappointing that 936 made it to the Chamber without consultation with PWDs. You would think in 2018, more than twenty-five years after the ADA, The Council be more knowledgeable and sensitive to the issue of disability. This week, there was a CoDA fund raiser at a venue we were told was accessible. Big surprise it wasn't! The ramp was too steep (not a foot per inch in height) and the restroom was inaccessible. The accommodation was to use the Subway store next door's restroom requiring us to travel up and down the steep ramp! I was asked what the problem was, we got in didn't we? When I left I bounced down the step because between the steepness of the ramp and a wooden flowerbox on sidewalk, it was too dangerous.

Earlier this year Queen Elizabeth banned plastic straws and bottles from Buckingham palace. Last night, Chelsea Clinton tweeted her support for Intro 936. Even the Intro's sponsor and co-sponsors had the audacity to decide for the PWDs what straw we could and should use (despite their obvious total lack of knowledge about drinking straws. I doubt many people with disabilities are invited to Buckingham Palace or care what Hillary Clinton thinks about straws but it is our right to have a straw that works for us.

Neither politicians nor environmentalists should decide what type of straw PWDs use. Although Intro 936 includes an out for PWDs or medical condition (an interesting distinction) I fear we will be at the mercy of counter staff that daily abrogates the same basic question about service animals. No one has to right to ask why you need a plastic straw or a service animal. But they surely will!

Int 0936-2018  
Thursday, June 21, 2018  
1:00pm

FOR THE RECORD

Elizabeth Murray  
The Marlow Collective  
Director of HR & Communications  
[liz@dinernyc.com](mailto:liz@dinernyc.com)  
718.486.7091

Thank you to the Chair of the committee for bringing this issue to a public hearing today. Our reliance on cheap, single-use plastics is not only an environmental horror show, but also disproportionately affects the public health of the poorest people on the planet. As our nation's largest coastal city, it is our responsibility to find sustainable solutions to this problem and lead the way in protecting the health of our marine ecosystems. Banning the use of plastic straws is an important first step, one that is widely supported by both the restaurant community and your constituents.

Our company has eliminated the use of plastic straws in all 4 of our Food & Beverage operations. The change was easy and inexpensive, and with the legal support of this committee and opening of this market, I believe alternatives to plastic will continue to improve in quality and price.

Thank you for your support.



The Yemeni American Merchants Association, a nonprofit birthed from the hugely successful Bodega Strike in 2017, in protest to the Muslim Ban, is pleased to provide testimony on behalf of our merchants in support of 2 important bills.

For the first bill Int. 0936, we'd like to thank Rafael L. Espinal, Jr., Helen K. Rosenthal, Barry S. Grodenchik, Mark Levine, Costa G. Constantinides, Brad S. Lander, Francisco P. Moya, Diana Ayala, Alicka Ampry-Samuel, Carlina Rivera, and Margaret S. Chin for their leadership to make our city environmentally friendly to sea life and cut down on litter.

Plastic's effect on marine life is staggering: According to the Wildlife Conservation Society, Plastic straws are among the most common litter items found on our beaches and oceans. Plastic cannot be recycled, so they either end up in a landfill or as litter eventually winding up in the ocean. Today, sixty to eighty percent of all marine debris is composed of plastic causing entanglement or ingestion by over 260 plus marine life species. An estimated 71 percent of seabirds and 30 percent of sea turtles have been found with plastic in their stomachs. At the rate the world is polluting, experts say there will be more plastic in the ocean than fish by weight by the year 2050.

The facts are stunning and we here at the Yemeni American Merchants Association stand behind making a change. In the thousands of corners where the Yemeni American makes a living every day, he is constantly on the lookout for an opportunity to be a force for positive change in their community. This campaign presents that opportunity. Whether it be their corner, block or borough, the Yemeni bodega is a staple in their communities and generally the start of each community member's day. It all starts from the beginning and that's why YAMA will encourage their 1000's of merchants to make sure alternatives such as paper, bamboo, metal, or glass straws are readily available for their customers. Even going as far as suggesting their customers skip using a straw altogether.

YAMA is proud to support and partner with the Council, the Wildlife Conservation Society and other partners to make NYC single-use plastic straw free!

We can make a difference and we will.

The second bill we support is Int 0965. First off, we want to thank Councilmembers Rafael L. Espinal, Jr., Alicka Ampry-Samuel, and Karen Koslowitz for their leadership in advocating for small business owners such as our bodega owners who seek to expand their businesses. This bill would allow businesses selling tobacco products, but not cigarettes, to register for a tobacco retail dealer license in 180 days if they have not previously done so. We appreciate this bill requiring the Department of Consumer Affairs to notify the persons eligible to apply pursuant to this bill about the application process and deadline. We believe this bill will expand NYC economy and therefore we support for our merchants.

Thank you,

Youssef Mubarez  
Yemeni American Merchants Association  
[www.yamaUSA.org](http://www.yamaUSA.org)  
[info@yamausa.org](mailto:info@yamausa.org)  
P: 718-213-0030

Chad Arnholt  
Co-Founder, Tin Roof Drink Community  
Sustainability Consultant  
Bar Operator  
Brooklyn, NY

Committee Members,

As an educator and advocate for sustainability in the bar and beverage industry, I have spent much time and effort studying and addressing the issue of single use items.

The disparity between the costs and benefits of single use items in a restaurant is simple and obvious.

Beyond specific exceptions noted in the proposal, straws offer little more than a slight convenience and plastic stirrers little more than aesthetics; meanwhile the downstream impact is devastating. Small and light, after their brief single use stirrers and straws find their way out of the waste cycle, blown throughout our streets, and ultimately into our water where they can breakdown into small particles, polluting the very water and food we consume.

Meanwhile, it is our experience that the average consumer hardly notices the presence or not of a straw, and that bars and restaurants that eliminate straws or offer them upon request only receive few complaints while considerably decreasing their waste.

It is true that biodegradable alternatives cost more, but that cost, pennies on the drink, is small compared to the significant cut in waste. Moreover, this initiative would position New York City as a leader on this issue, encouraging other major cities to follow, broadening the impact.

Restaurants that wrestle with this cost/benefit scenario tend to ditch straws altogether, thereby decreasing their consumption and offsetting the cost increase.

It is our opinion that not only will this initiative help address the specific and serious problem of small plastic pollution, but it will also help decrease waste on small items in general while causing little negative impact to local restaurants' bottom lines.

Thank you.

Regards,  
Chad Arnholt



*Building political power for animals*  
[www.VFAR.org](http://www.VFAR.org)

Good afternoon Chairman Espinal and members of the Committee on Consumer Affairs and Business Licensing. Thank you for this opportunity to testify about Intro 0936-2018 which would prohibit single-use plastic beverage straws and beverage stirrers.

My name is Joyce Friedman and I am on the Board of Directors of Voters for Animal Rights, a 501(c)(4) dedicated to helping elect candidates who support animal protection and lobbying for laws to stop animal suffering and cruelty. On behalf of Voters for Animal Rights, I am thrilled to state that we not only strongly support Intro 936 but we are extremely happy to see this bill introduced. It is time for New York City to get on board with this common-sense measure which prohibits two unnecessary items which are used for just a few moments in time, but which cause so much long-term suffering and death to millions of sea animals. On July 1 Seattle will many other cities which have enacted this ban, and the state of California is considering this law as well. The greatest city in the world should follow suit.

It is well-known that single-use plastic items such as straws and beverage stirrers are ending up in our oceans which, along with other plastic items are forming areas the size of football fields. What does this practically mean for the sea animals who call the oceans their home - the dolphins, whales, sea turtles, and the huge variety of fishes? It means they are unknowingly ingesting these items in large quantities, such as the whale who died in April with 65 pounds of plastic trash in his body. And it is not just their deaths, but also these animals' pain and suffering prior to dying, all from a completely unnecessary item we have simply gotten used to using, largely because it is so commonly handed to us. The most painful example of the suffering plastic straws cause to animals is the sea turtle who had swallowed a straw in the ocean which then apparently got caught in and infected his nose canal, caused him to scream in agony as a kind rescuer slowly pulled it out with plier-like tools. The video of this turtle's suffering went viral with over 26 million viewings and contributed to a change in consciousness. An additional tragic example is a recent photo of a large sea bird literally putting plastic items with her beak into the open mouth of her hungry baby bird. Neither of them knew that this was not food but rather a danger to the baby's life. Locally, it has been found that over 130,000 straws are in the East and Hudson Rivers. We can and should do better.

I will focus for a moment on a very important factor of this issue which is related to the complaints of some who might say they NEED to use plastic straws. Except for those who medically need to use them, such as my own mother who had swallowing problems from Alzheimer's disease, straws are completely unnecessary, and yet their ubiquitousness in our society makes us think they are necessary, simply because they are constantly given to us at eating establishments. Using simple common sense and basic critical thinking and observational skills, I would like to state unequivocally the absurdity of all of us using single-use plastic. In practical terms this means the following: we purchase an iced coffee and are given the cup with a plastic lid and a plastic straw. We take the straw simply because it is given to us, we place the straw in the lid hole without thinking, we drink for probably no more than 5-10 minutes, and then we take the straw, the lid and the cup and toss them in the trash, and by some people, on the ground. Often, the lid with the straw in it are immediately pulled off and tossed- how often do we see this duo lying on the sidewalk? This process happens millions of times per day by millions of people. In fact, 500 million straws are used for a few moments and thrown away EVERY SINGLE DAY in the U.S. That same drink can be enjoyed by sipping from the cup! Now imagine we are in a diner: we are given a glass of water and maybe we order a soda, and a straw is tossed on the table for us. Even though we can simply lift the glass to our mouth and enjoy the cold beverage, we unwrap the straw because it is there, place it in the glass and drink mindlessly- again for no necessary reason. That straw times 500 million, then gets tossed. If the straw were not put on the table would we not drink the water or soda?

If straws had never been created, we would not miss them, and we would all be fine drinking from glasses or cups. But when handed one at an eatery we use them. This is why the legislation is needed. However, what about those folks who really prefer to use straws? They can join the many people who make a one-time purchase of a metal or glass straw- widely available on Amazon and elsewhere - and carry this light, small item just as we all carry phones which we never used to carry, and also just like many people now carry a small utensil set to avoid using plastic forks and spoons for a few minutes and then dumping them. And certainly, we can all see the absolute non-necessity of the plastic stirrers placed in bar drinks for no real use! Again, simply drink out of the glass! As intelligent humans, I think we can agree we can do much better than simply engaging in behaviors in a thoughtless manner out of habit, which cause tremendous harm to other living beings. Businesses must no longer be allowed to distribute these harmful, unnecessary items that are destroying our waterways and the animals who call the waterways home. Many thoughtful businesses have stopped on their own, as awareness is growing, but most have not, so all businesses need to be prohibited from using them. Might we need to take a bit of time to get used to a new way? Yes. Have we gotten used to a myriad of other changes in our lives as we become more aware and society evolves? Yes. We'll all be just fine! And then so will the innocent animals when less plastic invades their home.

In summary, Voters for Animal Rights urges the swift passage of this necessary bill to help stop damaging our wildlife and oceans. If Royal Caribbean, Sea World, McDonalds, and numerous municipalities can act on the need for this simple, humane action, NYC can act as well.

**Joyce Friedman, Board of Directors, Voters for Animal Rights**  
**[Joyce@vfar.org](mailto:Joyce@vfar.org)**



To Whom It May Concern,

My name is Keith Treyball. I am the President of E2 Hospitality, owners of multiple restaurants in New York City, and I support “Int 0823-2018” allowing for restaurant surcharges.

Over the past 14 years, since the opening of our flagship restaurant BLT Steak, I have witnessed seismic shifts in the industry that have forced us into a “survival mode” mindset. The costs of running a restaurant in New York City have skyrocketed. Over the last three years at our flagship on 57<sup>th</sup> Street; our rent has tripled, there have been eight wage hikes (with a ninth on the way), employee health care is dramatically increasing, and food costs have escalated.

We have been forced to cut hours for employees, lay off others, and we have reduced the size of our menu to limit kitchen payroll. Our Dessert menu and pastry department are the latest causalities. We have limited the server’s support staff (bussers and runners) and cut hostess shifts while trying to maintain service standards.

We have raised menu prices to the limit of “what the market will bear” but those increases are negated by the average guest ordering less and spending the same amount as before the increases.

An administrative fee is needed to offset our increased costs of doing business. By allowing for a prominently disclosed administrative fee we can hope to generate the necessary revenue to stay in business and hopefully grow the business. We are simply asking for the same rights that restaurants throughout the country (including the rest of New York State) are allowed to use. Mayor de Blasio has kept the administrative fee in a holding pattern for the last two years. We need the City Council’s support now by passing this important legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Keith Treyball".

Keith Treyball  
Partner & President  
E2 Hospitality  
950 Third Avenue, Floor 22  
New York, NY 10022



June 19, 2018

To the City Council of the City of New York,

My apologies that I am unable to attend the hearing on the proposed Local Law to amend the Administrative Code of the City of New York Int 0823-2018 regarding a restaurant's ability to charge a clearly disclosed surcharge, but I have a family commitment. I wanted to submit this written testimony in my absence.

My husband and I opened a small lobster business in Red Hook Brooklyn in 2009 called the Red Hook Lobster Pound. Since then we have been fortunate enough to be successful and expand under our original name the Red Hook Lobster Pound and more recently under our second brand, the Rockaway Clam Bar. We have a full-service restaurant in Red Hook, Brooklyn, we operate a food truck that won the title Best Food Truck in America, that has been on the Today Show, and in national media representing the absolute best that New York City has to offer. We serve off the truck in the five-boros under a own mobile vending permit owned by us. We are one of the original Smorgasburg vendors. We operate a lobster and oyster bar at Urban Space Vanderbilt on 45<sup>th</sup> and Vanderbilt. We opened a beach concession called Rockaway Clam bar in Rockaway Beach and another location at Urban Space 570 Lexington Avenue. We have locations in three out of five boroughs, and serve every demographic that makes up this remarkable city.

We are 100% family-owned and operated. We support ourselves, our children and our 100 part-time and full-time employees by providing fresh, simple and affordable seafood. However, the affordability of running our business has increased 100 percent over the past ten years. Food costs and labor costs have escalated dramatically due to product demand and regulation. We are very proud of the business that we have built and of the people that we have employed. We have given single mothers the ability to rent their own apartment and lease cars. We have given students the opportunity to support themselves and take on less debt. We have given numerous formerly incarcerated persons an opportunity to rehabilitate themselves and earn a living wage, without discrimination based on their past acts. We have been able to provide health-insurance to our salaried workers.

However, our ability to pay a living wage, offer benefits and remain marginally profitable is seriously at risk. We can only increase menu-prices so much before our guests balk and realize that it is too pricey to enjoy our cuisine. We opened the Red Hook Lobster Pound in the middle of the recession with the idea that people should enjoy a luxury item at reasonable prices. We decided that we wanted to build a real business, not just take the money and run. We are not a fancy restaurant, we are a mom and pop, the sort of place that adds to the cultural fabric of NYC. We opened with the intention of being around for 100 years. When we opened in 2009 we charged \$13 for a lobster roll, now we charge \$20. That is a 54% increase. Our costs of doing business have increased even more than that. As such we have had to raise our prices, but we are

at our maximum limit for such a casual eatery. Prices are the number one complaint that our guests have, just look at our Yelp reviews.

We are asking for the discretionary ability to add a clearly disclosed surcharge to our customers checks. As such we are asking you to support Int 0823-2018. We may not choose to add a clearly disclosed surcharge, but not having that option seriously limits our ability to expand our business, to serve New Yorkers, to create even more jobs and to pay even higher wages to our hard working employees.

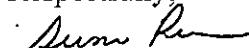
New York City is the only place in New York State, and frankly the entire country that limits a restaurant owners ability to decide how to charge for their product and how to make important business decisions. There has been little abuse of this law nationwide, as long as there is proper disclosure, and there is no reason why changing the status quo in NYC will result in any different outcome. NYC is the most competitive restaurant market and we are hobbled by the current law. We should have the same right as business owners in the rest of the State and the country. We are not trying to be deceptive. We are not trying to roll over on our guests. We are dependent on repeat business and a good reputation. Guests are smart, they would not come back if we engaged in deceptive practices.

If we were able to add a surcharge that is not a gratuity (which we may not redistribute) we would be able to achieve so many of our important goals:

- (1) We would be able to reduce the wage discrimination between the serving staff and the kitchen staff. Currently our servers and bartenders earn on average \$45 per hour, our bus-people, hostesses and food runners earn an average of \$22 per hour yet our line cooks and dishwashers earn on average \$16 per hour.
- (2) We would be able to provide health-insurance for even more of our staff.
- (3) We could increase the benefits and establish a 401k plan.
- (4) We could re-invest profits into the expansion of our business and we could create even more jobs
- (5) We could fund employee training programs to teach management and other skills to help create upward mobility for our employees.

We have been waiting two years for the Mayor to act on our request. He has not done so. In fact, I was listening to his weekly segment on WNYC three weeks ago and he was asked about the surcharge issue and he "did not know anything about the issue and he would have to study it." Our reasonable requests have fallen on deaf ears. We are respectfully asking the City Council to act where the Mayor has failed and to pass Local Law Int 0823-2018. I am available to answer any questions that you may have. My contact information is listed below.

Respectfully,



Susan Povich

Owner

Red Hook Lobster Pound LLC

Rockaway Clam Bar

[susan@redhooklobster.com](mailto:susan@redhooklobster.com)

# quality branded

My name is Kevin Dillon and I am the Chief Operating Officer of Quality Branded. We own or manage 9 full-service restaurants in New York City.

I fully support Int 0823-2018, which would allow restaurants like ours to add an optional surcharge on dining checks. This is a practice that is allowed throughout the country, including in the rest of New York State. Not being allowed to use a surcharge in New York City, where we face one of the most competitive landscapes in which to run a restaurant in the entire country, simply makes no sense.

In the past several years, the cost of running a restaurant in NYC has skyrocketed. Rents have increased, minimum wage has gone up, food costs have risen. The result is that restaurants are closing in unprecedented numbers and those that remain open are having to find creative ways to drastically cut costs. In attempts to combat the increased costs we're all faced with as restaurant operators, we have:

- Raised our menu prices
- Designed new service systems that require fewer employees to execute
- Laid off employees, resulting in adjusting menu offerings to make them feasible with a leaner staff
- Increased our employee contribution to our healthcare programs

But we are still struggling. We are simply trying to put NYC restaurants on an even playing field with restaurants in other cities across the country by allowing us to use a clearly disclosed surcharge as a way of offsetting these increased costs of doing business. An administrative fee would help us:

- Reduce disparity in wages between tipped and non-tipped employees, by raising back-of-house wages
- Offset future state/city-mandated increases
- Contribute to continually rising healthcare costs
- Generate needed revenue to stay in business or grow

We fully intend to clearly disclose this administrative fee to our valued customers. This fee notice will be added to every menu, both in our restaurants and online, as well as on the checks. We aren't looking to be sneaky or deceptive. We have no intention of misleading our customers, many of whom are frequent repeat guests.

For more than two years, the restaurant industry in NYC has been urging Mayor de Blasio to allow restaurants the option of including a clearly disclosed surcharge on menus. There have been multiple meetings at City Hall, articles published in local newspapers and news coverage on local news channels. But because of the Mayor's inaction, we need City Council's support and respectfully urge you to pass this important legislation to help restaurants survive in New York City and provide us with the same resources that are afforded to other restaurants in markets across the country.



880 3RD AVENUE, 4TH FL, NEW YORK, NY 10022  
QUALITYBRANDED.COM

## FOR THE RECORD

Dear Council members,

My name is Naz Riahi. I'm the founder and creative director of Bitten, a notable events series that positions food as a pillar of pop culture and explores the space through the lens of creativity, innovation, technology, art and fun. As such, I've dedicated a great portion of my life to working within the industry—from consulting with large brands and startups to partnering with chefs and restaurants.

The environmental hazard of plastic straws is an issue that's near to my heart. I support the proposition to ban plastic straws in New York City, because I believe the positive impact of such action is far greater and longer lasting than any short term challenges.

The simple fact is that plastic straws and stirrers are not a necessity. The use of straws is a learned behavior.

Last year, I decided to try drinking my iced coffee out of a cup. It may sound silly, but I was worried that it would be impossible to walk my dog while carrying an un-lidded iced coffee. He's a little troublemaker who lurches after squirrels and dives for scraps of food as if his life were depended on it. To my surprise and delight, it was neither impossible nor impractical to carry my iced coffee without a lid and a straw and to drink from the cup. It turns out, that this age old method of putting our mouth on the rim of a cup, actually works! For over a year, I have not used a plastic straw and have not even found need for a reusable or compostable straw.

To those who may say their business is dependent on selling drinks with plastic straws, I say, there are alternatives. Bamboo straws and corn straws are sustainable solutions. If every industry that absolutely needed straws used these alternatives the economies of scale would drastically decrease the cost. Further, small business that use environmentally sound straws offset the cost by only offering a straw when a customer asks for one. This is the best long-term solution because it is less wasteful and helps people unlearn an unnecessary behavior.

In a time when the future of our country and the world can seem doomed, when impactful positive change seems daunting and impossible, eliminating plastic straws in New York City is a simple, positive action we can take that will make a big difference. It can be a source of pride for our community and it can help NYC continue to establish itself as a progressive, thoughtful state, positioned to lead by example.

Thank you for your work and consideration.

Naz Riahi  
[hello@thisisbitten.com](mailto:hello@thisisbitten.com)  
[Thisisbitten.com](http://Thisisbitten.com)  
Social Media: [@thisisbitten](#)

Good afternoon Chair Espinal and members of the Consumer Affairs and Business Licensing Committee. My name is Robert Edmonds, Founder at Edmonds & Co., P.C. I am testifying today on behalf Davidoff of Geneva, which operates three retail locations in New York City, recently affected by the 2017 tobacco sale regulations. I am here today testifying in support of Int. 965.

Last year an expansive set of tobacco legislation was passed by the New York City Council and signed into law by Mayor de Blasio on August 28, 2017. Int. 965 is a technical amendment necessary to address a failure of notice to a small and specific subset of tobacco retailers, those that **do not** sell cigarettes or vaping devices and **did not** hold a cigarette license.

Prior to the passage of these new laws, cigar retail establishments that did not sell cigarettes were never required by the New York City Department of Consumer Affairs to hold a license in order to lawfully sell cigars. Cigar retail establishments not engaged in the sale of cigarettes were only required to comply with New York State registration and licensing requirements to sell cigars. One of the new laws (Local Law No. 146 of 2017) “updated” the NYC retail license for selling cigarettes to encompass all types of tobacco, specifically including cigars.

As a result of this law, all tobacco sellers were required to file an application for a license as a “Cigarette Retail Dealer” prior to February 24, 2018. If a tobacco seller in NYC failed to file the “Cigarette Retail Dealer” application prior to February 24th it would effectively be barred from doing business in New York City.

There are several cigar-only retailers in New York City that sell cigars but do not sell cigarettes or vaping devices. Presumably because they were not previously required to be licensed by the City, they were not on the notice radar. These retailers received no notice of the new law or of the severe consequences of missing the deadline.

The proposed bill would act to remedy this technical oversight and allow a specific and small subset of tobacco retailers the opportunity to apply for the requisite City license and to continue their businesses in NYC.

This bill requires that:

- (1) the retail dealer was validly and currently licensed by NYS prior to February 24, 2018 to sell tobacco products at retail; and
- (2) the retail dealer was not required to hold a license by NYC prior to February 24, 2018.

These requirements will limit the pool of potential applicants to exclude any tobacco retailers selling cigarettes prior to this date and to exclude any new cigar retailers established following this date. In addition, the bill limits the application period to 180 days following its passage. Without this technical amendment, the three Davidoff of Geneva stores – and the few others similarly situated - would be forced to close their retail locations in NYC despite their full compliance with all New York State and New York City laws for many years in each case.

NYC Council Committee Members,

My name is Spike Babaian. I am the Technical Analysis Director of the New York State Vapor Association. I am also a small business owner in New York City. I opened the first Vape Shop (e-cigarette shop) in all of NYC in 2011. I grew to 5 locations over the past 7 years and now employ 13 people including myself and my partner. All but 1 of us are NYC residents. We have helped over 10,000 smokers from the tristate area to quit smoking tobacco and switch to vapor products. Many of these former smokers are your constituents.

Now New York City law threatens to close all 5 of my shops over the next 2 years.

In 2017 NYC Council passed Int 1532- 2017. This law required all vapor shops and places that sold vapor products to register for an e-cigarette license. We did not oppose this law, but asked for an amendment to allow the licenses to be moved with the shop at the end of a lease or in an extreme circumstance (fire, flood, act of God, etc...). This amendment was not added.

Now I am in a situation where I have 2 leases ending and the landlords have realized we do NOT have the option to move our license to a new location so they have raised our rent an unmanageable amount and are trying to extort more money out of us. We will be forced to close 2 locations this year if we cannot move our license to a new address. I will have to fire my employees and pay them unemployment until they can find another job.

While there are thousands of places that sell tobacco and cigarettes, there are less than 70 dedicated vapor shops in New York City. The law will not allowed any new licenses until the number of licenses is cut in half by attrition. This means there could be as few as 35 Vape Shops in all of New York City over the next few years. If cigarettes remain so much more accessible, many people will return to smoking when they cannot get vapor products. This would be a public health tragedy.

I have tried dozens of times in the last year or two to reach out to my council members for my stores and let them know this legislation will close my businesses. Some of them said there was nothing they can do and one of them outright told me he had no interest in meeting with me on this issue. As a female, minority who runs a small business in NYC I am begging for your help to keep my employees jobs and keep my business that I have spent the last 7 years building.

Spike Babaian  
Technical Analysis Director  
New York State Vapor Association  
516 902 0824

**James Sternlicht | Oceanic Global Foundation | Testimony at Hearing for NYC Bill to Ban Plastic Straws**

Good afternoon ladies and gentlemen of the Council. Thank you for the opportunity to speak this afternoon, and thank you to my neighbors and fellow New Yorkers who came out today to support our efforts to protect our ocean.

My name is James Sternlicht, and I am honored to offer this testimony on behalf of Oceanic Global, an NGO engaged in leading the global fight to save our seas through consumer & business education, providing resources, and supporting policy for a greener future. I coordinate our strategic development efforts, finding significant and powerful allies who understand the urgency of addressing the issues facing our oceans, and are willing to lend their platforms to build systems that empower those seeking to reduce their plastic consumption through convenient and cost-effective solutions.

Every day, over 500 million plastic straws are used in the United States alone. That's more than one and a half straws per citizen. The truth is that most of these straws will never be recycled, which will ultimately result in these carcinogenic materials ending up in our environment as well as our food chain.

I come from a family with a deep background in the hospitality sector. I have seen first-hand how much unnecessary waste the industry creates, whether it be through straws used to mark a glass, or two stirrers functioning as a straw. Even if they have the best intentions, bartenders, servers, and other hospitality workers can't ensure that every straw is recycled and not mistaken for waste. This standard of care from the people of the hospitality industry, and from the customers who frequent these establishments, is a lot to ask. Even the most eco-friendly and aware people in this room have likely been served a straw over this past week.

So, why don't we make the leap today and eliminate plastic straws all together? There's a barrier to understanding how to engage with the space, and how to be more sustainable. There is also a worry of high costs for doing so. I understand this perspective and am here to address these concerns.

As someone who has grown up around hotels and restaurants, and has worked in various venues, as well as with dynamic hospitality groups – I am here to tell you that adopting sustainable practices isn't as complicated as it seems. At Oceanic Global we developed a free tool-kit, called the Oceanic Standard that walks businesses of all sizes through their options for sustainable alternatives, and the best protocols to meet their individual business needs.

If we need an example, two come to mind - close to home, 1 Hotels is leading the way in doing well while doing good. With two locations in New York and one in Miami, 1 Hotels has implemented sustainable practices as a core pillar of the brand, and this hasn't hurt it - in fact, these properties score top marks for user experience and outperform industry averages significantly. So too have our friends over at Cosme & Atla worked to operate sustainably, and they have eliminated the straws from their establishments while being ranked among the top 25 restaurants in the world.

While these venues are leaders in their space, I am also aware that they have the financial resources to afford more sustainable materials. While I personally believe this is a small price to pay for the health of our planet, I also want to address the belief that sustainable alternatives can break the bank for smaller businesses. At Oceanic Global we have found that eliminating straws in general, and only offering sustainable alternatives upon request actually saves businesses money and helps them meet their bottom line. It also adds values for consumer engagement and employee retention as both customers and staff have aligned with movement.

The bottom line is this - we have an opportunity today to make a difference, an opportunity to improve the legacy we leave - and it's not that hard of a transition to make. Let's do the right thing, and take a leading role in shaping the future of our planet.

Thank you.

## FOR THE RECORD

### No Plastic Straws - New York City Council - Hearing June 21, 2018

Int. 936-2018 - Prohibiting single-use plastic beverage straws and beverage stirrers  
Comments of Catherine Skopic

Greetings. My name is Catherine Skopic, Vice-Chair of Sierra Club New York City Group and member of several other environmental organizations. Thank you, Council Member Espinal, Jr. for introducing this bill to prohibit single-use plastic beverage straws and beverage stirrers. Thank you to the 10 Council Members who have signed.

"18 billion pounds of plastic ends up in the ocean each year. And that's just the tip of the iceberg," National Geographic, June 2018. This issue focuses on the expansive accumulation of plastic in our oceans. The Great Pacific Garbage Patch now covers an area three times the size of Texas. Plastics don't disappear or bio-degrade, they become micro-plastics - that is microscopic particles of plastic formed as larger plastic items break down. Having been ingested through water, multiple life forms from seaweed to mollusks to fish to ourselves have been shown to contain micro-plastics.

Raise your hand if you've ever seen a photo of a seal with a plastic six-pack ring stuck around its neck becoming ever tighter as it grows or a sea turtle dragging attached fishing net behind it or some similar tragic result of our plastic. Here is one such photo. All the items on this page were found in the stomach of one albatross chick that killed it.

GreenPeace has launched a global campaign, "Break Free from Plastic." Environmental organizations conduct beach clean-up days with local residents and volunteers participating. Plastic straws are one of the most plentiful items found washed up on our beaches. For all these reasons and more, this bill is significant - it's easy enough to eliminate plastic straws and stirrers and yet has such a significant impact.

And the authors of this bill thought of everyone. For example, in Point B, the exemption: "Food service establishments may provide suitable beverage straws or beverage stirrers, including those prohibited by this section, to a person that requires a straw due to a disability or medical condition as defined by this section."

For alternate examples, one can bring with them a hardened cardboard straw, a plastic or metal reusable straw, if you would like to use a straw - it's easy and light weight.

I urge all of us to continue to eliminate plastic from our lifestyles in every way we possibly can. Not only do we have responsibility to protect marine life, our oceans feed us and provide a living to more than half the world's population. When we poison the oceans with our plastic, we poison ourselves. It's time to stop using plastic.

Thank you again, New York City Council for composing and introducing this bill. May it be passed with flying colors - a small step to the protection and restoration of our oceans, our marine ecology and ourselves.

June 21, 2018

FOR THE RECORD

**Testimony of Burak Karacam to City Council in Support of "Int 0823-2018"**

Dear Council Members:

My name is Burak Karacam and I am a managing partner of 2 restaurants in NYC operating under the "Pera" business name.

I am here to testify in support of legislation allowing restaurants in NYC the option of using a clearly disclosed administrative fee, also known as "Int 0823-2018".

In order to understand why we are here today, our request for a clearly disclosed administrative fee should be considered in light of the many challenges and burdens placed on NYC restaurants, in a very compressed timeframe over the recent past:

- 1) Rising wage mandates in the range of a minimum 71% to over a 100% hike over a very brief time span of merely 4 years. There is even a very real possibility of this number being a 200% hike in the case Governor Cuomo's tip credit removal proposal takes effect.
- 2) Commensurate with rising wage mandates insurance premiums linked to wages such as Worker's Comp, Disability and certain Liability policy costs are also ever increasing.
- 3) Food costs are on the rise and increases in instances of unpredictable severe weather conditions throughout the country are causing supply-demand imbalances that further fuel such cost increases.
- 4) A switch by the NYC Health Department to a letter grade system, but more so than the letter grade system itself, the coterminous increases in violations and fines issued, and the very high defense costs associated with disputing even the simplest and most arbitrary write-ups we are receiving.
- 5) New maintenance mandates by the City (such as recently implemented Cooling Tower Certification and Treatment mandate) that do not distinguish between small store and 70-floor skyscraper and bring the same onus and costs to big or small alike.
- 6) Never ending rent increases and Landlord practices intended to pass on more and more general building operating costs to tenants.
- 7) Heightened competition from non-restaurant food service businesses such as out of commissary delivery services, caterers, subscription meal kit providers, supermarkets, etc. who are not subject to most of the preceding burdens faced by restaurant operators.
- 8) New York State's continued stance against tip sharing, even in light of updated Federal regulations that now allow for the sharing of customer tips by everyone engaged in the process of food service, not only limited to those whose faces can be seen by customers.

Individual restaurant operators likely have many more challenges to add to my merely surface-scratching list, however, the message I am trying to convey is that I, as a NYC restaurant operator, am suffocating and desperately need a breath that the City Council yields the power to provide.

In supporting the option to use a clearly disclosed administrative fee, I stress "clearly disclosed" as being the operative word. It is no operator's intention, nor does it benefit any operator, to try to mislead some of the most intelligent and sophisticated diners in the world.

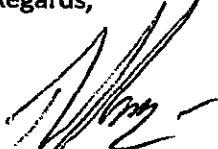
So, what is it that we hope to achieve with this clearly disclosed fee?

- 1) Help generate additional needed revenue by being very open with the customers as to what that additional need is to stay afloat, without trying to conceal it in a price increase.
- 2) In the absence of a tip sharing arrangement (which NY State prohibits), reduce the disparity in wages between tipped (faces seen) and non-tipped (faces unseen) food service workers. A price increase only furthers this wage disparity due to the practice of tipping being based off such increased prices, whereas an Administrative Fee whose proceeds are also used to compensate non-tipped employees can effectively reduce the disparity.
- 3) As you may know, the inability to use a clearly disclosed administrative fee is specific to New York City. Restaurants throughout the State of New York or other parts of the country are allowed to and do utilize such fees. It does not make sense to hold back this right from NYC operators who are already in the most competitive of markets. We must maintain NYC as a smart and dynamic regulatory market which continues to attract new investment in hospitality operations, not one from which existing investment is looking for ways to exit due to archaic laws. Especially when the removal of such laws can greatly benefit a certain group without causing harm to any other.

We have brought this matter to City Hall's attention already a few years back. However, I fear, as many others you have heard from and will be hearing from today do, that Mayor de Blasio's administration is either unaware of or does not share the same sense of urgency we do. 2 years have passed and no progress has been made. There is no time to wait, the industry in NYC is in trouble and needs City Council's support in this matter. I strongly urge you to pass this important legislation that has a chance of restoring at least some of what we have lost and continue to be losing year after year.

I thank you for your time and your empathy in this urgent matter.

Regards,



Burak Karacam

**SIX LOUNGE LLC**  
**HARLEM FOOD BAR**

2100 Frederick Douglass Blvd  
New York, NY 10026

NYC Department of Consumer Affairs and Business Licensing  
ref: Hearing June 21st, 2018

To Whom it May Concern:

I am writing as a restaurant owner and operator. We have been in business at four locations in Manhattan continuously since 1994. I am writing to provide written testimony for the record for the above referenced hearing.

**INT 823**

We SUPPORT the approval of SURCHARGES and believe this measure is critical to the ongoing viability of small NYC restaurants. The surcharge will serve as a means to offset years of increased labor costs and other increases in administrative, insurance, and other expenses. Additionally, if the State eliminates the Tip Credit, as proposed by the Governor, we will have no choice but to stop taking collecting tips and instead pass along a mandatory surcharge to our customers. In the event we are unable to collect a surcharge, we will not be able to afford the increased minimum wage for tipped employees and will be forced to close.

**INT 936**

We SUPPORT the elimination of single-use plastic beverage straws and stirrers, AS LONG AS “COLLOSSAL STRAWS” (or items not replaceable by paper substitutes) ARE EXEMPTED. *These straws are ½” large diameter straws used for frozen beverages, bubble tea, and other very thick liquids for which no paper or reusable product is available as an alternative.*

If this exemption is not made, we do not support the measure.

Very truly yours,

J Scott Siler  
Harlem Food Bar  
2100 Frederick Douglass Blvd  
New York, NY 10026



## **TESTIMONY OF THE MANHATTAN SOLID WASTE ADVISORY BOARD**

***City Council Committee on Consumer Affairs  
Testimony in Support of Intro 936  
Thursday, June 21, 2018***

The Manhattan Solid Waste Advisory Board (MSWAB) unanimously supports Intro 936 to ban single use plastic straws in New York City. Single use plastic straws are a bane to the environment, dangerous to aquatic life, are too small to recycle and thus challenge the City's Zero Waste-to-landfill goals. Straws may even be a risk to human health: all plastic straws that are made from polystyrene, a material to be banned in container form in NYC by 2019, contain styrene, which is a likely human carcinogen according to the National Institute of Health.

Straws are among the most ubiquitous contributors to the plastic pollution problem, given that 500 million of them are used in the U.S. every day. According to the B.A.N 2.0 analysis done by 10 different pollution research groups of the most polluting plastics used in the U.S., plastic straws are the fifth worst offenders and should be banned.

Once in the ocean, the strong cylindrical shape of plastic straws is dangerous to wildlife, causing suffocation and death. A YouTube video filmed by Christine Figgener, a marine biologist at Texas A&M University, show a sea turtle's nostril bleeding as a plastic straw is removed, and the Plastic Pollution Coalition cites a medical journal detailing the case of a plastic straw perforating the stomach of a penguin. Is this harm worth the convenience? Or can New Yorkers do better?

MSWAB believes the answer is a resounding YES! NYC food and beverage establishments can embrace reusable metal, glass, or silicone straws, they can opt for a compostable paper straw, or even omit the straw altogether. Many local restaurants and bars have already made a switch to reusable straws, such as Grand Banks on Pier 25 and Demarchelier on the Upper East Side. NYC-based Union Square Hospitality Group is replacing plastic straws with biodegradable alternatives in several of their restaurants. Internationally, the large food service company Bon Appetit is phasing out straws, as is Alaska Airlines and the entire United Kingdom. For a City that cares so much about our impact on the environment, it is about time that we join the ranks of cities like Vancouver and Seattle and ban single use plastic straws.

The MSWAB has one suggested edit to Intro 936: This bill currently states that “no establishment shall offer straws or beverage stirrers made of plastic or non-biodegradable material”. Because of confusion and “greenwashing” around biodegradable plastics in particular, which cannot be recycled or composted at most facilities, we ask that this language be changed to “establishments may not offer plastic or non-compostable or non-reusable material.”

With this edit, MSWAB urges the City Council to swiftly pass Intro 936 to ban plastic straws in New York City, and see that this new law is effectively communicated and enforced with fines, including providing the funding necessary to do so.

Respectfully,

**The Manhattan Solid Waste Advisory Board (SWAB)**

Chair: Sarah Currie-Halpern; Vice-Chair: Laura Rosenshine; Secretary: Katherine Hanner; Assistant Secretary: Christine Johnson; Treasurer: Diane Orr

Rona Banai, Margot Becker, Matthew Civello, Maggie Clarke, Debby Lee Cohen, Peter Cohen, Naomi Cooper, Philip Corradini, Sarah Currie-Halpern, Meredith Danberg-Ficarelli, Katherine Hanner, Cullen Howe, Sophia Huda, Melissa Iachan, Christine Johnson, Nathaniel Johnson, Tamara Lim, Debra Menich, Kate Mikuliak, Monica Munn, Kathy Nizzari, Diane Orr, Jacquelyn Ottman, Kellen Parker, Tinia Pina, Martin Robertson, Jennie Romer, Laura Rosenshine, Rick Schulman, Brendan Sexton, Marc Shifflett, Sam Silver

*The Manhattan Solid Waste Advisory Board (MSWAB) is a volunteer citizens' advisory board dedicated to helping NYC achieve its zero waste goals. We advise the Manhattan Borough President, City Council, City Administration and others on policies and programs regarding the development, promotion and operation of the City's waste prevention, reuse and recycling programs. We are a Board comprised of solid waste management industry, waste reduction and diversion consultants, sustainability professionals, and concerned citizens, appointed by the Manhattan Borough President's Office.*

## Int 0936-2018

Elizabeth Meltz

Eataly USA

[Elizabeth.meltz@eataly.com](mailto:Elizabeth.meltz@eataly.com)

Thank you, council members and special guests, for having us here today. My name is Elizabeth Meltz and I am the Director of Sustainability at Eataly USA. I am here to discuss the issue of removing single use plastic straws from our restaurants here in New York City. As you may know, Eataly operates two locations in Manhattan, but what you may not know yet – we just announced it this morning - is that both of these locations, as of July 2018, will have finished the process of removing plastic straws from their operations. In fact, Eataly locations across the U.S. are undergoing this same process and will be completed by the same deadline. We made the choice to invest in this change about three months ago, and since then I have lead my team through the research, organizational challenges, and execution this type of change demands. From this experience, I can tell you first hand that it is a realistic and attainable process for restaurants large and small across the city.

A straw is a luxury. But it is a luxury that our environment cannot afford. Indulging in this luxury has led to a state of emergency for our oceans. Human behavior has caused this crisis but luckily it is one that human behavior can also rectify.

The process to get rid of plastic straws is not a cumbersome one. Though high-quality paper straws are generally more expensive, a "straws upon request" policy can make up for any increase in cost. I've heard concerns that employees and guests would not respond well to this change. But, again I can tell you first hand, that this is just not the case. Employees and guests alike respond well to this initiative and through good communication and education, they make the transition easily and understand the powerful message attached to it.

All of this is in line with Eataly's mission. Since our founding, we have always worked alongside our producers, defending local food traditions, preserving food biodiversity, and promoting quality artisanal products. Like our producer partners, we know that high-quality ingredients cannot exist without a healthy, clean environment. According to the World Economic Forum there will be more plastic in the ocean than fish by 2050. Businesses like Eataly not only have a responsibility to stop this from happening, we have a vested interest in ensuring that future generations have access to the same, healthy ocean full of wild fish that we do.

Replacing plastic straws with sustainable alternatives (i.e. not plant based plastics or biodegradable plastics) was a clear way we can work towards that healthier environment and we are proud to be part the swell of businesses and consumers that understand preserving our environment is key to our city's future successes. Thank you for your time today.



**Testimony to the New York City Council  
Committees on General Welfare & Contracts**

**Submitted by Laura Mascuch, Executive Director of the Supportive Housing Network of New York**  
**June 21, 2018**

The Supportive Housing Network of New York is a membership organization representing approximately 200 nonprofit developers and operators of supportive housing statewide, as well as other professionals who contribute to the advancement of this important model. Supportive housing is permanent affordable housing with embedded social services for vulnerable individuals and families, people who are homeless and living with disabilities and/or other barriers to maintaining stable housing. We appreciate the opportunity to submit testimony regarding the impact of human services contracting on the development of supportive housing in New York City.

The City puts unprecedented resources into homeless services and permanent housing for people experiencing homelessness, including supportive housing, it is critical to acknowledge that not-for-profit organizations are at the heart of the response. Because housing is the natural answer to the problem of homelessness, the model of supportive housing was created in the nineteen eighties by homeless service providers who understood firsthand the needs of their clients. As the years went on, many of these not-for-profit organizations became expert developers of supportive housing. In fact, there is a significant overlap in membership between the Network and Homeless Services United.

The Supportive Housing Network of New York is grateful to the City for the NYC 15/15 initiative to create 15,000 units of supportive housing in fifteen years, as well as for the approval of \$100 million in capital to accelerate the construction of new units from a pace of 500 per year to 700. As the City recognizes the necessity of speeding up the production of supportive housing, we believe it is important to emphasize the connection between homeless services contracts and the development of new supportive housing units.

The Network often hears from our members that provide homeless services that their DHS contract payments are extremely delayed, sometimes causing millions of dollars of outstanding receivables on their books and fiscally unhealthy reliance on lines of credit. In addition, outstanding receivables can lead to audit findings. Not-for-profits can spend tens or hundreds of thousands of dollars on interest on lines of credit, which is not reimbursable. The negative financial impact left by late DHS payments can make not-for-profit organizations appear to be a risky investment partner or borrower, hindering their ability to access the financing required to develop permanent supportive housing. In their fiduciary capacity, not-for-profit boards of directors are also increasingly and understandably reluctant to approve new real estate development while their organizations are supporting structural deficits and bridging late payments from existing human service contracts.

Not-for-profit organizations are on the front lines of the homelessness crisis, providing a continuum of services from street outreach, drop-in centers, safe havens, and shelters, to permanent supportive

housing. The City will not turn the tide of the crisis without the dedicated work of these organizations. Fair contract rates, timely contract registration and payment are crucial to the fiscal health of these organizations, as well as to the pipeline of permanent supportive housing that the City so desperately needs.

June 21, 2018

Honorable Corey D. Johnson, Speaker  
Committee on Health  
New York City Council  
New York City Hall  
New York, New York 10007

via electronic mail: [LSkrzypiec@council.nyc.gov](mailto:LSkrzypiec@council.nyc.gov)

**RE: Pro. Int. No. 965: In relation to applications for retail dealer licenses for sale of cigarettes or tobacco products**

Dear Speaker Johnson:

I am writing on behalf of [Public Health and Tobacco Policy Center](#), a national public health law and policy organization based at Northeastern University School of Law. We provide legal technical assistance for population-based health policies to New York local governments, including guidance on retail policies that deter and reduce tobacco use. It is in this capacity that we submit comments regarding *Pro. Int. No. 965: In relation to applications for retail dealer licenses of sale of cigarettes or tobacco products*.

Our comments, in sum, oppose *Pro. Int. No. 965*. Enacting this proposal would be detrimental to public health by broadening eligibility for retail sales of tobacco products, including cigarettes. This expansion of the number of licensed City tobacco outlets is unjustified, undermines the intent of Local Law 146, and represents a setback for the City's remarkable progress on reducing tobacco use. However, should the City proceed with reopening the application period for a Tobacco Retail Dealer license, we urge City Council, in consultation with the Department of Consumer Affairs (DCA), to revise the proposal, in order to narrow both the application period and retailer eligibility.

**Local Law 146 reduces the proliferation of City tobacco outlets, a critical tobacco control, and its impact must not be diminished.**

As City Council found in 2017, there are approximately 8,200 retailers licensed to sell tobacco products in New

**Timeline of NYC Amin Code § 20-202—Tobacco Retail Licenses**

- 2000: NYC DCA becomes responsible for licensing NYC cigarette retailers.
- 2017: Local Law 146 amends § 20-202. The law i) expands cigarette license requirement to vendors of any type of tobacco product, and ii) sets Community District Retail Caps on the number of licenses.
  - A:** Retailers holding City Cigarette Retail Dealer License are grandfathered and advised to submit renewal applications by 2/24/2018.
  - B:** Retailers without Cigarette Retail Dealer Licenses are advised to *newly* apply by 1/12/2018, in order to receive license by 2/24/2018.
  - 2/24/2018: DCA applies caps to the number of District licensees at half the current number.
- Today: License required to sell any type of tobacco product; caps on number of new licenses are in effect; all Districts exceed caps; application period for *new* licenses is closed; future applications subject to caps.
- 2018: *Pro. Int. No. 965* proposes to not apply caps to "B" (retailers not currently selling cigarettes) for 180 days, so long as vendor was a State-registered tobacco retailer on 2/24/2018, thus allowing DCA to issue new licenses despite exceeding caps in all Community Districts.

York City.<sup>1</sup> This amounts to about one tobacco outlet per 196 children in the City, with an even higher density in certain areas of the City. Higher density of tobacco retailers is associated with increased likelihood of youth initiation and interference with successful quit attempts.

Local Law 146 was enacted to address the impact of this heavy presence of Tobacco Retailer Dealers in the City. It accomplishes this through, in part, establishing licensing requirements for all retailers that sell any type of tobacco product (expanding beyond cigarette retail licensing), and then restricting the availability of all licenses by setting Community District Retail Caps ("caps") on the number of issued licenses. Local Law 146 capped the number of licenses in each District at half the number of licenses active on the law's effective date (February 24, 2018).

*Pro. Int. No. 965* would interfere with the objective of Local Law 146 by allowing unlicensed tobacco retailers to circumvent these caps and apply for a Tobacco Retailer Dealer license after the deadline. Reopening eligibility to additional retailers erodes the public health purpose of Local Law 146 and undermines the City Council's very intent in enacting the law. The public health rationale for reducing tobacco use has not diminished since the enactment of Local Law 146, nor should the impact of the law so be diminished.

**Tobacco outlets received sufficient notice of Local Law 146 and its implementation timeline.**

The caps for Tobacco Retail Dealers took effect on February 24, 2018.<sup>2</sup> Three public hearings were held on Local Law 146: NYC City Council held hearings on April 27, 2017 and August 8, 2017, and the Mayor held a hearing on August 25, 2017. OTP retailers and their trade organizations were well represented, and testified at all three. DCA distributed educational materials to retailers in at least ten languages. Further, both DCA and the Department of Mental Health and Hygiene communicated key information and dates regarding the new rules and licensing requirements, including through August 28, 2017 and January 25, 2018<sup>3</sup> press releases, which were widely reported in the news media.<sup>4</sup>

Vendors with Cigarette Retail Dealer Licenses were advised by the Department of Consumer Affairs (DCA) to submit renewal applications by February 28, 2018.<sup>5</sup> DCA advised vendors without Cigarette Retail Dealer Licenses to submit applications by January 12, 2018, so that their new licenses could be issued prior to the effective date of the caps.<sup>6</sup> In fact, DCA received 569 new applications between October and December of 2017, as compared to 335 during the same period in 2016, evidencing widespread retailer awareness of the new law and its application requirements and deadlines.<sup>7</sup> In sum, this demonstrates that the regulatory agencies took reasonable measures to notify all impacted businesses.

**Reopening the eligibility window would be detrimental to public health.**

Limiting the prevalence of tobacco outlets is a critical strategy for preventing and reducing tobacco use. *Pro Int. No. 965* subverts the City's efforts to limit the density of tobacco outlets. The public health effect of reopening the application period for a new Tobacco Retailer Dealer license is antithetical to City Council's objective in enacting Local Law 146 and it is adverse to the City's interests.

Notably, the potential increase in tobacco outlets (as compared to the 2017 status quo) is not limited to those intending to sell only OTP. Rather, were *Pro. Int. No. 965* to pass City Council, a new licensee would be eligible to newly begin to sell cigarettes, since neither Community District Retail Caps nor Tobacco Retail Dealer licenses distinguish between product categories. The result, beyond deferring the future reduction in the number of tobacco outlets, is that ***Pro. Int. No. 965 could lead to an increase in the number of cigarette retailers*** from the 2017 status quo. Counter to the City Council's intent in passing Local Law 146, *Pro. Int. No. 965* could therefore lead to increased accessibility of cigarettes, which represent the most pervasive and harmful category of tobacco products, accounting for one in five deaths nationally.<sup>8</sup>

**If City Council proceeds with reopening the eligibility window for Tobacco Retail Dealer licensing, the Council must not allow any alteration of the baseline number of licenses on which the caps were based.**

Caps were calculated based on the number of active Tobacco Retail Dealer licenses as of February 24, 2018. Importantly, *Pro. Int. No. 965* does not appear to alter this baseline number of allowable licenses and instead capture newly eligible applicants. That is to say, new licenses issued in the proposed reopened window would *not* change the total number of allowable licenses in each Community District. This is important, because inflating the baseline number of active licenses on which the caps are based would prolong fulfillment of a defining feature of the law: reduction in the number of outlets selling tobacco products.

**If City Council proceeds with reopening the eligibility window for Tobacco Retail Dealer licensing, Council should consult with DCA on strategies for narrowing applicant eligibility in order to promote public health.**

We encourage City Council, in consultation with DCA, to identify a reasonable time period wherein a newly eligible retailer may complete the application for a Tobacco Retail Dealer license. The reopened application period should account for past and continuing educational outreach, press coverage, and public hearings regarding changes to Tobacco Retail Dealer licensing. Accordingly, the duration of time proposed by City Council should presume a familiarity with application process by the time the law is in place, and need not last 180 days.

Likewise, in consultation with DCA, City Council should identify and narrow the scope of businesses eligible to apply for a Tobacco Retail Dealer license during this new window of eligibility. Retail dealers who were previously selling cigarettes under a local license, and therefore recently communicating with the regulatory agencies, should no longer be eligible for a Tobacco Retail Dealer license at this stage if they have not already applied for one.

Further, only retailers who are currently compliant with Local Law 146 should be eligible to apply for a Tobacco Retail Dealer license during this window. In other words, vendors currently in violation of NYC Admin Code § 20-202, as amended by Local Law 146, by selling tobacco products without a Tobacco Retail Dealer license, should not be eligible for the issuance of a license during a window reopened by *Pro. Int. No. 965*.

## **Conclusion**

In sum, through Local Law 146 the City took a critical step toward reducing tobacco use. *Pro. Int. No. 965* would undermine the Council's intention to reduce the density and proliferation of



tobacco outlets in the City, to the detriment of the public's health. As the Committee on Consumer Affairs is concerned with consumer rights, this committee should reject this proposal. Any potential reopening of the application window—though undesirable from a public health perspective—should be as limited as possible, in both duration and in the scope of eligible retailers.

Thank you for the invitation to share information pertaining to this proposal. Should you have any questions or concerns about the information contained in this testimony, please do not hesitate to contact me.

Sincerely,



Ilana M. Knopf, J.D.

*Director*

Cc: Honorable Brad S. Lander  
Honorable Karen Koslowitz  
Honorable Margaret S. Chin  
Honorable Peter A. Koo  
Honorable Rafael L. Espinal, Jr.

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<sup>1</sup>NEW YORK CITY, N.Y., LOCAL LAW 146 OF 2017 (August 28, 2017); AM. CANCER SOC'Y CANCER ACTION NETWORK, OVERSATURATED: HOW AN OVERSATURATION OF LICENSED TOBACCO RETAIL OUTLETS IN NEW YORK CITY IS IMPACTING PUBLIC HEALTH (2017), [www.acscan.org/sites/default/files/Oversaturated%20Report%20for%20publication\\_0.pdf](http://www.acscan.org/sites/default/files/Oversaturated%20Report%20for%20publication_0.pdf).

<sup>2</sup> NEW YORK CITY DEPARTMENT OF CONSUMER AFFAIRS, "Overview: NYC's New Tobacco Laws Apply to YOU if You..." (2017) available at [www1.nyc.gov/assets/dca/downloads/pdf/businesses/TobaccoLaws-2017.pdf](http://www1.nyc.gov/assets/dca/downloads/pdf/businesses/TobaccoLaws-2017.pdf) (last visited Jun 13, 2018).

<sup>3</sup> NEW YORK CITY DEPARTMENT OF CONSUMER AFFAIRS, "Department of Consumer Affairs Begins Accepting Electronic Cigarette Retail Dealer License Applications" [Press Release] (2018) available at [www1.nyc.gov/site/dca/media/pr012518.page](http://www1.nyc.gov/site/dca/media/pr012518.page) (last visited Jun 13, 2018); NEW YORK CITY DEPARTMENT OF CONSUMER AFFAIRS, "Mayor de Blasio Signs Sweeping Legislation to Curb Smoking, Tobacco Usage" [Press Release] (2017), available at [www1.nyc.gov/office-of-the-mayor/news/565-17/mayor-de-blasio-signs-sweeping-legislation-curb-smoking-tobacco-usage](http://www1.nyc.gov/office-of-the-mayor/news/565-17/mayor-de-blasio-signs-sweeping-legislation-curb-smoking-tobacco-usage) (last visited Jun 13, 2018).

<sup>4</sup> See e.g. Melanie Grayce West, "New York Retailers Gear Up for Tough New Tobacco Rules", Wall Street Journal, February 19, 2018, [www.wsj.com/articles/new-york-retailers-gear-up-for-tough-new-tobacco-rules-1519047478](http://www.wsj.com/articles/new-york-retailers-gear-up-for-tough-new-tobacco-rules-1519047478) (last visited Jun 13, 2018) (explaining community district retail caps and providing information regarding deadlines for retailers and issuance of licenses).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> Melanie Grayce West, "New York Retailers Gear Up for Tough New Tobacco Rules", Wall Street Journal, February 19, 2018, [www.wsj.com/articles/new-york-retailers-gear-up-for-tough-new-tobacco-rules-1519047478](http://www.wsj.com/articles/new-york-retailers-gear-up-for-tough-new-tobacco-rules-1519047478) (last visited Jun 13, 2018)

<sup>8</sup> CTRS FOR DISEASE CONTROL AND PREVENTION, Health Effects of Cigarette Smoking, Smoking & Tobacco Use (2018), [www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/health\\_effects/effects\\_cig\\_smoking/](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/health_effects/effects_cig_smoking/) (last visited Jun 21, 2018).



# British Consulate-General New York

**Antony Phillipson**  
Her Majesty's Consul General  
845 Third Avenue  
New York, NY 10022

anton.y.phillipson@fco.gov.uk  
Tel: 212 745 0412  
[@AJPhillipson](http://gov.uk/world/usa)

20 June 2018

Committee on Consumer Affairs and Business Licensing,

Thank you for the opportunity to provide testimony on the proposed legislation on “Prohibiting single-use plastic beverage straws and beverage stirrers”. The British Government is currently in the consultation phase of a similar piece of proposed legislation, as part of a broader set of Government initiatives to reduce single-use plastics waste. We commend your efforts to tackle this serious issue, and welcome the chance to offer our experience as part of the international context for your consideration.

Plastic is an incredibly versatile material that is tough and long lasting. However, these qualities make the product a disaster for the environment. Researchers estimate that 8.3 billion tonnes of plastic have been produced since the 1950s. Without urgent action to cut demand, plastic production will reach 34 billion tonnes by 2050, the majority of which will end up in landfill or polluting the world’s continents and oceans. Concern over the impact of single-use plastics has generated significant public and media interest in the UK. This has led to the introduction of a 5 pence (7 US cents) charge for single use plastic bags in large retailers. Businesses such as McDonalds have also taken up voluntary initiatives, with the company pledging to begin switching from plastic to paper straws in its UK restaurants by September 2018. This would help reduce the estimated 8.5 billion plastic straws that are currently thrown away in the UK each year.

On 18 April 2018, my Prime Minister announced a public consultation regarding a potential ban on the sale and distribution of plastic straws, plastic-stemmed cotton buds and plastic stirrers. We are planning to publish the consultation document in the next three months. Based on our experience so far, we recommend that careful consideration be given for allowing (i) disability and medical use of plastic straws and (ii) scientific use of plastic stirrers for mixing chemicals in laboratories. This plastic straw consultation is part of the UK government’s broader aim of eradicating all avoidable plastic waste. Initiatives including a deposit return scheme for single-use drink containers (under consultation), a voluntary drive to extend our plastic bag charge from large retailers to small retailers and a commitment to removing all consumer single-use plastics from central government offices will help the UK move towards this goal.

Sincerely,

A handwritten signature in black ink, appearing to read "Antony Phillipson".

**Antony Phillipson**  
HM Consul General

**Support of Intro No. 936 by Councilman Espinal**

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.

Dr Marcus Eriksen, co-founder of the 5Gyres Institute and a leading researcher on microplastics, led a team of scientists on a two-hour trip on the East River to document microplastic pollution plaguing the waters surrounding Manhattan. Marcus and his team estimate there could be as many as 130,000 plastic straws floating in the waterways around Manhattan, in both the East River and Hudson.

Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Victoria Cerrone

**City Council Consumer Affairs Committee Hearing on Thursday, June 21, at 1:00 pm  
Subject: Bill to Ban Plastic Straws Intro 936**

500 Million Plastic straws are used and discarded every day in the United States-Many ending up in our waterways and oceans.

Each year 1 million seabirds and 100,000 marine animals die from ingesting plastic, because of the size and shape of straws, they are often mistaken by animals for food. Biodegradable or reusable alternative to plastic straws such as paper, bamboo, metal or glass are already available and passing Intro 936 will help ensure that they become even more widely available.

By passing the Intro 936 this world will be a better place as well for our children, birds and marine animals.

Thank you for your time and hopefully your support for this important matter.

**Frances Raia**

Claims Examiner II  
Creditors & Ancillary Operations

**New York Liquidation Bureau**  
110 William Street, New York, NY 10038

[\(212\) 341-6134](tel:(212)341-6134) [fraia@nylb.org](mailto:fraia@nylb.org)

[www.nylb.org](http://www.nylb.org)

Good afternoon City Council Members:

Please! Please! Please!! The time has come to put an end to this unnecessary item which pollutes our land and our waters. It, along with plastic bags, bottles and containers, contribute to the deaths of so many land and marine animals. The focus today, though, is straws. It is doable so do it: put an end to straws in eating and drinking establishments!!!! It will make a difference and inspire other communities, cities, countries!

Thank you for your consideration of this very important issue.

In green solidarity,

Stephanie Stone  
Washington Heights, NY

BAN PLASTIC STRAWS IMMEDIATELY!

To whom it concerns-

Plastic straws need to be banned immediately!!!!

They serve no good purpose and are a huge detriment to animals everywhere that ingest it!!!!

Time to be progressive and move forward and ban all this plastic/garbage that is hurting our animals and our environment!!!!

ENOUGH IS ENOUGH!

Alysha Edelman

Support of Intro No. 936 by Councilman Espinal

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.

Dr Marcus Eriksen, co-founder of the 5Gyres Institute and a leading researcher on microplastics, led a team of scientists on a two-hour trip on the East River to document microplastic pollution plaguing the waters surrounding Manhattan. Marcus and his team estimate there could be as many as 130,000 plastic straws floating in the waterways around Manhattan, in both the East River and Hudson.

Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Pippa McCully

**From:** Jean Public <jeanpublic1@yahoo.com>

**Subject:** Fw: re 6/21 hearing for bil to ban plastic straws - please take that step - we all should be using paper or something that disintegrates p- we cannot have this plastic crap all aroiund

## Support of Intro No. 936 by Councilman Espinal

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.

Dr Marcus Eriksen, co-founder of the 5Gyres Institute and a leading researcher on microplastics, led a team of scientists on a two-hour trip on the East River to document microplastic pollution plaguing the waters surrounding Manhattan. Marcus and his team estimate there could be as many as 130,000 plastic straws floating in the waterways around Manhattan, in both the East River and Hudson.

Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Lea D'Auriol

Hearing for Bill to Ban Plastic Straws in NYC, to be held today, 06/21/2018



I want to register my support for the Bill to Ban Plastic Straws that will be held today.



Eleanor Forman

[Yahoo Mail Stationery](#)

## 06/21/18 - Hearing to Ban Plastic Straws in NYC

Dear Sir/Madam,

I am sending this email to voice support for the bill, Intro 936, sponsored by Council Member Rafael Espinal, to ban all environmentally harmful plastic straws from NYC eating and drinking establishments.

500 million single use plastic straws are used and discarded every day in the United States—many ending up in our waterways and oceans.

Each year 1 million seabirds and 100,000 marine animals die from ingesting plastic. Because of the size and shape of straws, they are often mistaken by animals for food. Biodegradable or reusable alternatives to plastic straws such as paper, bamboo, metal or glass are already available and I firmly believe that passing Intro 936 will help ensure that they become even more widely available.

I encourage the City Council to do the right thing and pass bill, Intro 936.

Thank you.

Sincerely,

Edith Jeffrey

# Hearing for Bill to Ban Plastic Straws in NYC

Dear New York City Council

It is truly important Legislation file no:0936-2018

Prohibiting single-use plastic beverage straws and beverage stirrers be implemented right away.

Not a day goes by we do not see or hear of animals being suffocated by ingesting plastic items. This includes both marine and land animals.

Some will succumb to it. Others if they survive will be crippled. While some of these animals end up in our food, in microplastic form within the tissue of the animal.

For all of us these plastics cause havoc on our health and the health of the planet.

Let New York City be a progressive City for stepping up to ban single use plastic.

Sincerely  
Antonio Diaz

# Hearing for Bill to Ban Plastic Straws in NYC

06/21/2018

Dear Sir or Madam,

Each year 1 million seabirds and 100,000 marine animals die from ingesting plastic. Because of the size and shape of straws, they are often mistaken by animals for food. Biodegradable or reusable alternatives to plastic straws such as paper, bamboo, metal or glass are already available and passing Intro 936 will help ensure that they become even more widely available.

Please vote to see this happen.

Thank you,

Marina Barry  
250 Cabrini Blvd  
NYC 10033

## Support of Intro No. 936 by Councilman Espinal

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.

Dr Marcus Eriksen, co-founder of the 5Gyres Institute and a leading researcher on microplastics, led a team of scientists on a two-hour trip on the East River to document microplastic pollution plaguing the waters surrounding Manhattan. Marcus and his team estimate there could be as many as 130,000 plastic straws floating in the waterways around Manhattan, in both the East River and Hudson.

Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Rijka Negrete

## Support of Intro No. 936 by Councilman Espinal

Hello,

**I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.**

**Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.**

**Dr Marcus Eriksen, co-founder of the 5Gyres Institute and a leading researcher on microplastics, led a team of scientists on a two-hour trip on the East River to document microplastic pollution plaguing the waters surrounding Manhattan. Marcus and his team estimate there could be as many as 130,000 plastic straws floating in the waterways around Manhattan, in both the East River and Hudson.**

**Thank you for logging my support of Intro No. 936 by Councilman Espinal.**

Very best,

Susan Rockefeller  
Board member Oceana  
Advisor Oceanic Global

**SUBJECT: Support of Intro No. 936 by Councilman Espinal**

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.

Dr Marcus Eriksen, co-founder of the 5Gyres Institute and a leading researcher on microplastics, led a team of scientists on a two-hour trip on the East River to document microplastic pollution plaguing the waters surrounding Manhattan. Marcus and his team estimate there could be as many as 130,000 plastic straws floating in the waterways around Manhattan, in both the East River and Hudson.

Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
Tyron Camilo

## Support of Intro No. 936 by Councilman Espinal

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Dominic Konstam

## Hearing for Bill to Ban Plastic Straws in NYC - 06/21/2018

City Council Members:

I am voicing support for a historic bill, Intro 936, sponsored by Council Member Rafael Espinal, to ban all environmentally harmful plastic straws from NYC eating and drinking establishments.

Each year 1 million seabirds and 100,000 marine animals die from ingesting plastic. Because of the size and shape of straws, they are often mistaken by animals for food. Biodegradable or reusable alternatives to plastic straws such as paper, bamboo, metal or glass are already available and passing Intro 936 will help ensure that they become even more widely available.

Thank you for your attention to my profoundly grave concerns.

Sincerely,

Georgeanne Matranga  
140 Village Green Drive  
Port Jefferson Station, New York 11776  
[DTPORGE@aol.com](mailto:DTPORGE@aol.com)

City Council Consumer Affairs Committee hearing June 21 at 1PM - Intro 936

**500 million plastic straws are used and discarded every day in the United States.** Each year 1 million seabirds and 100,000 marine animals die from ingesting plastic. Because of the size and shape of straws, they are often mistaken by animals for food. Biodegradable or reusable alternatives to plastic straws such as paper, bamboo, metal or glass are already available and passing Intro 936 will help ensure that they become even more widely available.

Please support efforts to ban plastic straws from NYC restaurants. Thank you!

avatar11@rediffmail.com

## Hearing regarding banning plastic straws, 6/21/2018

I am strongly in favor of getting rid of all plastic straws immediately! (Likewise plastic bags and cups, but I suppose you can't do it all at once.) NYC should be a model to the rest of the country, instead of always being way behind San Francisco in taking this sort of intelligent, ecologically sound step.

—Mary Jane Kaplan, 60 Riverside Drive, NYC 10024

## Support of Intro No. 936 by Councilman Espinal

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
Joey Garofalo

Support of Intro No. 936 by Councilman Espinal

Dear Sir/Madam,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.

Dr Marcus Eriksen, co-founder of the 5Gyres Institute and a leading researcher on microplastics, led a team of scientists on a two-hour trip on the East River to document microplastic pollution plaguing the waters surrounding Manhattan. Marcus and his team estimate there could be as many as 130,000 plastic straws floating in the waterways around Manhattan, in both the East River and Hudson.

Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Best wishes,

David Saddington

David Saddington BSc MA FRGS  
Climate Change Communicator

[www.davidsaddington.co.uk](http://www.davidsaddington.co.uk)

@EnvironmentDave

+44 7792990489

## **Support of Intro No. 936 by Councilman Espinal**

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
Lauren Roll

## **Support of Intro No. 936 by Councilman Espinal**

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Daniela Gallego

**06/21/2018: Hearing for Bill to Ban Plastic Straws in NYC**

Greetings,

I am writing to support the Ban of plastic straws in NYC. 500 million plastic straws are used and discarded every day in the United States—many ending up in our waterways and oceans. Straws are not necessary and is only killing animals and ruining the environment. Please ban the use of straws, it is not necessary and has such devastating effects.

Each year 1 million seabirds and 100,000 marine animals die from ingesting plastic. Because of the size and shape of straws, they are often mistaken by animals for food. Biodegradable or reusable alternatives to plastic straws such as paper, bamboo, metal or glass are already available and passing Intro 936 will help ensure that they become even more widely available.

Thank you for your time,

Marielle Monroy

Plastic Pollution Coalition Supports Espinal 936

Dear Council Members,

As the CEO of Plastic Pollution Coalition, representing more than 700 organizations across the globe, I ask you to support Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

Over 500,000,000 plastic straws are used each day in the United States. Plastic Pollution Coalition and our project [The Last Plastic Straw](#) have built a worldwide movement since 2009 to stop pollution from plastic straws.

We encourage eateries to no longer automatically give plastic straws; we educate individuals to refuse plastic straws and spread the “straw free” message; and we work to change local regulation to stop this unnecessary plastic pollution.

In the long run, this collective engagement around the gateway issue of plastic straws will meaningfully shift the way individuals and businesses think about plastic pollution - and about our society’s disposable culture on a larger scale.

For these reasons we urge you to pass this bill and in a demonstration of New York City’s leadership in addressing plastic pollution both at home in New York’s waterways and also in our shared global ocean.

Thank you for logging our support of Intro No. 936 by Councilman Espinal.

Very best,

Dianna Cohen  
Co-Founder and CEO of Plastic Pollution Coalition



**Dianna Cohen | CEO and Co-Founder, Plastic Pollution Coalition**

m: 1 310.309.9791 | Sk: diannacat

[www.plasticpollutioncoalition.org](http://www.plasticpollutioncoalition.org)

[@PlasticPollutes](https://@PlasticPollutes) | [fb.me/PlasticPollution](https://fb.me/PlasticPollution) | [instagr.am/PlasticPollutes](https://instagr.am/PlasticPollutes)

## Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Alexandra Gold

## Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
CODY R. WHITE  
thank you so much!

**Cody Rasmussen White**

720.318.4052  
[www.codywhitecreative.com](http://www.codywhitecreative.com)

## Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
ALEXANDER DAKOV

# Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

----

Matt Reid

Consultant

**DEAN & DELUCA**

NYC Office  
88 35th Street, Building 4  
Suite 41C, Mailbox 20  
Brooklyn, NY 11232

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2402 E 37th St N  
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TH Cell: +66 982614001  
HK Cell: +852 63331730

[www.deandluca.com](http://www.deandluca.com)

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
Lindsay Rodbell

## Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
Cassia

--  
Cassia E Patel, *LEED GA, WELL AP, RESET AP*  
Columbia University  
Earth & Environmental Engineering  
(201) 710-0060  
[cep2150@columbia.edu](mailto:cep2150@columbia.edu)

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
Damian Gaudino

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
Meredith Hermann

## Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Nicholas De Veaux

# Hearing for Bill to ban plastic straws in NYC

06/21/2018

Dear Council Members,  
I support the ban on plastic straws in NYC, Please let's become a straw free NYC!

Thank you

Anna Tagliabue  
Founder & Creative Director  
(917) 972-8350

## Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Chris Leidy Photography

561.713.4711

[www.ChrisLeidyPhotography.com](http://www.ChrisLeidyPhotography.com)

Instagram - @chrisleidyphotography

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Aleksander Kaeis

## Support of Intro No. 936 by Councilman Espinal

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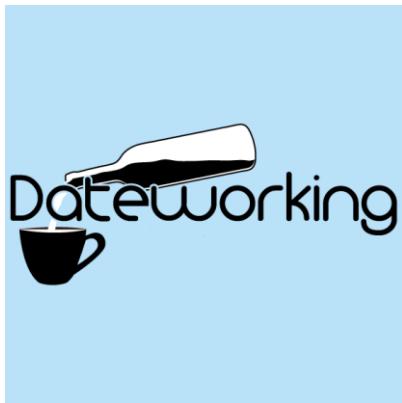
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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,  
Steve Dean

--



**Steve Dean**  
*Online Dating Consultant*  
**Dateworking**  
[steve@dateworking.com](mailto:steve@dateworking.com)  
<http://dateworking.com>  
484.686.5329

Connect with me:



Subscribe for free: [Dateworking](#)

## Support of Intro No. 936 by Councilman Espinal

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Very best,

James K. Sternlicht

## **Support of Intro No. 936 by Councilman Espinal**

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Katie Kramarczuk

## **Support of Intro No. 936 by Councilman Espinal**

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments. This is great!

Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Thank you

Joe Tandle  
1.646.209.2333

6/21/18 City Council Meeting, re Hearing to ban plastic straws

**6/21/18 City Council Meeting, re Hearing to ban plastic straws**

Please do not make life more difficult for smaller restaurants by banning plastic straws. I personally try to avoid using plastic whenever possible, but enough with the nanny state and telling free people what they can and cannot use. Instead, enact a tax on all plastic goods, not just straws which are a fraction of the amount of plastic used by New Yorkers. Thank you.

## **STRAWS**

Hello,

I have worked very hard in NC to reduce the use of single use straws and am very happy to see that NYC is trying to go straw free. I support Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers In NYC in restaurants and bars. There are so many plastic straws littered into our rivers and oceans each year and it has become an epidemic. PLEASE support STRAW FREE NYC. Thank you.

Kim Beller

--

*Kim Beller*

*Artist,*

*Kinetic Body Therapy, Executive Assistant*

*Environmental Activist, Plastic Ocean Project Ambassador*

***RYT200 - Yoga instructor***

***910-231-5576***

<http://www.kimbellerart.com>

<http://www.kineticbodytherapy.com>

<http://www.bigstronggirldesigns.com>

<http://www.plasticoceancproject.org/#/>

## **Support of Intro No. 936 by Councilman Espinal**

**Hello,**

**I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.**

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**Thank you for logging my support of Intro No. 936 by Councilman Espinal.**

**Very best,**

**Megan**

---

Megan Hill  
megan\_hill@me.com  
917.865.5950

Support No. 936-2018

Dear Hearing Council,

I am writing to you to request your support for No. 936 by Councilman Espinal which is A Local Law to amend the administrative code of the city of New York in relation to prohibiting single-use plastic beverage straws and beverage stirrers . A reported 500,000 straws are used each day in the US. Plastic is crippling our oceans and are one of the top 10 items found on beaches reported in the International Coastal Cleanup Annual Report. We lose roughly 1 million sea birds and 300,000 marine mammals to plastic pollution. Sea turtles have survived the ice age yet, all of the species are endangered mostly due to the requisites of man. In a recent study, of the 93 loggerhead hatching that washed up on Florida beaches, 100% of them had plastics in their stomachs. Plastic Ocean Project has found plastic straws with bite marks so there is no question plastic straws are being ingested and a recently, a researcher removed a straw that found its way up the nostril of a sea turtle. These are small efforts that can make huge strides in reducing plastics ending up in our oceans.

Please support No. 936.

Thank you for your time,

Bonnie Monteleone, C0-founder  
[www.plasticoceanproject.org](http://www.plasticoceanproject.org)

**Testimony prepared by Kim Moscaritolo, Democratic District Leader, 76<sup>th</sup> Assembly District, Part B**

**For the New York City Council Committee on Consumer Affairs and Business Licensing**

**Date: June 21, 2018**

**Re: Support for Intro. 0936-2018**

---

My name is Kim Moscaritolo. I am a Democratic District Leader from the Upper East Side of Manhattan, and I strongly support **Int. 0936-2018**, which would prohibit single-use plastic beverage straws and beverage stirrers.

According to the New York Times, 6 cities have already banned or limited the use of plastic straws in restaurants: Malibu, Seattle, Miami Beach, Fort Myers, and Davis and San Luis Obispo, CA. Similar measures are being considered in other cities around the country, and many restaurants have chosen to voluntarily give up plastic straws. We've also seen efforts in other countries, such as Scotland, which plans to be rid of plastic straws by 2019. Taiwan will ban all single use plastic items by 2030.

The facts are clear: according to the World Economic Forum, every minute the equivalent of one garbage truck of plastic is dumped into our oceans, and that amount is set to increase ten-fold by 2020. By 2050, this could mean there will be more plastic than fish in the world's oceans.

Banning single-use plastic straws will not solve the problem of plastic pollution, but it will be a very good step in the right direction. It is one small step this city can take to reduce our waste, and protect our oceans and its wildlife. I'm also pleased that this bill includes an exception for people who rely on straws due to a disability.

I would leave you with one suggestion: earlier this year Seattle embarked on an extremely successful campaign called "Strawless in Seattle." This campaign urged Seattle residents to support the straw ban by presenting it as a point of pride for the city. Local celebrities took part, and rather than simply legislating, the city worked hard to ensure that local residents felt invested in the effort. I would strongly urge New York City to create a similar campaign to engage New Yorkers in this process.

I wholeheartedly support this legislation, and I urge this committee, and the council as a whole, to pass this bill. Thank you for allowing me the opportunity to present testimony on this important issue.

Kim Moscaritolo

# Int 0936 Re: prohibiting single-use plastic beverage straws and beverage stirrs

Dear Hearing Council,

I am writing to you to request your support for Local Law (File # Int 0936-2018) to amend the administrative code of the city of New York in relation to **prohibiting single-use** plastic beverage straws and beverage stirrs sponsored by Councilman R. Espinal.

A reported 500,000 straws are used each day in the US. That's enough plastic straws to fill the Chesapeake Bay **17x a day**. Plastic is crippling our oceans and straws are one of the top 10 items found on beaches reported in the International Coastal Cleanup Annual Report for the past 15 years. We lose roughly one million sea birds and 300,000 marine mammals to plastic pollution every year. Sea turtles have survived the ice age, yet every sea turtle species is endangered due to the requisites of man (including plastic pollution). In a recent study, of the 93 loggerhead hatchlings that washed up on Florida beaches, 100% of them had plastics in their stomachs. [Plastic Ocean Project](#), a 501(c)3 whose mission is to combat plastic pollution through education, outreach and research, has found plastic straws with bite marks washed up on beaches and littering local waterways, so there is no question plastic straws are being ingested. Recently, [a researcher removed a straw that found its way up the nostril of a sea turtle](#). These are small efforts that can make huge strides in reducing plastics ending up in our oceans.

There is ample evidence that banning single-use plastics is effective for mitigating coastal litter. A number of cities, states and countries across the world have taken legislative action against plastic straws. Plastic straw bans have been implemented in Miami Beach, FL, Vancouver, Seattle, WA, Scotland and Berkeley, CA; just to name a few. A number of major corporations have also taken strides to reduce their plastic straw use, including Alaskan Airlines, McDonalds UK and Hilton hotels.

I am writing to request that you listen to your constituents and support Int 0936 prohibiting single-use plastic beverage straws and stirrs. I appreciate your time and consideration for protecting our oceans against preventable plastic debris. Thank you,

Sam Athey  
Director of Chapters & Ambassadors  
Plastic Ocean Project  
647-237-1428  
[samantha@plasticoceanproject.org](mailto:samantha@plasticoceanproject.org)  
[www.plasticoceanproject.org](http://www.plasticoceanproject.org)

## Support of Intro No. 936 by Councilman Espinal

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Sarah Jane O'Connor

**Support intro no 936**

I support intro no 936!!! This will be a great start to decreasing our disposable plastic use.

Bonnie Mitchell



The  
**Brooklyn**  
Alliance

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ALLIANCE  
**CAPITAL**

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June 21, 2018

**Hon. Rafael L. Espinal, Jr. – Chair, NYC Council Committee on Consumer Affairs and Business Licensing**

Good Afternoon Chair Espinal, other committee members and guests.

I'm Melissa Chapman, Senior Vice President for Public Affairs at the Brooklyn Chamber of Commerce, and I'm delivering testimony on behalf of our Acting President, Rick Russo.

With over 2,000 active members, the Brooklyn Chamber is the largest and # 1 ranked Chamber of Commerce in New York State. We promote economic development across the borough of Brooklyn, as well as advocate on behalf of our member businesses. The Brooklyn Alliance is the not-for-profit economic development affiliate of the Brooklyn Chamber, which includes the Business Solutions Center in the borough that we manage. Brooklyn Alliance Capital is the third affiliate of the Brooklyn Chamber and provides micro loans to immigrant and minority-owned small businesses.

The bills being considered today will directly impact the local business community that we serve, and so we are very appreciative of the chance to provide feedback. I will now outline our positions on Int. No. 0823 and Int. No. 0936.

**Int. No. 0823 – In relation to allowing restaurant surcharges**

The Brooklyn Chamber supports this bill, as it seeks to address rising operating costs faced by restaurant operators by allowing them to add a surcharge to the amount owed by a paying customer. The cost of doing business, as well as new compliance requirements are increasing in our city and oftentimes operators are unable to keep pace with unpredictable expenses.

In the Brooklyn Chamber's 2017 Member Issues Survey, our members highlighted specific obstacles to doing business in New York City. For example, the increased cost of providing health insurance to employees was the number one concern for our businesses -- 38 percent viewed this as a severe problem, with nearly two-thirds of our members citing this as a problem in general. Further, the cost and availability of commercial space was another top issue cited by our members -- more than half stated this was a problem, with 27 percent telling us it is a major concern. In addition, 29 percent identified government regulation, fines and fees as a problem, while 15 percent said that it was a severe problem.

These challenges can have a crippling effect on a restaurant's ability to remain in business, as well as hire and retain employees. Allowing restaurants to implement a surcharge will have a meaningful impact on offsetting rising operational costs so that they can keep their doors open and create job opportunities.

**Int. No. 0936 – In relation to prohibiting single-use plastic beverage straws and beverage stirrers**

This bill would ban food service establishments from providing non-biodegradable, plastic straws and beverage stirrers to consumers. Non-compliance can result in a fine of up to \$400 for such businesses. Earlier this



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month, the Brooklyn Chamber surveyed its members on this bill, and 81 percent of respondents supported it. We believe that enactment of this legislation will address serious environmental concerns related to plastic pollution, which is very harmful to marine life. However, educational outreach by the relevant enforcement agencies before and after the law takes effect will be very important in helping these business to be in compliance, and to avoid related fines for violations. We recommend the use of the city's *Chamber on the Go* program in each borough so that businesses can receive the information without having to leave their establishments.

Thank you for the opportunity to testify in these matters.

Testimony in support of Intro 936

June 21, 2018

Thank you, Council Members.

My name is Christine Dimmick and I am the Author of "Detox Your Home", a speaker and advocate for public health and a NYC business owner.

I am here today to testify in support of 936 for the following reasons.

Our dependency on plastics has contributed significantly to the health problems we face as a nation. The manufacturing of plastics and the use of plastics in nearly all of our food packaging, hospitals and home car items means we are exposed to chemicals such as BPAs every single second of the day, simply by breathing.

BPAs (Bisphenol A) are known endocrine disruptors. They affect our thyroid, our fertility, our weight and our entire nervous system to our detriment. Parents in the room will know them to be banned in baby bottles and plastic kids products, but every single person in this room is exposed daily in our beverages, our packaged foods, our cups and yes our straws.

As a manufacturer of consumer goods, I understand the inconveniences and costs of having to reformulate or repackage due to new regulations. This however is a cost of doing business and if we are selling something unhealthy for our customers or the planet, we must remedy this immediately. Unfortunately, this has long not been the way – which is why we have laws to protect our citizens. I will also add that if we never made changes, we would inhibit innovation and job growth. Two things that are a current priority in many voters minds. A new, sustainable straw that decomposes, is safe for us and our planet – is a business that could provide hundreds of jobs – a win-win for us all.

Of course we have all seen the horrific pictures of sea turtles, birds and whales stuffed to death by plastic. This is excruciating. But I urge you all to look around the room and in your communities at the poor health in our city, many of which can be contributed to the constant exposure to the manufacturing and use of plastics for decades.

I commend the Council members who created this bill and I urge everyone to support it. Banning straws will inconvenience some, require money to be spent and mainly ask us to change. Something many are

uncomfortable with. But ultimately this bill must pass if we are to continue to live on a beautiful planet, enjoying beaches and the food our oceans provide us – in our own good health – we simply have no choice but to make tough decisions like this.

Recently I was in Westchester filming a segment for public TV and in the restroom of their council building was an ashtray built in to the toilet paper dispenser. Not so long ago it was considered okay to smoke in a public restroom. I think we all can agree the decision to ban this practice was for the greater good and benefited our health and we are thankful this practice no longer exists. However, there are still some who still complain. I am sure as Council members you are well-aware not everyone will be happy with the straw ban, but the science is there. If we are to protect our oceans and human health, the reduction of plastic will have to be significant. The banning of straws is one small step (yet a significant one) to get ourselves and our planet back on the path of health.

Thank you.

Christine Dimmick

Author – Detox Your Home

CEO – The Good Home Company

Support of Intro No. 936 by Councilman Espinal

Hello,

I am writing to confirm my support of Intro No. 936 by Councilman Espinal to ban plastic straws and stirrers in New York City eating and drinking establishments.

Each year between 4 - 12 million metric tonnes of plastic trash enters our ocean. By 2050 scientists project there will be more plastic in our ocean than fish by weight. For these reasons I urge you to pass this bill and in a demonstration of New York City's leadership in addressing plastic pollution both at home in New York's waterways and also in our shared global ocean.

Dr Marcus Eriksen, co-founder of the 5Gyres Institute and a leading researcher on microplastics, led a team of scientists on a two-hour trip on the East River to document microplastic pollution plaguing the waters surrounding Manhattan. Marcus and his team estimate there could be as many as 130,000 plastic straws floating in the waterways around Manhattan, in both the East River and Hudson.

Thank you for logging my support of Intro No. 936 by Councilman Espinal.

All the best,

Michael Ryterband

Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Mariangel Ramirez

No. 936

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Frances Llopis

LES Resident – Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

--Felipe Baytelman

Manhattan, NY 10002

Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Jacqueline

**Support of Intro No. 936 by Councilman Espinal**

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

**Nicole Mancini**

Support of Intro No. 936 by Councilman Espinal

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Chloé Seytre

**Support of Intro No. 936 by Councilman Espinal**

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Thank you for logging my support of Intro No. 936 by Councilman Espinal.

Very best,

Diana Suh

--

Diana Suh

[suhdiana@gmail.com](mailto:suhdiana@gmail.com)



Council Chambers  
New York City Hall  
250 Broadway  
New York, NY 10007  
Tuesday, June 26, 2018

**Testimony from the National Restaurant Association in support of amendments to Int. 0936-2018 which proposes the prohibition of single-use plastic beverage straws and stirrers.**

My name is Keith Stephenson and I am the Director of State and Local Government Affairs on behalf of the National Restaurant Association. I submit this testimony in support of amendments to Int. 0936-2018, which proposes the prohibition of single-use plastic beverage straws and stirrers.

The National Restaurant Association is the leading business association for the restaurant and foodservice industry nationwide, representing more than 15.1 million employees - 10 percent of the nation's workforce - with more than one million locations across the country.

The local restaurant industry recognizes the important role the New York City Council plays as a steward of the environment. As an industry that values sustainability, we support practical and sensible solutions which will help protect the environment.

That being said, we have a few practical concerns regarding this bill. For example, there are many circumstances in which the use of drinking straws will enhance public safety, and promote sanitary conditions. Some examples include beverages consumed while driving, hospital use, daily living for people with physical impairments or recovering from injury, seniors and others who may have difficulty lifting a drink, and travelling with small children.

In addition, given the size and complexity of New York City's restaurant industry, we believe there should be a sufficient and adequate period of time for phasing in the new regulation. This is important for restaurants and consumers alike.

Before this bill comes back to the committee for final consideration, we look forward to working with Council Member Espinal to recommend the appropriate amendments.

We thank you for your consideration and leadership.

Enhancing the quality of life for all we serve

Restaurant.org | @WeRRestaurants  
2055 L Street NW, Suite 700, Washington, DC 20036 | (202) 331-5900 | (800) 424-5156

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 823 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/2018

(PLEASE PRINT)

Name: PAOLO PEDRIGNANI

Address: 21 E 62 ST

I represent: GINA GROUP & AMARANTH

Address: 21 E 62 ST

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 0923 Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Vittorio Antonini

Address: 129 Mac Dougall St. 10012

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: BRAD GALLAGHER

Address: 45 S 3rd St Brooklyn, NY 11249

I represent: FREEHOLD

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 965 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Robin Vitale

Address: 122 E. 42nd St., 15th Fl NYC NY

I represent: American Heart Association

Address:

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/08

(PLEASE PRINT)

Name: SABRINA SOFIA

Address:

I represent: myself

Address:

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: DEBRY LEE COHEN

Address: 310 E. 12th St., NYC 10003

I represent: CAFETERIA CULTURE

Address: c/o Fund for the City of NY- 121 Ave of Americas  
NYC 10013

Please complete this card and return to the Sergeant-at-Arms

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 934 Res. No. \_\_\_\_\_

in favor  in opposition

Date:

6/21/18

(PLEASE PRINT)

Name:

Sheila Monovitch

Address:

I represent: Craym Collection

Address: 722 Pier Ave. Santa Monica, CA

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor  in opposition

Date:

(PLEASE PRINT)

Name:

ERIC GOLDSTEIN

Address:

I represent: Natural Resources Defense Council

Address: 40 West 20 St NY NY 10011

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 936

in favor  in opposition

Date:

(PLEASE PRINT)

Name:

A.

Address:

I represent:

Address:

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 965 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Spike Babarian

Address: 247 W. 36 St.

I represent: NYS Vapor Association

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21

(PLEASE PRINT)

Name: Youssef Mubarez

Address: \_\_\_\_\_

I represent: Yemeni American Merchants Association

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Bill LEVY

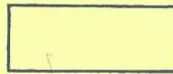
Address: 532 W. 25th St.

I represent: NAECO

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Dr. Mary T. Bassett

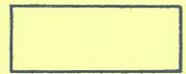
Address: Commissioner

I represent: DOHMH

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*



I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: James K. Sternlicht

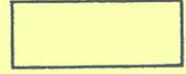
Address: 150 Charles St., 9C, NY, NY

I represent: Oceana Global

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*



I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/2018

(PLEASE PRINT)

Name: sharon - Shapiro Lacks

Address: \_\_\_\_\_

I represent: Brooklyn Center for Independence

Address: Yad Hachazakah

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 536 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 5/21

(PLEASE PRINT)

Name: Adrian Grenier

Address: 425 Riverside Dr

I represent: myself

Address:

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: June 21, 2018

(PLEASE PRINT)

Name: LAUREN SINGER

Address: 424 BEDFORD AVE, BROOKLYN, NY

I represent: LOCAL NYC RESIDENTS + BUSINESS

Address: 424 BEDFORD AVE, BROOKLYN

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: AYANA E. JOHNSON

Address: 232 LUMBERLAND ST. #3, BK, NY 11205

I represent: OCEAN COLLECTIVE

Address: 115 S. OXFORD ST. #512, BK, NY, 11217

Please complete this card and return to the Sergeant-at-Arms

# THE COUNCIL THE CITY OF NEW YORK

**Appearance Card**

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: June 21, 18.

(PLEASE PRINT)

Name: LEA D'AVRIGO

Address: 119 North 11th St., Chf, 11219

I represent: OCEANIC GLOBAL FOUNDATION

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

**Appearance Card**

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: June 21, 2018

(PLEASE PRINT)

Name: Andrea Africk-DeVoe

Address: \_\_\_\_\_

I represent: Plastic Pollution Coalition

Address: 830 Leonard Rd. LA, CA 90049

# THE COUNCIL THE CITY OF NEW YORK

**Appearance Card**

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Sheila Morovati

Address: 100 Wilshire Blvd #1202 Santa Monica CA 90401

I represent: Crayon Collection

Address: 722 Pick Ave Santa Monica, CA 90401



Please complete this card and return to the Sergeant-at-Arms



# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor    in opposition

Date: 6/21

(PLEASE PRINT)

Name: Chad Arnholt

Address: 124 West 20th St.

I represent: Bair Sustainability Firm "Tin Roof"

Address: 11 11

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor    in opposition

Date: JUNE 21, 2018

(PLEASE PRINT)

Name: Emily Kane

Address: 930 Myrtle Ave Brooklyn NY 11217

I represent: LONELY WHALE

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

0823

I intend to appear and speak on Int. No. 0823 Res. No. \_\_\_\_\_

in favor    in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: PAOLA PEDRIGNANI

Address: 21 EAST 62 STREET

I represent: GINA GROUP-AMARANTH REST.

Address: 21 E. 62 ST

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 0823 Res. No. 2018

in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: KEITH TURKEYBALL

Address: 2 WINDSONG ROAD, ANDSLEY, NY 10502

I represent: EZ HOSPITALITY

Address: 950 TRINITY AVE, FL 22, NEW YORK, NY 10022

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6-21-2018

(PLEASE PRINT)

Name: ELIZABETH MURRAY

Address: 81 BROADWAY, BROOKLYN NY 11249

I represent: THE MARLOW COLLECTIVE

Address: SAME

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: John Calvelli

Address: \_\_\_\_\_

I represent: Wildlife Conservation Society

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Edith Prentiss

Address: 739 W 186 ST 4E NYC

I represent: DJA

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 823 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: JAMES MALIUS

Address: 474 E 57<sup>th</sup> ST NY NY 10022

I represent: AMALI RESTAURANTS

Address: 115 E 60<sup>th</sup> ST NY NY 10022

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Vanessa Vargas

Address: \_\_\_\_\_

I represent: Wildlife Conservation Society

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Schedule  
823*

**Appearance Card**

**823**

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor    in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name:

*Jon Bluestein*

Address:

*101 W 24*

I represent:

*Hearthland*

Address:

*1432 Brdg*

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

**823**

I intend to appear and speak on Int. No. 823 Res. No. \_\_\_\_\_

in favor    in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name:

*Jeremy Merrin*

Address:

*151 West 76<sup>th</sup> St.*

I represent:

*Havana Central*

Address:

*151 West 76<sup>th</sup> St.*

**THE COUNCIL  
THE CITY OF NEW YORK**

**Appearance Card**

**823**

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_

in favor    in opposition

Date: 06/21/18

**(PLEASE PRINT)**

Name:

*JESSICA ROFF*

Address:

*595 President St Brooklyn 11215*

I represent:

*Riverkeeper*

Address:

*20 Secor Road, Ossining, NY*



Please complete this card and return to the Sergeant-at-Arms



# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: June 21, 2018

(PLEASE PRINT)

Name: Bliss Buitrago

Address: \_\_\_\_\_

I represent: Billion Oyster Project

Address: 10 South St, NY, NY

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Jose Soegard

Address: 217 Water Street, New York NY

I represent: waterfront Alliance

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 0823 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Melissa Chapman

Address: 2515 Glenwood Rd., Brooklyn NY 11210

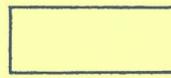
I represent: Brooklyn Chamber of Commerce

Address: 335 Adams St., Ste 2700 Brooklyn, NY 11201

Please complete this card and return to the Sergeant-at-Arms

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/2018

(PLEASE PRINT)

Name: Casey Adams, Director of City Legislative Affairs

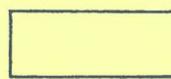
Address: \_\_\_\_\_

I represent: NYC Department of Consumer Affairs

Address: 42 Broadway

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6-21-2018

(PLEASE PRINT)

Name: Tamala Boyd

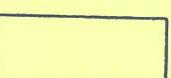
Address: 42 Broadway, 8th fl. NYC

I represent: NYC Dept. of Consumer Affairs

Address: 42 Broadway, 8th fl. NYC

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*



I intend to appear and speak on Int. No. 0823 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/08

(PLEASE PRINT)

Name: Ben Schneider

Address: \_\_\_\_\_

I represent: The Good Fork

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 0823 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6-21-18

(PLEASE PRINT)

Name: BURAK KARACAM  
Address: 302 450 N END AVE NY 10282  
I represent: PERA (BK RESTAURANT PARTNERS LLC)  
Address: 303 MADISON AVE NY 10017

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. YES Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Michael Davoli  
Address: \_\_\_\_\_  
I represent: American Cancer Society Cancer Action Network  
Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 965 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Robert Edmonds  
Address: \_\_\_\_\_  
I represent: Edmonds & Co. / Davidoff of Geneva  
Address: 501 5<sup>th</sup> Ave., New York, NY 10017

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 06/21/18

(PLEASE PRINT)

Name: Roy KLABIN

Address: 60 BROADWAY

I represent: Myself

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Mark Chambers

Address: Mayor's Office

I represent: Mayor's office

Address: 253 Broadway

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 823 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Jeremy S Wladis

Address: 500 W 111 #3A

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 823/965 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Robert Bookman

Address: 325 Bway. N.Y.C.

I represent: NYC Hospitality Alliance

Address: Same

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 986 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/2018

(PLEASE PRINT)

Name: Lisa DiCaprio

Address: 325 West 93rd St. Apt. 10025

I represent: SIERRA CLUB NYC GROUP

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 0823 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Kevin Dillon

Address: 880 Third Ave NY NY 10022

I represent: Quality Branded Restaurants

Address: Same

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 0823 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6-21-18

(PLEASE PRINT)

Name: Adam Johnson

Address: 507 Monroe Blvd, Long Beach, NY

I represent: Red Hook Lobster, Susan Povich

Address: 284 Van Brunt St. Brooklyn

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 1/21/18

(PLEASE PRINT)

Name: ROBERT SUNSHINE

Address: 825 8th Ave, NYC 10017

I represent: NATO of NYS - Theatrical Owners

Address: 825 8th Ave, NYC 10019

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 0823 Res. No. \_\_\_\_\_

in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Kevin Dugan

Address: 409 New Karner Rd. Albany, NY 12205

I represent: NYS Restaurant Association

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6-21-18

(PLEASE PRINT)

Name: CHRISTINE DIMMICK

Address: 133 Beekman St

I represent: The Good Home Co

Address: AS ABOVE

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: June 21, 2018

(PLEASE PRINT)

Name: Catherine Skopic

Address: 140 West Broadway, NY, NY, 10003

I represent: Sievers Club New York City Group

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 823 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: GREGORY GIANNONE

Address: 2751 OCEAN AVE, SEAFORD, NY

I represent: SA HOSPITALITY

Address: 136 E 57TH ST, NY, NY

Please complete this card and return to the Sergeant-at-Arms

# THE COUNCIL THE CITY OF NEW YORK

**Appearance Card**

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Danielle Joseph

Address: 22 Orchard St, Apt 1, NY, NY

I represent: Closed Loop Partners

Address: 3 Columbus Circle, Floor 15, NY, NY

# THE COUNCIL THE CITY OF NEW YORK

**Appearance Card**

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Christopher Greif

Address: 888 Fountain Ave

I represent: Persons with Disabilities

Address: Same

# THE COUNCIL THE CITY OF NEW YORK

**Appearance Card**

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Debra Greif

Address: 888 Fountain Ave

I represent: Brooklyn Family Support Service

Address: Advisory Council

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 0936 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Mrs. Ann Manning Apt 4B

Address: 2245 Ocean Parkway

I represent: Myself

Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

936

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 06/21/2018

(PLEASE PRINT)

Name: ELIZABETH NEUTZ

Address: BOCA

I represent: EATALY USA

Address: 43 W. 23rd St. NYC 10010

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

\_\_\_\_\_

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Edita Birnkrant

Address: 64-50 B188<sup>st</sup> Fresh Meadow NY 11365

I represent: NYCLASS

Address: Manhattan



Please complete this card and return to the Sergeant-at-Arms



# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: Joyce Friedman  
Address: 69-10 108 ST Forest Hills NY 11375  
I represent: Voters for Animal Rights  
Address: Brooklyn NY

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 823 & 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: 6/21/18

(PLEASE PRINT)

Name: ANDREW RIGIE  
Address: 65 W 55 ST #203A NY NY 10019  
I represent: NEW YORK CITY HOSPITALITY ALLIANCE  
Address: \_\_\_\_\_

# THE COUNCIL THE CITY OF NEW YORK

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_  
 in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Naz Riahi  
Address: 299 Adelphi St. #204 BK NY 11205  
I represent: Bitten  
Address: Same



Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Katrina Tomas

Address: \_\_\_\_\_

I represent: New York Lawyers for the Public Interest

Address: 151 W 30th

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. 936 Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Sharon Shapiro + Joe Rappaport

Address: c/o 576 Fifth Ave, Suite 903

I represent: Brooklyn Center for Independence of the

Address: Disabled / Yad Hachazakah

Please complete this card and return to the Sergeant-at-Arms