## Background

There are no federal laws which require warning labels on plastic (poly) bags. However, some states and a few municipalities have enacted their own legislation with regard to suffocation warning labels for plastic (poly) bags.

## Regulations

If bag thickness is <1 mil, the bag’s dimensions need to be considered in conjunction with the labeling specifications of the individual jurisdictions in order to establish compliance (pass/fail).

**CALIFORNIA** - Labeling is required if 1) thickness is on average less than one mil, and 2) size of opening is larger than 25 square inches or a capacity of more than 125 cubic inches.

**CHICAGO, IL** - Labeling is required for polyethylene bags intended for household use, other than ones used for food products weighing not more than 5 pounds.

**MASSACHUSETTS & NEW YORK** - Labeling is required if: 1) thickness is less than one mil, 2) size of opening has a diameter of seven inches or more, and 3) length + width = 25 inches or more.

**RHODE ISLAND** - Labeling is required if 1) thickness is less than one mil, and 2) size of opening is larger than 5 inches in diameter.

**VIRGINIA** - Labeling is required for dry cleaning bags if

1) thickness is <1 mil, and
2) length totals 25 inches or more.

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### Labeling Type Size And Placement

#### CALIFORNIA & RHODE ISLAND

Total length and width of:

- <30 inches = 10 point type minimum
- = or > 30 inches and < 40 inches = 14 point type minimum
- = or > 40 inches and < 60 inches = 18 point type minimum
- = or > 60 inches = 24 point type minimum.

Label shall appear on both sides of bag. If the total length and total width is more than 40-inches (when added), the label shall be repeated at 20-inch intervals.

#### MASSACHUSETTS

Total length and width of:

- = or > 25 inches and < 40 inches = 14 point type minimum
- = or > 40 inches and < 60 inches = 18 point type minimum
- = or > 60 inches = 24 point type minimum.

#### NEW YORK

Total length and width of:

- = or > 25 inches and < 30 inches = 10 point type minimum
- = or > 30 inches and < 40 inches = 14 point type minimum
- = or > 40 inches and < 60 inches = 18 point type minimum
- = or > 60 inches = 24 point type minimum.

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**VIRGINIA** 36 point type minimum.

**Warning Language**
Plastic bags in California, Massachusetts, New York, Rhode Island, and Virginia require the following warning:

"WARNING: To avoid danger of suffocation, keep this plastic bag away from babies and children. Do not use this bag in cribs, beds, carriages or play pens. This bag is not a toy."

**Online Resources:**


PPAI Prop 65 State Regs Webinar: [www.ppa.org/inside-ppai CORPORATE RESPONSIBILITY/Pages/Education.aspx](www.ppa.org/inside-ppai CORPORATE RESPONSIBILITY/Pages/Education.aspx)
