

**To: Warden and Members of County Council**

**From: Director of Public Works**

## Proposed Federal Plastics Registry and Rules for Accurate Labelling of Plastic Items

### RECOMMENDATION

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1. That Oxford County Council receive the submission comments in response to Environment and Climate Change Canada's consultation papers for a proposed federal plastics registry and accurate labelling rules for recycling and composting of plastic items as outlined in Report No. PW 2022-45.

### REPORT HIGHLIGHTS

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- The purpose of this report is to provide Oxford County Council with staff comments submitted in response to Environment and Climate Change Canada's (ECCC) consultation papers for the development of a federal registry for plastic producers and rules for accurate labelling to strengthen recycling and composting of plastic items.
- A federal plastics registry would support provincial and territorial Extended Producer Responsibility (EPR) efforts by requiring producers to report on plastics in the Canadian economy. The registry will create consistent, comprehensive and transparent EPR rules across Canada, as well as support the Federal Government's zero plastic waste agenda, including recycled content requirements for plastic products.
- Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling would prohibit the use of the chasing-arrows symbol on plastic products unless 80% of Canada's recycling facilities accept and have reliable end markets for these products. These rules will seek to improve plastic packaging design, improve public participation in recycling systems, reinforce public trust in recycling and improve the performance of recycling systems to generate more and higher quality post-consumer recycled plastics.

### Implementation Points

Staff submitted comments to Environment and Climate Change Canada (ECCC) on October 7, 2022.

Following County Council's receipt of this report, a copy of the County Council resolution will be submitted to ECCC to accompany the County's comments.

## Financial Impact







No financial impacts will result from adopting the recommendations contained in this report.

## Communications

A summary of the submission comments to ECCC prepared by staff were presented to the Zero Waste Oxford (ZWO) committee for comment at their August 17, 2022 meeting.

Report No. PW 2022-45 will be circulated to Area Municipalities for information.

## Strategic Plan (2020-2022)

					
<b>WORKS WELL TOGETHER</b>	<b>WELL CONNECTED</b>	<b>SHAPES THE FUTURE</b>	<b>INFORMS &amp; ENGAGES</b>	<b>PERFORMS &amp; DELIVERS</b>	<b>POSITIVE IMPACT</b>
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## DISCUSSION

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### Background

On July 25, 2022, ECCC posted the following consultation papers on the Canadian Environmental Protection Act registry for public comment until October 7, 2022.

- *A proposed federal plastics registry for producers of plastics (Attachment 1)*
- *Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling (Attachment 2)*

Development of a federal plastics registry and rules for more accurate labelling of plastic items are part of the Government of Canada's action plan to achieve zero plastic waste by 2030.

The federal government reports that, in 2018, Canadians threw away over 4 million tonnes of plastic of which only 8% was successfully recycled. This plastic packaging makes up approximately half of all plastic waste with less than 15% being recycled. This means that the majority of plastic products in Canada end up in landfills or in the environment as pollution.

Historical use of recyclability labelling on products does not guarantee that plastic packaging can be recycled in local collection programs. Misuse of recyclability labelling creates confusion for consumers and can lead to recyclable material ending up in the garbage or contamination of recycling collection and processing systems, despite efforts by consumers to recycle correctly. The lack of accurate labelling reduces public trust and participation in local recycling programs.

In 2020, the Canadian Government identified Extended Producer Responsibility (EPR), where Producers are financially and operationally responsible for end of life product management, as an integrated management approach to maximize the recovery of plastic products and packaging and keep these items out of landfills and the environment.

On June 22, 2022 the Federal Government published the *Single-use Plastic Prohibition Regulations* following public consultation that closed on March 5, 2022 (Report No. [PW 2022-07](#)). The regulation will prohibit the manufacturing and sale of single use plastics (checkout bags, cutlery, food service ware, ring carriers, stir sticks and straws) with an implementation timeline from December 2022 to December 2025, as well as requiring plastic products to contain at least 50% recycled material by 2030.

In Ontario, the municipal blue box program will be transitioning to EPR between 2023 to 2025 where Producers will be responsible for the collection and end of life management of product packaging. Producers will be subject to performance reporting requirements including supply data, collection services and resource recovery measures.

## Comments

The ECCC consultation papers currently posted for public consultation support the development of a federal registry for plastic producers and rules for accurate labelling to strengthen recycling and composting of plastic items. These measures, along with the single-use plastics regulation, will reduce plastic waste and support a circular economy.

## Proposed Federal Plastics Registry for Producers of Plastic Products

Development of a federal plastics registry is intended to support provincial and territorial EPR programs and adoption of rules that are consistent, comprehensive and transparent. A plastic registry will provide data for all major sectors of the Canadian plastics economy that generate large amounts of plastic waste and serve as baseline information for future expansion of EPR programs for other plastic product categories (construction, automotive, textiles, major appliances and agricultural film).

A federal plastics registry could also provide a single reporting system for the various provincial EPR programs and reduce some of the administrative burden for producers that typically manufacture and distribute their products Canada-wide and would otherwise need to comply with varying jurisdictional reporting requirements. Provinces and territories would be able to access this data to support EPR compliance and improve program efficiencies and effectiveness.

Development of the federal plastic registry will consider collection of the following key data points recognizing that not all data points may be feasible for all product categories at once and will be phased in over time:

- Plastics placed on the market;
- Plastics successfully reused;
- Plastics successfully repaired, remanufactured or refurbished;
- Plastics successfully recycled;
- Plastics incinerated for energy recovery; and
- Plastics imported, exported.

The first phase of the proposed plastics registry is targeted to begin before the end of 2024. Timing for subsequent phases will be determined before phase 1 is initiated.

### Accurate Labelling of Plastic Products

The proposed Canada-wide labelling rules for plastic products will prohibit the use of the chasing-arrows symbol (Figure 1) unless 80% of recycling facilities within one of five jurisdictional regions accept, and have reliable end markets for, these products. Introduction of labelling rules will require Producers to assess their packaging and plastic items to determine whether it is recyclable. These rules would seek to improve plastic packaging design, reinforce public trust and improve participation in recycling systems and generate higher quality post-consumer material.



Figure 1: Chasing-arrows symbol

In addition, the proposed labelling rules will regulate the use of terms such as compostable, degradable or biodegradable for plastic packaging and single-use items. Producers will be required to seek third party certification and meet compostability specifications/criteria.

Accurate labelling rules will incentivize Producers to improve plastic packaging design and recyclability in order to take advantage of growing consumer demand for more environmentally friendly packaging. This will generate improved public participation in recycling systems due to more accurate labelling that easily identifies if an item can be recycled in Canadian jurisdictions. Public trust in recycling programs and overall performance of recycling systems will improve as a result of the creation of uniform rules for recyclability labelling.

The federal government will continue to consult with stakeholders as rules are developed and will publish draft regulations for public comment before finalization.

## Submission Comments

Comments in response to the consultation papers for the development of a federal plastics registry and Canada-wide rules for accurate labelling of plastic items were submitted to ECCC on October 7, 2022 (Attachment 3 and 4, respectively). Draft comments were presented to, and endorsed by, the Zero Waste Oxford (ZWO) committee on August 17, 2022.

Staff support the proposed federal initiatives to implement a plastics registry for producers of plastic products, as well as rules for accurate labelling to strengthen recycling and composting of plastics. The consultation papers included specific questions to assist stakeholders with framing their responses. Many of the discussion questions were directed more to Producers and therefore the County responses focused on public awareness, municipal operations, and waste diversion goal and objectives.

The key points of the County's submission comments provided to ECCC are summarized below:

### Federal Plastic Registry

- Harmonization of reporting systems already in place at provincial level should be considered.
- No reporting exemption for small businesses but exemption of any fees/cost recovery mechanisms.
- Inclusion of 'Other Products' category to capture plastic items such as medical plastics, toys, office supplies, clothing hangers, etc., that are not part of major categories listed.

### Accurate Labelling Rules

- Public education will be necessary to improve participation and restore public trust in recycling programs.
- Implementation of consistent labelling system that uses symbols and terms that are easy to interpret.
- Tolerance levels for material contamination should be assessed to determine viability of end markets.
- Three-year transition period for full implementation is considered appropriate for Producers to comply with labelling requirements without affecting existing inventory levels by the proposed regulation.

## Conclusions

Development of a federal plastics registry and accurate labelling requirements for plastic and compostable items will promote EPR programs for major plastic products other than just packaging material and improve recovery rates for recyclable material, thus reducing landfill waste and environmental pollution.

It is anticipated that further consultation will occur around the development of these initiatives and staff will continue to participate in any related consultations.

## SIGNATURES

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### Report Author:

Original signed by

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### Departmental Approval:

Original signed by

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David Simpson, P.Eng., PMP  
Director of Public Works

### Approved for submission:

Original signed by

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## ATTACHMENTS

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Attachment 1: Consultation Paper: A Proposed Federal Plastics Registry for Producers of Plastic Products – Oxford County Comments

Attachment 2: Consultation Paper: Towards Canada-Wide Rules to Strengthen Recycling and Composing of Plastics Through Accurate Labelling

Attachment 3: A Proposed Federal Plastics Registry for Producers of Plastic Products – Oxford County Submission

Attachment 4: Towards Canada-Wide Rules to Strengthen Recycling and Composing of Plastics Through Accurate Labelling – Oxford County Submission