

Montreal, December 8, 2020

Director of the Plastics and Marine Division
Environment and Climate Change Canada
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SUBJECT: Comments on the proposed integrated management approach to plastic products aiming to reduce waste and prevent pollution.

Dear Sir:

As part of the consultations on the "[Proposed Integrated Plastic Products Management Approach to Reduce Waste and Prevent Pollution](#)" and the [draft Order Adding a Toxic Substance to Schedule 1 to the Canadian Environmental Protection Act](#) (CEPA) conducted by Environment and Climate Change Canada (ECCC), I respectfully submit to you our considerations to improve the management of plastic products.

Since 2005, Éco Entreprises Québec (ÉEQ), a private non-profit organization, has represented companies who market containers, packaging and printed matter in Québec in their responsibility to finance the net costs of municipal curbside recycling services. As part of the Quebec Compensation plan, those businesses already pay 100% of the net costs for curbside recycling. This represents approximately \$180 million for the last year, and nearly \$1.5 billion since the Compensation plan started 15 years ago.

Moreover, as an expert, ÉEQ optimizes the curbside recycling value chain and implements innovative approaches, with a view to sustainable development and circular economy.

These approaches include:

- Container and packaging eco-design, as ÉEQ was the first extended producer responsibility (EPR) organization in North America to develop an [Eco-design and circular economy plan](#)
- Sharing best practices with municipalities and materials recovery facilities
- Developing markets for recyclable materials, including the launch of a [Plastics Action Plan](#) last year.

Éco Entreprises Québec actively participates in the work of the Waste Reduction and Recovery Committee of the Canadian Council of Ministers of the Environment (CCME) and builds upon international best practices as a member of the Extended Producer Responsibility Alliance (EXPRA), based in Brussels. ÉEQ is regularly called upon for its expertise in Quebec, in Canada and abroad, to share its vision of curbside recycling and solutions to current issues. The comments below are made pursuant to our [Memorandum on plastic pollution in Canada](#), presented to the House of Commons Standing Committee on Environment and Sustainable Development on May 6, 2019. Although we support the government of Canada's will to reduce plastic pollution, we believe that important changes must be made to the proposed approach in order to reach that goal.

Managing single-use plastic bags

The *Scientific assessment of plastic pollution*¹ established that "in 2016, 33% of plastics on the Canadian market were destined for packaging (...), of which a significant share for the food and beverage sector". The increasing popularity of plastics is attributable to their ability to combine a set of desirable characteristics for containers and packaging:

- Formulation and shaping potential
- Low cost
- Lightweight
- Stability
- Product protection and preservation (barrier performance)

The role of packaging

The research report titled *Less Food Loss and Waste, Less Packaging Waste*² published last June by the National Zero Waste Council, in partnership with RECYC-QUÉBEC, Éco Entreprises Québec and PAC Packaging Consortium pointed out the role that packaging must play in food safety and the prevention of food waste and, consequently, in the reduction of greenhouse gas (GHG) emissions by the food sector. Indeed, while some types of foods, such as lettuce, apples, granulated sugar and dry pasta, benefit from bulk or unpackaged sales, the vast majority of foods last longer when packaged properly.

The challenge is eliminating over-packaging, reducing the use of packaging as much as possible, moving towards standardization and simplification of packaging without generating an increase in food waste, hygiene problems or issues with product alteration in non-food product sectors.

¹ Environment and Climate Change Canada, Health Canada, "Scientific Assessment of plastic pollution", October, 2020 <https://www.canada.ca/content/dam/eccc/documents/pdf/pded/plastic-pollution/Science-assessment-plastic-pollution.pdf>

² Value Chain Management International (Martin Gooch Ph.D., Delia Bucknell, Dan LaPlain, Peter Whitehead Ph.D. and Nicole Marenick), "Less Food Loss and Waste, Less Packaging Waste", <http://www.nzwc.ca/Documents/FLWpackagingReport.pdf>

Choose innovation

Additionally, the [Plastics Solutions Forum](#), presented by ÉEQ and its French counterpart, CITEO, in February 2019, made it possible to showcase the most promising technologies for the “chemical” or “molecular” recycling of plastics, including technologies from Canadian companies such as Pyrowave and Polystyvert, targeting the recycling of complex plastics such as polystyrene, polypropylene or polyethylene. The various challenges pertaining to plastics launched as part of the “Innovative Solutions Canada” federal government program also made it possible to measure Canada's innovative potential in this area.

The [Economic Study of the Canadian Plastic Industry, Markets and Waste](#) led by the consortium made up of Deloitte and Cheminfo Services inc., and supervised, financed and coordinated by ECCC, presented an ambitious scenario to reroute 90% of plastic waste being sent to landfill by 2030. This scenario emphasized mature technologies, such as mechanical recycling, planned for the development of chemical recycling and finally integrated converting waste into energy.

For these reasons, with a view to managing single-use plastics, ÉEQ makes the following recommendations:

- **Avoid banning plastic packaging whose food protection and food waste reduction properties are recognized or for which innovative recycling technologies are being developed.**
- **Implement measures recommended by the government's Economic Study, which focuses on mechanical and chemical recycling rather than on regulatory changes.**

Issues regarding substitutions

The legal uncertainty regarding the possible ban of all manufactured plastic items in the event that these are added to Schedule 1 of the CEPA might lead to substituting with alternatives that are made from other materials with environmental impacts that are just as harmful, if not more. Thus, in order to take into account all the environmental impacts of a product and not only its management once its useful life is over, **ÉEQ recommends that the life cycle analysis of substitution options for single-use plastic products be included in the analysis grid of the integrated management approach for plastic products.** The life cycle analysis is, in fact, a diagnostic tool to structure eco-design approaches for packaging, which must also adequately respond to the product in terms of preservation, protection, etc.

No exemptions for "biodegradable", "compostable" and "biobased" plastics

Among the frequently mentioned substitutes for single-use plastic products are so-called “biodegradable”, “compostable” and “bio-based” plastic products. Just as the *Scientific Assessment of Plastic Pollution*, the *Less Food Loss and Waste*, *Less Packaging Waste*, as well as others³, called for prudence regarding the commercial allegations tied to these plastics. Indeed, while these

³ Marc Fawcett-Atkinson, Prince George Citizen, “Compostable plastic is booming in Canada — but it may still end up in landfills”, November 29, 2020 <https://www.princegeorgecitizen.com/news/local-news/compostable-plastic-is-booming-in-canada-but-it-may-still-end-up-in-landfills-1.24247392>

materials may appear beneficial, their use can result in unintended environmental and economic impacts. Although some of these plastics can be composted, they require a specialized infrastructure. Moreover, these plastics can contaminate or disrupt recycling systems that are set up for conventional plastics. In the absence of defined standards, nothing can guarantee that these materials will not degrade without releasing toxins or microplastics into the environment.

Éco Entreprises Québec is completing a targeted study on biodegradable and compostable containers and packaging, and we will be pleased to share its findings shortly with Environment and Climate Change Canada.

In the meantime, ÉEQ recommends that **so-called "biodegradable", "compostable" and "bio-based" not be exempted from any measures adopted for single-use plastics**, as these plastics are currently problematic for recycling and composting.

Clear guidelines on effective recyclability

Among the questions raised by the published consultation document pertaining to the proposed approach to integrated management of plastic products, we note the definition of single-use plastics as being "problematic in terms of value recovery" and in particular "food containers (e.g. take-out containers, lids, plates, bowls and cups) made from problematic plastics, including plastic foam, black plastic, polyvinyl chloride, oxodegradable plastic or multiple materials (composites) including one or more plastics." These very broad definitions give rise to numerous reactions as to the lack of clarity regarding containers that are included or not in this definition, as well as on the criteria used to determine their effective recyclability, the latter varying according to the existing infrastructures.

In order to ensure the recycling of containers and packaging and that the eco-design for these becomes the norm, ÉEQ recommends **defining clear guidelines on effective recyclability and the standardization of plastic packaging** in order to better guide packaging manufacturers, business users and consumers alike in their decisions.

ÉEQ already offers guidance services including a [packaging eco-design portal](#) and we firmly believe that such guidelines would clarify the questions companies have on this subject.

Support practical solutions

Finally, ÉEQ wishes to salute the leadership of the five companies - Cascades, Danone Canada, Dyne-a-pak, Keurig Dr Pepper Canada, TC Transcontinental - who created the Circular Plastics Taskforce (CPT) in collaboration with the plastics division of the Chemistry Industry Association of Canada. This initiative, supported by ECCC and for which ÉEQ acts as an advisor and financial partner, is developing a map of the recycling value chain and will test innovative solutions through pilot projects with materials recovery facilities, processors and for the use of recycled materials by end markets.

As all the players in the value chain have a role to play in improving the recovery and recycling of plastics, **ÉEQ recommends supporting concrete solutions emanating from studies such as the one carried out in collaboration with the Circular Plastics Taskforce.**

Establish Performance Standards

In its 2009 Schedule of contributions, ÉEQ deployed a "recycled content credit" for certain containers, packaging and printed materials in order to recognize materials that include a significant or exceptionally high percentage of recycled content. At the time, market studies were conducted to find out about existing standards and exceptions regarding recycled content. The information enabled us to prepare a more detailed assessment of recognition to be awarded to companies who integrate recycled content in their CP&PM products. The credit for integrating recycled content in certain types of containers, packaging and printed materials was a worldwide first as part of Extended Producer Responsibility (EPR) programs.

By virtue of its mission, ÉEQ welcomes any measure aimed at stimulating demand and influencing the price of post-consumer recycled resins upwards, as sales revenues for materials are likely to lead to a decrease in net costs for curbside recycling. ÉEQ is aware, however, that this price increase for recycled resins means an increase in the supply costs for packaging for contributing companies, which will have to do so in a context of scarcity.

Although, as noted in the consultation document, many large companies include recycled content in their plastic products and have voluntarily committed to meeting performance targets for recycled content, the significantly higher cost of recycled plastic resins and securing a quality supply are still particularly challenging issues.

This is why ÉEQ recommends **adopting realistic and progressive recycled content targets that take into account the pace of adaptation of companies, as well as the plastics recovery and recycling capacities and the characteristics of recycled plastics to avoid shortages. Separate targets by resin, for PET and HDPE, for example, should be emphasized.**

Among elements that directly influence the availability of recycled plastic, here are a few examples:

- **Quality of resins:** The presence of additives, adhesives, colouring agents and other mineral fillers negatively affect the quality of recycled resins.
- **Colours:** Due to the variety of colours, recycled plastic granules are greyish-green in colour, which limits integration into new packages or products.
- **Properties:** During each mechanical recycling cycle, plastics lose some of their properties, which limits the potential percentage of recycled content in new packaging. This situation also holds true in the paper and cardboard packaging recycling industry.

In order to prevent the migration of chemical contaminants into food, additional restrictions are added for recycled resins used for food packaging purposes. Considered to be the highest level of quality, these recycled "food grade" resins are in high demand from industries that do not have the same regulatory requirements as the food industry.

ÉEQ therefore recommends **ensuring that users of food packaging (both SMEs and large companies) can have access to recycled food-grade resins in order to meet food preservation and safety requirements.**

In addition, the experience acquired regarding glass through the [Innovative Glass Works Plan](#) has demonstrated the importance of developing and diversifying markets for recycled materials, as well as promoting the standardization and regulatory harmonization necessary for their integration into new markets. Thus, while the consumer goods sector, which is sensitive to environmental consumer demands, is mainly represented in voluntary commitments relating to the use of recycled plastics, ÉEQ recommends **promoting market development, regulatory alignment and targets**

for recycled content for purposes other than the consumer goods sector, such as the public infrastructure construction sector or the automotive sector.

The government of Canada could, indeed, **consider other innovative measures to foster the growth of the recycled plastics market**: government credits for recycled content, public tender criteria requiring a minimum for recycled content, financing programs for the technological development of recovery, sorting and recycling equipment, etc.

Ensure end-of-life accountability

On September 24th, the government of Quebec tabled Bill 65 — An Act to amend mainly the Environment Quality Act with respect to deposits and selective collection, focusing on modernizing curbside recycling based on extended producer responsibility, in partnership with municipalities. After financing municipal curbside recycling services for 15 years, ÉEQ welcomed the government's decision to place companies at the heart of the curbside recycling system and enable them to take responsibility for their containers, packaging, printed matter and newsprint from design to recycling, with a view to developing the circular economy. Along with all players in the system, ÉEQ and its association partners also continue to actively take part in preparatory work on the modernization. They are also interested in the Plastics Strategy currently being developed by the government of Quebec.

Following consultations conducted by the CCME last year, ÉEQ recommends prioritizing the following actions to support a consistent, detailed and transparent application of extended producer responsibility in Canada:

- **Subject federal departments and agencies to provincial EPR programs**, for the sake of consistency and government exemplarity.
- **Support provincial authorities to ensure that electronic commerce companies are targeted.**
- **Support provincial authorities in their desire to develop harmonized ecodesign guidelines** regarding the proposed effective recyclability guidelines.

In conclusion, ÉEQ submits the 13 recommendations below regarding the proposed integrated management approach for plastic products aiming to reduce waste and prevent pollution.

Manage single-use plastics

1. Avoid banning plastic packaging whose properties regarding food protection and the reduction of food waste are recognized, or for which innovative recycling technologies are being developed.
2. Include the life cycle analysis of alternatives to single-use plastic products in the proposed analysis tables in order to properly measure all the environmental impacts and not only the impact at end-of-life.
3. Do not exempt so-called “biodegradable”, “compostable” and “bio-based” plastics from the measures adopted for single-use plastics, as these are currently problematic for recycling and composting.

4. Implement measures recommended by the government's Economic Study, which focused on mechanical and chemical recycling rather than on regulatory changes.
5. Support concrete solutions emanating from studies, such as the one carried out in collaboration with the Circular Plastics Taskforce.
6. Define clear guidelines on effective recyclability in order to better guide companies' choices.

Establish Performance Standards

7. Adopt realistic and progressive recycled content targets that take into account businesses' pace of adaptation, plastics recovery and recycling capacities as well as the characteristics of recycled plastics to avoid shortages. Separate targets by resin, for PET and HDPE, for example, should be emphasized.
8. Ensure that food packaging users (both SMEs and large companies) can access recycled food grade resins to meet food preservation and safety requirements.
9. Foster market development, regulatory alignment and recycled content targets for use in other sectors, such as public infrastructure construction sector or the automotive sector.
10. Consider innovative measures to promote the recycled plastics market: government credits on recycled content, criteria for public calls for tenders, funding programs for the technological development of recovery, sorting and recycling equipment, etc.

Ensure end-of-life accountability

11. Subject federal departments and agencies to provincial EPR programs.
12. Support provincial authorities in order to ensure that electronic commerce businesses are also targeted.
13. Support the provincial authorities in their efforts to develop harmonized eco-design guidelines.

I thank you for your attention in these matters. Please be assured that I am available to answer any questions you may have or provide additional information you may require.

Sincerely yours,

President and Chief Executive Officer



Maryse Vermette