

September 30, 2019

Ministry of Environment and Climate Change Strategy
Recycling Regulation Amendments
PO Box 9341 Stn Prov Gov't
Victoria, BC V8W 9M1
Email: Plastics@gov.bc.ca

RE: Plastics Action Plan Policy Consultation Paper, British Columbia

On behalf of Food & Consumer Products of Canada (FCPC), I am pleased to respond to B.C.'s Plastics Action Plan policy consultation paper.

FCPC is Canada's largest industry association representing companies that manufacture and distribute the vast majority of food, beverage and consumer goods found on grocery store shelves across the country. For reference, a list of our manufacturing members is attached.

As manufacturers and brand holders of food, beverage and consumer goods, our members are stewards of B.C.'s extended producer responsibility (EPR) Blue Box program. Similarly our members are producers in shared responsibility Blue Box programs across the country where provincially mandated programs are in place. Producers want efficient and cost-effective programs that improve environmental outcomes.

FCPC member companies are constantly innovating new packaging and products, and many have made significant national or global sustainability commitments. Many members have endorsed the G7 Ocean Plastics Charter and the Ellen MacArthur Foundation's New Plastics Economy Global Commitment, committing to ensuring their packaging is fully recyclable, compostable and re-useable by 2025. Building on the leadership of our members, in June 2019 FCPC became the first national trade association in Canada to endorse the Ellen MacArthur Foundation's common vision for a New Plastics Economy.

As we consider various environmental policy and regulatory proposals across the country, FCPC strives to ensure harmonized and balanced policies and programs that will result in environmental benefit while allowing companies to invest, compete and grow in Canada.

Please do not hesitate to contact me with any questions. We trust you will consider FCPC a resource.

Sincerely,



Michelle Saunders
Vice President, Provincial Affairs and Sustainability

Introduction

FCPC is Canada's largest industry association representing companies that manufacture and distribute the vast majority of food, beverage and consumer goods found on grocery store shelves across the country. This industry is the largest manufacturing sector in Canada, directly employing nearly 300,000 Canadians from coast to coast, contributing nearly \$27 billion annually to the country's economy and providing safe, high quality products that are found in virtually every single home in Canada.

FCPC appreciates the opportunity to share industry's perspectives on B.C.'s Plastics Action Plan policy consultation paper, and we look forward to working collaboratively with the Ministry of Environment and Climate Change Strategy (MOECCS) on the development of strong environmental policy that:

- Builds on current industry achievements,
- Creates a circular economy for plastics while strengthening recycling programs for all materials,
- Incentivizes innovation,
- Allows companies to compete and grow in Canada,
- Takes a whole-of-government approach, and
- Recognizes consumers as a significant partner to the success of environmental programs.

Bans on Single-Use Packaging

- *Do you think bans on plastic packaging should be implemented in B.C.? What plastic packaging products are a priority for B.C. to ban?*
- *What types of bans should be considered (examples include bans on sale of a certain type of packaging or ban on use of a certain type, or bans on disposal)?*
- *If a ban was applied, how should exemptions be considered?*

With little specificity or data, the consultation paper considers two distinct types of bans: sales bans and disposal bans.

Any sales ban proposals must be science and evidence-based, and carefully weighed ensuring no adverse effect on food safety or human health, available alternatives, and no unintended environmental consequences. Policies must be evidence and principle-based to ensure a level playing field in the marketplace. Sales bans are not appropriate for materials that are recyclable, compostable or re-usable.

In principle, FCPC supports the concept of a disposal bans for certain materials to help drive diversion as sustainable end markets exist for those materials. However, it is critical that disposal bans only be used when there are infrastructure and end markets in place to address the proper handling of the material being banned. Disposal bans require not only sufficient

material collection and processing infrastructure, but must be aided by education and awareness, ensuring all parties are fully engaged in diverting waste from landfill.

- *Bans can be implemented in some form by all levels of government due to the different regulatory powers in place. Are there bans best suited for implementation at the federal, provincial or local government level? Should local governments be given the authority to ban problematic plastic items in their community? What types of bans should be considered?*

As a matter of principle, FCPC supports harmonized and aligned policy.

The Recycling Regulation establishes the regulatory framework for B.C.'s residential recycling program, Canada's first EPR program. MOECCS recognizes this framework achieves the highest plastics recovery rate in North America, and it does this largely because of a standardized materials list that establishes a province-wide system with reduced consumer confusion. In turn, this achieves higher quantities and higher qualities of materials collected. Municipal sales bans run counter to the objectives and achievements of EPR. Every effort should be made to build on the achievements of the province's Blue Box program, led by Recycle BC. Additionally, we encourage policies to be developed collaboratively with federal, provincial and territorial partners and counterparts through the Canadian Council of Ministers of the Environment.

More Recycling Options

- *Do you have comments or suggestions regarding the ministry's proposal to include packaging-like products in the Recycling Regulation? Are there any packaging-like products you believe should be exempt from the Recycling Regulation?*
- *Do you have comments or suggestions regarding the ministry's proposal to add single-use items to the Recycling Regulation? Are there any single-use items you feel should be exempt from the Recycling Regulation?*

Along with our members, FCPC have a number of questions and concerns regarding the proposal to include packaging-like products and single-use products, and recommend the Ministry continue dialogue with stewards before proceeding with expanding the scope of obligated materials in the Recycling Regulation.

Of significant concern, the list of items which could possibly be included in packaging-like products and single-use plastics is vague. Decisions must be based on evidence, yet without a standardized and common understanding of both packaging-like and single-use products that would be captured in an amended regulation it is difficult to assess the impact and appropriateness of the proposals.

FCPC has significant concerns, along with other materials that may be captured in a product-

like packaging category, with the proposal to include re-sealable bags or containers within the definition of packaging-like product. We disagree with this categorization. Re-sealable products, like other more durable storage containers, are regularly used repeatedly and for long periods of time. We are further concerned that re-sealable products, which are also often used for food storage, pose a risk of contaminating and degrading the quality and value of recyclables. Materials such as foils and films would also present the same challenges and concerns. The very success of B.C.'s program has been the ability to maintain lower contamination rates of materials collected through the Blue Box.

Although these items have been included in Quebec's program there is no evidence to date to indicate any environmental benefit from designating these materials, or any end market for them.

Single-Use Items: It is clear however that at this time although the term "single use plastics" is used regularly, there is no common understanding of what that means.

Based on experience in other jurisdictions, FCPC suggests that the term single-use not be defined, rather the government develop and use specific criteria, for example usage pattern, usage period or recyclability, to determine a list of specific materials, products or packages. The government should also engage the public in discussion on those specified items. Only after a list is set can governments, industry and the public, have a shared understanding of how to identify and address packaging-like products and single use plastics. FCPC recommends targeted consultation and guidance to specify how "packaging-like" products and "single-use" materials will be defined as distinct product categories, including specific criteria for obligated materials included in the program that ensure a fair distribution of costs and obligations for all producers.

Additionally, it is unclear how items such as straws and spoons sold or distributed separately will be distinguished as single-use items from similar items that are sold as part of another product (i.e.: straw attached to a drinking box, or spoon attached to a yogurt/pudding/fruit cup, etc.). These latter products are already captured under the Blue Box Program Plan obligations for "packaging components and ancillary elements". FCPC requests more dialogue and guidance on how this rule may be applied, and how these types of products would need to be reported and assessed for fee allocation.

Expanding Plastic Bottle and Beverage Container Returns

- *Do you have comments or suggestions on the ministry's proposal to include milk and milk substitutes in the beverage container deposit-refund schedule?*
- *Do you have comments or suggestions on the ministry's proposal to create a uniform 10 cent deposit-refund for all beverage containers?*
- *Do you have comments or suggestions on the ministry's proposal to allow refunds to be electronic and paid in an alternative form of cash (e-transfer, cheque, in-store credit, charitable donation, or similar alternatives)?*

On matters related to the management, operations and effectiveness of B.C.'s beverage container return program, FCPC is supportive of the positions advanced by the Canadian Beverage Association.

Reducing Plastics Overall

- *What should B.C. consider in the development of a national standard on recycled content and any associated targets?*

FCPC recognizes the need to use greater recycled content in plastics as an important component of achieving zero waste from plastic, and in achieving a circular economy. Recycled content standards must reflect actual recovery rates for various materials, and will be achievable and effective when paired with complementary policies and investments. To meet recycled content standards industry must first have access to quality materials and the appropriate infrastructure. EPR, investments in infrastructure and innovation are all important components of the Canada-Wide Action Plan Toward Zero Plastic Waste, and FCPC supports the collaborative and harmonized approach to these important discussions.

To stimulate growth and demand for recycled content in consumer products and packaging, FCPC recommends governments consider financial or non-regulatory incentives, and work collaboratively with industry to support innovation.

Food Safety

Food, beverage and consumer goods manufacturers select materials for their product or packaging based on numerous factors, including food safety and human health. Specifically food manufacturers, who adhere to strict food safety regulations for all aspects of their processes, recommend research be conducted jointly by environment and health departments on the appropriateness of recycled content in food contact packaging. Food contact packaging must be protective and must not itself contaminate a food item. Because of this dual requirement, FCPC urges environment and health departments to consider these matters jointly, in collaboration with industry, to ensure food contact packaging is uniquely addressed in future recycled content standards or regulatory requirements.

- *Do you have comments or suggestions on any related provincial policies or actions?*

Compostable Materials

FCPC encourages the MOECCS to work closely with CCME on the development of a national standard for compostable packaging and products. As noted, several companies have made national or global commitments to ensure packaging is recyclable, compostable or re-useable by 2025. As consumers are demanding alternatives to plastic packaging, we can anticipate an increase in the number and types of compostable materials.

Innovations in compostable materials, particularly in packaging, represent a new and emerging issue for organics policies and program management that is distinct from other diversion issues

but that also offers opportunities for progress toward climate change goals.

The acceptance of certified compostable products into municipal organics programs is currently a patchwork across Canada. Companies who have invested in research and innovation, and whose products have been certified compostable find themselves in a situation where some municipalities readily accept the product and others are unwilling to. This prohibits effective and consistent consumer education and simply causes confusion, resulting in waste.

FCPC strongly believes that terms and standards for this growing market should be guided at the federal or national level to ensure harmonization. FCPC has recommended that Environment & Climate Change Canada or the Canadian Council of Ministers of the Environment consider a single definition or standard for compostability to prevent a patchwork system on compostable packaging and materials from proliferating. The ASTM International Standards are an excellent example of generally accepted standards for compostable materials.

FCPC

Food & Consumer
Products of Canada

PACC

Produits alimentaires et de
consommation du Canada

