



CANADIAN HEALTH FOOD ASSOCIATION

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May 18, 2023

Tracey Spack
Director
Plastics Regulatory Affairs Division
351 Saint-Joseph Blvd
Gatineau QC K1A 0H3
Submitted via email: plastiques-plastics@ec.gc.ca

Re: Feedback on the Federal Plastics Registry Consultation

On behalf of the Canadian Health Food Association (“CHFA”), we are writing to provide comments on the consultation for *Federal Plastics Registry Consultation*. As Canada’s largest trade association dedicated to natural health, organic and wellness products, CHFA is committed to representing our members and the industry on proposed regulatory changes that will directly influence their business operations. Our membership base consists of hundreds of businesses across Canada, including manufacturers, retailers, wholesalers, distributors and importers of natural health products and food products. These businesses produce and sell a variety of products including foods, vitamin and mineral supplements, herbal products, health, and beauty aids, which would be impacted by the proposed recycled content and labelling rules on plastics. In addition, our members will be significantly affected by this proposal as this includes all members of the supply chain such as producers, brands, brokers, importers and retailers.

I. CHFA General Comments on the Consultation Document

While CHFA appreciates the opportunity to provide feedback as part of this consultation, we would like to express our concerns about the extremely short time stakeholder consultation period given for this proposal. Unfortunately, 30 days did not allow CHFA to meaningfully consult with its members about the proposals. We look forward to the opportunity for additional consultation with respect to these proposed regulatory changes, including the ability to provide comments on the cost-benefit analysis.

At this time, CHFA members are managing a multitude of labelling changes from various government departments such as foods, supplemented foods, NHPs and cosmetics, all of which have a cumulative and significant effect on industry from a cost perspective.

When we all do well, Canadians live well.

II. Federal Plastics Registry:

2.2.1 Federal producer definition

CHFA has reservations about the characterization of the term "producer" within the context of the plastics registry due to discrepancies observed both within and between jurisdictions. The Technical Paper suggests adopting a generic federal definition of "producer" in cases where a provincial or territorial definition is absent. However, it should be noted that the definition of "producer" varies not only among provinces and territories but also within certain programs within them. Therefore, adopting a federal definition may not address the existing inconsistencies and could potentially contribute to additional confusion.

3.1 Rules for small businesses

The reporting obligations associated with the plastics registry are onerous, particularly for smaller producers within our industry who exceed small business exemption thresholds. CHFA would like to express its concerns regarding the disparities between the existing practices for plastics data gathering and the new requirements imposed by the registry. Firstly, there is a wide range of data types that businesses may not currently have a system in place to track. For instance, the inclusion of industrial, commercial, and institutional (ICI) sources of plastic waste will present difficulties for many businesses. As highlighted in the Technical Paper, numerous provincial and territorial Extended Producer Responsibility (EPR) policies do not apply to ICI sources of plastic waste. Consequently, many businesses will need to begin tracking this type of plastic waste for the first time, in addition to residential stream waste.

3.4 Categories and subcategories

The Technical Paper acknowledges that the subcategories within the registry are designed to align with provincial and territorial EPR programs whenever feasible. However, it is important to note that not every subcategory is regulated pursuant to an EPR program in every province or territory. This presents a significant burden for certain producers within our industry, who will be required to initiate the tracking of specific items for the first time.

3.6 Developing open standards for plastics data

As noted in the Technical Paper, Canada lacks unifying standards for plastic data. CHFA is concerned about the absence of these standards, despite ongoing discussions regarding their development. Additionally, the implementation of full auditing requirements, commencing three years after the registry is established, is another onerous obligation.



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5. Phased implementation approach

CHFA would like to express its concerns regarding the ambitious timelines for implementation of the plastics registry. The period between the anticipated release of the final instrument and the complete phased-in registry is less than three years, posing a substantial and rapid transition for producers in our industry to take on significantly increased responsibilities as a business. CHFA would like to propose a more suitable timeline for implementation of 5-years, allowing for a more realistic and manageable adjustment period.

We appreciate your efforts in developing a federal plastics registry. Thank you for considering our feedback as part of your development for draft regulations on plastics packaging. We are hopeful that our comments are given due consideration and are beneficial for industry and consumers alike.

Sincerely,

A handwritten signature in black ink that reads 'Ashley Cornell'. The signature is fluid and cursive, written in a professional style.

Ashley Cornell
Director of Regulatory Affairs
Regulatory Affairs and Government Relations
Canadian Health Food Association

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