



CANADIAN HEALTH FOOD ASSOCIATION
235 Yorkland Blvd, Suite 201 • Toronto, ON M2J 4Y8
www.chfa.ca • info@chfa.ca • (800) 661-4510

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Bureau of Chemical Safety
Food and Nutrition Directorate
Health Canada

Submitted via email: fomia-meaai@hc-sc.gc.ca

Re: Feedback on Health Canada's Food Packaging Program Review

On behalf of the Canadian Health Food Association (“CHFA”), we are writing to provide comments on the consultation for Health Canada’s food packaging program review. CHFA appreciates the opportunity to provide feedback. 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 consists of hundreds of businesses across Canada, including manufacturers, retailers, wholesalers, distributors and importers of natural health products and food products. These businesses produce a wide variety of packaged foods and would be affected by the implementation of a mandatory food packaging evaluation program.

General

As an industry stakeholder, we recognize the importance of supporting the Government of Canada's holistic initiative to reduce plastic waste and promote a circular plastic economy. CHFA and its members are committed to supporting sustainable practices in food packaging, recognizing that packaging materials must balance environmental concerns with safety, durability, and practicality. We welcome the chance to address the regulatory and safety challenges faced by the food packaging sector, including hurdles to trade, environmental pollution prevention, and technological advancements in packaging materials. We look forward to contributing our insights on key issues such as regulatory requirements for the safety of packaging materials, developments in recycling technologies, and innovations in alternative materials that align with human health and environmental goals.

When we all do well, Canadians live well.

Regulatory Hurdles to Food Packaging Trade in Canada and Internationally

CHFA members face a variety of regulatory challenges, both in the domestic and international markets, which can complicate the trade of food packaging materials. Differing regulatory requirements across jurisdictions, particularly regarding chemical safety and environmental sustainability, can create unnecessary barriers. We recommend the harmonization of Canada's food packaging safety regulations with international standards to facilitate smoother trade while ensuring consumer safety. Additionally, streamlining approval processes for new packaging materials, particularly those using recycled or bio-based content, would benefit businesses aiming to innovate while maintaining compliance with safety requirements.

With international and Canadian efforts focused on reducing plastic pollution and advancing a circular economy, success will depend on consistent terminology, definitions, and standards. Within Canada there are challenges in managing environmental regulations in many areas, such as extended producer responsibility (EPR), a federal plastics registry, and pollution prevention plan, all while lacking access to necessary data and information. It will also be essential to align with the United States and evaluate the current international guidance on the food packaging standards. For Canada, it would be most beneficial to align with the United States to lessen the burden on business as it is Canada's biggest trading partner. While Health Canada refines its approach to plastic packaging for food, CHFA recommends collaborating with other federal departments to align terminology and definitions as well as focus on aligning with the United States to reduce potential trade barriers.

To avoid placing an undue burden on the industry, it is critical to recognize the challenges that a mandatory packaging review program from Health Canada would impose on businesses, particularly small and medium sized enterprises (SMEs). Implementing such a program without sufficient transition time could significantly disrupt operating and increase compliance costs. CHFA strongly recommends that if this program, become mandatory, Health Canada should provide an extended transition period to allow companies the necessary time to adjust their packaging materials, manufacturing processes, and supply chains. This would be especially important for businesses that depend on international suppliers and trade partners. Furthermore, alignment with the United States and international standards would not only help reduce trade barriers for companies buying packaging material outside of Canada, and also for those operating across borders, ensuring they are not subjected to duplicative regulatory burdens. Duplicative regulatory burdens could lead to reduced product availability for Canadian consumers by discouraging manufacturers from entering or remaining in the market due to increased costs and compliance complexities. By recognizing equivalency with international packaging regulations, such as those in the US, Health Canada could ease compliance pressures on businesses while maintaining high safety and environmental standards.

Challenges of Meeting Environmental Pollution Prevention Targets for Plastic Food Packaging in Canada

Reducing plastic waste is a shared priority across industry and government. However, CHFA members emphasize the challenge of balancing plastic reduction with the need to ensure food safety and for food and shelf-life extension. While progress has been made in reducing unnecessary packaging, it is important for Health Canada to consider the unique requirements of certain food products where plastic remains the most effective material. We recommend that regulatory efforts incentivize the development and use of recyclable or compostable plastics, while setting realistic timelines for achieving pollution prevention targets that account for industry capabilities and consumer safety.

Plastic packaging offers reliable solutions to extending the shelf life of perishable goods, preventing food waste, and protecting against contamination. It is essential to take a holistic approach that addresses the environmental challenges posed by plastics without disregarding their crucial benefits. By focusing on collaboration, establishing consistent standards and promoting innovation, we can advance sustainable packaging solutions that meet the needs of consumers, industry, and the environment alike.

For specific applications, plastic often remains the most effective option. Plastic packaging has long played a vital role in reducing food spoilage, extending shelf life, and preventing the spread of foodborne disease and contamination. When properly managed, plastic products can continue to offer sustainable solutions to the food industry while meeting environmental goals.

Challenges of Advancing a Circular Plastics Economy for Food Packaging in Canada

The current system for extended producer responsibility (EPR) presents a challenge to the circular economy, there is still a lot of room for improvement in this domain. At this time, each province in Canada is at different stages in developing their own approach, it would be beneficial if a more unified approach is taken. CHFA supports Health Canada's goal of advancing a circular plastics economy and believes that increasing access to recycling infrastructure at a provincial level is key to achieving this vision. Additionally, there is a growing interest among our members in adopting mechanical or chemical recycling technologies for food-grade packaging. However, the regulatory landscape surrounding these technologies remains unclear. We encourage Health Canada to provide clear guidance and support for companies looking to integrate recycled plastics into their packaging while maintaining compliance with food safety standards.

Successful implementation of a circular plastics economy will require addressing various risks through both policy and financial measures. Key issues, such as odors, and the color and clarity of recycled resins, must

be considered, as they directly impact the perception and marketability of food products. Poor odor or an altered visual appearance can lead to negative consumer experience and harm sales. Additionally, effective collection and sorting of end-of-life plastics remain significant hurdles, especially ensuring that materials are properly sorted and cleaned before recycling.

A major issue is that most plastic packaging films used today are recyclable only as separate layers. The majority of these films are laminated in two or three layers structured to meet the necessary barrier and sealant properties required for food packaging applications. Unfortunately, municipalities across Canada currently lack the infrastructure to recycle these laminated structures, in contrast to Europe, where such recycling facilities exist. Even for single-layer or mono-material plastics, many items are too lightweight (e.g. Bar wrappers, chip bags) for effective sorting by current municipal recovery technologies. Without the necessary upgrades in municipal processing capabilities, achieving a circular plastics economy will be extremely difficult.

While provincial environmental producer responsibility programs and stewardship programs are trying to put the onus on industry to create a solution for this dilemma, the burden of costs and complexity should not solely be the responsibility of consumer packaged goods (CPG) companies. It will be essential to align federal plastics initiatives with provincial programs, which require extensive collaboration, standardization, and education to ensure effective implementation. Overall, CHFA believes that it is imperative that the government provides funding, research and industry incentives to help facilitate development and implementation of appropriate recycling solutions.

Suggestions on Appropriate Regulatory Requirements to Ensure the Safety of Food Packaging

Ensuring the safety of packaging materials is paramount to protecting consumer health. CHFA believes that any mandatory chemical safety program introduced by 2027 should strike a balance between rigorous safety standards and the flexibility for industry to innovate. We encourage clarity on the permeability and shelf-life testing for preservation that would be required as part of a mandatory packaging program. For example, if a certain kind of packaging does not provide a product with the same shelf life, it could lead to food waste. Additionally, this will lead to much larger problems contributing to more food waste and create a negative brand impression.

Waste management guidelines, particularly those concerning compostable materials, must be thoroughly audited, clarified, and communicated to industry. Transparency in the production and composition of these materials is crucial, as they come into direct contact with food products. Ensuring that industry stakeholders are fully informed will help mitigate risks and improve compliance with safety and environmental requirements.

Additionally, we recommend adopting a risk-based regulatory approach, focusing on materials with the highest potential for contamination while streamlining the approval process for lower-risk materials. It is also vital that any new regulatory requirements consider the diverse capacities of businesses, ensuring that small and medium-sized enterprises (SMEs) are not disproportionately burdened by changes that may be challenging to implement due to limited resources.

Technological Developments of Mechanical or Chemical Recycling of Plastics for Food Packaging

While advancements in plastics recycling are not a core area of expertise for CHFA, we recognize that significant potential of mechanical and chemical recycling technologies in reducing plastic waste. Any development in this space must prioritize ensuring that recycled plastics meet the safety standards required for food packaging. We encourage Health Canada to invest in further research to better understand these technologies and to establish clear, evidence-based safety criteria for the use of recycled materials in food packaging. By providing regulatory clarity, Health Canada can help foster innovation and support the safe integration of recycled plastics into the food packaging supply chain.

Technological Developments in Alternative Food Packaging Materials (e.g. bio-based or biodegradable plastics)

While there are a few greener alternatives promoted in the industry such as cellulose-based or biodegradable packaging these options currently have a few key disadvantages that essentially make them unviable options to brand owners and co-manufacturers as alternatives to plastic packaging. When developing the Food Packaging Program considerations include:

- **Availability:** Greener packaging alternatives are usually only available from limited sources and in very high minimum tonnage requirements. This will create additional pressure on already strained supply chain networks
- **Market access:** Most printers and converters are not interested in running these substrates on their equipment due to the fact that they are unpredictable and inconsistent. Therefore, alternative food packaging options can be very difficult to print and convert
- **Feasibility:** In many cases, costly manufacturing equipment or retrofit kits would need to be developed, tested and/or purchased to make alternative materials usable during the production and packing process. Many brand owners may be subject under the control of their co-manufacturers who are willing to undergo the necessary process adjustments or investments as they often impact

line speeds, seal temperatures, add more complexity if they use different materials/equipment/settings for other customers, etc

- Performance: These alternatives lack the necessary air and oxygen barriers required to adequately protect the most shelf-stable food from premature spoilage. In addition, these alternatives have different physical properties (stiffness, seal strength, etc.) which may make the material more prone to holes or poor sealing. For example, there are some companies experimenting with paper-based wrappers or compostable film but the environmental impact of increased food waste from unacceptable product caused by the lack of barrier negates much of the progress made in using a material that could be composted
- Shelf life: Some of these alternatives like biodegradable packaging have a limited shelf life and need to be run in smaller lots and used in smaller production runs more frequently which thereby increase cost at every stage of the packaging production and food processing process
- Post-consumer recycled (PCR) materials: These not always suitable for food-contact use and clear guidelines are required
- Many materials marketed as “compostable” can only be industrially composted, which again is problematic because of the lack of capabilities available by municipalities
- As the compostable packaging market is still developing, the cost of materials is high especially for small or medium sized business. The intersection between the high cost of compostables combined with the relatively low environmental impact compared to other initiatives such as food waste reduction, adhering to more plant-based diet or reducing the distance our food travels. Compostables may serve a better first use as pallet wrap and secondary packaging, therefore anything not providing a food safety barrier

We recommend that Health Canada invest in further research and establish clear safety criteria for the use of recycled materials in food packaging. Additionally, providing incentives or subsidies for companies adopting these technologies would accelerate their implementation and help build a more sustainable packaging ecosystem.

Other - Potential Solutions or Innovations in Eco-friendly Packaging

Many of the large CPG and retail companies globally which represent a substantial portion of the world’s plastic packaging are already committed to following the Golden Design Rules¹ for plastic packaging, which includes progressive and sensible solutions through nine voluntary rules to use less and better plastic. There is

¹ [Plastics Packaging Design: Consumer Goods Forum - Golden Design Rules](#)

also a recent shift in how sustainability is measured to not only look at recyclability but also carbon footprint reduction and neutrality. CHFA recommends that Health Canada keep this in mind to ensure that the Food Packaging Program is left broad enough to give companies options to follow existing and new initiatives that are already underway in each companies' sustainability journey.

Conclusion

As an association representing a diverse range of businesses, CHFA would like to highlight the importance of maintaining flexibility in packaging regulations, particularly to accommodate the challenges faced by small and medium-sized enterprises (SMEs). Many of our members are SMEs, and their ability to innovate and comply with new packaging standards will depend on having the sufficient time, resources, and technical support to adapt. We strongly recommend that, should Health Canada proceed with making the food packaging program mandatory, an extended transition period be provided. This would ensure that businesses, particularly SMEs, are not disproportionately burdened by the complexities of compliance and can implement changes without disrupting operations or supply chains.

We also urge government to consider offering programs or incentives tailored to SMEs, helping them adopt sustainable packaging practices and meet evolving regulatory requirements. By doing so, the government can foster innovation across the industry while maintaining its commitment to consumer safety and environmental protection.

Thank you for considering our feedback as part of your outreach. As a dedicated and forward-looking stakeholder, we are hopeful that our comments are given due consideration and stand ready to lend our expertise and support.

Sincerely,

A handwritten signature in cursive script that reads "Kassandra Wagner".

Kassandra Wagner
Regulatory Affairs and Policy Manager
Canadian Health Food Association