

The Honourable Jonathan Wilkinson, P.C., M.P.  
Minister of the Environment  
c/o The Executive Director Program Development and Engagement Division  
Department of the Environment  
Gatineau, Quebec K1A 0H3  
[eccc.substances.eccc@canada.ca](mailto:eccc.substances.eccc@canada.ca)

**RE: Notice of Objection and Request for Board of Review in relation to the Proposed Order to add plastic manufactured items to Schedule 1 to the *Canadian Environmental Protection Act, Canada Gazette, Part I, Volume 154, Number 41: Order Adding a Toxic Substance to Schedule 1 to the Canadian Environmental Protection Act, 1999***

I am the Plant Director for Amcor Mississauga, which is part of Amcor Packaging Canada Ltd. Our parent company is Amcor which is a global leader in developing and producing responsible packaging for food, beverage, pharmaceutical, medical, home- and personal-care, and other products. We have 230 facilities in over 40 countries. Last year we had over 12.5Billion USD in sales.

Amcor is also a member of the Chemistry Industry Association of Canada's (CIAC) Plastics Division, which represents Canada's leaders in plastics industry sustainability – a \$28 billion sector that directly employs over 93,000 Canadians.

Amcor Packaging Canada Ltd.

- formally objects to the Proposed Order
- requests the establishment of a Board of Review to review the recommendation

**Requirement for a Proper screening assessment has not been fulfilled:**

The final science assessment of plastic pollution is not / does not fulfill the requirement for:

- a screening assessment, and/or
- a screening assessment of all 'plastic manufactured items' (insufficient basis for the broad category identified in the Proposed Order)
- a full and proper screening assessment is a key part of the CMP process that should not simply be overlooked. The proposal, as it stands, is overreaching and far too broad to be effective.

A draft screening level risk assessment (DSLRA) would:

- have a different conclusion;
- would not have led to such a broad designation;
- show a significant weight of evidence to suggest that the risk to the environment is not from plastic manufactured items; and
- show that the risk is not related to the physical/chemical properties of the designated items
- clearly identify the target areas, including legislation and government programs to increase recapture and recycling rates.

Other inconsistencies in established CMP process for adding substances to Schedule 1:

- Not offered for public comment in draft form
- A draft would allow environmental, industry experts and the public to help sort through the data to make a more appropriate recommendation.

**Fact: Plastic manufactured items are NOT toxic.**

The Proposed Order

- not as specific as Science Assessment, which correctly identifies the potential harm of plastic pollution in the environment
- applies to every single piece of plastic in Canada, without exception, regardless of how it is disposed
- ignores the root cause of plastic pollution and low recapture/recycle rates

Risk to the environment

- does not come from the item, but from behaviours, decisions and/or contract obligations of consumers, waste management groups and municipalities.
- Intervening steps that must occur before alleged risk to environment presents:
  - o the plastic manufactured item has to be used by a consumer;
  - o the plastic manufactured item has to be improperly disposed of;
  - o poor municipal waste management practices could also contribute
- Declaring plastic manufactured items as toxic when these acts contribute to the adverse outcome ignores the true cause(s) of the unacceptable risk **OR** The true cause(s) of the unacceptable risk are disregarded in this proposal

Tradition of CMP: materials are not found to be toxic when the exposures of concern do not emanate from an intended use

- the identified risk does not come from the plastic item itself; it is from disposal after intended use.

Science Approach Document

- published without a complete view of the best available science **OR** lacks a comprehensive review of scientific literature
- DSLRA approach would have:
  - o led to a more fulsome review of scientific literature and application/contextualization to pollution in Canada
  - o not concluded that all plastic manufactured plastic items have the potential to cause ecological harm
  - o clearly shown that pollution and poor recapture/recycle rates are a major part of the issue that must be addressed
- designation must be more precise to target individual concerns
  - o plastics are used in the production of essential food items and food packaging, as well as everyday items like cars, cellphones, cups, electronics/computers, etc. Designating all plastics as Toxic simply misses the mark and ignores the environmental and economic impact of the production and disposal of any potential replacement materials.

**Governments continued reliance on Sound Science prior to decision making:**

Scientific panel

- should be established to review government's work
- has no vested political interest in the outcome of the investigation
- government admitted to scientific gaps in Science Assessment that preclude the ability to conduct a quantitative risk assessment – panel could fill these gaps
- Moving ahead with significant data gaps is not overly precautionary
- consistent with the Prime Minister's instructions in the Minister's mandate letter to ensure that "(t)he Government of Canada is committed to strengthen science in government decision-making and to support scientists' vital work."
- ECCC's *Economic Study of the Canadian Plastic Industry, Markets, and Waste (2019)* indicates that plastic leakage (pollution) into the environment from Canada is 1 per cent.

In summary, all plastics are not Toxic. That is a fact.

There is no question that a proper screening and science-based approach would allow the Canadian Government to avoid this misstep and seize the opportunities around the root of the issue; pollution. Pollution and improper disposal/recycling practices are the Canadian Governments largest opportunity to make a difference.

If there is any support that myself or the industry experts at Amcor may be able to provide, we are at your service.

Sincerely,

Tino Pennino; P.Eng  
Plant Director  
Amcor Mississauga  
245 Britannia Road East, Mississauga, ON  
L4Z-4J3