



December 8, 2020

The Honourable Jonathan Wilkinson, P.C., M.P.  
Minister of the Environment  
c/o The Executive Director Program Development and Engagement Division  
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**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***

Bericap Group, through its subsidiaries, operates 24 production sites in 21 countries around the globe and serves customers in over 100 countries. With revenues over 825 Million Euro in 2019 and closure sales of 86 Billion units, Bericap manufactures packaging products, namely plastic caps and closures. Our products are used for food, beverage, automotive, agricultural and other packaging applications. BERICAP is committed to operating its business according to good standards of ethical, moral and lawful conduct. BERICAP's goal is to take part in creating a sustainable economy through optimizing performance around labour rights, health & safety, business ethics and the environment, and to encourage its suppliers to do the same.

In Canada, Bericap Inc., is jointly owned by Bericap Group and Amcor. Amcor is a global leader in developing and producing responsible packaging for food, beverage, pharmaceutical, medical, home- and personal-care, and other products. Amcor operates 230 facilities in over 40 countries with revenues of \$12.5 Billion USD globally. To learn more about our great organizations, I encourage you to visit [www.Beriap.com](http://www.Beriap.com) and [www.Amcor.com](http://www.Amcor.com).

Bericap has operated its Canadian manufacturing facility located in Burlington, Ontario since 1992. We proudly employ over 125 Canadians and export products to several countries. Bericap is committed to our community. We support the Mark Preece Family House, Wellington Square United Church, local food banks and various youth sports teams.

Bericap and Amcor are also members 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.

Bericap formally objects to the Proposed Order and requests the establishment of a Board of Review to review the recommendation.

**A Lack of Screening Assessment** in the final science assessment of plastic pollution does not fulfill the requirement for a screening assessment. The screening assessment is an incredibly important part



of the CMP process as it would allow the review and understanding of the full stake holder needs and requirements for food and overall health and environmental safety.

**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
- opportunities for recycling business development and leadership.

Another **inconsistency in the established CMP process** for adding substances to Schedule 1 is that it was **not offered for public comment in draft form**. A draft would have allowed for an in-depth analysis of the consequences as well as potential opportunities.

The **Proposed Order is not as specific as a Science Assessment**, which correctly identifies the potential harm of plastic pollution in the environment. The Proposed Order also applies to every single piece of plastic in Canada, without exception, regardless of how it is disposed. The Proposed order should indicated that recycling can be enhanced and supported and provide economical improvements.

**Plastic Manufactured Items are not toxic**. The 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 the alleged risk to environment is presented are:

- the plastic manufactured item has to be used by a consumer;
- the plastic manufactured item has to be improperly disposed of;
- poor municipal waste management practices could also contribute
- economic incentives for recycling must become built into the economy

Declaring plastic manufactured items as toxic when these acts contribute to the adverse outcome ignores the true causes of the unacceptable risks and are disregarded in this proposal

In the 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.**

A Science Approach Document published without a complete view of the best available science **lacks a comprehensive review of scientific literature**. A DSLRA approach would have led to a more fulsome review of scientific literature and application/contextualization to pollution in Canada. It would not have concluded that all plastic manufactured plastic items have the potential to cause ecological harm and that that recycling is an opportunity for improved resource utilization. This designation must be more precise to target individual concerns and state that plastics is not the problem but the solution to many problems we face today.



A Strengthening of the Science in the Decision-Making is required. A **Scientific Panel should be established** to review government's work. It would have no vested political interest in the outcome of the investigation. The government admitted to scientific gaps in the Science Assessment that preclude the ability to conduct a quantitative risk assessment. A Scientific Panel could fill these gaps. Moving ahead without significant data gaps is not overly precautionary. It is 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.

I want to emphasize that food, beverage, automotive, agricultural and other products are longer lasting and retain their economic value longer because of the science and technology in the packaging that has been developed. The recycling of plastics allows for the reduction of costs and the improvement of environment. Once produced, certain plastics can be reused over and over with minimal resource investment.

I am at your disposal to discuss this matter and willing to join/assist with any discussion and panel involvement.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Scire', written in a cursive style.

Anthony E. Scire, P. Eng.

General Manager

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