



December 9, 2020

The Honourable Jonathan Wilkinson, P.C., M.P.
Minister of Environment and Climate Change Canada
c/o Executive Director
Program Development and Engagement
Department of the Environment
Gatineau, Quebec
K1A 0H3

Sent via email to: eccc.substances.eccc@canada.ca

RE: Notice of Objection and Request for Board of Review in relation to the proposed “Order Adding a Toxic Substance to Schedule 1 to the Canadian Environmental Protection Act, 1999” as published on October 10, 2020 in the *Canada Gazette*, Part I, Volume 154, Number 41

Dear Minister Wilkinson,

This submission responds to the October 10, 2020 Gazette Notice (“Notice”) in which the Governor in Council, on the recommendation of the Minister of the Environment (“Minister”), proposed an Order to add “Plastic Manufactured Items” to Schedule 1 of the *Canadian Environmental Protection Act, 1999* (“CEPA” or “the Act”), hereafter referred to as “Proposed Order.”

Pactiv Evergreen formally objects to the Proposed Order and requests that you establish a Board of Review under section 333 of the Act to review the recommendation.

Pactiv Evergreen is the largest manufacturer and distributor of food and beverage packaging in North America with a diversified mix of customers, including restaurants, foodservice distributors, supermarkets, food and beverage producers, food packers and processors. In Canada, we operate six facilities, employ roughly 300 employees with a payroll of over \$16 million, plus pay millions of dollars in taxes.

Without the use of sound science, the government is proposing to use CEPA to place plastics in general on a toxics listing. We believe that a Board of Review must be conducted before consideration of a broad toxics listing.

Sincerely,

Ken Bumstead
General Manager, Canada