



February 23, 2022

The Honourable Steven Guilbeault, P.C., M.P.  
Minister, Environment and Climate Change  
200 boul., Sacré-Coeur  
Gatineau, Québec, K1A 0H3  
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Tracey Spack  
Director, Plastics Regulatory Affairs Division  
Environment and Climate Change Canada  
351 Saint-Joseph Blvd.  
Gatineau, Québec, K1A 0H3

Dear Minister Guilbeault,

**RE: Notice of Objection and Request for Board of Review in relation to the Single-Use Plastics Prohibition Regulations, Canada Gazette, Part I, Volume 155, Number 52, 2021-12-25**

**Polytainers Inc. has provided thin wall, rigid plastic packaging to support the food industry for 50+ years. We take great pride in having introduced many sustainability firsts to the marketplace through our constant investment in technology and our commitment to value-engineering. We are grounded in the principle that sustainability begins with designing with less in mind, which is why we provide food companies with some of the lightest packaging without compromising food safety and operational efficiency with the end goal of reducing resin usage and keeping costs from rising.**

**Polytainers Inc.** 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 \$35 billion sector that directly employs over 100,000 Canadians.

**Polytainers Inc.** formally objects to the Proposed Single-Use Plastics Prohibition Regulations and requests the establishment of a Board of Review to review the recommendation

**Innovative Technologies and Processes not Assessed in Determining Whether Materials are Recovery Problematic**

- Critical technology not considered when assessing if a plastic was recovery problematic.
  - Carbon Black Plastics
    - Are a valuable source of polypropylene resin.
    - Technology available on the market today to sort black plastic, has the capacity to process higher volumes of carbon black plastics
    - Municipal budgetary constraints, and the absence of investment in available technology by many sortation and recycling facilities is the reason it is not collected, not the availability of technology.
    - Given there is an industry solution in place for value-recovery, a prohibition on 'carbon black' foodservice ware does not meet the Government's criteria for prohibition.

**Success You See!**

## **Extended Producer Responsibility Programs Address Many Concerns about Post-Use Management of Single-Use Plastics, Extended Producer Responsibility Programs not considered**

- The implementation of other regulations were ignored or misrepresented.
- By removing certain single-use plastic items from EPR programs producers are required to find substitutes that in many cases do not have the value recovery proposition plastics do
- Removing value from the recycling system is not a positive for the province or the producer, counter to the position stated in the RIAS.
- EPR programs require that producers meet recycling targets thereby ensuring that value-recovery is derived from plastics.
- Under EPR the concept of a single-use item will disappear

## **Impacts of Substitutes not Considered**

- The RIAS focuses heavily on single-use plastic litter and its impact on the environment as rationale for the proposed prohibitions.
- Littering is a human behavior issue not a specific product or substance issue.
- Bans will not prevent litter, the RIAS states that it is assumed the single-use plastic alternatives will be littered at the same rate as their single-use plastic counterparts.
- Impact of the new/increased source of pollution not accounted for and downplayed saying since the alternatives are likely to be made of wood, paper, and moulded fibre, they are not expected to result in long term harm.
- Additives in substitutes may have impacts over time as a result of cumulative exposure, which should be explored by risk assessors who are the experts in that area.
- Regulations are expected to increase waste generated from substitutes by around 3.2 million tonnes over the 10-year period between 2032 to 2032.
- Ultimately, the result of the proposed prohibitions will be a greater mass of waste and litter in the environment with unknown, or unstudied, long-term impacts.

## **Environmental Assumptions Lack Scientific Rigour**

- RIAS treatment of Life Cycle Assessment (LCA) literature not aligned to standard practice; LCA sources are not cited; and LCAs are not compared through any appropriate, standard methodology such as ISO14040/44.
- Strategic Environmental Assessment (SEA), analysis relies on other evidence sources, including the Science Assessment of Plastic Pollution.
- RIAS relies on October 2020 Science Assessment, which the government itself identified as incomplete, as a statement of the impacts associated with plastic in the environment.
- EPR programs are fully implemented in Canada these items will have higher collection rates and the economies of scale will also be present to allow for the investment in technology with will provide value recovery.
- Does not consider the increased transportation emissions because of increased weight of material being transported to management facilities.
- Littering impact of substitutes also not considered
- No evidence is provided in the RIAS that the use of substitutes will reduce littering and pollution in the environment.

- Assessment acknowledges that alternatives to plastic will lead to higher pollution, thus the government is proposing substitutes that will not actually achieve environmental goals.
- It is critical the analysis of substitutes includes the emissions associated with sourcing, manufacturing, transporting and their end of life.

Polytainers Inc. recognizes the importance of addressing plastic waste and understands that industry must play its part to contribute to solutions. We share the common objective to create a circular economy for plastics and divert plastics from landfills. Polytainers in committed to working with governments and other organizations to implement an innovative, forward-looking plan to create a circular economy for plastics through improved product design, enhanced recovery systems, and augmented end-markets for post-consumer plastics.

Polytainers Inc. remains highly concerned with the proposed regulation as it does not support a circular economy for plastics nor provide effective measures in Canada to prevent leakage into the environment. Moreover, the proposed approach will have negative consequences on Canada's economic recovery and industry's growth prospects to advance towards a circular economy for plastics. Industry remains committed to working with governments to introduce solutions that leverage private sector innovations and economic opportunities in alignment with environmental goals aimed at achieving a circular economy for plastics.

Sincerely,

**POLYTAINERS INC.**

A handwritten signature in black ink that reads "R. K. Barrett". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Robert K. Barrett  
President & CEO

cc: James Maloney, MP Etobicoke-Lakeshore