

MEMORANDUM

To: 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

From: Myra H. Foster, Sealed Air Corporation

Date: December 8, 2020

Subject **Notice of Objection to the Proposed Order to add plastic manufactured items to Schedule 1 of the Canadian Environmental Protection Act**

Dear Minister:

Sealed Air Corporation is a global packaging company that generated \$4.8B in sales in 2019 and serves customers in 124 countries, including an important presence in Canada. Sealed Air partners with companies around the world in food processing, food service, retail, commercial and consumer applications to solve their most critical packaging challenges by delivering innovative food safety/security and product protection solutions. Our solutions create a more efficient, secure and less wasteful global food supply chain and enhance commerce through fulfillment and packaging solutions to protect the worldwide movement of goods.

Sealed Air appreciates this opportunity to provide comments on the proposed order of the Canadian Environmental Protection Act.

Specifically, Sealed Air Corporation:

- Formally objects to the Proposed Order to list "plastic manufactured items" on Schedule 1 of CEPA. CEPA is not an ideal regulatory framework to apply to leakage of plastic into the environment. This is fundamentally a solid waste issue, not a chemical management issue.
- We question the appropriateness of using the toxic substance provisions of CEPA to enact broad sweeping prohibitions on plastic products and wastes.
- We are concerned that Canada appears to be poised to skip a critical step under CEPA, namely, the development of a scientifically robust risk assessment that presents knowledge of exposures and hazards and integrates these to quantify potential risks to ecological species and human health. The generalized approach to reviewing macroplastics and microplastics in the "Draft Science Assessment of Plastic Pollution" lacks an adequate scientific foundation to support adding "plastics" or "single use plastics" generally as a category under CEPA.
- We are concerned that moving forward with risk management action now could jeopardize public health given the key role that many plastic products play in health care, particularly in light of the expanding global coronavirus crisis. In fact, sanitary single-use plastic medical products and food packaging are on the front lines protecting public health every day.
- Risk to the environment does not come from the item, but from the behavior of consumers, waste management groups and municipalities. While there is a need

to address the fundamental issue around pollution, labelling plastic products as toxic is not the way to address it.

- We believe that aggressive, global and regional public-private commitments and partnerships are in place to drive solutions to plastic waste and marine debris and should be given an opportunity to work.

In closing, we urge the Canadian government to:

- Immediately reconsider the inappropriate use of CEPA to address plastic waste issues and halt the addition of plastic manufactured items as toxic in Schedule 1 of CEPA.
- Fully consult with agencies responsible for the regulation of products where the designation of plastics as CEPA toxic would have a disproportionate impact, such as food packaging, baby formula, medical devices, and other items critical to safety and health.
- Engage with industry and the Canadian provinces to craft an appropriate coordinated provincial approach to our common goals of keeping plastic waste out of the environment.

Environmental laws and regulations should be designed with utmost care to ensure that they are effective in achieving their desired objectives while at the same time avoiding the unintended and unnecessary adverse social and economic impacts. Everyone must do their part to protect the environment and Sealed Air remain dedicated to helping communities and ecosystems flourish worldwide.

We thank you for the opportunity to provide comments on the proposed Order.

Yours sincerely,



Myra H Foster

Global Director, Sustainability Strategy and Advocacy

Sealed Air Corporation