



The mission of OPHA is to provide leadership on issues affecting the public's health and to strengthen the impact of people who are active in public and community health throughout Ontario.

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l'Association pour la santé publique de l'Ontario
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August 30, 2023

Dear Tracey Spack,

RE: Government of Canada consultation. Official title: Share your thoughts: Development of a pollution prevention (P2) planning notice for primary food plastic packaging: Targets for reduction, reuse, redesign, and recycled content. August 2023

The Ontario Public Health Association (OPHA) appreciates the opportunity to provide feedback on the Government of Canada's consultation paper on the development of a pollution prevention (P2) planning notice for primary food plastic packaging¹.

Our members represent community and public health practitioners and associations, as well as allied professionals, with varied mandates and goals including reducing exposures to health hazards, mitigating climate-related health risks, and promoting healthy environments.² Federal actions to reduce plastic waste and prevent pollution, including measures to reduce primary food plastic packaging in-store and throughout the food value chain, are important steps in reducing exposure to health hazards, reducing pollution, including climate pollution, and promoting healthy and sustainable environments.

OPHA supports efforts to reduce plastic waste and pollution, which must include efforts to eliminate the unnecessary use of plastic food packaging as a priority, upstream and health protective measure.

¹ "Primary plastic packaging" means packaging designed to come into **direct contact with the product** (ISO 21067). Examples of primary food plastic packaging include clamshells for baked goods and produce, wrap for vegetables and meat, plastic condiment bottles, and bags of pet food." *Consultation document: Pollution prevention planning notice for primary food plastic packaging. 2023.* <https://www.canada.ca/en/environment-climate-change/corporate/transparency/consultations/consultation-pollution-prevention-planning-notice-primary-food-plastic-packaging.html#toc18>

² Ontario Public Health Standards. 2021. Healthy Environments Program Standard. https://www.health.gov.on.ca/en/pro/programs/publichealth/oph_standards/docs/protocols_guidelines/Ontario_Public_Health_Standards_2021.pdf

Primary food plastic packaging (packaging that comes in direct contact with the food) is an environmental and public health concern from multiple perspectives:

- Recognizing that packaging is a necessary food safety measure for some food items for protection from biological/chemical/physical contamination, **plastic food packaging is also a food safety concern, as the packaging itself can be a source of exposure to harmful chemicals** including polyfluoroalkyl substances (PFAS), phthalates and BPA. As noted in Government of Canada assessments and reports, humans can be exposed to PFAS from various sources including food and food packaging,³ BPA can be found in a range of products including plastic food storage containers and certain food packaging materials,⁴ and phthalates may be used in some food packaging materials.⁵
- **Plastic production requires the extraction of fossil fuels, contributing to greenhouse gas emissions, air pollution and water pollution.** With an estimated 6% of global oil production used in the production of plastics (and plastic packaging representing a quarter of that use)⁶, significant GHG emissions are associated with the production of plastics for food packaging. In addition to GHG emissions, the extraction of fossil fuels is a major source of air and water pollution. As noted in the Chief Public Health Officer's 2022 Report – Mobilizing Public Health Action on Climate Change in Canada, “To ensure continued livability of the planet and reduce harm to our communities, ecosystems and economies, we must act now and continue to reduce emissions...”.⁷
- **Plastic food packaging contributes to food waste and packaging waste.** Packaging can increase food waste when consumers have no choice but to buy larger quantities than they need in pre-packed packaging.⁸ As noted in the consultation paper, plastic food packaging makes up approximately one-third of all plastic packaging in Canada, with half of that being primary food plastic packaging (packaging that comes in direct contact with the food), and most plastic waste ends up in landfills.⁹ According to Statistics Canada's accounting for plastic material, plastic in products disposed of in landfill or incinerated, increased 13% from 2012 to 2019, representing about 105 kg of plastic disposed per person each year.¹⁰

OPHA supports the proposal to require large grocery retailers that use primary food plastic packaging to prepare and implement a Pollution Prevention Plan (P2 Notice) to, among other things, eliminate unnecessary packaging and displace single-use packaging with reuse-refill.

As noted above, plastic food packaging is a concern from a number of environmental, climate and public health perspectives, necessitating urgent action on multiple fronts including reduction and reuse. As noted in

³ Draft State of Per- and Polyfluoroalkyl Substances (PFAS) Report. Environment and Climate Change Canada/Health Canada. May 2023 <https://www.canada.ca/en/environment-climate-change/services/evaluating-existing-substances/draft-state-per-polyfluoroalkyl-substances-report.html>

⁴ Government of Canada. Health Canada. Food Safety. Packaging Material. <https://www.canada.ca/en/health-canada/services/food-nutrition/food-safety/packaging-materials/bisphenol.html>

⁵ Government of Canada. Phthalates. <https://www.canada.ca/en/health-canada/services/chemicals-product-safety/phthalates.html>

⁶ World Economic Forum, Ellen MacArthur Foundation and McKinsey & Company, The New Plastics Economy: Rethinking the future of plastics (2016). <https://ellenmacarthurfoundation.org/the-new-plastics-economy-rethinking-the-future-of-plastics>

⁷ The Chief Public Health Officer of Canada's Report on the State of Public Health in Canada 2022. Mobilizing Public Health Action on Climate Change in Canada. <https://www.canada.ca/en/public-health/corporate/publications/chief-public-health-officer-reports-state-public-health-canada/state-public-health-canada-2022/report.html#sec1>

⁸ WRAP. 2022. Reducing Household Food Waste and Plastic Packaging. <https://wrap.org.uk/sites/default/files/2022-02/WRAP-Reducing-household-food-waste-and-plastic-packaging-Full-report.pdf>

⁹ Government of Canada. 2023. Consultation document: Pollution prevention planning notice for primary food plastic packaging. 2023. <https://www.canada.ca/en/environment-climate-change/corporate/transparency/consultations/consultation-pollution-prevention-planning-notice-primary-food-plastic-packaging.html#toc18>

¹⁰ Statistics Canada. 2022. Pilot Physical Flow Account for Plastic Material, 2019. <https://www150.statcan.gc.ca/n1/daily-quotidien/230309/dq230309e-eng.htm>

the consultation paper, a significant portion of food packaging is single use, with an alarming finding that single-use food and beverage packaging litter found on Canadian shorelines nearly doubled from 15.3% of all litter in 2019 to 26.6% in 2020. A recent Environmental Defence survey of plastic packaging in Canadian grocery stores revealed that 64% of over 40,000 food products scanned were packaged in plastic – with 71% of products in the produce section and 76% of baby food packaged in plastic.¹¹ OPHA concurs with the recommendations from Environmental Defence’s report including recommendations for Governments to ban plastic packaging material that is not recycled at scale and has no prospect of effective and safe recycling, increasing requirements for refill and reuse of retail packaging, urgently assessing classes of chemicals used in food packaging, including bisphenols and phthalates to avoid substitution of one banned chemical with a similar one, and setting high targets for the safe and environmentally-sound recycling of plastic packaging.¹²

OPHA urges the Government to take more proactive steps to require food manufacturers and retailers to demonstrate that food packaging material is acceptable from a food safety perspective.

OPHA recognizes and supports the requirements for all food packaging materials to comply with the safety provisions of the Food and Drugs Act and Regulations¹³, including Division 23 which prohibits the sale of food in a package that could transfer a chemical to the food that may be harmful to the health of the consumer. OPHA has noted in the Government’s State of PFAS Report that the responsibility to ensure compliance with Division 23 lies with the food manufacturer/packager/distributor, with food packaging manufacturers able to “voluntarily seek the opinion of Health Canada regarding the acceptability, from a food safety perspective, of the food packaging materials that they wish to sell to the food industry.”

OPHA urges the Government to take more proactive steps through the P2 Notice for Primary Food Plastic Packaging, or other regulatory mechanisms, to ensure that Canada’s largest grocery retailers are in compliance with Division 23 of the Food and Drugs Act and Regulations. This should go beyond the voluntary action mentioned above, to requirements for the food retailers to demonstrate to Health Canada, and the public, that the food packaging material is acceptable from a food safety perspective.

OPHA supports the main elements of the P2 Notice for primary food plastic packaging to prevent or minimize pollution and waste.

Effective waste reduction measures must optimize health protection, pollution prevention and climate mitigation while minimizing adverse health impacts and social inequities. OPHA agrees with the “factors to consider” in preparing the pollution prevention plan, and recommend that the targeted community (the large grocery retailers) be required to identify how they have considered each of the factors outlined in *section 4.5 – Factors to consider in preparing a P2 plan*, and in particular: “... risk factors which could produce unintended negative consequences relating to the implementation of plastic waste reduction measures, that is, packaging substitutions...:

¹¹ Environmental Defence. 2023. Left Holding the Bag. <https://environmentaldefence.ca/wp-content/uploads/2023/04/Left-Holding-the-Bag-A-Survey-of-Plastic-Packaging-In-Canadas-Grocery-Stores-1.pdf>

¹² Environmental Defence. 2023. Left Holding the Bag. <https://environmentaldefence.ca/wp-content/uploads/2023/04/Left-Holding-the-Bag-A-Survey-of-Plastic-Packaging-In-Canadas-Grocery-Stores-1.pdf>

¹³ Food and Drug Regulations (C.R.C., c.870) Division 23 Food Packaging Materials. **B.23.001** No person shall sell any food in a package that may yield to its contents any substance that may be injurious to the health of a consumer of the food. https://laws-lois.justice.gc.ca/eng/regulations/c.r.c.,_c._870/page-47.html#h-573968

- *adverse health effects of substitute material or processes (for example, release of microplastics and other chemicals into food, carcinogenicity, bioaccumulation, endocrine system disruption)*
- *food waste and loss (that is, while packaging can be a lever for reducing food waste, it can also cause waste when predetermined quantities of perishable foods exceed needs, for example, bundling multiple items of produce, such as bell peppers or mushrooms, in one package)*
- *increased energy intensity requirements*
- *increased GHG emissions*
- *deforestation (increased use of virgin paperboard)*
- *increased pollution (air, water, land)*
- *Canadian employment losses.”*

OPHA recommends that the Government consider measures to ensure that P2 Plans do not increase health and social inequities such as increased food costs and implications from an environmental justice perspective of requiring P2 Plans only for the large grocery chains.

For example, evidence may suggest that persons on low income may be more likely to purchase food at discount retailers rather than one of the large grocery chains.

In closing, OPHA supports the requirements for Pollution Prevention Plans as an important measure to reduce pollution caused by primary food plastic packaging. These Plans must prioritize the elimination of the unnecessary use of plastic food packaging as a priority, upstream and health protective measure, and implementation of systems for reuse/refill of packaging and containers, to replace single-use plastic. To ensure that the P2 Plans target dates, objectives and timelines towards zero plastic waste from primary food plastic packaging are met, OPHA recommends that the Government of Canada measure and report on results including pollution prevention and greenhouse gas reduction metrics.

Thank you for the opportunity to comment on the Government of Canada’s consultation paper: Development of a pollution prevention (P2) planning notice for primary food plastic packaging: Targets for reduction, reuse, redesign, and recycled content.

Sincerely,



John Atkinson, Executive Director

More about the Ontario Public Health Association

OPHA has established a strong record of success as the voice of public health in Ontario. We are a member-based, not-for-profit association that has been advancing the public health agenda since 1949. OPHA provides leadership on issues affecting the public’s health and strengthens the impact of those who are active in public and community health throughout Ontario. OPHA does this through a variety of means including capacity building, research, informing public policy, and knowledge exchange. Our membership represents many disciplines from across multiple sectors.