



Canada's Proposed Order to Add "Plastic Manufactured Items" to Schedule 1 (the Toxic Substances List) of the Canadian Environmental Protection Act (CEPA)

Here's What You Need to Know

Background

On June 10, 2019, the government of Canada announced its intent to take steps to reduce plastic waste, including banning certain single-use plastics as early as 2021. In October 2020, Environment and Climate Change Canada (ECCC) published the final [Science Assessment of Plastic Pollution](#), summarizing the current state of the science about the potential impacts of plastic pollution on the environment and human health. The Assessment is intended to provide guidance on future research and to inform decision-making on plastic pollution in Canada. ECCC also published a discussion paper, [Proposed Integrated Management Approach to Plastic Products to Prevent Waste and Pollution](#), outlining Canada's proposed framework for determining regulatory responses to different types of plastics products, including identifying products to ban in accordance with the June 10, 2019 announcement. The list of products that Canada proposes to ban includes:

- plastic bags
- straws
- stir sticks
- six-pack rings
- cutlery, and
- food packaging and service ware made from hard-to-recycle plastics

In the discussion paper, Canada lists additional single-use plastics that they propose to restrict and/or regulate. Canada's plan to manage plastics also proposes improvements to recovery and recycling of plastic and establishes recycled content requirements in products and packaging.

Classification of "Plastic Manufactured Items" as "Toxic"

On October 10, 2020, Canada published a proposed [Order](#) to add "plastic manufactured items" to Schedule 1 of the Canadian Environmental Protection Act (CEPA), known as the "Toxic Substances List." The proposed Order enables Canadian ministers to propose risk management measures on certain plastic manufactured items to manage the potential ecological risks associated with those items becoming plastic pollution. The Order defines plastic manufactured items as "any items made of plastic formed into a specific physical shape or design during manufacture, and have, for their intended use, a function or functions dependent in whole or in part on their shape or design. They can include final products, as well as components of products."

Canada's comment period on both the discussion paper and the Order closed on December 9, 2020.

Who can I contact if I have questions?

If you think you may be impacted by the proposed bans and restrictions/regulations and have questions or concerns, please reach out to Lauren Schefsky (Office of the Deputy Assistant Secretary for Textiles, Consumer Goods, and Materials) at Lauren.Schefsky@trade.gov