

October 18, 2022

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*Transmission by email: [plastiques-plastics@ec.gc.ca](mailto:plastiques-plastics@ec.gc.ca)*

Dear Ms. Spack,

Following the submission from nine environmental groups on the consultation papers entitled “Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling” and “A proposed federal plastics registry for producers of plastic products,” Health and Environment Justice Support (HEJSupport) and the Canadian Environmental Law Association (CELA) would like to emphasize the recycling issues related to toxic plastic additives.

Many jurisdictions, including Canada, aim to increase plastics' recycling content and develop a circular economy to help reduce waste stockpiling and improve material resource efficiencies.

However, a basic condition for the circular economy to function effectively is tracking materials and their chemical contents at all stages of the material lifecycle. In Canada's approach to plastic recycling and control measures, information on the production volumes and the fate of the plastics along their life cycles, including transparency for the chemical composition of each plastic, must be ensured. It will help Canada to evaluate the progress in fighting plastic pollution and support informed decisions, e.g. on chemical restrictions.

Plastics are complex chemical products. Chemicals, intentionally or unintentionally added to plastics may interfere with recycling operations and the quality and range of uses for recycled plastics. Scientific data shows many chemicals in plastics, including bisphenols, flame retardants, phthalates, PFAS, dioxins, UV-stabilizers, toxic metals are highly hazardous, as they are associated with causing cancer and affecting hormone systems.<sup>1 2</sup> Plastic recycling facility workers and nearby communities are among the most vulnerable to exposure to chemicals in plastics emitted during recycling operations.

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<sup>1</sup> <https://www.endocrine.org/news-and-advocacy/news-room/2020/plastics-pose-threat-to-human-health>

<sup>2</sup> <https://www.sciencedirect.com/science/article/pii/S0753332221011860>

In addition, irresponsible recycling of plastics containing chemicals of concern results in the contamination of new products made of recycled plastic, thus, putting consumers' health at risk. Gaps in information transparency about the presence of toxic substances in the recyclate result in the contamination of plastic materials and products, including food packaging materials, toys, and other products in direct contact with the human body.

Moreover, lack of information transparency about chemicals of concern in plastic materials and products undermines the recycling operations, making recyclers a blind contributor to the contamination of the secondary raw materials. Recyclers cannot test toxic chemicals in the recyclate they produce and can only rely on information about the presence of hazardous substances in the waste they receive to operate. Thus, recyclers, being deprived of such information, unwillingly become producers of contaminated secondary resources and contributors to the recirculation of hazardous substances in new products.

Increasing the recycling content of new products without disclosing information about the presence of toxic substances in recyclate contributes to the contamination problem and jeopardizes health. Non-transparency about chemicals in plastics undermines human rights to health, a healthy environment, and the right to information.

“To eliminate or limit risks of recirculating hazardous plastic chemicals, mandatory transparent sharing of information on constituent chemicals in plastics between all stakeholders along the material and products value chains is necessary. The full application of the polluter pays principle should be applied to ensure that manufacturers, who originally put hazardous chemicals in the product lifecycle, are transparent and provide this information along the value chains, including to consumers and recyclers. Canada should consider supporting binding transparency requirements for chemicals used in plastic production and in plastic materials and products at the national level as well as globally”, says Olga Speranskaya, HEJSupport Co-Director.

“Mandatory and transparent disclosure of toxic additives in plastics should be a foundational element for a circular economy to avoid and reduce unnecessary and harmful impacts associated with toxic substances to the health of the environment and communities from products made from plastics and recycling operations. Canada needs to address the role and impact of toxic additives in the development of its plastic strategy and circular economy otherwise Canada’s approach to plastics perpetuates recycling operations that contribute to circulation of toxic additives in plastic products being released to the environment or impacts to health,” states Fe de Leon, CELA Researcher.

Therefore, it is critical that the federal government set up a mandatory-and-enforced-by-penalties for noncompliance publicly available system and a database to collect information from producers on the additives and hazardous substances used or added to plastic materials and manufactured products, information on their function in materials and products and impact of those additives on human and environmental health. (e.g. hazards, persistence, bioaccumulative, etc.). Information should also include the impact of those additives on safe

and effective recycling collection, processing and production of new products made of recyclates. Manufacturers should be the main contributors of information to the database, while recyclers are mainly the receivers of such information. However, recyclers should also provide information to the database if they use hazardous chemicals as a processing aid.

To start with information collection, manufacturers may be requested to provide information based on the list of typical toxic plastic additives included in the Technical guidelines on the environmentally sound management of plastic wastes discussed at the fifteenth meeting of the Conference of Parties to the Basel Convention in 2021.<sup>3</sup>

To support an effective circular economy, the recycling strategy for Canada should require the use of a single recyclability label for plastic products that will ensure all product components are toxic-free and are safe for recycling. The recycling content included into products should also be toxic-free to avoid misleading messages to consumers and the recirculation of hazardous substances from recycle to new products.

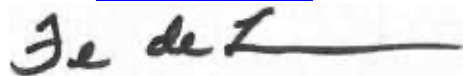
We are available to meet with you to discuss our comments. Thank you for your consideration.

Yours truly,

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<sup>3</sup> <http://www.basel.int/TheConvention/ConferenceoftheParties/Meetings/COP15/tabid/8392/Default.aspx>  
UNEP/CHW.15/6/Add.7/Rev.1