JMC Japan Machinery Center for Trade and Investment

5th October, 2022

Ms. Tracey Spack, Director
Plastics Regulatory Affairs Division
Environment and Climate Change Canada
351 St. Joseph Blvd
Gatineau Quebec K1A 0H3

Dear Ms.Tracey Spack,

Our comments on Consultation paper: Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling(draft)

The Japan Machinery Center for Trade and Investment ("**JMC**") is a non-profit organization. It was established in December 1952 in accordance with the Japanese Export and Import Trade Law under the authorization of the Minister of Economy, Trade and Industry of Japan. The objective of the JMC is to engage in activities that enhance the common benefit of member companies and promote the sound development of international trade and investment by the machinery industry. JMC comprises member companies engaged in machinery and systems-related exports and foreign investments such as machinery manufacturers, trading houses and engineering companies. At present, the total number of JMC member companies is about 240.

Our committee handles environmental and product safety issues regarding products for trade and is strongly concerned with overseas environment- and product safety-related regulations on products. From this standpoint, we would like to comment on Consultation paper: Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling(draft) dated July, 2022.

Rm. 401, Kikai Shinko Bldg., 3-5-8 Shiba-koen Minato-ku, Tokyo 105-0011, Japan
Tel : 81-3-3431-9230 , Fax : 81-3-3436-6455
E-mail : morikawa@jmcti.or.jp
URL : https://www.jmcti.or.jp

JMC Japan Machinery Center for Trade and Investment

If you have any questions, please feel free to contact our secretariat (Mr. Chiaki Morikawa, E-mail: morikawa@jmcti.or.jp)).

Sincerely yours,

Chairman
Environment Law Committee

JMC Japan Machinery Center for Trade and Investment

Our comments on the consultation paper "Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling" (draft)

We, Japan Machinery Center for Trade and Investment, would like to express our gratitude to the Government of Canada for inviting comments regarding consultation on "Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling."

Consultation Paper
Consultation paper: Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling - Canada.ca

We welcome the enhanced recycling and composting of plastics that the Government of Canada is promoting to reduce the environmental impact of plastic waste.

We have been vigorously committed to protecting human health and the environment, to reduce plastic waste worldwide, to voluntarily promote assessment activities that take into account the entire life cycle, and to comply with national regulations.
In particular, we have been active in complying with regulations on plastic waste by a number of countries, including those in Europe and the USA.

With reference to the discussion paper, we believe it is not appropriate to strengthen labelling rules as a means to improve recyclability. In addition, we are concerned about some provisions that make it difficult for producers to comply in practical matters. Tighter labelling rules do not improve recyclability. Recyclability depends on consumer separate collection levels, collection infrastructure, recyclers' equipment/processes/technology, recycling costs, and supply levels of pure recycled plastic. Recyclability for the same packaging waste will have different results depending on the region, the separate-collection infrastructure, and the recycler.

Furthermore, the ban on the "chasing arrows" symbols impedes international market distribution. The "chasing arrows" symbol is a label required in many countries around the world and prohibiting it would cause a disadvantage to Canadian consumers.
From the viewpoint above, based on our previous experience in this area, we are pleased to respond to consultation questions in the Consultation paper: "Towards Canada-wide rules to strengthen recycling and composting of plastics through accurate labelling" and recommend the following comments in light of the results.

1. Our Comments

(1) Marking of the chasing arrow symbol

The "chasing arrow" symbol and similar markings are required by laws and regulations in many countries around the world, and because many models are designed for the global market, banning the use of the "chasing arrow" symbol in Canada would require the creation of a model specifically for Canada. Therefore, it is not practical to exclude the chasing arrow mark only for models intended for Canada.

(2) Labeling requirements for producers

In order to eliminate unnecessary burden on producers, the labeling requirement should be limited to the cases where it will be significantly effective. For example, packaging for B2B products and packaging that is not disposed by general consumers shall be excluded.

(3) Labeling target

The specific requirements of the Government of Canada should be applied to cases of procurement and production within Canada, and it is impractical to apply them to the packaging of imported machinery, and electrical/electronic products with complex supply chains.

(4) Labelling location

Rather than labeling on the package itself, providing information on producers' webpages will be more informative, effective, and will allow for flexibility. The time required to redesign packaging, the impact of implementing a labelling scheme that does not align with that of other regions, and the waste that would develop if sufficient time is not provided to change the packaging should be considered.

(5) Exemption from labelling obligations for packaging that is difficult to label

Labelling requirements shall be exempted for packaging where labelling is difficult (e.g. packaging that has uneven surface, packaging that is too small, etc.)

(6) High recycling rate achieved by narrowing down recyclable targets

High recycling rates could be achieved in Canada by identifying plastic packaging material categories that are recyclable and almost entirely of the same material, and by conducting separate collections for that specific plastic packaging from other plastic packaging.

(7) Expanding the use of recycled materials in plastic packaging

As stated in comment (6), utilisation of recycled materials will only become technically feasible if several separate collection and recycling schemes for the specific plastic packaging are made functional, and high-quality recycled plastic is supplied in several plastic types. Expansion of the use of recycled materials will only be technically feasible when there is a supply of high-quality recycled plastic in those several plastic types. Therefore, priority should be given to ensuring that high-quality recycled plastic is supplied, followed by consideration of setting schedules and recycled material content standards.

(8) Use of the "chasing arrows" symbol (Approach 1, 2, and 3)

Approach 1 is the most feasible. Approach 2 or 3 would prohibit the use of many symbols that are currently used to meet regulatory requirements in different regions.

2. Responses to questions in the consultation

Framing the issues for recyclability labelling

Discussion question 1.

Are there any other objectives the Government should be seeking to achieve as it develops labelling rules for recyclability?

Our reply

Labelling requirements shall be developed with care to minimise the burden on producers. Many products are designed to be distributed globally, so if Canada restricts the use of recycling symbols in other countries or regions, producers will need to design packaging specific to Canada, and this would cause a disadvantage to Canadian consumers.

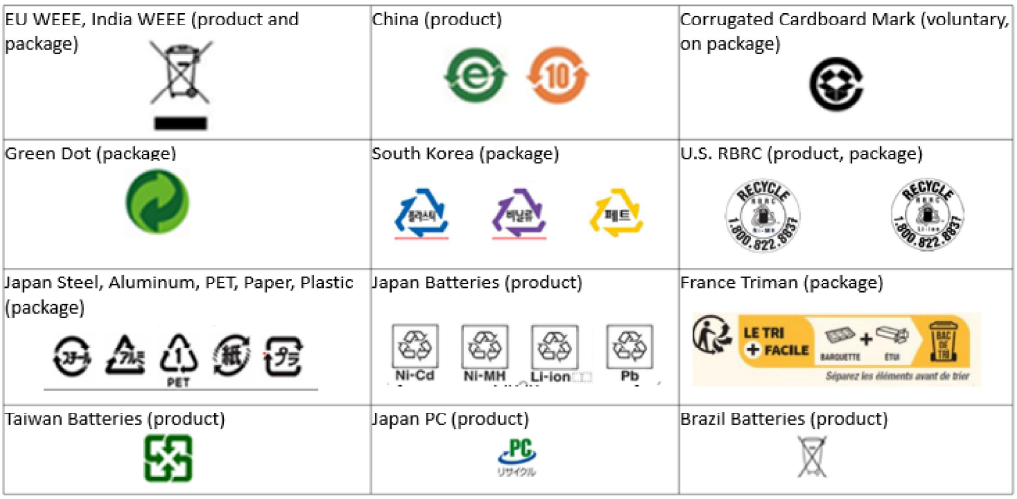
Discussion question 3.

Is the "chasing arrows" symbol commonly used for any other product categories beyond packaging? If so, which product categories? Are there special challenges to affixing a label on some type of packaging (for example, films)? What are they?

Our reply

Many chasing arrows symbols or similar markings are used on products/packaging/documents. Please see examples below. Many of them are markings required by laws or regulations in other

countries or territories. If these symbols or markings need to be removed for products sold in Canada, it would lead to inhibition of international market distribution and cause a disadvantage to Canadian consumers.



In other regions, such as India and Eurasia, the former SPI indication is used.

Discussion question 11.
Could more accurate labels be used in sorting facilities to improve outcomes? If so, how?

Our reply
Using more accurate labels does not improve recycling rates. In order to obtain high-quality recycled plastics, the waste plastics used as raw material must be homogeneous.
Eliminating ‘non-recyclable plastics’ does not lead to high-quality recycled plastics.

In Japan, among plastic packaging materials, only PET bottles for beverages and certain condiments are marked differently from other plastic packaging and collected separately from other plastic packaging.

・Only PET bottles display the former SPI code.

・Other plastic packaging displays common marks

As a result, high recycling rates are achieved only for PET bottles.
https://www.petbottle-rec.gr.jp/english/actual2.html

These experiences suggest that high recycling rates could be achieved in Canada by identifying plastic packaging material categories that are recyclable and almost entirely of the same material, and by conducting separate collections for that specific plastic packaging from other plastic packaging.

・Regarding improvement of the assurance of separate collection, it is necessary to inform citizens instead of relying on marking. Several local authorities in Japan have created applications in foreign languages. See also:
https://www.city.nagoya.jp/en/cmsfiles/contents/0000080/80911/chirashi7.pdf

Expanding the use of recycled materials in plastic packaging
As stated in the above, utilisation of recycled materials will only become technically feasible if several separate collection and recycling schemes for the above-mentioned specific plastic packaging are made functional, and high-quality recycled plastic is supplied in several plastic types. Expansion of the use of recycled materials will only be technically feasible when there is a supply of high-quality recycled plastic in several plastic types.
Therefore, priority should be given to ensuring that high-quality recycled plastic is supplied, followed by consideration of setting schedules and recycled material content standards.

Key elements of recyclability and compostability labelling rules

Discussion question 23.
Are there any limitations or exclusions or additional elements that should be incorporated into these categories included in the scope of application? If so, why?

Our reply
In order to eliminate unnecessary burden on producers, the labeling requirement should be limited to cases where it will be significantly effective. For example, packaging for B2B products and packaging that is not disposed of by general consumers shall be excluded.

Discussion question 24.
Which of the above approaches for the kinds of recyclability claims that should be subject to labelling rules (1, 2, 3) should the Government adopt, and why? Is there another approach the Government should adopt instead?

Our reply
Approach 1 is the most feasible. Approach 2 or 3 would prohibit the use of many symbols that are currently used to meet regulatory requirements in different regions. Please also see the reply to question 3 above.

Discussion question 25.
If an obligatory system is adopted, what should the Government consider in order to minimise burden on industry while maximising environmental outcomes (for example, appropriate timelines, cumulative impacts of different labelling requirements)?

Our reply
In order to minimise costs to industry while maximise environmental outcomes, labelling rules should not be strengthened. Rather, efforts should be made to raise consumer awareness and improve the convenience of sorted-collection infrastructure. Even if labelling rules are changed, the period required to redesign packaging, the impact of implementing a labeling scheme that does not align with that of other regions, and the waste that would develop if sufficient time is not provided to change the packaging should be considered.

In addition, the specific requirements of the Government of Canada should be applied to cases of procurement and production within Canada, and it is impractical to apply them to the packaging of imported machinery, and electrical and electronic products with complex supply chains.

Discussion question 26.

Are there any other kinds of plastic items that may warrant special rules or exemptions from labelling rules under an obligatory system? Why?

Our reply

Labeling requirements shall be exempted for packaging where labeling is difficult (e.g. packaging that has an uneven surface, packaging that is too small, etc.

Discussion question 27.

What should be the minimum standards to ensure consumers can easily access and use information on a label (e.g., size, font, location on the package, text size, required symbols)? Why?

Our reply

Accessibility of labels does not contribute to separate collection. Even if the label is in an easily visible place, consumers do not look at it and do not collect the item separately. Packaging collected separately is limited to items such as PET bottles that can be clearly separated without looking at the label.

Discussion question 29.

Would there be any unintended consequences of prohibiting the use of the “chasing arrows” symbol for any purpose other than to refer to recyclability?

Our reply

Chasing arrows symbols are used on packaging, as they are required in U.S. states and other countries or regions. Many models are designed for the worldwide market, so prohibiting the use of the “chasing arrows” symbol in Canada would inhibit international market distribution and cause a disadvantage to Canadian consumers.

End