

PLAN FOR THE BAN: NEW GUIDANCE RELEASED ON CANADA'S FEDERAL PLASTICS REGISTRY

Posted on November 13, 2024

Categories: [Insights](#), [Publications](#)

The federal government recently published draft guidance (the “**Draft Guidance Document**”) on the Federal Plastics Registry (the “**Registry**”). As more fully discussed in our [previous bulletin](#), the implementation of the Registry, which will impact a wide scope of companies, follows a phased approach. The Draft Guidance Document pertains for the most part only to the requirements of the first reporting deadline on September 29, 2025 (for the 2024 calendar year), which applies to producers of plastics imported, manufactured or placed on market in Canada in the following designated categories: plastic packaging (filled and unfilled), electronic and electrical equipment and single-use or disposable products.

While the Draft Guidance Document includes a discussion of the Registry requirements and several example scenarios which may be helpful for companies trying to better understand the extent of their reporting obligations, it leaves a number of questions unanswered. In particular, it does not provide insights into how residency in Canada is interpreted under the Registry or information on the reporting system being developed. The regulator has indicated that it intends to publish a separate technical document expected to be released by the end of 2024 with respect to the reporting system.

Key information the Draft Guidance Document does provide includes:

- Examples of who would be a defined producer in various supply chain scenarios;
- Confirmation of the requirement of companies obligated to report under the Registry to contact suppliers and customers to gather information on the composition of a product and its end-of-life, respectively; and
- Guidance on methods to calculate data for reporting.

The deadline for comments on the Draft Guidance Document has now closed.

With the Federal Plastics Registry now in effect, companies that manufacture, import, sell, supply, generate, service or manage resins or plastic products in Canada must assess their reporting obligations and begin gathering the necessary information in preparation for the September 29, 2025 reporting deadline. Companies should be aware that certain provinces also require the reporting of information pertaining to plastics as part of

their local extended producer responsibility (EPR) or stewardship programs, which often do not fully align with the information subject to these new federal requirements. Our environmental team at McMillan is available to assist in determining your company's specific obligations under this Notice.

As the federal government continues to move forward with plans to study and reduce the amount of plastic waste generated within its borders, businesses should remain alert to ongoing developments as Canada takes concrete steps towards its objective of zero plastic waste by 2030. We will continue to monitor these proposed measures and provide updates in our "Plan for the Ban" series.

by [Julia Loney](#), [Talia Gordner](#), [Martin Thiboutot](#)

A Cautionary Note

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

© McMillan LLP 2024