



May 18, 2023

Ms. Tracey Spack  
Director Plastics Regulatory Affairs Division  
Environment and Climate Change Canada  
351 St. Joseph Blvd  
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VIA Email: [plastiques-plastics@ec.gc.ca](mailto:plastiques-plastics@ec.gc.ca)

Dear Ms. Spack,

**Re: Consultation – ECCC Technical Paper: Federal Plastic Registry**

On behalf of the Canadian Toy Association and The Toy Association (USA) we are writing in response to Environment and Climate Change Canada's (ECCC) consultation notice on its technical paper for a plastic registry, issued on April 18, 2023.

We appreciate the opportunity to comment on this initiative. The toy industry remains supportive of the government's commitment to mitigate plastic pollution and bolster Canada's extended producer responsibility programs. We want to ensure the government can implement effective policy that will achieve their regulatory goals, while mitigating unforeseen economic and business administration burdens. We are supportive of the basic terms for a federal plastic registry, but the registry needs to be standardized so that the collection of data is consistent across all provincial and territorial EPR regimes. We have broken out our comments as follows:

**Clear Definitions Required:** We believe a federal definition should be applicable nationally. We recognize the jurisdictional issues this may present, but establishing a single definition is of paramount importance toward creating a regime that is consistent, effective, and efficiently applied. Companies will need to establish operational protocols and administrative systems to comply with this new reporting regime. It is important to bear in mind that toy products are predominantly sold across the whole Canadian marketplace and the manufacturers themselves do not determine a selective availability at the provincial or territorial level.

**Scope of Resin for Registry is an Operational Challenge:** Under Section 3.3, ECCC has listed out nineteen different resin types that would be listed under the registry. Conceptually, this might be manageable for most product packaging, but it would be extremely difficult for product manufacturers and importers. In most instances, plastic packaging is made up of one type of resin material. For toy companies and consumer product manufacturers in general, the product itself will consist of multiple types of plastic. In some instances, a consumer product manufacturer may not be able to identify every resin type included.

**Concern with the inclusion of electric toys:** As detailed under Section 3.4, toys have been included under the electronic and electronic equipment category. As we have detailed to ECCC in previous submissions, e-toys are only part of the British Columbia EPR program. E-toys have

been a part of its program for many years as a product category but have not been identified as a significant component of the program. To date, EPRA BC has not made any mention of e-toys in their posted reports, which arguably indicates that there are very small, if any, collection volumes to report. We would anticipate a similar result if such an initiative was implemented nationally. Further, the EPRA BC program has clearly demonstrated the limitation to how they have structured the reporting process off the weight of the SKU, in other words the sold unit that the consumer purchases.

As understood, to comply with the registry obligations ECCC has also proposed that only weight-based data would be required. Tabulating weights of packaging could be considered a straightforward process for some; however, a weight calculation for electric-toys (e-toys) is not at all straightforward. E-toys will vary dramatically in terms of the size and how the electronics have been incorporated into the toy itself. ECCC has not provided any context or noted any limitation to this evaluation within its technical paper. For example, would ECCC envision that companies report just the weight of the e-component (e.g. a small separate component included as a part of the larger non-powered toy that contains an electrically powered LED and/or motor) or the weight of the whole toy set? From our perspective, reporting the whole set will dramatically skew the weight of “electronics” and inaccurately represent the potential for “e-waste” as the remaining part of the toy set is not e-waste at all.

As an example, a manufacturer may have a toy set that consists of several hundred pieces that would weigh approximately 3.0 - 4.0 kg. Amongst those several hundred pieces there might be a single component that includes a button cell battery and LED, weighing only 3.8 g. In the application under the proposed system, the reported e-toy weight for one of these examples could equate to 900 or more times greater than the actual weight of electronics included in the toy. We believe reporting the whole toy set/product will significantly skew the reported weight of “electronics” and will not provide accurate information to ECCC.

We strongly encourage ECCC to either exempt e-toys from this reporting obligation or, at a minimum adjust the reporting requirements to capture only the electronic component(s).

We appreciate your consideration of our comments. As ECCC works to detail out its proposed plastic registry, please do not hesitate to contact us if you have any questions about our comments or industry.

Yours sincerely,



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### **About the Canadian Toy Association and U.S. Toy Association**

The Canadian Toy Association (CTA) has over 100 members consisting of manufacturers, importers and distributors of toys. Many CTA members are small and medium enterprises operating across Canada; however, the bulk of Canadian sales come from larger multinational toy companies, most of which are based in the U.S. The Toy Association is a not-for-profit trade association for producers and importers of toys and youth entertainment products sold in North America. It represents over 950 companies who account for approximately 90% of the domestic U.S. toy market. The mission of our memberships is to bring fun and joy to children's lives and in that mission the safety of young consumers is paramount – it is our industry's number-one priority.