

The Honourable Catherine McKenna
Minister of Environment and Climate Change
House of Commons
Ottawa, Ontario
K1A 0A6

The Honourable Ginette Petitpas Taylor
Minister of Health
House of Commons
Ottawa, Ontario
K1A 0A6

June 5th, 2019

Canada must take immediate regulatory action to tackle plastic waste and marine plastic pollution

Dear Ministers:

We are writing to seek immediate federal regulatory action to address plastic waste and marine plastic pollution.

A number of the undersigned regularly witness the presence of plastic pollution along the coastal waters of British Columbia and see its effects on marine life and ecosystems. Attached to this correspondence are pictures of examples of plastic waste (primarily fishing gear) currently being recovered and stored along British Columbia's coastal waters.

As you are aware, the Philippines and Malaysia are returning shipments of plastic waste sent from Canada for disposal. These events are only the visible tip of a veritable plastic iceberg. According to Environment and Climate Change Canada, Canada's plastics recycling rate is 9%¹. Canada landfills or burns 91% or 2.93 million tonnes of the plastic waste it generates each year while discharging 29,000 metric tonnes to the environment².

Plastic waste is clearly harmful to the environment and biodiversity, both immediately and in the long-term, and there is growing evidence that it may constitute a danger to human health.

Canada's failure to recycle plastics results in over 1.8 million metric tonnes of greenhouse gases³ as more plastic is made to replace what is lost to landfills, incinerators (thus adding even more greenhouse gases), rivers, lakes and oceans, or what is shipped to unwitting developing nations. Carbon dioxide – the primary air pollutant generated in the manufacturing of plastics – is designated as a toxic substance because of its contribution to climate change, yet Canada is doing nothing to mitigate it by increasing plastics recycling.

There are many pictures of dead birds, fish, marine mammals and reptiles having ingested plastics or been entangled by them. Equally abundant is clear scientific evidence that these pictures are not isolated incidents and that plastics in aquatic environments are harmful to the environment and biodiversity.

¹ 2018 Deloitte Touche Tohmatsu Limited for Environment Canada and Climate Change

² Ibid. Ref. 1

³ Ibid. Ref. 1

A meta-analysis and systematic review of data from 139 lab and field studies by researchers at the University of Toronto⁴ concluded, “...that there is evidence that plastic pollution of all shapes and sizes can affect organisms across all levels of biological organization. There is no doubt that plastic pollution can have an impact on wildlife, and there is compelling evidence suggesting macroplastics are already impacting marine populations, species, and ecosystems.”

On May 21st 2019 the European Union ratified its Directive, “on the reduction of the impact of certain plastic products on the environment”⁵, noting in it that:

In the Union, 80 to 85% of marine litter, measured as beach litter counts, is plastic, with single-use plastic items representing 50% and fishing-related items representing 27% of the total. Single-use plastic products include a diverse range of commonly used fast-moving consumer products that are discarded after having been used once for the purpose for which they were provided, are rarely recycled, and are prone to becoming litter. A significant proportion of the fishing gear placed on the market is not collected for treatment. *Single-use plastic products and fishing gear containing plastic are therefore a particularly serious problem in the context of marine litter, pose a severe risk to marine ecosystems, to biodiversity and to human health and damage activities such as tourism, fisheries and shipping* [emphasis added].

Microplastics often result from the degradation of larger pieces of plastics. As noted by the Group of Chief Scientific Advisors to the European Commission, “*Growing scientific evidence on the hazards of the uncontrolled, irreversible, and long-term ecological risks due to microplastics do exist for some coastal waters and sediments. Scientists predict that, if emissions to the environment continue at the current rate or increase, ecological risks could be widespread within a century.*”⁶

Microplastics ingested by fish are ingested by people eating fish. While the EU Chief Scientific Advisors note that, “the currently-available evidence suggests that microplastic pollution at present does not pose widespread risk to humans or the environment...”, they stress that, “*there are significant grounds for concern and for precautionary measures to be taken* [emphasis added]”.

There is more than enough supporting scientific evidence to justify immediate federal action to regulate plastic pollution and waste. In summary:

- There is clear evidence of the greenhouse gas emissions associated with wasting plastic,
- There is incontrovertible evidence of the effect of macroplastics on the environment and aquatic life; and
- There is a consensus regarding the need for precaution with regard to microplastics.

Given the clear case for action, Canada must regulate plastic waste to:

- **Require producers** of products containing plastics or using plastic packaging **to use recycled plastics** in the production of new products and packaging, thus creating demand for recycled plastics;

⁴ Personal communication with Dr. Chelsea Rochman, Assistant Professor Department of Ecology and Evolutionary Biology, University of Toronto.

⁵ [Council adopts ban on single-use plastics](#) Press release. European Union May 21st 2019. Directive [text](#)

⁶ Scientific Advice Mechanism (SAM) Independent Scientific Advice for Policy Making *Environmental and Health Risks of Microplastic Pollution* Group of Chief Scientific Advisors. Scientific Opinion 6/2019) Brussels, 30 April 2019

- **Ban single-use plastic items**, such as plastic bags and straws, **that are not collected or recycled, despite best efforts by citizens, and which end up as plastic pollution in aquatic environments;**
- **Require producers of products containing plastics or using plastic packaging to collect and recycle a wide plastic wastes** ranging from single-use packaging to fishing gear to those found in electrical and electronic products. Extended Producer Responsibility (EPR) is the most effective way to ensure collection and recycling of plastics and prevent the export of mixed plastic wastes to developing countries; and
- **Require mitigation of microplastic discharges from textiles.**

To regulate plastics Canada must invoke the *Canadian Environmental Protection Act 1999* (CEPA). There is a clear case for Canada to immediately add all plastic waste (any plastic generated as a waste or discharge from the use or disposal of products or packaging containing plastic) to Schedule 1 of CEPA thus enabling the government to take action.

Accordingly, we ask you, the responsible ministers under CEPA, to invoke Section 90 and recommend that the Government of Canada add plastic waste to Schedule 1.⁷ This must be followed by the regulatory actions outlined above.

As you know, on December 22, 2018, Motion 151 passed unanimously in the House of Commons. It calls for, among other things, the regulation of single-use plastics, the development of a plan to clean-up derelict fishing gear and marine debris, and the regulation of EPR. Since then, the Government of Canada has taken no regulatory action on plastic waste.

Given the scope and scale of plastic pollution, the broad public support for immediate action, and the fact that the European Union has already taken extensive regulatory action, the time to act is now.

We look forward to discussing these issues further with you.

Warm Regards,

The undersigned;



Michelle Hall, Vice President
Surfrider Foundation, Canada



Chloé Dubois, President
The Ocean Legacy Foundation



Vito Buonsante
Plastics Program Manager
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Linda Nowlan
Staff Lawyer and Marine Program Lead
West Coast Environmental Law



Beatrice Olivastri, CEO
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⁷ This is consistent with Ecojustice's submission of May 7th 2019 to the Standing Committee on Environment and Sustainable Development.



Karen McAllister
Director, Pacific Wild Alliance



Paul Grey, President
BC Marine Trails



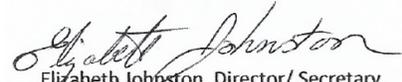
Capt Josh Temple, Founder
Coastal Restoration Society



Locky Maclean, Director
Sea Shepherd Conservation Society



Karla Robison, Marine
Debris Specialist
Greenwave



Elizabeth Johnston, Director/ Secretary
Association for Denman Island Marine Stewards

cc.

The Right Honourable Justin Trudeau, Prime Minister of Canada
The Honourable Jonathan Wilkinson, Minister of Fisheries, Oceans and the Canadian Coast Guard