

July 21, 2025

Marc Peverini
Resource Recovery Policy Branch
Ministry of Environment, Conservation and Parks
40 St. Clair Avenue West, 8th Floor
Toronto, ON M4V 1M2

Re: Amendments to the Resource Recovery and Circular Economy Act, 2016 (ERO 025-0536)

Dear Mr. Peverini,

Ontario Greenhouse Vegetable Growers (OGVG) welcome the government's efforts to amend the *Resource Recovery and Circular Economy Act, 2016*, to better align with the realities faced by producers, including brand holders, importers, and retailers. Changes to the *Resource Recovery and Circular Economy Act* must reflect the reality that producers and brand owners in the agri-food sector have little, or no, influence on packaging material selection, size, or cost. Packaging in the fruit and vegetable sector is dictated by food safety regulations and measures to ensure the viability and freshness of the product for consumers. Maintaining food safety, cost competitiveness and affordability are pressing concerns for the greenhouse vegetable sector, which has seen 5% annual growth over the last decade and now contributes \$2.7 billion in farmgate revenues. OGVG represents 170 farming families managing over 4,300 acres of tomatoes, peppers, and cucumbers, supporting more than 35,000 high-quality jobs across Ontario's agri-food value chain.

A complete exemption of food packaging from the *Resource Recovery and Circular Economy Act* would be preferred to respect packaging requirements in the fruit and vegetable sector arising from food safety requirements. Full exemption would align with regions such as California where food packaging is exempted from the Rigid Plastic Packaging Container Program under Section 14 CCR § 17946.5(a)(2) of the California Code of Regulations. Only full exemption would appropriately reflect the reality that producers and brand owners in the agri-food sector have little, or no, influence on packaging material. The exemption would further respect challenges with contamination of packaging by food which prevents recycling without imposing significant costs for limited waste diversion gains.

Barring complete exemption, the duplications and bureaucracy of the program can be reduced by applying all fee collection to the retailer level where a mechanism exists for attribution and potentially collection. Greenhouse fruit and vegetable producers and brand owners exist in a complex landscape of interprovincial and international trade where packaging ownership and control can be difficult to attribute. While some farms operate brands, many sell products packaged and branded under a private retailer label or are packaged under agreements with one or more brands who own the packaging. Many farms and brand owners also bear indirect financial pressures from upstream partners who pass down compliance costs. Due to the complex supply chains, some producers and brand owners provide duplicate

payments in other jurisdictions as the final point of sale of their products is not always known. Shifting all fee collection to the retailer would recover more costs while reducing administrative burdens on all businesses while providing a more equitable approach to the existing revenue-based model based on volumes.

Exempting food contact packaging, or placing fee collection on the retailer, does not exempt agri-food businesses from the blue box collection from recycled waste generated within the business. It is essential that the government follows through on changes to the regulations that require PROs to make an offer to municipalities or other specified entities to service small businesses to avert environmentally and financially unreasonable burdens on small businesses.

Improvements to the *Resource Recovery and Circular Economy Act* would:

- Preferably exempt all food contact packaging to align with and respect realities that greenhouse fruit and vegetable producers have limited influence on packaging materials.
 - Alternatively collect all fees at the retailer level where a mechanism exists for attribution and collection.
- Transition to a supply-based cost approach as a more accurate and equitable cost recovery model than the existing revenue-based model.
- Require PROs to make an offer to municipalities or other specified entities to service small businesses

OGVG members look forward to further government refinements of the regulations to ensure flexibility, fairness, and accountability across the supply chain and remove red tape, regulatory burdens, and duplication. Greenhouse producers and brand owners have limited influence on packaging material selection, size, or cost to ensure food safety and quality. We encourage the government to consider removing reporting and accounting redundancy through collection at final sales to eliminate the nearly impossible tracking and reporting of packaging causing duplication, and reporting inaccuracies for interprovincial trade. Ultimate, we urge consideration of a full exemption for direct food contact packaging required to maintain food security and would welcome the opportunity to work collaboratively on these improvements.

Sincerely,



Richard Lee
Executive Director