

NAVIGATING THE FEDERAL PLASTICS REGISTRY

A Guide for Fresh Produce Stakeholders

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This document provides guidance for fresh produce brand owners and importers on how to navigate the Phase 1 reporting requirements of the Federal Plastics Registry (FPR). The first reporting deadline is September 29, 2025, for data from the 2024 calendar year¹.

UNDERSTANDING PHASE 1 REPORTING OBLIGATIONS

Phase 1 of the FPR requires producers to report on plastic they place on the Canadian market in specific categories, including "Plastic Packaging". For the fresh produce sector, this primarily involves reporting on items like clamshells, bags, wraps, and other containers used for packaging fruits and vegetables.

Who is Obligated to Report?

The reporting obligation falls on the "producer". In the context of the plastics registry, the producer is typically the brand owner, if they reside in Canada. If the brand owner is not a resident of Canada, the obligation shifts to the first person in Canada to import or manufacture the product. The following diagram outlines how "Producer" is considered:



OBLIGATED REPORTERS – PRODUCERS

Producers are defined as:



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¹ The following references to Environment and Climate Change Canada should be referenced:

1. Federal Plastics Registry: [Federal Plastics Registry - Canada.ca](https://www.ec.gc.ca/plastics-registry)
2. Guide for reporting on Phase 1: [Guide for reporting to the Federal Plastics Registry – phase 1 - Canada.ca](https://www.ec.gc.ca/plastics-registry)

What Information Must Be Reported?

For Phase 1, producers of plastic packaging must report the following for plastics destined for the residential waste stream:

- **Category and Subcategory:** For example, "Packaging; filled; flexible; food contact".
- **Resin Type(s):** Identified using the North American Product Classification System (NAPCS) code.
- **Resin Source(s):** E.g., Virgin fossil-based resin, post-consumer recycled resin. If the source is unknown, it should be reported as virgin fossil-based resin.
- **Quantity in Kilograms (kg):** The total weight of each plastic resin must be reported for packaging that is:
 - Manufactured in Canada.
 - Imported into Canada.
 - Placed on the market in Canada, with a breakdown for each province and territory.
- **Calculation Method:** The method used to determine the quantities must be identified.

Exemption for Small Producers (*De Minimis*)

Entities that manufacture, import, or place less than 1,000 kg (1 tonne) of plastic products or packaging on the market per year are exempt from reporting requirements. This threshold is based on the weight of the plastic only, not the total weight of the product, and must be calculated annually based on national data.

SELECT SCENARIOS FOR FRESH PRODUCE STAKEHOLDERS²

The requirement to report on the federal plastics registry is dependent on the packaging scenario for fresh produce stakeholders. Leading scenarios are provided to assist with determining a member's course of action. Examples in practice are also provided to assist with determining which scenarios apply to them.

A. Domestic Brand Owner (Resident in Canada)

If you are a brand owner residing in Canada, you are considered the producer and are responsible for reporting.

1. Using Domestically Sourced Packaging

² Please contact dduguay@cpma.ca if your particular scenario is not represented or supported by the select scenarios provided.

- **Your Obligation:** As the brand owner, you must report on the **filled packaging** that you place on the Canadian market under your brand name.
- **Who Reports the Unfilled Packaging?** You do not need to report the purchase of empty packaging from your Canadian supplier. The Canadian company that manufactures the packaging is the obligated party responsible for reporting on the **unfilled packaging** they manufactured and sold to you.
- **Action Required:** Collaborate with your Canadian packaging supplier to obtain the necessary data (resin types, weights, composition) for your reporting on the filled packaging.

2. Using Foreign-Sourced Packaging

- **Your Obligation:** As the Canadian brand owner who is also the importer of the packaging, you are the producer. You have a dual reporting duty. You must report on:
 1. The **unfilled packaging** that you import into Canada.
 2. The **filled packaging** that you subsequently place on the Canadian market.
- **Action Required:** You are required to provide information to which you can be reasonably expected to have access. This means you must contact your foreign packaging suppliers to get detailed information about the plastic composition and weight of the packaging you import.
- **Helpful Resource:** The government has created a "Foreign Supplier Letter" to help Canadian businesses obtain the necessary information from their suppliers to comply with the FPR. You can request this letter by emailing RFP-FPR@ec.gc.ca, or by visiting: <https://rfp-fpr.ec.gc.ca/en/resources/>.

B. Foreign Brand Owner (Not Resident in Canada)

If your company is not resident in Canada, you do not have a direct obligation to report to the FPR. The responsibility falls to the Canadian-resident entity that first imports or manufactures the product.

1. Using Domestically Sourced Packaging (via a Canadian Packer/Distributor)

- **The Obligated Producer:** Since you (the brand owner) are not in Canada, the producer is the first resident person to supply the product. This would be your Canadian partner who packages the fresh produce and places it on the market. That Canadian packer/distributor is obligated to report on the **filled packaging**.
- **Who Reports Unfilled Packaging?** The separate Canadian company that manufactured the empty packaging reports on the **unfilled packaging** they sold to your packer/distributor.
- **Action Required for Foreign Brand Owner:** While you don't report directly, your Canadian partner

will rely on you for accurate product information. Be prepared to support their compliance efforts.

2. Using Foreign-Sourced Packaging (Imported as Pre-Packaged Goods)

- **The Obligated Producer:** The foreign brand owner is not obligated to report. The reporting responsibility falls to the **Canadian importer**—the first resident entity that brings your pre-packaged fresh produce into Canada and places it on the market.
- **The Importer's Obligation:** The Canadian importer must report on the ***filled, packaged product*** they import and place on the Canadian market.
- **Action Required for Foreign Brand Owner:** Your Canadian importer cannot comply with the FPR without your cooperation. You have an important role in providing accurate information on the identities, sources, and quantities of plastic resins in your packaging. Failure to do so may put your Canadian business partner out of compliance. It is recommended to proactively provide this data or respond to requests from your Canadian importers. They may provide you with the Government of Canada's "Foreign Supplier Letter" to facilitate this exchange.

EXAMPLES IN PRACTICE

Example 1: Domestic Producer of Berries in PET Clamshells

- **Scenario:** A Canadian berry grower ("Berry Co.") packages its fruit in rigid PET clamshells purchased from a Canadian packaging manufacturer. Berry Co. sells these to retailers across Canada.
- **Obligation:** Berry Co. is the domestic brand owner and is obligated to report on the *filled* clamshells it places on the market.
- **What to Report:**
 - Berry Co. must first determine the total weight (in kg) of all the PET clamshells it placed on the market in the reporting year. This may involve asking the packaging supplier for the exact weight per clamshell and multiplying it by the number of units sold in Canada.
 - They must also ask their supplier for the resin source (e.g., virgin, or % of post-consumer recycled content).
 - In their report, Berry Co. will submit a line item for:
 - **Category:** Packaging.
 - **Subcategory:** Filled - Rigid, food contact.
 - **Resin Type:** 2811211 - Polyethylene terephthalate (PET) resins.

- **Resin Source:** e.g., Post-consumer recycled resin.
- **Quantity Placed on the Market:** The total kg of PET, with a breakdown by province/territory.
- **Calculation Method:** e.g., Specific Component Identification Method.

Example 2: Domestic Producer of Salads in Mixed-Material Bags

- **Scenario:** A Canadian company ("Salad Co.") packages its salads in flexible bags imported from a supplier in the United States. The bags are a multi-layer product made of woven polypropylene (PP) with an inner layer of low-density polyethylene (LDPE) for sealing and food contact.
- **Obligation:** As a domestic brand owner importing its packaging, Salad Co. is obligated to report on both the *unfilled* bags it imports into Canada AND the *filled* bags it places on the Canadian market.
- **What to Report (A Multi-Resin Approach):**
 - Producers must report on *each type of plastic* in their products separately. Salad Co. cannot simply report the total weight of the bag; it must report the weight of the PP and LDPE components as separate line items.
 - **Data Sourcing is Key:** Salad Co. must contact its U.S. supplier to get a detailed specification sheet ("bill of materials") that breaks down the exact weight of PP and LDPE per bag.
 - **Report for Unfilled Imported Bags:** Salad Co. would submit two line items for the total weight of bags imported: one for the total kg of the PP component and one for the total kg of the LDPE component.
 - **Report for Filled Bags Placed on the Market:** Salad Co. would submit another two line items for the bags it sold in Canada.
 - **Line 1 (Polypropylene):** Total kg of the PP component placed on the market, broken down by province.
 - **Line 2 (Polyethylene):** Total kg of the LDPE component placed on the market, broken down by province.
 - Each of these entries will require the Category, Subcategory, Resin Type (PP or LDPE), Resin Source, Quantity, and Calculation Method.

HOW TO REPORT

Reporting must be completed using the government's official online portal.

- **Access the Portal:** All data must be submitted through the online reporting system designed for the FPR.
- **Registration:** You will need to register your company in the system and provide the required administrative information.
- **User Guides:** To help navigate the platform, Environment and Climate Change Canada has prepared several user guides. These are available upon request by emailing RFP-FPR@ec.gc.ca, or by visiting: <https://rfp-fpr.ec.gc.ca/en/resources/>.
- **Third-Party Reporting:** You can designate another person, such as a Producer Responsibility Organization (PRO), to report on your behalf. This designation must be made within the online portal. However, as the producer, you remain ultimately responsible for ensuring the report is accurate and submitted on time.
- **Certification:** All submitted reports must include a statement of certification, which confirms that the information provided is true, accurate, and complete.

REQUESTING AN EXTENSION

The reporting deadlines for the Federal Plastics Registry are legally mandated under the *Canadian Environmental Protection Act, 1999* (CEPA).

- **Fixed Deadline:** The deadline for Phase 1 reporting is September 29, 2025.
- **Extensions:** The provided guidance documents do not contain any information about a process or provision for requesting an extension to the reporting deadline. **However, ECCC officials have since indicated that extensions can be requested via email at RFP-FPR@ec.gc.ca.**³
- **Penalties for Non-Compliance:** Reporting is mandatory. Entities that fail to report, do not report on time, or knowingly submit false information could face penalties under CEPA, including significant fines.

Given the legal requirement and lack of a formal extension process, all obligated producers should prioritize gathering their data and submitting their reports well in advance of the September 29th deadline.

³ Additional Guidance as of September 2025: *As per subsection 46(6) of the Canadian Environmental Protection Act (1999) (CEPA), the Minister may extend the date within which a person must comply with the Section 46 Notice for the Registry.*

To request an extension for the Phase 1 reporting deadline (September 29, 2025) you must submit an official letter (must be emailed to the FPR generic email account), on your organization's letterhead, and signed by an official including their job title. The extension request letter must include the organization's legal name, business number, civic address, the reasons for requesting an extension and the actual date you are requesting the deadline be extended to.

Extension will be granted based on the following criteria:

1. *Technical issues with the Registry's online reporting platform.*
2. *Organizational restructuring (e.g., divisional restructuring).*
3. *Unforeseeable circumstances (e.g., natural disasters, medical emergencies).*
4. *The organization requires additional time to conduct calculations or validate data accuracy.*

Environment and Climate Change Canada will review the request to ensure it completeness and render a decision on whether an extension should be granted in 10 business days.