November 9, 2026

Bureau of Chemical Safety
Food and Nutrition Directorate
Health Products and Food Branch
Health Canada

Via: fpm-mea@hc-sc.gc.ca (*titled:* Food Packaging Consultation)

Re: Consultation on Proposed Food Packaging Framework

Dear Sir/Madam:

The Canadian Produce Marketing Association (CPMA) appreciates the opportunity to provide comments on Health Canada's proposed food packaging framework.

CPMA supports Health Canada's objective of protecting Canadians and maintaining effective, science-based oversight of food-contact materials. At the same time, any new framework should be proportionate to demonstrated food-safety risks, practical to administer across complex food supply chains, and designed to avoid unintended impacts on food availability, affordability, sustainability, innovation and trade.

Our comments have been informed by input from CPMA members and produce-sector stakeholders.

About CPMA

The produce industry generates over $15 billion annually in economic activity throughout the supply chain and supports over 185,400 jobs across Canada. Based in Ottawa, CPMA is a not-for-profit organization representing companies active in the marketing of fresh fruit and vegetables in Canada, from the farm gate to the dinner plate, spanning the entire produce industry. The Association's members include major growers, shippers, packers and marketers; importers and exporters; transportation and logistics firms; brokers, distributors and wholesalers; retailers and foodservice distributors; and fresh cut operators and processors. Founded in 1925, CPMA is proud to represent over 900 domestic and

international members who are responsible for 90% of fresh fruit and vegetable sales in Canada.

Key Considerations

Food packaging is integral to this supply chain. It protects food, supports food safety, extends shelf life, facilitates transportation and handling, provides information to consumers, and can help reduce food loss and waste.

Unlike many shelf-stable products, fresh fruits and vegetables are highly perishable and move through supply chains within narrow operational and seasonal windows. Packaging requirements can also change because of commodity needs, growing regions, retailer specifications, seasonality, export markets and evolving sustainability requirements. The Health Canada consultation document similarly notes that produce packaging changes frequently because of seasonal sourcing, retailer specifications and sustainability transitions, and that approval delays could contribute directly to product loss.

These realities should be reflected in the design of any future food packaging framework.

Clearly Define the Risk Being Addressed

CPMA believes that a foundational issue remains insufficiently clear: what specific existing or emerging food-safety risks is the proposed framework intended to address?

Health Canada should more explicitly identify whether its concerns relate to one or more of the following considerations:

- packaging raw materials;
- additives, inks, adhesives or other chemical constituents;
- processing or manufacturing methods;
- incorporation and sourcing of recycled content;
- migration associated with food-contact applications;
- emerging packaging technologies;
- specific conditions of use; or
- some combination of these factors.

This is important because the appropriate regulatory response depends on the nature and magnitude of the risk.

CPMA's comments below therefore assume that the risks being addressed are general and broadly applicable across food-contact materials. Our recommendations could change

materially if Health Canada identifies specific substances, applications, exposure pathways or packaging technologies presenting demonstrated or emerging risks.

This concern is shared by other stakeholders, highlighting the need that Health Canada first identify food-safety risks not adequately addressed through existing authorities and demonstrate how additional requirements would materially improve food safety. Health Canada is strongly encouraged to clearly define the regulatory gap and risks before establishing additional notification requirements.

Apply a Proportionate, Risk-Based Approach

A future framework should differentiate between long-established materials with well-understood safety profiles and genuinely new or higher-risk applications.

Existing materials, existing conditions of use, materials covered by previous favourable Health Canada assessments, and materials assessed by trusted international regulators should not face the same level of review as novel materials or applications presenting plausible new exposure or migration risks.

This would allow Health Canada to concentrate regulatory resources where they provide the greatest food-safety benefit while limiting unnecessary costs and delays.

Maintain Flexibility and Avoid Unnecessary Regulatory Burden

CPMA supports enhancing access to reliable food-packaging safety information but encourages Health Canada to consider whether this objective can be achieved through a strengthened, guidance-based knowledgebase coupled with targeted risk-based requirements rather than a rigid positive-list system.

Select fresh produce grower organizations have specifically cautioned that additional administrative obligations can ultimately increase packaging costs and affect the viability of growers operating in a price-taker market. Consequently, growers recommend a voluntary, guidance-based knowledgebase rather than mandatory notification, evaluation or positive-list requirements

Place Responsibility where the Technical Information Resides

Notification responsibility should generally rest with the entity possessing the information Health Canada requires, rather than automatically with the grower, packer, importer, food manufacturer or retailer placing the food on the market.

In many cases, technical information on resins, additives, inks, coatings, adhesives and manufacturing processes resides farther upstream and may constitute confidential business information.

CPMA therefore supports a single-notification/reference-number model under which the appropriate supplier submits technical information once and downstream companies may reference the resulting notification number. This approach is strongly reflected in member input.

For reusable packaging systems, the same principle should apply: established pooled systems should not require growers and other users repeatedly to submit identical composition and compliance information.

Recognize Existing Assessments

Existing favourable Letters of No Objection and other Health Canada assessments should be grandfathered into the knowledgebase without requiring reassessment unless there has been a material change in composition, manufacturing process or condition of use.

Where appropriate, Canada should also recognize credible assessments conducted by the U.S. FDA and other trusted jurisdictions. This is particularly important within highly integrated North American fresh produce and packaging supply chains. For example, approximately 85 per cent of Ontario greenhouse vegetable production is exported to the United States.

Enable Recycled-Content Innovation

The framework should provide clear and predictable requirements for recycled food-contact materials rather than inadvertently discouraging their adoption.

As such, it is recommended that a nationally consistent testing approach for post-consumer recycled plastic be established and aligned, where feasible, with other guidance (e.g., U.S. FDA recycled-plastics guidance), as well as recognition of approved recycling processes within the knowledgebase.

Protect Confidential Business Information

Suppliers should be able to provide proprietary composition information directly to Health Canada without being required to disclose formulations throughout the downstream supply chain or publicly.

Downstream Canadian companies may not possess detailed formulation data; it is therefore recommended that mechanisms allow suppliers to submit confidential information directly to Health Canada.

Consider Broader Food-System Consequences

Packaging decisions cannot be considered solely through the lens of chemical composition. For fresh produce, packaging can affect shelf life, physical protection, contamination risk, food loss and waste, affordability, transportation, product availability and market access.

Health Canada's framework should be sensitive to avoiding creating circumstances where reducing one potential packaging risk results in larger unintended food-system, environmental or economic impacts.

Responses to Health Canada's Consultation Questions

Who should submit notifications?

CPMA recommends that the party best positioned to possess and substantiate the required technical information should be the primary notifier.

Depending on the material, this may be the resin producer, additive supplier, packaging-material manufacturer, converter or another upstream supplier.

Downstream companies should be permitted to reference an existing notification number rather than resubmit the same technical information. A single FCM should not generate multiple notifications simply because it is used by multiple growers, packers, importers, food companies or retailers.

This approach would reduce duplication, improve data quality and better protect confidential business information.

When should notifications be submitted?

CPMA recommends a risk-based timing model.

Pre-market notification or assessment should be focused on genuinely novel materials, novel food-contact technologies, materially changed formulations or conditions of use, and other applications presenting a risk that has not previously been assessed.

Established materials appearing in the knowledgebase should not face a lengthy pre-market process. A notification after distribution, within an appropriate prescribed period,

could provide Health Canada with visibility without unnecessarily interrupting supply chains.

What should be included in the knowledgebase?

CPMA supports a transparent, searchable and regularly updated knowledgebase containing sufficient information to allow companies to determine whether a material and its intended conditions of use have already been assessed.

As appropriate, this could include:

- material and food-contact application;
- relevant conditions of use;
- regulatory or assessment status;
- applicable Health Canada LONO determinations;
- recognized international assessments;
- relevant migration limits or safety criteria;
- approved recycled-material processes or eligibility;
- applicable functional-barrier considerations;
- effective dates and revision history; and
- a unique notification/reference number.

The knowledgebase should provide useful regulatory certainty **without disclosing confidential formulation information**.

Operational and quantitative information

CPMA represents a large and diverse national supply chain and is not positioned to provide reliable aggregate estimates for the number of individual FCMs, formulations, suppliers, substances or packaging configurations used by member companies.

Fresh produce packaging varies considerably according to commodity, growing region, season, packaging functionality, retailer, importing or exporting market and supplier.

We therefore recommend that Health Canada obtain these quantitative and operational data through targeted engagement with packaging manufacturers, resin and chemical suppliers, converters, recyclers, food companies and other organizations possessing the relevant information.

Health Canada should be cautious about extrapolating regulatory requirements from aggregate estimates where the underlying applications and risk profiles are materially different.

Additional matters for clarification

Before advancing a mandatory framework, CPMA also encourages Health Canada to clarify:

1. the **specific risk or regulatory gap** the framework is intended to address;
2. how requirements will differ according to risk and exposure;
3. treatment of existing LONOs and other favourable Canadian assessments;
4. recognition of U.S. FDA and other credible international assessments;
5. treatment of imported food and imported packaging;
6. treatment of Canadian products produced for export;
7. protection of confidential business information;
8. treatment of reusable and closed-loop packaging systems;
9. treatment and testing requirements for post-consumer recycled content;
10. how functional barriers will affect notification requirements;
11. service standards and timelines for Health Canada reviews; and
12. how duplicate reporting across federal programs will be avoided.

The importance of avoiding duplication with federal plastics reporting cannot be over-emphasized, keeping technical material reporting away from growers and marketers, and clarifying the treatment of imports and exports.

SUMMARY | Fresh Produce Industry Considerations

1. Fresh Produce Relies on Diverse Packaging Formats

Fresh produce utilizes hundreds of packaging configurations and compositions across thousands of commodities which is driven by, seasons, buyer specifications, import & export countries, and marketing programs. A notification system based on individual FCMs could create a substantial administrative burden, particularly where packaging differs only marginally between products or suppliers.

2. Responsibility Should Rest Closest to Packaging Composition Knowledge

Food manufacturers, importers, and retailers often do not possess the detailed chemical composition information contemplated under the proposal. Packaging manufacturers are best positioned to provide substance-level data.

3. Confidential Business Information Must Be Protected

The framework contemplates submission of chemical composition information for all FCMs. Many packaging formulations contain proprietary information that may not be available to downstream users. Appropriate mechanisms for confidential business information (CBI) protection will be critical.

4. International Harmonization is Essential

Health Canada notes stakeholders previously encouraged international harmonization. The fresh produce sector relies heavily on North American and global supply chains. Requirements that differ significantly from U.S. FDA, EFSA, or other major jurisdictions could increase costs, reduce packaging availability, and create barriers to trade.

5. Existing LONOs and International Approvals Should Be Leveraged

The proposed knowledgebase should incorporate existing Canadian LONOs and recognized international food-contact evaluations to avoid unnecessary duplication and re-assessment. A system of incorporation-by-reference, similar to the Safe Food for Canadians regulations, should be made available to industry.

6. Recycled and Alternative Packaging Innovation Should Not Be Discouraged

The proposal is partly driven by increasing use of recycled plastics and alternative materials. The fresh produce industry requires flexibility to test and adopt innovative packaging solutions without creating lengthy approval timelines that discourage sustainability investments.

7. Cost Impacts Ultimately Affect Food Affordability

Additional notification, testing, recordkeeping, and compliance requirements may increase packaging costs throughout the supply chain. The cumulative impact on food affordability should be assessed as part of framework development.

8. Risk-Based Administration is Preferred

A risk-based approach should distinguish between:

- Existing materials with established safety histories;
- Materials already assessed by trusted regulators;
- Novel materials and novel conditions of use.

This approach aligns with Health Canada's stated consideration of tiered reviews based on risk.

Continued Engagement

CPMA appreciates Health Canada's willingness to consult industry before finalizing the framework.

Given the diversity, perishability and highly integrated nature of fresh produce supply chains, we would welcome the opportunity to meet with Health Canada officials to discuss these comments in greater detail and to provide additional fresh produce-sector expertise as the framework evolves.

CPMA would also be pleased to help facilitate further engagement with growers, packers, importers, retailers, packaging suppliers and other members of the produce supply chain where this would assist Health Canada in developing a practical, science-based and risk-proportionate approach.

CPMA supports Health Canada's objective of ensuring that food packaging used in Canada remains safe. We encourage Health Canada to pursue that objective through a framework that is **clearly tied to demonstrated risks, proportionate in its requirements, internationally aligned where appropriate, protective of confidential business information, and designed to minimize unnecessary costs, duplication and supply-chain disruption**.

Such an approach can strengthen food-contact safety while preserving the packaging functionality, innovation, affordability, sustainability and flexibility necessary to deliver fresh fruits and vegetables to Canadians.

Sincerely,



Ron Lemaire

President

Canadian Produce Marketing Association