



Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises

Ministry of the Environment and the Fight
against climate change

June 23, 2022



Presentation plan

- New designated products;
- Amendments to the common core;
- Adjustments made following the public consultation;
- Next steps and timeline.



New designated products



Designated products

New product categories :

- Pressurized fuel containers : refillable containers (sold in northern regions only) and non-refillable containers;
- Agricultural products : plastics, pesticides, seeds coated with pesticides, their bags and containers and other agricultural bags and containers;
- Pharmaceutical products : drugs, natural health products and cutting or sharp objects, distributed in community pharmacies or veterinary clinics.

New products to existing categories :

- Household appliances and air conditioners : refrigerating and freezing appliances designed and intended for other purposes than the conservation or storage of food or beverages (e.g. laboratory appliances);
- Batteries : sealed lead-acid batteries weighing 5 kg or less.



Implementation of new programs

Products	Deadline
Small lead-acid batteries	January 1, 2023
Laboratory refrigerating appliances	June 30, 2023
Most agricultural plastics, pesticides, seeds coated with pesticides and agricultural bags and containers	June 30, 2023
Pressurized fuel containers	June 30, 2024
Pharmaceutical products	June 30, 2024
Other agricultural plastics	June 30, 2025

Minimal recovery rates

Products	Year	Minimal recovery rates
Small lead-acid batteries	Starting 2025	25 % (max. 65 %)
Most agricultural plastics and agricultural bags and containers	Starting 2025	45 or 50 % depending on product type (max. 75 or 80 %)
Laboratory refrigerating appliances	Starting 2026	35 % (max. 80 %)
Pressurized fuel containers	Starting 2027	Non refillable : 25 % (max. 75 %)
		Refillable : 75 % (max. 80 %)
Other agricultural plastics	Starting 2027	25 % (max. 75 %)
Pharmaceutical products, pesticides and seeds coated with pesticides	No minimal recovery rates	



Amendments to the common core



Amendments to the common core

Amendments	Expected results
Include producers from outside Quebec (e.g. online sales)	<ul style="list-style-type: none">• Ensure fairness among enterprises• Reduce costs for current designated producers
Frame most of the requirements for producer responsibility organizations (PRO) in the regulation	<ul style="list-style-type: none">• Ensure fair and equitable application of the minimum requirements of the regulation to all programs (individual, common and PRO)
Prohibit parallel recovery and reclamation networks	<ul style="list-style-type: none">• Contribute to the achievement of recovery targets• Ensure responsible end of life management of products, not just of components of value
Review minimal recovery goals	<ul style="list-style-type: none">• Allow for a more gradual progression of programs• Take into account the impact of the pandemic
Introduce incentives for eco-design and the local circular economy	<ul style="list-style-type: none">• Promote local reuse and recycling• Encourage eco-design and Quebec's green economy
Turn penalties into mandatory reinvestments	<ul style="list-style-type: none">• Allow these funds to be used to improve program performance• Remove the double financial pressure on enterprises
Make the publication of program results mandatory	<ul style="list-style-type: none">• Improve transparency of results and public confidence
Review the requirements in the northern regions	<ul style="list-style-type: none">• Adapting services to the needs of northern communities
Provide administrative relief	<ul style="list-style-type: none">• Reduce the administrative burden on enterprises for low value-added requirements



Adjustments made following the public consultation



Ajustments made

- Adjust the information to be disclosed when publishing program results to ensure the protection of the personal and confidential information of the designated producers and their service providers;
- Review the new eco-fee visibility requirements to clarify what is expected of enterprises and avoid the multiplication of communication methods that could create confusion among consumers;
- Limit the proposed changes to the minimum qualifications for service provider auditors to allow for maximum program flexibility;
- Considering the low risk associated with this activity and from an administrative relief perspective, maintain only the verification of drop-off centres in the northern regions given their particularities;
- Limit the application of the proposed eco-design and local circular economy incentives only when a minimum recovery rate is not achieved in order to avoid creating a race to the bottom of prescribed recovery rates;



Ajustments made

- Encourage more local reuse and recycling by modulating certain parameters that allow for a reduction of a minimum recovery rate and by increasing the reward;
- Increase the access period of drop-off centres in northern regions;
- Remove electric vehicle batteries from the newly designated products under extended producer responsibility;
- Maintain only the designation of chemical fertilizer and soil amendment containers and bags, not the content itself, considering the limited environmental gain and the absence of issues related to the storage of these products;
- For the sub-category of instruments, devices and other objects used for medical purposes to administer a designated drug or natural health product, clarify that only those items that pose a health and safety risk are covered, i.e. sharps.



Next steps and timeline



Next steps and timeline

- **June 30, 2022** : Entry into force of most of the amendments;
- **September 30, 2022** : Entry into force of the prohibition to recover and reclaim designated products other than through official programs;
- **December 30, 2022** : Entry into force of the following amendments :
 - Include producers from outside Quebec and enterprises operating transactional websites as designated producers (online sales);
 - New requirements concerning drop-off centres in northern regions;
 - New eco-fee visibility requirements;
 - Set out in the regulation most of the minimum requirements for PRO rather than in an agreement;
- **January 1, 2023** : Start of recovery goals for existing programs;
- **January 1, 2023 to June 30, 2025** : Implementation of new recovery and reclamation programs.



Thank you for your time

For additional questions regarding the regulation :
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