

Government of Canada bans many single-use plastics

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The Government of Canada has begun the roll-out of its much-anticipated ban on single-use plastic products. On June 22, 2022, the federal government published the *Single-use Plastics Prohibition Regulations* (the Regulations) under the *Canadian Environmental Protection Act, 1999* (CEPA).

The Regulations, which ban many non-essential single-use plastics, come after nearly two years of consultations with provincial and municipal governments, industry and individual Canadians. The Regulations also follow several incremental steps over the past few years, including Environment and Climate Change Canada's [Science assessment of plastic pollution](#), published in October 2020, and the designation of "plastic manufactured items" as toxic substances under Schedule 1 of CEPA in May 2021, [as discussed in a previous Osler Update](#).

Which single-use plastics are banned?

The manufacture, import, export and sale of the following six categories of single-use plastics will be banned by the end of 2025:

- checkout bags
- cutlery
- foodservice ware made from or containing "problematic plastics"^[1]
- ring carriers
- stir sticks
- straws

When does the ban take effect?

The prohibitions laid out in the Regulations will come into force on a staggered timeline:

Products	Prohibitions on manufacture and import for sale in Canada	Prohibition on sale in Canada	Prohibition on manufacture, import, and export sales
Checkout bags, cutlery, straws, foodservice ware, stir sticks	December 20, 2022	December 20, 2023	December 20, 2025
Ring carriers	June 20, 2023	June 20, 2024	December 20, 2025
Flexible straws packaged with beverage containers	N/A. See exceptions below.	June 20, 2024	December 20, 2025

The federal government has also published a [technical guidance document](#), which provides further details on the regulatory requirements.

What are the exceptions to the ban?

The Regulations contain several notable exceptions:

- **Waste and bags for containing waste:** The Regulations do not apply to plastic manufactured items that are waste, nor to items that are intended to hold waste (and do not meet the definition of single-use checkout bags).
- **Products in transit:** The Regulations also do not apply to plastic manufactured items that are transiting through Canada. Whether a single-use plastic product is considered “in transit” is determined based on the final shipping destination of the product. This exception does not include products that are warehoused in Canada and then sold or distributed to foreign customers.
- **Single-use straws for accessibility needs:** The Regulations permit single-use plastic straws to remain available in stores and health care facilities for people who require them for accessibility purposes. Accordingly, the Regulations do not prohibit the manufacture or import of single-use straws, nor their sale under certain conditions.

Related initiatives and further impacts

The Regulations are part of a broader initiative by both the federal and provincial governments to eliminate the flow of plastic waste by 2030, as outlined in the Canadian Council of Ministers of the Environment’s [Strategy on Zero Plastic Waste](#) [PDF] and the [Ocean Plastics Charter](#).

While these are the first comprehensive federal regulations banning certain plastic use, several provinces have already enacted various initiatives to limit the use of plastics. For instance, this previous [Osler Update](#) provides a rundown of several initiatives taken in Ontario last year. Furthermore, last July, British Columbia amended the [Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation](#) under the [Community Charter](#), to allow municipal governments to issue bylaws banning plastic bags and certain other single-use plastics without requiring prior provincial approval. We expect these provincial and municipal initiatives will continue to develop in parallel to the federal regime, and may impose additional restrictions on the use of certain plastics.

The Regulations represent a significant shift in the regulation of plastic products across the country, which will have notable impacts for industry, retailers and everyday Canadians. However, the Regulations target only a fraction of the plastic products in Canada. This shift is part of a broader movement, as outlined in [Canada’s Zero Plastic Waste Agenda](#), which promises further and increasingly significant change to the regulation and use of plastics and other manufactured products in the years to come.

[1] Problematic plastics include expanded or extruded polystyrene, polyvinyl chloride, oxodegradeable plastic or black plastic made with carbon black, per the federal government's [technical guidelines document](#).