

This document provides compliance guidance to producers of Blue Box materials about what materials are required to be reported to the Authority under the Blue Box Regulation (O. Reg 391/21).

This compliance bulletin is specific to Blue Box producers. A person is considered a producer under the Blue Box Regulation if they supply Blue Box material (packaging, paper producers or packaging-like products) comprised of paper, glass, metal or plastic, or a combination of these materials to consumers in Ontario.

Under the Regulation, Blue Box material types are:

1. Blue Box packaging, which includes:
 - Primary packaging - for the containment, protection, handling, delivery, and presentation of a product at the point of sale, including all packaging components, but does not include convenience packaging or transport packaging
 - Transportation packaging - provided in addition to primary packaging to facilitate the handling or transportation of one or more products such as a pallet, bale wrap or box, but does not include a shipping container designed for transporting things by road, ship, rail or air.
 - Convenience packaging - includes service packaging and is used in addition to primary packaging to facilitate end users' handling or transportation of one or more products.
 - Service accessories are products supplied with a food or beverage product and facilitate the consumption of that food or beverage product and are ordinarily disposed of after a single use, whether or not they could be reused
 - Ancillary elements are integrated into packaging (directly hung or attached to packaging) and are intended to be consumed or disposed of with the primary packaging. Ancillary elements help the consumer use the product. Examples of ancillary packaging include a mascara brush forming part of a container closure, a toy on the top of candy acting as part of the closure, devices for measuring dosage that form part of a detergent container cap, or the pouring spout on a juice or milk carton.
2. Paper products which includes printed and unprinted paper
3. Packaging-like products that are:
 - ordinarily used for the containment, protection, handling, delivery, presentation, or transportation of things
 - ordinarily disposed of after a single use
 - not used as packaging when it is supplied to the consumer

Certified Compostable Packaging and Products are defined as material that:

- is only capable of being processed by composting, anaerobic digestion or other processes that result in decomposition by bacteria or other living organisms, and
- is certified compostable by one of the following international, national, or industry standards that is listed in the [Blue Box Verification and Audit Procedure](#):
 - a) CAN/BNQ 0017-088: Specifications for Compostable Plastics
 - b) ISO 17088: Specifications for compostable plastics
 - c) ASTM D6400: Standard Specification for Labeling of Plastics Designed to be Aerobically Composted in Municipal or Industrial Facilities
 - d) ASTM D6868: Standard Specification for Labeling of End Items that Incorporate Plastics and Polymers as Coatings or Additives with Paper and Other Substrates Designed to be Aerobically Composted in Municipal or Industrial Facilities
 - e) EN 13432: Requirements for packaging recoverable through composting and biodegradation - Test scheme and evaluation criteria for the final acceptance of packaging

Newspapers, for the purposes of the newspaper producer exemption are defined as:

- newspapers, any protective wrapping and any supplemental advertisements and/or inserts that are provided along with the newspapers.

See Appendix A for a non-exhaustive list of products that must be reported as Blue Box material if they are supplied to Ontario consumers.

Reporting Blue Box Supply

Every year, producers must report their Blue Box supply data supplied to consumers in Ontario for the previous calendar year (e.g., in 2022, producers will report their 2021 supply data). This data is used to calculate the producer’s minimum management requirement for the following year (e.g. the 2022 report contains 2021 supply data, which is used to calculate the producer’s 2023 minimum management requirement).

Blue Box materials are obligated when supplied to a consumer in Ontario. Under the Blue Box Regulation, consumers are individuals who use a product and its packaging for personal, family or household purposes, or persons who use a beverage and its container for personal, family, household, or business purposes.

Producers will need to provide their Blue Box supply data in each of the seven material categories:

1. Beverage container material category
 - A beverage container is a container that,
 - a. **Contains a ready-to-drink beverage product,**
 - i. “Ready-to-drink” means a beverage packaged by the manufacturer for immediate consumption that does not require any preparation. A

ready-to-drink beverage is intended to be consumed as purchased and does not require a dispensing device to be consumed.

- ii. “Beverage” means a consumable liquid for enjoyment or hydration. It does not include an “alcoholic beverage” as defined in O. Reg. 391/21, or non-alcoholic beer, as per the definition of “alcoholic beverage product and packaging” in O. Reg. 391/21.

b. Is made from metal, glass, paper or rigid plastic, or any combination of these materials, and

- i. If a beverage container is made only of flexible plastic, it would be obligated as a Blue Box material but would be reported under the material category “Flexible Plastic” rather than the “Beverage Container” material category. The Blue Box Regulation defines flexible plastic as un moulded plastic. For more information on reporting of packaging and beverage containers that consist of multiple materials, please see the “Component Threshold Rule” in the [Blue Box Verification and Audit Registry Procedure](#).

c. Is sealed by its manufacturer.

- i. A cup provided to a consumer in a restaurant filled with fountain pop is not sealed by the manufacturer and is therefore not considered a beverage container. However, the cup (including the lid and straw) would still be obligated as Blue Box material in the paper and/or plastic material categories.

- For greater clarity, the Registrar does not consider the packaging from the following product types to be a beverage container:
 - Infant formula
 - Meal replacements, nutritional supplements or dietary supplements
 - Regulated health products
 - Concentrated beverages intended to be mixed or diluted before consumption, such as frozen juices, cocktail mixers, extracts and flavour enhancers
 - Liquids that are not intended to be consumed as purchased such as soup, syrups, cream and other beverage additives, whipping cream, buttermilk, broth
 - Beverage containers made of flexible plastics such as milk bags (these are still to be reported as flexible plastics)
- Milk products and substitutes (e.g., soy beverage, almond beverage, a rigid plastic container of milk, drinkable yogurt) are beverage containers provided they are packaged in a container as defined above.

2. Glass material category

3. Flexible plastic material category

- flexible plastic means un moulded plastic, such as a plastic bag, film, wrap, pouch, or laminate

4. Rigid plastic material category

- rigid plastic means moulded plastic, such as a food or product container

5. Metal material category
6. Paper material category
7. Certified compostable products and packaging material category
 - is only capable of being processed by composting, anaerobic digestion or other processes that result in decomposition by bacteria or other living organisms, and
 - is certified as compostable by an international, national or industry standard that is listed in the Blue Box Verification and Audit Procedure

Other considerations when determining a producer's Blue Box supply data:

- Transport packaging is only obligated when supplied to a consumer in Ontario. Any transport packaging removed by a retailer or other entity before the product is supplied to a consumer is not obligated under the regulation.
- Blue Box materials include packaging that is supplied at point of sale by food service or other service provided to facilitate the delivery of goods and includes items such as bags and boxes that are supplied to end users at check out, whether or not there is a separate fee for these items.
- Packaging captured under the HSP Regulation is not obligated under the Blue Box Regulation, for example: primary packaging for paints and coatings are HSP and therefore not obligated as Blue Box materials. Some packaging for HSP products may still be obligated under the Blue Box Regulation, for example: packaging that contains an oil filter. Consult the [Compliance Bulletin: What HSP needs to be reported?](#) for further information on what is captured under the HSP Regulation.
 - There are some pesticide products which are not captured under the HSP Regulation and therefore their packaging needs to be reported as Blue Box materials including: insect repellants for personal use; sanitizers, disinfectants and antimicrobial products; pool chemicals; diatomaceous earth; pet pesticide products, ant trap
- Beverage containers are obligated regardless of the sector they are supplied into.
- The beverage container material category includes all beverage containers, even if they are primarily made of glass, paper, metal, or rigid plastic.
- The certified compostable products and packaging material category includes all certified compostable products and packaging, even if they are primarily made of paper or plastic.

The Blue Box Regulation does not apply to the following products:

- Any material that is not primarily made from paper, glass, metal or plastic, or a combination of these materials
- Pharmaceuticals or sharps that are obligated under O.Reg 298/12 Collection of Pharmaceuticals and Sharps — Responsibilities of Producers

- Alcoholic beverage product and packaging
- Garbage/recycling/compost bags designed for the containment of waste
- Hardcover and softcover books
- Hardcover periodicals, such as legal annotations
- Hazardous Special Products obligated under the [Hazardous Special Products Regulation](#) (e.g., spray paint cans)
- Paper napkins, tissue paper, toilet paper, paper towels
- Reusable food or drink containers supplied empty
- Products made from non-certified compostable flexible plastic that is ordinarily used for the containment, protection, or handling of food such as plastic wrap, sandwich bag, freezer bag
- Shipping materials designed for transporting things by road, ship, rail or air

This list is non-exhaustive. If you have a question about a specific product or packaging that you supply to Ontario consumers, please contact registry@rpra.ca and a member of the Compliance and Registry Team will provide a determination.

Date	Revisions
Issued October 3 2022	N/A
Revised March 31 2023	Added information about pesticide products not captured under the HSP Regulation. Added additional examples to Appendix A.
Revised June 23 2023	Corrected references to O.Reg 321/21

Appendix A – Examples of Blue Box Materials that must be reported by producers who supply to Ontario consumers

Note: The Blue Box material examples provided below are organized into the seven material categories for convenience only. Where Blue Box packaging is made up of two or more different material types and certain components of the package constitute a small proportion of the entire package, producers should apply the component threshold rule in the [Blue Box Verification and Audit Procedure](#) to determine in which material category the product should be reported.

BEVERAGE CONTAINERS

Please review the beverage container definition on pages 3 to 4 to determine if your supplied beverage containers should be reported under this material category. If you require assistance, please contact registry@rpra.ca.

CERTIFIED COMPOSTABLE PACKAGING AND PRODUCTS

- Sandwich bags
- Single-use cutlery
- Single-use plates

FLEXIBLE PLASTIC

- Shopping bags
- Plastic film
- Plastic wrap
- Clear produce bags
- Plastic wrap packaging for cases of beverages
- Fertilizer packaging
- Candy, snack wrappers
- Bubble wrap and envelopes
- Sticker parking permits
- Flexible food pouches
- Milk bags
- EPE foam/expanded polyethylene

GLASS

- Glass food bottles
- Glass food jars
- Perfume bottles
- Eyedroppers
- Glass carboys
- Home brewing bottles
- Cooking oil bottles
- Prescription bottles
- Vitamin bottles
- Wine making bottles

METAL

- Aluminum foil
- Metal tray

Aerosol whipped cream
Aerosol hairspray
Aerosol sunscreen
Aerosol bug repellent
Aerosol deodorant
Aerosol air freshener
Aerosol perfume
Aerosol cooking oil
Aerosol shaving cream
food cans
Steel cans
Tin cans
Cooking oil containers

PAPER

Mailed service or product statements (transactional mail), including the envelope, and any additional flyers, coupons
Wrapping paper
Paper bags
Cardboard boxes
Envelopes
Box board game and puzzle packaging
Direct mail
Cardboard packaging for cases of beverages
Paper straws
Paper plates
Printed paper
Unprinted paper
Stickers or sticky labels
Newspapers
Magazines
Greeting cards
Calendars (promotional or purchased)
Notebooks
Daily planner
Promotional material
Directories
Catalogues
Paper used for copying, writing or any other general use
Comic books, puzzle books
Transportation and transit schedules
Lottery tickets
Cereal boxes
Parking tickets
Printed building permits
Corrugated boxes
Gift tissue paper
Voting documentation

Parking permits
Flyers
Information sheets
Guides
Utility or tax bills
Waste collection calendars
Posters
Brochures
Waste collection notices
Project construction notices
Snow removal notices
Public transit transfers
Newsletters
Public consultation or planning notices
Maps
By-law violation notices
Boxboard cans
Cardboard cans
Cheques

RIGID PLASTIC

Beverage cups
Power tool cases
Plastic toolbox supplied with tools
Plastic straws
Plastic cutlery and plates
Plant pots supplied with plant
CD cases
Condiment bottles
Toiletries bottles
Food bottles
Plastic clamshell containers
Food containers
Produce containers
Rigid plastic meat and fish trays
Green mesh produce baskets
Deli tubs