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Bill 225

**An Act to amend the Resource Recovery and Circular Economy Act, 2016
with respect to a beverage container deposit program**

Ms M. McMahon

Private Member's Bill

1st Reading November 19, 2024

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Resource Recovery and Circular Economy Act, 2016*.

Currently, section 107.1 of the Act authorizes regulations governing the collection of blue box materials. The amendments expand this regulation-making power by allowing Cabinet to establish and govern a beverage container deposit program and require and govern collection depots for blue box materials.

New subsection 107.1 (5.1) requires the payment and refund of a specified minimum beverage container deposit in accordance with the regulations.

New subsection 107.1 (5.2) requires grocery stores and stores operated by Brewers Retail Inc. to act as collection depots and provide beverage container deposit refunds. It is an offence for Brewers Retail Inc. and grocery store owners to fail to comply with subsection 107.1 (5.2).

**An Act to amend the Resource Recovery and Circular Economy Act, 2016
with respect to a beverage container deposit program**

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 Section 1 of the *Resource Recovery and Circular Economy Act, 2016* is amended by adding the following definition:

“grocery store” means a store,

- (a) that has more than 4,000 square feet of retail floor space,
- (b) in which food products offered for retail sale, excluding prepared food products that may be consumed on site, occupy,
 - (i) at least 10,000 square feet of the retail floor space, or
 - (ii) at least half of the retail floor space,
- (c) that offers a variety of each of the following types of food products for in-person retail sale, other than prepared food products that may be consumed on site:
 - (i) canned food,
 - (ii) dry food,
 - (iii) frozen food,
 - (iv) fresh fruits,
 - (v) fresh vegetables,
 - (vi) meat or meat alternatives,
 - (vii) dairy or dairy alternatives,
 - (viii) non-alcoholic beverages,
 - (ix) baked goods, and
 - (x) snack foods, and
- (d) that is not primarily identified to the public as a pharmacy, even if a pharmacy as defined in the *Drug and Pharmacies Regulation Act* is located within the store; (“épicerie”)

2 Subsection 98 (2) of the Act is amended by adding the following paragraph:

6.1 Subsection 107.1 (5.3).

3 (1) Subsection 107.1 (1) of the Act is amended by striking out “and” at the end of clause (a) and by adding the following clauses:

- (c) establishing and governing a beverage container deposit program that complies with the requirements of subsection (5.1); and
- (d) requiring and governing collection depots for blue box materials.

(2) Section 107.1 of the Act is amended by adding the following subsections:

Beverage container deposit

(5.1) The program for the collection of blue box material shall, as described in the regulations, require the payment and refund of a beverage container deposit of at least,

- (a) 10 cents for each beverage container that is defined as being a type of blue box material by the regulations and that has a capacity of one litre or less; and
- (b) 25 cents for each beverage container that is defined as being a type of blue box material by the regulations and that has a capacity greater than one litre.

Required collection depots

(5.2) Every grocery store and every store operated by Brewers Retail Inc. shall, as described in the regulations,

- (a) act as a collection depot for the return of beverage containers defined as being a type of blue box material by the regulations; and
- (b) ensure that the person returning the beverage container is refunded the applicable beverage container deposit.

Compliance

(5.3) Brewers Retail Inc. and every grocery store owner shall ensure that the stores they own or operate comply with subsection (5.2).

Commencement

4 This Act comes into force one year after the day it receives Royal Assent.

Short title

5 The short title of this Act is the *Resource Recovery and Circular Economy Amendment Act (Beverage Container Deposit Program), 2024*.