



Ontario Federation of Agriculture

Ontario AgriCentre

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January 18, 2018

Ms. Lisa Kingsmore, Senior Policy Analyst
Ministry of the Environment and Climate Change
Climate Change and Environmental Policy Division
Resource Recovery Policy Branch
40 St. Clair Avenue West, 8th Floor
Toronto, ON
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Dear Ms. Kingsmore;

RE: EBR Registry No. 013-1716 Tire Regulation under the Resource Recovery and Circular Economy Act, 2017

The Ontario Federation of Agriculture (OFA) is Canada's largest voluntary general farm organization, representing more than 37,000 farm family businesses across Ontario. These farm businesses form the backbone of a robust food system and rural communities with the potential to drive the Ontario economy forward.

With reference to the definition of a "producer" in section 3, farm equipment is sometimes purchased from a dealership physically located outside of Ontario; perhaps in Quebec, Manitoba or a nearby US state. How would the proposed regulation address this scenario? OFA sees no realistic enforcement mechanism that would ensure responsibility on a non-Ontario based vendor. We do not believe that farmers who purchase farm vehicles or farm equipment from a non-Ontario based vendor should bear the burden of responsibility, be it financial or practical, in ensuring that used tires are appropriately recycled.

Ontario agriculture is complex and diverse. Well over 200 different items are grown, raised or produced on Ontario's farms, meaning that a wide range of farm equipment is needed. In cases of unique or niche farm products, only a hand full of producers may require the specialized equipment necessary to plant or harvest that crop. Our concern is that the full gamut of "producer" responsibilities under this regulation could deter farm equipment manufacturers or retailers from serving the Ontario market, placing Ontario farmers at a competitive disadvantage with respect to their counterparts in other provinces or states. To address this, OFA recommends that small volume farm equipment manufacturers or retailers be exempt from this proposed regulation.

The OFA recognizes that readily accessible tire collection sites are a key element in the effective recycling and reuse of tires. Two of the requirements for tire collection sites seem, from our perspective, unworkable. In subsection 3, obligations are imposed on "producers" without a retail presence in Ontario. We question Ontario's ability to enforce its rules and regulations beyond its borders. In addition, subsection 7 mandates a tire producer to establish a tire collection site within 30 kilometres of each of its tire retail locations. By their very nature, unorganized municipalities

have very low populations, and few urbanized areas. Some unorganized municipalities do have active farm operations within their borders. From our perspective, it is difficult to envision how this will work in reality.

Section 8(2) seems to exempt producers of large tires and producers of tires without an Ontario retail location from operating collection sites. If so, how will these tires be collected?

Sections 10 and 11 speak to promotion and education. We support public education with respect to used tire collection; however, we question the apparent reliance on the tire supplier's website as the sole means of communicating this information. Internet access, particularly access to reliable high-speed internet, is not readily available throughout rural Ontario. OFA recommends that the means of delivering promotion and education be left to the tire producer's discretion to select the method or methods best suited to their geographic area and customer demographics.

Section 12 only seems to speak only to tire producers who levy a separate charge to cover resource recovery costs. Does section 12 mean that a tire producer who imbeds the cost of recourse recovery in the overall price of a tire, or in the overall price of the vehicle, is not obligated to publicize this amount? OFA believes that any added costs, fees, etc. should be clearly and separately noted on a tire invoice or bill of sale. A system that allows for these charges to be hidden lacks certainty and transparency

Furthermore, abandoning the pre-determined recourse recovery fees currently in effect leaves Ontarians subject to the whim of a producer responsibility organization charging more than necessary cover its tire recovery and recycling costs. We anticipate that the burden of these unseen costs may well be a greater reality in more remote, and less populated areas of Ontario.

On behalf of OFA's more than 37,000 farm family businesses across Ontario, I thank you for your consideration of our perspective.

Sincerely,



Keith Currie
President

KC/pj

cc: The Honourable Chris Ballard, Minister of the Environment and Climate Change
The Honourable Jeff Leal, Minister of Agriculture, Food and Rural Affairs
OFA Board of Directors