



Health
Canada

Sant 
Canada

Bureau of Chemical Safety
Food and Nutrition Directorate
Health Products and Food Branch
Email: fpm-mea@hc-sc.gc.ca

Consultation: proposed food packaging framework

Background

Current food packaging framework

In Canada, food packaging materials are regulated under Division 23 of Part B of the *Food and Drug Regulations* (FDR)¹. While Division 23 prohibits the sale of food in a package that could transfer a chemical to the food that may be harmful to the health of the consumer, there are no specific rules or regulations in place requiring that safety opinions from Health Canada be obtained. Instead, the current framework relies on Health Canada conducting premarket assessments on the chemical safety of food packaging materials only when a request is voluntarily submitted, and issuing favourable opinions by way of a Letter of No-Objection (LONO). As such, the choice of food packaging materials use is at the discretion of food manufacturers and sellers, lacks systematic oversight and may limit Health Canada's ability to proactively identify and respond to emerging chemical risks associated with food packaging.

Driver for change

Under the Treasury Board of Canada's initiative on *Advancing a circular plastics economy for Canada*², the recycling and reuse of plastic materials is currently a priority for the Government of Canada. To meet environmental targets, it is anticipated that the use of recycled plastics, and the technologies to produce them, will escalate. Challenges in sourcing food-grade recycled plastics may also promote innovations in alternative packaging designs, including the use of multi-layered food packaging materials, as well as the development or use of plastic alternatives, including those based on glass, ceramics, metals, paper, and other bio-based materials (e.g., polylactates).

¹ Government of Canada, 2026. Food and Drug Regulations (C.R.C., c.870). https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._870/FullText.html (last accessed July 2026)

² Government of Canada, 2025a. Horizontal initiative: Federal Leadership towards Zero Plastic Waste. <https://www.canada.ca/en/environment-climate-change/corporate/transparency/priorities-management/departmental-results-report/2022-2023/supplementary-tables/horizontal-initiatives/federal-leadership-zero-plastic-waste.html> (last accessed July 2026).

The current voluntary framework is ill-suited for Health Canada to maintain oversight of an increasingly complex food packaging landscape, and therefore, to be responsive to emerging or potential risks.

Prior consultation

In July of 2024, Health Canada conducted a targeted consultation with industry stakeholders on matters that should be considered in developing a food packaging program.

Many of the comments received focused on the challenges of meeting environmental targets, including: plastic is, for the foreseeable future, a vital component of packaging; food-grade post-consumer recycled plastic is challenging to obtain in sufficient quantities; and, while there is growing interest in using alternative food packaging materials, such as bio-based, biodegradable and compostable plastic analogues, these face extensive research and development challenges and costs to produce at scale.

Respondents also encouraged Health Canada to promote international harmonization, particularly in the food packaging materials used and the processes used to produce them.

Food packaging framework proposal

Mandatory notification of food contact materials (FCM)

The primary objective of the proposal is to increase awareness and oversight of the chemicals to which people in Canada may be exposed. Health Canada proposes that notifications be submitted through an online portal for the food contact materials (FCM) of all food sold in Canada. The FCM comprises the part or parts of a finished food packaging material that are in direct contact with food or which may contain chemicals that may migrate into food. Food packaging materials that are separated by an effective impermeable barrier (i.e., do not have contact with the food) would not be subject to notification.

Food service ware (e.g., containers, straws, utensils) intended for sale with prepared food is also proposed to be subject to notification as they contain FCM that could migrate to food.

The notifications should include information on the chemical composition of all substances in the FCM, and on the expected distribution of the FCM in Canada.

Who has to notify?

Health Canada is exploring options as to who should be responsible for submitting notifications among the finished food packaging manufacturers, parties responsible for the highest level of trade in Canada (e.g., Canadian food manufacturers, brand owners, or

importers), or food retailers. Our ultimate goal is to have better oversight of food packaging materials used on the Canadian market, so we are eager to hear your opinions on this issue.

Development of a knowledgebase

Health Canada intends to develop a public knowledgebase to capture the outcomes of evaluations conducted by Health Canada. It will be an evergreen repository, though initially reflective of outcomes of LONO evaluations already completed, decisions from other jurisdictions when applicable to the Canadian context, and potentially other relevant chemical safety evaluations, including those conducted under the Chemicals Management Plan.³

Interaction between notifications and the knowledgebase

Systems will be developed to cross-reference the notified information against the knowledgebase.

Where notifications match the knowledgebase, the notifier can expect to receive a Notification Number and abbreviated LONO.

Where notifications and the knowledgebase don't match (e.g., an FCM not represented in the knowledgebase, including for different conditions of use), the notifier will be advised accordingly, and an evaluation by Health Canada will be triggered. Once assessed favourably, the knowledgebase would be amended and the notifier could obtain a Notification Number and LONO. Separately, if, upon searching the knowledgebase, it is found that an FCM or a relevant condition of use is not present, a request for an amendment to the knowledgebase can be made, provided adequate supporting information is submitted. Health Canada would evaluate the submission and amend the knowledgebase, accordingly.

With respect to the evaluations and amendments to the knowledgebase, Health Canada is considering a tiered review process based on risk. The evaluation framework will be the subject of future consultation.

Guidance vs Regulation

Health Canada is considering whether the notification outcomes relative to the knowledgebase should be administrative and guidance-based, or whether it should be entrenched in regulation as a "positive list" that the FCM must comply with.

³ Government of Canada, 2022. Chemicals Management Plan. <https://www.canada.ca/en/health-canada/services/chemical-substances/chemicals-management-plan.html> (last accessed July 2026)

In either case, sellers are fully responsible to ensure the sale of safe packaged foods in accordance with Section B.23.001 of the FDR and Section 4 of the *Food and Drugs Act* (FDA). In other words, food sellers are responsible for the safety of the food packaging they sell.

Timelines and Enforcement

Notifications and Submissions

Notifications are expected to be pre-market, but Health Canada is considering whether notifications must be received prior to distribution in Canada, or whether notifications within a defined timeframe after sale in Canada would be acceptable.

The evaluation of food packaging submissions to amend the knowledgebase are expected to adhere to defined timelines. However, due to the potential complexity of some submissions, and the uncertainty regarding their outcomes, it may be worthwhile reviewing the knowledgebase against the FCM intended for notification and proactively seeking amendment of the knowledgebase prior to filing the notification.

Phase-in period

Given the need to populate the knowledgebase, for processes to develop and stabilize, and allow stakeholders to acclimatize to and comply with the new framework, it is proposed that a phase-in period of approximately 5 years be allotted. After which, Health Canada is expected to evaluate compliance and functionality of the framework and propose adjustments, as needed.

Enforcement

As sellers maintain responsibility for the sale of safe foods under Division 23 of the FDR and Section 4 of the FDA, should a food packaging material pose a safety risk, Health Canada would continue to work with the Canadian Food Inspection Agency (CFIA) to take appropriate enforcement action. Health Canada will also consider developing processes to engage with CFIA to address other emerging issues that have been identified, should they be necessary.



Questions

Respondents are encouraged to provide any input they feel is appropriate; however, the following questions may help guide your responses.

1. Who along the distribution chain (FCM manufacturers (or delegate) of the finished food packaging product, food manufacturers, Canadian importers, or retailers) is best positioned, operationally, to prepare and submit notifications?
2. Do you have suggestions on the appropriate timing of a notification (e.g., prior to distribution in Canada; within 30 days upon distribution)? Please explain.
3. What considerations (e.g., material category, chemical composition and identification, use conditions, migration limits, etc...) should go into the development of a knowledgebase?

The following questions are to help Health Canada determine costs and resources needed to support the proposed program.

General questions for food packaging manufacturers

4. Approximately how many FCM do you manufacture or use, annually?
5. Approximately how many product-specific FCM (i.e., one FCM for only one product) do you manufacture, annually?

General questions for Canadian food packaging material importers

6. Approximately how many different suppliers of FCM do you import from?
7. Approximately how many substances intended for FCM manufacture do you import, annually?
8. Do you import formulated products that are further processed into finished FCM?

General questions for food manufacturers and importers

9. What information do you typically have on the FCM used in the products you manufacture or import?



Health
Canada

Santé
Canada

10. Approximately how many different suppliers of FCM manufacturers do you use for your products in Canada?
11. Approximately how many new FCM do you purchase annually for your products in Canada?
12. Approximately how many FCM do you have on the Canadian market on an ongoing basis?

Next steps

This consultation will remain open until **October 9, 2026**. Health Canada will use the feedback provided to further develop recommendations on options for a mandatory food packaging framework. Please provide comments by email to fpm-mea@hc-sc.gc.ca with the subject line “**Food packaging consultation**”.

A second public consultation is expected to take place between November 2026 and January 2027.

Pending the outcomes of these consultations, recommendations for a mandatory food packaging framework will be internally considered by Spring 2027.

Depending on the option(s) chosen, regulatory development may commence thereafter, in accordance with the *Cabinet Directive on Regulation*⁴. There will be further opportunities for consultation and program refinement as part of this process.

⁴ Government of Canada, 2025b. Cabinet Directive on Regulation.
<https://www.canada.ca/en/government/system/laws/developing-improving-federal-regulations/requirements-developing-managing-reviewing-regulations/cabinet-directive-regulation.html>
(last accessed July 2026)