

Responsible Purchasing



**Products covered by extended producer
responsibility**

September 2024

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Scope

This document presents helpful information for managing issues associated with products covered by the Extended Producer Responsibility (EPR) Regulation, specifically the purchase of products covered by the Regulation respecting the recovery and reclamation of products by enterprises:

- Batteries
- Electronic products
- Household appliances and air conditioners
- Mercury lamps
- Oils, coolants, antifreeze, their filters and containers and other similar products
- Paint and paint containers
- Agricultural Products (2023 and 2025)
- Pressurized Fuel Containers (2024)
- Pharmaceutical Products (2024)

Detailed advice is provided on best practices for purchasing products covered by EPR regulations, as well as tools and references to facilitate buyers' task.¹

¹ This document is provided for information purposes only. Other than the information indicated herein, RECYC-QUÉBEC is not vouching for the organizations mentioned. RECYC-QUÉBEC declines all responsibility regarding the services offered by such organizations.

Did you know?

Extended Producer Responsibility (EPR) is an approach that aims to transfer responsibility for managing residual materials generated by product consumption to the companies that introduced the items on a given market (MELCCFP 2024a).

When applied within a regulation, law or other legal tool, EPR becomes an instrument to extend companies' obligations for their products beyond their sale and/or after-sale service to the end of each product's useful life. Companies that market EPR-covered products thus become responsible for recovering and reclaiming those items.

EPR Value Chain

The EPR value chain is made up of all interactions between various EPR actors in Québec. View the [video](#) to better understand the EPR approach as well as the role played by RECYC-QUÉBEC and other stakeholders in the system.

In Québec, the government adopted a framework EPR regulation that came into force on July 14, 2011. The [Regulation respecting the recovery and reclamation of products by enterprises](#) (the "Regulation") requires companies that introduce new products on Québec's market to:

- Implement an individual recovery and reclamation program for their products, or
- Join a RECYC-QUÉBEC-recognized producer responsibility organization (PRO) that has implemented such a program.

Companies targeted by the Regulation include:













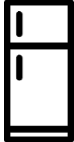


- Québec-based trademark owners or users of a covered product (manufacturers, producers, etc.)
- If the trademark owner or user does not have a Quebec location, first suppliers or marketers in Québec (distributors, retailers, etc.)
- Enterprises outside Quebec and transactional websites in certain cases (see Regulation)

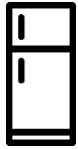
Main obligations of targeted companies

- Reach prescribed minimum recovery rates
- Implement a recovery structure (drop-off points)
- Respect the 3R hierarchy in the choice of management options
- Provide for criteria to determine product reusability
- Enable traceability of products and materials from recovery to final destination
- Provide for management of containers not covered by the Regulation and used to bring the products to the drop-off centres
- Opt for local end-of-life product management companies
- Support the dissemination of information, awareness and education
- Support research and development in their business sector
- Report to RECYC-QUÉBEC on an annual basis
- Publish the performance results of the program annually

The following is a list of official programs for each category of products covered by the Regulation.

Covered products and official recovery and reclamation programs

Categories of products covered by the regulation	PRO recognized by RECYC-QUÉBEC	Private programs ²
 <p>Used oils including their containers and filters Antifreeze and coolants including their containers and filters Aerosol containers for brake cleaners</p>		
 <p>Mercury lamps including fluorescent tubes and compact fluorescent bulbs</p>		
 <p>Paints including aerosols and containers</p>		
 <p>Batteries including rechargeable and non-rechargeable batteries and products in which they are components</p>		
 <p>Electronics including computers and peripherals, laptops, monitors, cellphones, TV sets, audio and video equipment, etc.</p>		
 <p>Household appliances and air conditioners including fridge, freezer, oven, washer and dryer, air conditioning, wine refrigerator, etc.</p>		



Commercial or institutional refrigerating or freezing appliances

including refrigerators, freezers, cooling units, ice machines, wine coolers, food or beverage vending machines

SORAC
société de récupération
des appareils commerciaux



Agricultural products

Including sheeting, netting and twine, tubing and fittings, bags and canvas, other bags and containers designed for agricultural use, plastic mulch, plastic sheeting for tunnel coverings, plastics used in drip irrigation and greenhouses, floating tarpaulins or covers, manure pit covers, plastics for watering and ground mats, plastics for maple sugar production, Class 1 to 3A pesticides and seed coated with pesticides (non-household)


agrirécup



Pharmaceutical products

Including household and pet medical products (prescribed or not), household and pet natural products, and household and pet cutting or sharp objects designed and used for medical purposes

 ASSOCIATION POUR LA RÉCUPÉRATION DE
PRODUITS SANTÉ



Pressurized fuel containers

Including all non-refillable containers and refillable containers marketed in a northern or isolated community


L'AGRP

² Industry-initiated private programs are strictly designed for the products marketed by members and do not necessarily include all sub-categories of products covered by the Regulation.

³ Quebecor's program also includes its subsidiaries Vidéotron, Le Superclub Vidéotron and Microplay, where the company is rolling out its drop-off points.

For more information on products, targeted companies and PROs, go to [RECYC-QUÉBEC's website](#).

For more information on the Regulation and its application, go to the government's website at the [Ministry of the Environment and the Fight against Climate Change, Fauna and Parks \(MELCCFP\)](#) and the Regulation application guide (in French only) at [Guide d'application du Règlement](#) (PDF, 944 KB).

Issues

The problem with free riders

The efficiency of an EPR approach is based on the premise that all actors in the value chain respect the law. To meet their obligations, targeted companies must implement a recovery and reclamation program or join an organization recognized by RECYC-QUÉBEC that manages such a program.

Of course, running a recovery and reclamation program incurs costs. Companies have the possibility to finance the program directly from corporate profits or to include a fee in their products' sale price in order to cover program management costs. The seller can make those charges visible according to certain parameters defined by the Quebec government. Those eco-fees, or environmental handling fees (EHFs), have to be used by the individual programs or the sector-wide PROs to finance their program; in the latter case, by collecting them yearly from their members when the products are sold to consumers. Most companies abide by this system and share the financial cost of the program.

Companies that do not meet their obligations under the Regulation, known as free riders, benefit from recovery and recycling services financed by companies who do comply with the Regulation. By not charging environmental handling fees, free riders get an unfair competitive advantage on the market, as they can offer equivalent products at a lower cost. Furthermore, PROs that recover and reclaim products sold by offending companies incur losses, as they do not receive the necessary financing for processing the products sold or acquired by free riders.

Risks for contract givers involved in purchasing decisions from suppliers outside Québec

Sometimes, contract givers unknowingly do business with free riders or suppliers outside Québec offering products at lower prices. Since September 2022, certain companies outside Quebec have been covered by the Regulation if they market their products directly to consumers in Quebec.

By doing business with a free rider, contract givers indirectly harm the viability of the programs in place while associating with companies that do not respect the law. It is therefore important that they take steps to purchase covered products from compliant suppliers.

Contract givers or individuals who purchase products from suppliers based outside Québec must take notice that their product is covered by the Regulation. Therefore, their company must therefore implement their own recovery program or join a PRO in Québec. The company operating a transactional website (online sales) will be primarily responsible under the

Regulation; if the transaction takes place directly through a supplier outside Québec, the supplier will be considered responsible; it will therefore be necessary in any case to ensure that the relevant company, and its own recovery services suppliers, participates in a recognized program. Otherwise, the company itself becomes a free rider. When companies do not comply with the Regulation, they are subject to administrative or penal sanctions.

Parallel Networks and Product Management Practices

In order to contribute to system efficiency, contract givers who purchase products covered by the Regulation must ensure that they do business with suppliers verified by official end-of-life product management programs. The Regulation requires PROs and companies with private programs to work with collectors, recyclers and other conditioners who apply industry best practices. By sending their products to official programs instead of “parallel networks,” contract givers can rest assured that end-of-life products are properly and safely managed. In so doing, they contribute to program performance by improving recovery rates.

The Regulation also requires that access to recovery or drop-off points be free of charge.⁴ It is therefore preferable to do business with a supplier affiliated with an official program in order to avoid additional costs for recovering and transporting end-of-life products. In order to resolve this issue, from September 2022, the Regulation contains a formal obligation to participate in a recognized program in order to handle covered products. Although this obligation will reduce the impact of parallel networks, contract givers and all parties must remain vigilant in order to promote best practices in product management. Contract givers must therefore ensure that the bidder for the product is a member of a program recognized in Quebec but also that the service providers for the recovery of products at the end of their life are also part of the supply chain of the PRO.

⁴ The Regulation requires that a minimum number of product drop-off points or in-store collection locations be provided. The program should include product collection services, but if no drop-off point is available in a given area, a free complementary collection service must be offered.

Purchasing best practices

The following section lists purchasing best practices for EPR-covered products at each step of the purchasing process.

Make EPR a criterion for product purchases

In order to responsibly purchase EPR-covered products, contract givers should include an eligibility criterion requiring suppliers to be compliant with EPR regulations.

Before buying a product

Tenderer compliance

When developing a call for tenders or code of conduct involving EPR products, contract givers should include a requirement regarding tenderers' compliance with the Regulation. Tenderers must be able to:

- 1) Indicate whether they are targeted by the Regulation: Yes or No
- 2) If so, indicate how they comply with the Regulation:
 - The tenderer has access to a private program
 - The tenderer is a member of a producer responsibility organization recognized by RECYC-QUÉBEC
 - The tenderer is working on attaining compliance
 - The tenderer is not compliant
- 3) If not targeted, indicate whether their own supplier is targeted and whether that supplier complies with the Regulation. The compliance requirement should be among eligibility criteria for participation in the call for tenders, which could be determined, for example, from their answers to a questionnaire in an appendix to the call for tenders. The questionnaire should be part of required documentation when the tender is submitted. EPR compliance may also be specified in a code of conduct. To help you validate whether tenderers are indeed compliant, see the decision tree provided in the appendix to this document.

Clarity With Regard to Prices and EHF's

In the case of a call for tenders, tenderers should be required to indicate whether or not proposed prices include EHF's. If EHF's are applicable, it is useful to indicate the amount in order to facilitate price comparisons between suppliers. When clear price and EHF information is available, contract givers can avoid unforeseen charges after the contract is awarded.

The Regulation formalizes that an enterprise electing to render those internalized costs visible must, when selling a product, indicate to the purchaser the address of a website on which information concerning the recovery and reclamation program for the product is posted.

Contract modalities

In the case of a call for tenders, it is possible to require that the products be recovered and recycled through recovery programs recognized in Quebec. As mentioned in the section on parallel networks, the Regulation prohibits the recovery and reclamation of products through means other than recognized programs. Despite this provision of the Regulation, if the nature of the contract requires it, it may be relevant to formalize this modality in the content of the call for tenders to avoid doing business with a non-compliant company.

For other types of contracts, it remains a good practice to include this specific requirement in the obligations of service providers; It is always advisable to remain vigilant and do research on the processing methods used by companies.

During tenderer evaluation

Checking tenderer compliance

In order to confirm tenderers' statements regarding their compliance with the Regulation, you may contact the PRO or look through their membership list:

- [Appel à Recycler](#): Single-use and rechargeable batteries, button batteries.
- [Éco-Peinture](#): Paints, stains, varnishes, shellacs, primers, etc. and their containers
- [EPRA-Québec](#): Electronics (computers, peripherals, monitors, TV sets, laptops, etc.)
- [GoRecycle](#): Household appliances and air conditioners.
- [Société de récupération des appareils commerciaux \(SORAC\)](#): refrigerators, freezers, ice machines, cooling units, wine cellars, food or beverage vending machines
- [Recyc-Fluo](#): Fluorescent tubes, compact fluorescent bulbs and other mercury lamps.

- [Société de gestion des huiles usagées](#) (SOGHU): Motor oils, antifreeze and coolants, filters and brake cleaners.
- [Agri-Récup](#) : Sheeting, netting and twine, tubing and fittings, bags and canvas, other bags and containers designed for agricultural use, pesticides, etc.
- [Association pour la récupération des produits de santé \(ARPS\)](#) : household and pet medical products (prescribed or not), household and pet natural products, cutting or sharp objects designed and used for medical purposes
- [Association pour la gestion responsable des produits \(AGRP\)](#): Non-refillable pressurized containers and fuel containers (propane & other fuels for camping, home or professional uses)

You may also contact our EPR team for help in checking tenderer compliance:

- E-mail: REP@recyc-quebec.gouv.qc.ca
- By phone: Greater Montréal area at 514-352-5002, or toll free at 1-800-807-0678

Evaluating prices

Generally, product costs should be evaluated according to the overall price, which includes the sale price and associated EHF, if any. Transportation costs should be included and not exceed a reasonable rate, notwithstanding the nature of the product.

At contract signing

Clarity and flexibility regarding prices and EHF

To avoid all ambiguity, the agreement or contract with the selected supplier should indicate whether prices include applicable EHF.

While EHF are relatively stable, you may wish to include an EHF modulation clause, either upwards or downwards, in long-term supply contracts. You would then be able to adjust prices if, for example, the PRO changes EHF rates. To do so, EHF amounts must be clearly identified in the agreement.

Supplier's continued compliance

Contracts should include a clause indicating that the supplier must remain compliant with the Regulation for the entire contract term.

During contract performance

Verification of the supplier's continued compliance

Contract managers should periodically verify whether the supplier continues to comply with the Regulation as the contract progresses. Any perceived lack of compliance can be signaled to RECYC-QUÉBEC's EPR Team.

Need assistance?

Our dedicated EPR team can help you at the following coordinates :

- By email: REP@recyc-quebec.gouv.qc.ca
- By phone: Montréal region at 514 352-5002 or 1 800 807-0678 (free)

If you want an accessible version of this document, respecting the Standard sur l'accessibilité d'un document téléchargeable (SGQRI 008-02), please ask at the following coordinates:

- By email : info@recyc-quebec.gouv.qc.ca
- Par phone : 1 800 807-0678 (free)

References

MELCCFP (2024). [Guide d'application du Règlement sur la récupération et la valorisation de produits par les entreprises](#), viewed in April 2024

Publications du Québec (2024). [Regulation respecting the recovery and reclamation of products by enterprises](#), viewed in April 2024

RECYC-QUÉBEC (2024). [Responsabilité élargie des producteurs](#), viewed in April 2024

Publications du Québec (2024b). [The Regulation to amend the Regulation respecting the recovery and reclamation of products by enterprises.](#)

Contact information for official programs

Recognized Producers' Responsibility Organizations

Appel à Recycler

Tel.: 1-888-224-9764

info@appelarecycler.ca

www.appelarecycler.ca

Éco-Peinture

Tel.: 819-840-6229 (toll-free: 1-855-840-6559)

info@ecopeinture.ca

www.ecopeinture.ca

EPRA-Québec | Recycle my electronics

Tel: 1-888-557-8177

info@recyclermeselectroniques.ca

www.recyclemyelectronics.ca

GoRecycle

info@gorecycle.com

www.gorecycle.com

Société de récupération des appareils commerciaux (SORAC)

[Tél : 1.888.728.9169](tel:1.888.728.9169)

info@sorac.ca

<https://sorac.ca/>

Recyc-Fluo

Tel.: 1-888-604-2624

info@recycfluo.ca

www.recycfluo.ca

Société de gestion des huiles usagées (SOGHU)

Tel.: 450-447-9996 (toll-free: 1-877-987-6448)

soghu@soghu.ca

www.soghu.com

Agri-Récup

Tél : 1.877.622.4460

info@agrirecup.ca
<https://agrirecup.ca/>

Association pour la récupération des produits de santé (ARPS)

Tél : 1-844-535-8889

info@healthsteward.ca
<https://arpsante.ca/>

Association pour la gestion responsable des produits (AGRP)

Tél : 1-877-592-2972

quebec@productcare.org
<https://www.agrp.ca/produits/rdd/quebec/>

Individual programs

Bell

Tel.: 1-866-301-1942

[Bell Contact Us page](#)

[Link to program](#)

Gagnon frères

Tel. : 418-690-3366

gagnon@gagnonfreres.ca

www.gagnonfreres.com

Meubles RD

Tel.: 819-330-3131

info@meublesrd.com

www.meublesrd.com/en/

Safety-Kleen

Tel.: 1-800-641-0610

www.safety-kleen.com/

Québecor | We Recycle Program

(Vidéotron, Le Superclub Vidéotron et Microplay)

Tel.: 1-877-512-0911

[Videotron Contact Us page](#)

www.videotron.com/werecycle

Coca-Cola Canada

Tél : 616-581-9741

<https://fr.coca-cola.ca/entreprise-responsable/monde-sans-dechets>

PepsiCo

Tél : 1-800-433-2652

<https://contact.pepsico.com/pepsicafr>

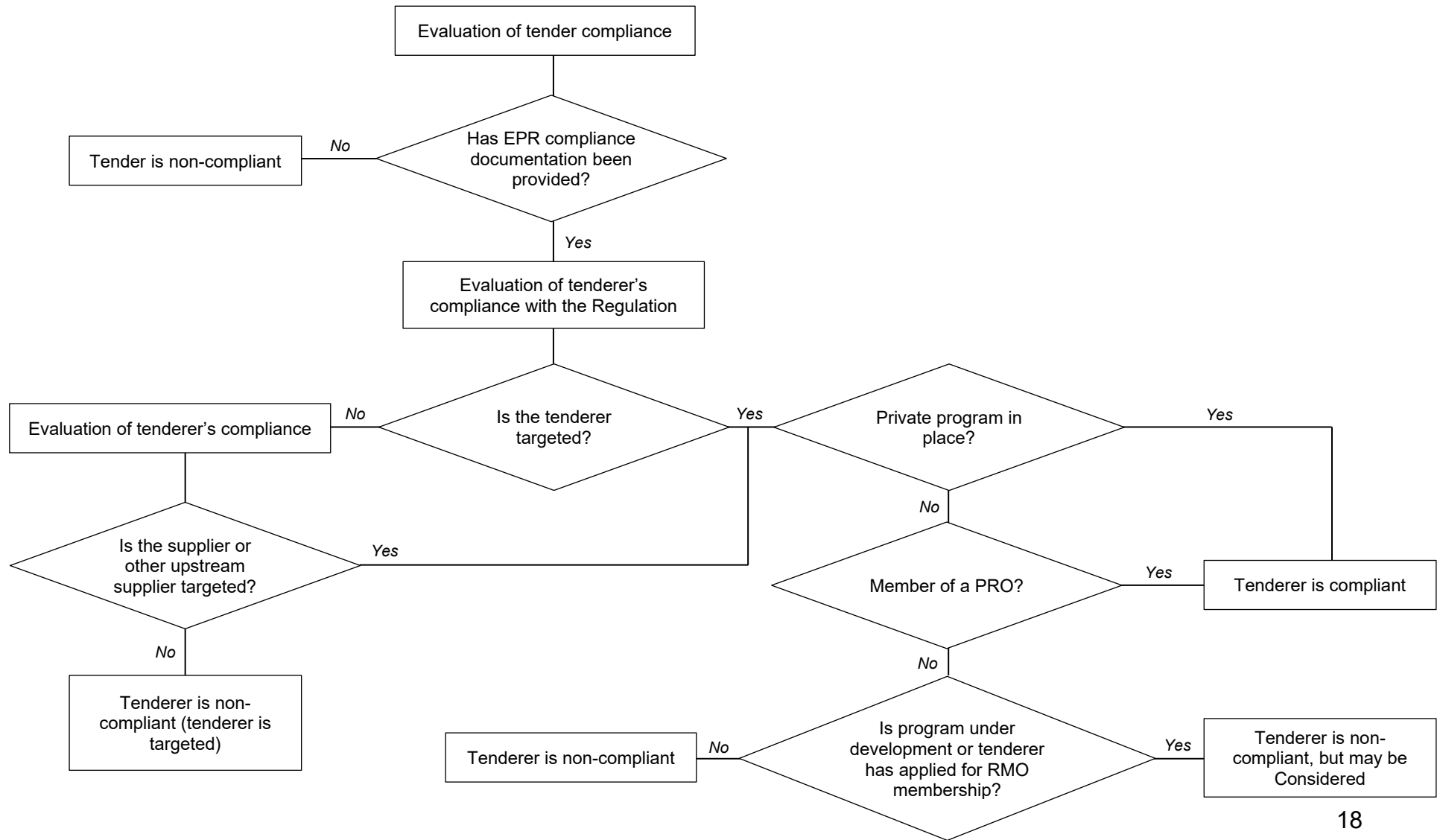
<https://www.pepsi.ca/>

Guru Énergie

Tél : 1-888-810-4878

<https://www.guruenergy.com/fr-ca>

Appendix 1: Evaluating Supplier Compliance with the Regulation





Need help?

Our EPR team is there for you. Contact us:

- E-mail: REP@recyc-quebec.gouv.qc.ca
- By phone: Greater Montréal area at 514-352-5002, or 1-800-807-0678 (toll free)

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