



## PRODUCER OBLIGATIONS IN ONTARIO: WHAT YOU NEED TO KNOW?

As of July 1, 2020 the [Batteries Regulation](#) under the Resource Recovery and Circular Economy Act, 2016 designates batteries as a material under Ontario's [individual producer responsibility](#) (IPR) regulatory framework, making battery producers individually accountable and financially responsible for collecting and reusing, refurbishing or recycling their batteries when consumers discard them.

### ? HOW ARE BATTERIES DEFINED UNDER THE BATTERIES REGULATION?

The Batteries Regulation applies to the following types of batteries:

- Supplied into Ontario, regardless of end user and includes industrial, commercial, and institutional consumers
  - Each weighing 5 kg or less and sold separately from products (i.e. button cells, AA, AAA, C, D, 9V, lantern batteries)
  - Replacement batteries for products (i.e. cordless drill, cell phone, laptop).

The following batteries are EXCLUDED from the Batteries Regulation:

- Batteries sold with or in products
- Batteries each weighing over 5 kg

### ? WHO IS OBLIGATED?

You are considered an obligated battery producer (and therefore legally responsible for meeting the recycling targets and complying with the requirements of the Batteries Regulation), if you answer yes to any of the following and don't qualify for the volume and employee size exemptions.





## ❓ WHO IS RESPONSIBLE FOR REPORTING & REMITTING PROGRAM FEES TO CALL2RECYCLE?

---

While an obligated producer must register and report to RPRA, your company must also report and remit fees to Call2Recycle, who is serving as your appointed Producer Responsibility Organization (PRO). To ensure there is no double-reporting or double-payments, and understanding the supply chain complexities, we've developed the following scenarios:

- ➔ Scenario 1 – Battery Brand Holder: Company A is a battery brand holder with an office in Canada who sells batteries to industrial, commercial, and institutional consumers. Company A is responsible for reporting sales and remitting program fees to Call2Recycle.
- ➔ Scenario 2 – Retailer Selling Private Label: Company B purchases batteries from Company C, a foreign based manufacturer, to sell as their own private label as stand-alone batteries online and in-store to consumers, industrial, commercial, and institutional entities in Ontario. If Company C has a residence in Canada, then Company C is responsible for reporting sales and remitting program fees to Call2Recycle.
- ➔ Scenario 3 – Distributor: Company D, located outside of Ontario but in Canada, is not the brand holder but sells batteries to Company E, who will distribute and/or sell in Ontario, then Company E would be the first importer in Ontario and therefore, the obligated producer responsible for reporting sales and remitting program fees to Call2Recycle.
- ➔ Scenario 4 – Retailer: Company F is importing a National brand battery directly into Canada and the National brand does not have an office in Canada, Company F would be responsible for reporting sales and remitting program fees to Call2Recycle.
- ➔ Scenario 5 – Online Retailer: Company G imports National branded batteries into Ontario to be sold online to consumer, industrial, commercial, and institutional entities. Depending on the arrangement, Company G or the National branded battery company could be obligated. In this scenario, Company G should consult with their supplier (National battery brand company) and RPRA to determine who will serve as the responsible party and report sales and remit program fees to Call2Recycle.

While these are only a few general scenarios, we encourage you work in partnership with your suppliers/sellers to determine responsibility, confirm you are registered and for what you will be reporting/remitting on. This will not only avoid duplicate reporting or payment, it will also help to minimize free-riders (batteries which are being collected but whose end of life management is not funded).

If you are uncertain about your obligation and/or require additional clarity, please contact Call2Recycle's Ontario Director, Michael MacDonald at 647-484-2670 or [mmacdonald@call2recycle.ca](mailto:mmacdonald@call2recycle.ca).



## ? HOW AND WHERE DO WE REPORT & REMIT FEES TO CALL2RECYCLE?

---

- If you are an obligated producer and already a member with Call2Recycle: log into Call2Recycle's online reporting portal, [GreenTrax](#), using your existing credentials, ensure you've designated Call2Recycle as your PRO and begin reporting July sales starting August 1, 2020.
- If you are obligated and NOT currently a member with Call2Recycle, please contact Call2Recycle's Ontario Director, Michael MacDonald at 647-484-2670 or [mmacdonald@call2recycle.ca](mailto:mmacdonald@call2recycle.ca).

### IMPORTANT TO NOTE:

- As of July 1, 2020, you or your customer(s) should no longer remit any sales or payments to Stewardship Ontario, as the single-use battery program has wound down. Going forward, ALL reporting and payments should be made to Call2Recycle (which are presented at a slightly lower rate than the previous program). Obligated producers must report monthly, which is a change from Stewardship Ontario's quarterly reporting, and fees must be remitted within 30 days of reporting.

## ? WHAT ARE MY REGULATORY OBLIGATIONS TO RPRA?

---

In addition to Call2Recycle serving as your PRO and remitting sales and fees to Call2Recycle, producers must also register with RPRA and report the weight of rechargeable batteries supplied in 2018 and single-use batteries supplied in 2018 and 2019 on or before November 30, 2020. Obligated producers will also assume shared responsibility for RPRA's annual fees for funding its operations, which is separate from Call2Recycle's fees.

## ? CAN WE CHARGE VISIBLE FEES TO CONSUMERS?

---

The regulation allows fees to be passed along to consumers or to their trading partners. Whether the fee is embedded into the price or shown as a visible fee to the end-user is left up to the producer. However, if you are charging visible fees to the consumer, you may decide to include RPRA's annual fees.

## ? WHERE CAN I FIND MORE INFORMATION?

---

In addition to information found on Call2Recycle's [website](#), RPRA offers the resources below. We encourage you to contact RPRA's Compliance Team at [registry@rprra.ca](mailto:registry@rprra.ca), (647) 496-0530 or toll-free at (833) 600-0530 with any questions related to your Battery Regulations obligations as a battery producer.

- [The Batteries Regulation](#)
- [RPRA Registry Procedure – Verification and Audit](#)
- [RPRA - Understanding Your Requirements as a Battery Producer](#)

If you are uncertain about your producer obligation and/or require additional clarity, please contact Call2Recycle's Ontario Director, Michael MacDonald at 647-484-2670 or [mmacdonald@call2recycle.ca](mailto:mmacdonald@call2recycle.ca).