

Company Penalized \$20,000 for Not Having Product Stewardship Plan



Recycling regulations require the producers of packaging and printed paper products to have an approved product stewardship plan or to appoint an agency with an approved plan as its agent to comply with this requirement. A company was assessed a \$20,000 administrative penalty for failing to have such a plan. It appealed. The BC Environmental Appeal Board upheld the penalty. The company was a producer of packaging and printed paper products. Because it didn't qualify as a small producer, it was required to have a product stewardship plan. Despite a clear record of communication between the company and the Ministry, which shows that it was aware of its obligations and the steps it needed to take comply with this requirement, it failed to take the steps that would reasonably be expected to achieve compliance until March 2016—almost two years after the requirements took effect [*MTY Tiki Ming Enterprises Inc. v. British Columbia (Ministry of Environment)*, [2016] B.C.E.A. No. 13, Sept. 1, 2016].