

April 18, 2012

**Important Notice to Producers, Distributors and Retailers of Mercury Containing Lamps in Québec**

## **Immediate Action required in order to comply with Québec product stewardship Regulation**

### **Québec Regulation requires Industry Product Stewardship Program for Mercury Containing Lamps**

The province of Québec (QC) has amended the "[Regulation respecting the recovery and reclamation of products by enterprises](#)" (the Regulation") to add the product category of "mercury containing lamps" (which includes fluorescent lamps), and to require any company which markets these lamps in Québec to either institute their own product stewardship program, or to join an accredited industry managed program such as the Product Care program. The Regulation requires every obligated company to notify Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP) by April 14, 2012 of:

- their intention to start their own program including the detailed information required by the Regulation,

or

- their intention to join an accredited program including the information required by the Regulation. Note that PCA/APR program is in the process of becoming accredited.

If you have not already filed this notification, we recommend that you do so as soon as possible. See below for more information.

### **Status of Product Care's accreditation agreement**

Instead of a program plan, as required in other jurisdictions, the Québec Regulation requires an industry program to have an accreditation agreement with the regulatory agency, RECYC-QUÉBEC.

Product Care ("PCA") (and other industry associations for other products including electronics and batteries) has been actively negotiating a program agency accreditation agreement with RECYC-QUÉBEC on behalf of PCA's current and future Québec lamp sector members. However for a number of reasons beyond the control of the industry, the accreditation process is not yet finalized.

### **About Product Care**

Product Care operates fluorescent lamp and other product stewardship programs in several provinces in Canada. [PCA](#) is a non-profit industry association whose members include of manufacturers, distributors and retailers of Program products.

### **How will the Program Operate?**

PCA is already in the process of implementing its Québec lamps program. As of July 14, 2012, all consumers (including residential, commercial, institutional and industrial) will be able to take waste mercury containing lamps to a variety of collection locations across the province including municipal and participating retailer and distributor locations. "Return to retail" is not mandatory, but retailers

interested in being an advertised collection site should contact PCA. The program will be responsible for collecting, transporting and recycling the collected lamps, and for administering and promoting the program.

### **What kinds of mercury containing lamps are included in the program?**

The program will include the following common categories of lamps, whether they are marketed for residential, industrial or commercial purposes:

- Fluorescent Tubes – including various lengths, shapes and diameters
- Compact Fluorescent Lamps (CFLs) - including pin-type sockets, covered CFLs and various output wattages
- Other mercury containing lamps - High Intensity Discharge (HID) including mercury vapour, metal halide, and sodium vapour etc.

See the [Product Care](#) website for more information. Note that the Québec Regulation refers to all mercury containing lamps, whether used residentially, or by institutions or businesses. (PCA's BC LightRecycle program will also be expanding to include all residential and non-residential use lamps, however the BC program will include all lamp technologies and lamp fixtures too).

### **How will the program be funded?**

The program will be funded by "recycling fees" paid to Product Care by its program members on every mercury containing lamp sold in Québec. PCA is still in the process of budgeting for the program and the fee rates will be available shortly. Note that Québec law limits the use of "visible fees".

### **How to notify MDDEP and join the PCA Québec program:**

If you are already a member of PCA, you need to:

- 1) Directly notify MDDEP as soon as possible that you will be joining PCA/APR Québec Lamps program by completing the "Enterprise Information Form" available on PCA/APR Québec webpage and sending it to MDDEP at: [Info.rep@mddep.gouv.qc.ca](mailto:Info.rep@mddep.gouv.qc.ca)
- 2) Join the PCA Québec lamps program: Complete the one page PCA membership agreement for existing PCA members available on PCA website expand your PCA membership to include the PCA Québec lamps program and return both the PCA membership form and the "Enterprise Information Form" to PCA (by scan/email, fax, mail or courier – see information below).  
PCA/APR will notify RECYC-QUÉBEC of your membership in the PCA Québec Lamps program.

If you are not already a member of PCA, you also need to complete the full PCA membership agreement (available upon request).

### **Who should join the program – manufacturer, distributor or retailer?**

The Québec Regulation is prescriptive and requires the "brand owner/first supplier" in Québec to comply with the Regulation. We encourage you to speak to suppliers/customers in your supply chain to determine who should join the program.

For more information, please refer to the [guideline](#) issued by the Québec Ministry of the Environment.

**For more information** or to obtain PCA membership forms **contact:**  
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