



MEMBER BULLETIN

RPRA Issues Administrative Penalty to Blue Box Producer

On June 28, 2024, RPRA issued an Administrative Penalty (AP) Order to Casper Sleep Inc. for failing to establish and operate a collection system for Blue Box materials in 2023 as required under s. 19 of O. Reg. 391/21 (Blue Box Regulation), and for failing to implement a promotion and education program in 2023, as required under s. 69 of the Blue Box Regulation.

This is the first AP issued by RPRA under O. Reg. 558/22 (Administrative Penalties) and s. 89 of the Resource Recovery and Circular Economy Act, 2016 (RRCEA).

The total penalty for both contraventions under the Blue Box Regulation is \$340,457.04 on the following basis:

- s. 19: Failure to establish and operate a collection system
 - \$200,000 – Base penalty
 - \$63,446.41 – Economic benefit
 - \$263,446.41 – Total

- s. 69: Failure to implement a promotion and education program
 - \$75,000 – Base penalty
 - \$2,010.63 – Economic benefit
 - \$77,010.63 – Total

The AP Order requires Casper Sleep Inc. to pay the full amount to RPRA within 30 days or appeal the order to the Ontario Land Tribunal within 15 days.

W2RO has been actively consulting and providing feedback to RPRA with regards to APs and use of collected funds.

Questions or Assistance Needed?

For any questions regarding this member bulletin, please contact Ravneet Gill at rgill@w2ro.org.