

April 21, 2015

Product Care Association Supplementary Letter of Agreement for Ontario Industry Stewardship Programs Membership

1. This supplementary membership agreement is required of any Product Care Association (PCA) member registering for one or more of PCA's Ontario Industry Stewardship Program(s) (ISP or ISPs) filed by PCA with Waste Diversion Ontario (WDO) and approved by WDO, and upon acceptance of this agreement by the member, and the acceptance by PCA of the member's application for registration for the ISP or ISPs, forms part of the Membership Agreement between the member and PCA.
2. The member acknowledges that it is an obligated steward, in accordance with the Waste Diversion Act of Ontario, for one or more products included in the ISP(s), and that the member is applying to PCA to participate as a member of PCA in one or more ISPs, and to end its participation with the waste diversion program operated by the Industry Funding Organization ("IFO") approved under the Waste Diversion Act by WDO for those products.
3. The member acknowledges having read the ISP(s) and agrees to observe and comply with all commitments contained in the ISP(s) relating to stewards including but not limited to the following provisions:
 - a. Notwithstanding the obligations of the member to remit Environmental Handling Fees to PCA for the ISP(s), the member acknowledges and agrees that the member will not advertise, or display at point of sale, or display on an invoice or sales receipt to a consumer, or in any other way, the EHF's or any other amount identified as an "eco-fee" or "environmental fee" or any other similar charge or fee in any way related to the ISPs, separately from the price of the product that is subject to the EHF.
 - b. The member acknowledges the obligation to comply with certain reporting and payment obligations of the member to the IFO, in order to maintain "good standing" with the IFO, as required by WDO, both before and after the member joins PCA for the ISP(s).
 - c. Registration by the member for an ISP will not be active until after WDO approves the member to join the ISP and PCA accepts the member's registration in the ISP and after the effective date of the ISP as set by the WDO.
4. The member hereby consents to the IFO providing to PCA any sales or related data given by the member at any time to the IFO in connection with the ISP products, to assist PCA in program planning, provided that PCA shall maintain confidentiality with respect to such information in the same way as for similar information provided directly by the member to PCA for PCA programs.