

NSW Container Deposit Scheme: Supplier obligations

Suppliers need to comply with Container Deposit Scheme legislation for supply arrangements, container approvals and additional container requirements.

Return and Earn

The NSW Container Deposit Scheme, *Return and Earn*, started on 1 December 2017, and is the largest litter reduction initiative introduced in NSW.

Return and Earn ensures industry and the community share responsibility for reducing and dealing with litter generated by beverage packaging. Since it began, more than eight billion containers have been returned and the volume of drink container litter has fallen by 52%.

Who is a supplier?

Drink suppliers are an integral part of *Return and Earn*. A supplier means **a person who carries on a business that is or includes the supply of beverages in containers**. This includes retailers, distributors, wholesalers, and persons who trade, swap, or give away for free, beverages in containers. It also includes:

- **first suppliers** – anyone who makes the first supply of an eligible beverage in NSW
- **container approval holders** – the person or business who has been granted a container approval by the NSW Environment Protection Authority (EPA).

What are my obligations?

If you first supply eligible beverages in containers in NSW, you are required to:

1. enter into a **supply arrangement** with the scheme coordinator [Exchange for Change](#)
2. ensure each drink container you supply in NSW has been granted a **container approval** by the EPA
3. pay a contribution for each eligible container supplied into NSW.

Supply arrangements

As a first supplier of eligible beverages in NSW, you must enter into a supply arrangement with the scheme coordinator, Exchange for Change. You must also contribute to the costs of *Return and Earn* under this arrangement.

Before registering as a beverage supplier, check whether you qualify as a first supplier under the *Return and Earn* [first supplier guidelines](#).

For more information on how to register as a supplier, supply arrangements, scheme payments and contribution methodology, visit the [Exchange for Change](#) website.

Container approvals

Create an account and apply for approvals

If you are a first supplier you must ensure that the containers you supply in NSW are approved. To check if a container is already approved, use the [Return and Earn container search tool](#).

To apply for a container approval, you must create an account on the [NSW Container Approval Portal](#).

Once the EPA approves your account, you can begin applying for container approvals.

For more detailed information on applying for a container approval, refer to the [container approval process fact sheet](#).

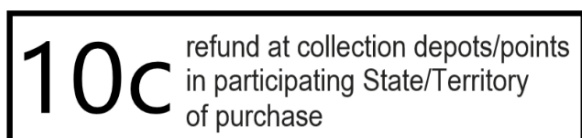
Additional container requirements

You must ensure eligible beverage products you supply or offer to supply in NSW are compliant with the **refund marking**, **barcode** and **removable-lid requirements** below.

Refund marking

Suppliers must only supply or offer to supply eligible containers that show the refund marking.

The refund marking must include the words ‘**10c refund at collection depots/points in participating state/territory of purchase**’, in clear and legible characters.



Barcodes

All eligible containers supplied into NSW, including multipacks and imports, must have a compliant barcode printed on the label or directly on the container. This allows approved containers to be accepted for a 10c refund at return points.

A compliant barcode must be unique to its class of container (product) and must be either a GTIN barcode or an 8 to 13 digit barcode that complies with the [GS1 Standard](#). Please refer to [cl 22A of the Regulation](#) for the full barcode requirement.

Removable lids

Metal cans must not have a lid that is completely removable upon opening, such as 360-end cans or old-style ring-pull/pop-top tab lids where the tab is removable. Removable lids do not include twist tops and the popular stay-tab mechanisms.



A) An eligible metal container with a stay-tab opening
B) A prohibited removable 360-end lid

The supply of cans with removable lids is prohibited in NSW to prevent the detachable lid from potentially entering the litter stream.

The EPA's role

The EPA plays an important compliance role to ensure *Return and Earn* meets its objectives.

We aim to be a modern and effective regulator that exercises its statutory authority fairly and credibly.

It is our priority to educate suppliers and retailers to achieve compliance in the first instance.

Compliance

The EPA uses active compliance measures where necessary to ensure all eligible containers meet the legislated requirements.

Approvals for containers without a compliant barcode, can lid or refund marking, may be revoked or suspended, making it an offence to supply or offer to supply the beverage container in NSW. Suppliers may also be subject to penalties.

We are here to help

More information, including fact sheets about the container approval process and retailer obligations, is available on the [EPA website](#).

If you have any questions about these requirements, please contact the EPA:

- phone: 131 555
- email: container.approval@epa.nsw.gov.au.

References

EPA 2017, *Role of first suppliers of drink containers*, www.epa.nsw.gov.au/your-environment/recycling-and-reuse/return-and-earn/role-of-first-suppliers-of-drink-containers

[Waste Avoidance and Resource Recovery \(Container Deposit Scheme\) Regulation 2017](#) ('the Regulation')

Waste Avoidance and Resource Recovery Act 2001 ('the Act')

NSW Environment Protection Authority

Email: container.approval@epa.nsw.gov.au

Website: www.epa.nsw.gov.au

ISBN 978 1 922778 72 7 | EPA 2022P4106

October 2022

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