



Deposit system for cans - session IV

For Producers and Importers

13 December 2022 - Raymond Gianotten

Introductory comments:

- The usual competition rules apply.
- The presentation will be sent later and will be translated into English.
- Please submit questions to info@statiegeldnederland.nl
- Please use info@statiegeldnederland.nl to give us your email address for future contact.





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Ruling by court in preliminary relief proceedings (Dutch Council of State)

2 December 2022

- National deposit system for cans may be introduced on 1 April 2023
- Preventive penalties suspended
- State Secretary cannot enforce introduction of national deposit system for cans before 1 April 2023

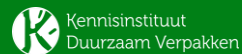
- General interest best served through smooth launch of deposit system nationwide in one go
- IT issues and lack of pressing machines are two of the reasons preventing system launch on 1 January 2023
- Manual collection in supermarkets would lead to major practical problems, given large number of cans

No transitional period: switchover to system of deposit cans as soon as possible after 1 April

- There is already a delay in relation to the intended legal start date of 1 January 2023: switch over to deposit can system as soon as possible after 1 April
- The system for cans will be launched on 27 March 2023, which will be the first date on which deposit cans can go on sale to the consumer. To avoid confusing the consumer, we will keep to the date 1 April 2023 in our (external) communications.
- If you have no other option, so in your case 'as soon as possible' means you will already be selling cans prior to 1 April 2023 that bear the deposit logo and that may have a new EAN but on which no deposit is being charged: please notify us at info@statiegeldnederland.nl
- Cans bearing the deposit logo that are sold to the consumer prior to 1 April 2023 can be submitted from 1 April onwards but remember:
 - The consumer has not paid any deposit on these cans.
 - An additional tax assessment may be imposed on the producer/importer in question, with a levy of 150% applying.



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circulair
elke verpakking telt



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Questions?

Please email them to: info@statiegeldnederland.nl or go to www.statiegeldnederland.nl

Register!

Not yet registered with Afvalfonds Verpakkingen?

→ Then sign up as soon as possible at info@afvalfondsverpakkingen.nl

Not yet registered with Statiegeld Nederland?

→ Then email your name & address details as soon as possible to info@statiegeldnederland.nl



Who is a Producer/Importer (P/I)?

The P/I is subject to all the benefits and burdens, including registration, deduction & payment, other obligations and ownership of materials. There is no minimum, as the obligation applies right from the very first can.

From 2023, the general rule is:

Production in the Netherlands:

- For own-brand (private label) producer: producer is responsible
- For producer who is not a brand owner: brand owner with registered office in the Netherlands (who gives the order for production) is responsible

Production outside the Netherlands

- Importer with registered office in the Netherlands is responsible (irrespective of whose brand)
- Exception: if (Internet or other) sale made directly to Dutch consumer then importer with registered office abroad is responsible.

Customised agreement: Obligations can be assigned, in which case the terms and conditions are amended. From 2023, this option proceeds via AFV/Afvalfonds Verpakkingen (more info: info@afvalfondsverpakkingen.nl)

Link to a presentation by the AFV on the change to the legal definition of a P/I:
<https://www.youtube.com/watch?v=PNMMYQPcxPA>

From week 5 onwards: provide the product information

- EAN code
- Product name
- Aluminium or steel
- Weight of empty container
- Length
- Diameter
- Photo
- National or international EAN code
- Date from which EAN code is active



Registered with GS1? → most info is automatically read in from database GS1 but you do need to supplement and check it!

Not registered with GS1? → fill in all information yourself in portal Statiegeld Nederland (from week 5)

If you provided this info before 15 March then this will ensure it is included in the article file.

P/I declares that the information is correct and is liable if it isn't.

Register any deviating types of cans with RVM (Reverse Vending Machine) suppliers

- RVMs check both EAN code and dimensions (as well as weight)
- Can types must be supplied to and read in by RVM suppliers
- Statiegeld Nederland settles this collectively for the 10 most common types of cans
- Deviating types (such as aluminium bottles) must be supplied by the P/I itself



Volume	Diameter (mm)	Height (mm)
150 ml	53,4	88,4
250 ml	53,4	134
330 ml	66,6	115,2
330 ml	58,1	145,4
355 ml	58,1	156,9
375 ml	66,6	130,2
440 ml	66,3	149,9
473 ml	66,6	157,23
500 ml	66,6	168
568 ml	66,6	188,09

Register any deviating types of cans with RVM suppliers

TOMRA:

- € 3,033.75 excl. VAT per type (50% of normal price)
- To be supplied as: 24 items (filled) per type
- To: Laan van Malkenschoten 80, NL-7333 NP Apeldoorn Attn.: Harro/Francisco
- Valid up to and including 28 February 2023
- (following this date, costs will be charged for uploading to the RVMs)

RVM Systems:

- € 150.00 excl. VAT per type (50% of normal price)
- To be supplied as: 12 items (filled) per type
- To: Veldzigt 12, NL-3454 PW De Meern, Attn.: Berto Hardeman
- Valid up to and including 28 February 2023

Transportation

Sustainability

- The P/I has producer's responsibility, which includes taking back the bags.
- Improved utilisation of the existing P/I vehicle fleet because fewer journeys by empty lorries.
- Reduced deployment of additional external transportation: less CO2/fewer kilometres driven/fewer lorries on the road.
- This helps to achieve the P/I's sustainability goals.

Costs

- The fee is reflective of the costs.
- This reduces the system's costs = producer only has to pay small contribution.

Good customer service:

- Customer receives good service.
- Driving empty trucks won't be appreciated.

Transportation (2)

Aim for P/I: to utilise fully or partially empty return transportation trips, given sustainability, cost and customer service concerns.

Next week, an (emailed) letter will be sent to every major registered P/I that contains info about:

- Addresses and opening times for the counting centres, time taken to load/unload, slots
- Criteria as to which bags are OK / are not OK
- Fee (approx. € 190 per full lorry)
- Supplement via external imbalance journeys
- Which P/I(s) will drive from which DCs/wholesalers?
- Which routes can a P/I drive?
- The small-scale P/I is also welcome to provide transportation
- Feedback deadline: 6 January 2023

If insufficient transportation capacity then other options will be looked at (and total transportation costs will probably rise).



Campaign

From 1 April (and effectively from 27 March) onwards, consumers can hand in their deposit cans. Producers/Importers, collection points and consumers must be informed about this.

Campaign goals

- Aware of: the €0.15 deposit per can
- Aware of: the handing-in requirements
- Action: Hand the cans in

Target group

- Every Dutch person
- Those aged 30 years and younger
- Additional campaign focus:
 - Specific channels: Home vs. OOH (Out of Home) situations (e.g. King's Day celebration)
 - 13-23 year olds (litter)

Sender

In this campaign, all producers and retailers will communicate to the outside world using a single, clear, neutral voice. The sender used for this campaign will be Statiegeld Nederland.

Current campaign for deposits on plastic bottles



In conclusion

Producer's contribution amount for cans is expected to be set in January and to be reviewed annually.

Follow-up action

Next phone-in session for the P/I is scheduled for:

24 January 2023

This session will be mostly about the Producer Portal

- Sign up! (you need to do this soon)
- Register products
- Regular declaration 'on the market'





Questions? Contact:

info@statiegeldnederland.nl

Production in the Netherlands

Producer is brand owner:

- NL producer supplies to buyer in NL
- NL producer charges the deposit
- NL producer signs up with Statiegeld NL to register EAN code and submits regular declaration
- NL producer pays deposit and producer's contribution to Statiegeld NL (with levy for part of waste management contribution being paid to Afvalfonds Verpakkingen)
- NL producer is entitled to the materials

Brand owner but not a producer? Then brand owner is responsible.

→ **A customised agreement can be used to assign the obligations, which agreement will soon be made available by AFV (info@afvalfondsverpakkingen.nl)**

What about samples and free products? Well, the deposit is still deducted and paid and the consumer can still collect his/her deposit.



Importing

- An NL company buys a can abroad, so this NL company is the importer.
- Importer charges deposit on the sale in NL
- Importer signs up with Statiegeld NL to register its EAN code and submits regular declarations
- Importer pays Statiegeld NL the deposit and producer's contribution (via AFV)
- Importer is entitled to the materials

If NL brand owner imports directly/indirectly then brand owner is responsible.

→ In other words, in principle a foreign company is not a P/I that registers with Statiegeld NL. However, this P/I can still do so by means of a customised agreement.

- Consumer as importer (webshop abroad): webshop is the P/I.
- Importing with the aim of exporting (i.e. the can is not sold in NL): no declaration needed.



Direct and indirect export

Direct export

- NL producer sells a can directly to a buyer abroad
- Can is not sold in NL (i.e. is not first purchased from another NL company)
- No deposit or levy owed

Indirect export

- If it has already been deducted & paid (because purchased from an NL company) then it can be claimed back: indirect export. Producer's contribution is then repaid too.
- Remember: in the case of indirect export, there is a 5% deduction for risk.
- The Policy sets out which information must be provided (see next slide)
- An audit opinion is needed each year for the declaration for indirect imports.

Only direct exports are exempted from deposits.



Indirect export

Policy on deposit bottles and deposit cans Afvalfonds Verpakkingen Statiegeld Nederland

7.0 Restitutie en Overige Creditering

7.1 Restitutie

1. Een Exporteur van Statiegeldflessen en/of Metalen Drinkverpakkingen kan aan Statiegeld Nederland een verzoek doen om de bijdragen uit hoofde van de Statiegeldcomponent en de Systeemcomponent die door een Producent of Importeur aantoonbaar eerder aan Afvalfonds Verpakkingen zijn afgedragen over Statiegeldflessen en/of Metalen Drinkverpakkingen die zijn geëxporteerd, gerestitueerd te krijgen (**Restitutie**).
4. De Exporteur dient de Opgaaf Indirecte Export jaarlijks te onderbouwen door middel van een accountantsverklaring conform een door Statiegeld Nederland op te stellen controleprotocol. Voornoemde accountantsverklaring dient uiterlijk in het eerste kwartaal na afloop van een kalenderjaar aan Statiegeld Nederland te worden verstrekt. De meest actuele versie van voornoemd controleprotocol zal Statiegeld Nederland als download op haar website beschikbaar stellen.
5. De Opgaaf Indirecte Export over een Opgaveperiode dient ten minste de navolgende gegevens te bevatten:
 - a. de EAN-codes van de door de Exporteur buiten Nederland beschikbaar gestelde Statiegeldflessen en/of Metalen Drinkverpakkingen; en,
 - b. het aantal Grote Statiegeldflessen en/of Kleine Statiegeldflessen en/of Metalen Drinkverpakkingen dat door de Exporteur buiten Nederland is gebracht; en
 - c. de leverancier(s) van de betreffende Grote en/of Kleine Statiegeldflessen en/of Metalen Drinkverpakkingen met vermelding van NAW- gegevens en KvK-nummer(s).
6. Indien een Statiegeldfles en/of een Metalen Drinkverpakking ten aanzien waarvan Restitutie aan de Exporteur heeft plaatsgevonden alsnog in Nederland bij een Innamepunt wordt ingenomen, leidt Statiegeld Nederland schade. Om het risico op dergelijke schade te beperken, heeft Statiegeld een landelijke risicoafslag van 5% vastgesteld.

