

Colm Lambert (DECC)

From: [REDACTED]
Sent: Friday 7 May 2021 17:11
To: wastecomments
Subject: Public Consultation on a Legislative Framework for a Deposit Return Scheme
Attachments: Nestlé Ireland DRS Submission May 2021.pdf

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please find attached submission from Nestlé Ireland.

With thanks in advance for your consideration.

We are most happy to provide further information or indeed meet with you if you would like to know about our experience in other markets of DRS schemes.

[REDACTED]

[REDACTED]

Nestlé Ireland
3030 Lake Drive
Citywest Business Campus Dublin D24 KX6Y
M + 353 86 81750 66



This email is for the intended recipient only and is confidential. If this email has been misdirected, please let the sender know and delete it. Any disclosure, copying, distribution is prohibited. Although we take great care to protect our network from computer viruses, we accept no responsibility for mail-borne viruses and recommend that you scan the email and its attachments. If you do find any virus please let us know so that we may take appropriate action. For the legal protection of our business any email sent or received by us may be monitored or intercepted. For details of the registered offices of the companies using this email gateway please see <http://www.nestle.co.uk/aboutus/locations>



Good food, Good life

NESTLÉ IRELAND SUBMISSION

Public Consultation on a Legislative Framework for a Deposit Return Scheme

By email: wastecomments@decc.gov.ie

Introduction

Nestlé Ireland welcomes the opportunity to feed into this public consultation on the development of a legislative framework for a Deposit Return Scheme (DRS) in Ireland, and to engage with the Irish Government on this issue.

As an organisation we have a global commitment to ensure all of our packaging is recyclable or reusable by 2025, and we support all efforts to raise awareness of and find solutions to tackling plastic waste. In January 2020 we [announced](#) a CHF2 billion (EUR1.8bn) investment to develop alternatives to virgin plastic packaging and we are determined to reduce our use of single-use plastics. In a number of markets, we are exploring reusable packaging, new delivery systems and innovative business models as a broader set of actions which also includes promoting recycling and the development of recycling infrastructure.

We strongly support the development of a well-designed DRS for drinks containers in Ireland and have set out our comments on key areas of the consultation paper and draft regulatory framework below. This includes insights gained from our work feeding into the development of DRS in Scotland and England, Wales and Northern Ireland.

In addition to the comments below we are also broadly supportive of the joint submission from the Irish Beverage Council and Drinks Ireland.

Definitions

As highlighted in the Irish Beverage Council's response, it is critical that the term 'beverage producer' is clearly defined to include all companies legally placing drinks products on the market. For example, retailers who place own-brand or private-label drinks products on the market for sale are 'Producers'. Similarly, it is important to also clearly define 'retailer'. Some Retail companies may operate as both a 'Producer' and 'Return Point Hosts' and this distinction is vital for the system's future operation and success.

In-scope materials

The document states that the scheme will collect PET bottles and aluminium beverage cans up to three litres in size, while proposing that other materials may be brought into the scheme at a later date. Drawing on our experience of DRS development in other markets, we would encourage DECC to consider including other materials such as glass at the outset as it can be more difficult to incorporate these and retrofit machinery such as RVMs further down the line.

Component parts of in-scope materials

When considering what will be captured as an in-scope beverage container, it is vital that all component parts (e.g. the cap, label, sleeve and neck tie on a bottle, and ring pull on a can) are considered as being within scope of the DRS, rather than through other measures, such as existing EPR regulations. It is important to ensure businesses are not paying twice for placing the same materials onto the market.

System Operator

We support the establishment of an independent, industry led, funded and operated not-for-profit scheme operator to fulfil the obligation of meeting high collection targets and advising on the level of deposit fee set. We agree with the proposed parameters of the Scheme Operator set out in the document.

As previously highlighted, we have significant experience in this area and would be happy to share any relevant insights based on our involvement in the establishment of the Scottish DRS scheme administrator, Circularity Scotland.

Deposit

We recognise that a balance needs to be struck in the setting of a deposit fee to incentivise consumers to return containers for recycling and note the support in the consultation document for variable fees based on the volume size of containers. In our view, ease of consumer understanding is absolutely critical to the success of any DRS, and we believe that variable deposits based upon size of container increases the likelihood of consumer confusion. As such we would strongly encourage further consideration of this point, particularly as the document recognises that opinions were divided in the first consultation. Our view is that the Scheme Administrator should be able to independently decide on the deposit fee set and that decision should be influenced by the objective i.e. to encourage the highest recycling rates. We would also advocate that the Deposit is VAT exempt.

Inter-operability between Ireland/Northern Ireland DRS

As a business operating across the UK and Ireland, and particularly in light of the shared market and integrated supply chains between Ireland and Northern Ireland, it is vital that there is a degree of compatibility and inter-operability between the ROI and UK (Northern Ireland, Wales and England) schemes.

While we recognise that this is a complex issue, as highlighted in the Irish Beverage Council's response we support a commitment on this point in the final regulations and encourage DECC to work closely with the UK Government to ensure all possible measures be put in place to mitigate against the potential for cross-border fraud and consumer confusion.

Timings

While we commend the Irish Government's prioritisation of the development of a DRS and ambition to deliver the scheme by Q3 2022, in our experience we believe these timings are very ambitious, particularly in light of the impact COVID-19 has had on businesses and the current challenges faced.

In Scotland for example, plans for the scheme were put forward in 2019 and regulations were passed in May 2020. While the original go-live date was April 2021, this was subsequently delayed until July 2022 and this implementation date is currently under review with the expectation that the scheme may not launch before spring 2023.

We would encourage DECC to consider the complexities involved in planning for and launching a DRS and to take these into account when planning for the scheme's implementation to ensure it is as successful and impactful as possible. We note that the Beverage Council propose a lead-in period of up to thirty months which we believe is a more realistic timeframe for implementation.

ENDS

7th May 2021

██████████
██
██████████
3030 Lake Drive
Citywest Business Campus Dublin D24 KX6Y
M: ██████████ E: ██████████

