



Guidance on refillable/reusable containers exempted under the Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019

Purpose

First Responsible Suppliers (FRS) must notify the Department of Water and Environmental Regulation (DWER) if they believe their refillable/reusable containers are exempt under the Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019 (the Regulations). The Department will then review and assess the notification to determine if a supply agreement is required under the Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019, or if a growler exemption can apply.

What is a growler exemption

Under regulation 3B; Things included in or excluded from meaning of container

- (1) In this regulation-
growler means a vessel that is designed to be-
 - (a) filled with a beverage and sealed; and
 - (b) once the beverage has been consumed, returned to the person from whom the beverage was purchased for re filling and re sealing;

Assessment of refillable/reusable containers under growler exemption

A First Responsible Supplier does not require a supply agreement for refillable/reusable containers where the vessels meet the definition of a growler as per assessment and operate as a genuine reuse system.

To arrange a review of your possible exemption under the container deposit scheme please contact DWER CDS team at [cgs@dwer.wa.gov.au](mailto:cds@dwer.wa.gov.au).

An assessment to determine if a growler exemption can apply may include a site visit/inspection identifying:

- How the containers are cleaned, refilled and re-capped, including evidence of relevant food safety certifications.
- How containers are collected and returned for refilling, including public awareness and accessibility of return arrangements.
- The outlets or retail premises where the containers are sold.
- Data demonstrating container return and reuse rates.



Appendix A – Growler exemption criteria checklist

The checklist below may be used to guide assessment for each beverage supplier.

Bottle cleaning facility and approval <ul style="list-style-type: none"> • Copy of certification • Photographs of facility 	Promotion/education of re-use operation <ul style="list-style-type: none"> • Website • Label • Store promotion 	Access to re-use facility <ul style="list-style-type: none"> • Collect service • Drop off service • Re-use locations 	Return rate for reuse <ul style="list-style-type: none"> • Proportion of containers returned for refill

If a growler exemption does not apply

Containers for Change is run by an independent not-for-profit scheme coordinator, WA Return Recycle Renew Ltd (WARRRL). The legislation requires that a first responsible beverage supplier must have a supply agreement with the scheme coordinator, a container approval, a barcode and a refund mark for each beverage product. The refund mark must state '10c refund at collection depots/points in participating State/Territory of purchase'. The refund mark must be displayed in a colour and size that ensure it is clear and legible. It is recommended that the numeral '10' be a minimum of 3 mm in height with a minimum 3 mm 'free space' boundary around the refund mark.

WARRRL will be able to assist you with the registration of your containers for CDS in WA:

Email: commercial@warrl.com.au or frswa@containersforchange.com.au

Phone: 13 42 42

The website for WARRRL and information page for beverage suppliers is here, including a registration link: <https://warrl.com.au/first-responsible-suppliers/>

