



EXPORT, AIRPORT AND MARITIME STOCK GUIDANCE

FOR PRODUCERS AND DISTRIBUTORS

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1. Scope

The purpose of this document is to provide guidance for producers and wholesalers/distributors around the export sale of in-scope stock and sales to travel ports, such as airport and maritime customers.

Re-turn understands it can be difficult to determine how to treat sales of export stock and stock sold to businesses located in/departing from travel ports in the Republic of Ireland(ROI). We are committed to providing clarity around these sales so that producers and distributors can be confident they are acting in a compliant manner.

2. Products Sold for Export Only

If the producer/distributor is producing/selling goods for export only and consumption outside of the Republic of Ireland(ROI), then those goods are not within the scope of the Re-turn scheme.

Products sold for in-flight/on-board catering on airlines or ships departing the Republic of Ireland(ROI) are classed as exports, as they are not for sale on the market in ROI.

These products do not need to be registered with Re-turn and can be produced/sold without a Re-turn logo, Re-turn barcode or deposit charge.

Wherever possible, out-of-scope, non-Re-turn barcode stock should be used for export sales. These non-Re-turn products do not include a deposit and cannot be placed for sale on the ROI market. Out-of-scope, non-Re-turn products may be sold by/purchased from producers exclusively for the purpose of export sales.

Where out-of-scope, non-Re-turn stock does not exist, it is acceptable for the producer/distributor to sell products registered with Re-turn with an international barcode only. ROI specific(National) barcodes may never be sold for export purposes.

If stock with an international Re-turn barcode is being sold exclusively for the purposes of export and there was never an intention for that stock to be placed on the ROI market, the producer/wholesaler is not required to charge a deposit. Any products sold exclusively for export purposes with an international Re-turn barcode where no deposit has been charged should not be submitted as part of the producer's monthly sales volumes to Re-turn as these products have never been placed on the market in ROI.

Ultimately, it is up to the producer to determine if the international barcode stock being sold is intended to be placed on the market in ROI or sold as export when selling to distributors.

If a distributor cannot specify or demonstrate to the producer's satisfaction that international barcode stock is being purchased for the purpose of export sales in Northern Ireland or another jurisdiction at the point of sale, the producer must charge a deposit on all products sold. If there is any chance products may be placed on the market in ROI, a deposit must always be charged.

The producer has the right to charge a deposit on any international barcode stock as they determine necessary. Distributors are obliged to pay a deposit on international barcode stock if the producer charges a deposit at the point of purchase.

Where a distributor has paid a deposit to the producer for Re-turn international barcode stock and the distributor has gone on to sell the international barcode stock outside of ROI to NI or another jurisdiction as export stock, the export customer is not obliged to pay a deposit to the distributor. In this case, the distributor may seek a refund from Re-turn for deposits they have paid to the producer, but were unable to recover as part of their export sale. Deposit Refund Guidance is available on our website at <https://re-turn.ie>.

Please Note- “placed on the market” refers to when a product is sold/supplied for distribution, consumption or use in the State (i.e. intended for sale/supply on the ROI market) for the first time. Products which will not be sold/supplied on the ROI market do not fall into this definition, even if those products are otherwise handled in the State.

Placed on the market refers to individual products and the burden of proof rests with the relevant producer or distributor to verify ‘placed on the market’ for each product it supplies.

Enforcement authorities may seek documentation from producers and/or wholesalers/distributors which provides evidence that a product was not placed on the market in the State (e.g. invoices, sales agreements, delivery documents etc).

3. Products Sold to In Port Duty Free Shops

Sales of Alcoholic Products to Duty Free Shops:

If the producer/distributor is selling alcoholic products to a duty free shop, a deposit should not be charged. These products are not intended to be consumed in the airport/seaport and are effectively exported outside of ROI. As sales of alcoholic products to a duty free shop are considered export sales, please see Section 2 of this document- “Products Sold for Export Only”.

A duty free shop selling alcoholic products to the consumer should not charge a deposit on these products as these are not intended to be consumed in the airport and are effectively exported outside of ROI.

Sales of Non-Alcoholic Products to Duty Free Shops:

If the producer/distributor is selling soft drinks or other non-alcoholic in-scope products to the duty free shop, a deposit must be charged as this is considered a standard domestic sale. These products must be registered with Re-turn and include a Re-turn logo and Re-turn barcode(ROI specific or international).

A duty free shop selling soft drinks or other non-alcoholic products to the consumer must charge a deposit on these products as this is considered a standard domestic sale. These products must be registered with Re-turn and include a Re-turn logo and Re-turn barcode(ROI specific or international).

4. Products Sold to In Port Non-Duty Free Customers

If the producer/distributor is producing/selling goods to non-duty free business customers in the airport/seaport (airside or landside) and these products can be consumed in the airport/seaport or brought on a plane/ship, a deposit must be charged as this is considered a standard domestic sale. These products must be registered with Re-turn and include a Re-turn logo and Re-turn barcode(ROI specific or international).

To facilitate returns of these in-scope products and refunding of the deposit to consumers, WH Smith & Boots have agreed to operate manual return points in major Irish airports.

5. Fraud Risk and Enforcement

The Export, Airport and Maritime Stock Guidance is intended to provide clarity around export and travel port sales so that producers and wholesalers/distributors can be confident they are acting in a compliant manner.

Any misuse of this guidance for fraudulent purposes will not be tolerated and will be promptly investigated.

Re-turn is obligated to protect the integrity of the Separate Collections (Deposit return) Scheme. Where fraudulent, wilful default or material breach of this guidance, the Producer Agreement, and/or the Membership Rules (as applicable) is suspected, Re-turn reserves the right to undertake an audit and take necessary legal action against offenders.

Enforcement authorities will be notified of any violations. Offenses, Prosecution and Penalties, including fines up to €10,000,000 and imprisonment up to 10 years, are set out in The Waste Management Act, 1996.

6. Document Version History

This document may be updated from time to time as required. For an overview of relevant updates to this document, please refer to the table below:

Section	Update	Date
Full	Version 1.0 Issued	FEB-2024
2, 5	Section 2- Added clarity around Producer sales of export stock to wholesalers/distributors Section 5- Added Section- Fraud Risk and Enforcement	JUN-2024
Full	Rev. 01 issued to QMS, no change to content	SEP-2024

Document Approvals:

The signatures below indicate agreement with the content defined within this document.			
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