

9 January 2018

Ms Meegan Fitzharris MLA  
Minister for Transport and City Services  
ACT Legislative Assembly  
GPO Box 1020  
Canberra ACT 2601



By email  
[TCCS.Ministerial@act.gov.au](mailto:TCCS.Ministerial@act.gov.au)

Dear Minister,

**Re. Statutory Requirement for Barcodes and a Refund Mark.**

We write following correspondence with your Department in November last year. As you would be aware, six States and Territories either have, or are in the process of instituting Container Deposit/Refund Schemes (CDRS). A Working Group of departmental officers from each jurisdiction met throughout 2017 to discuss the harmonisation of the requirements which will be placed upon beverage manufacturers nationally in relation to these Schemes.

Specifically, we write today as the NSW Government on 24 November 2017 gazetted their statutory requirements for label conditions on eligible containers. Information concerning the NSW requirements for the Barcode and the Refund Mark can be found at <https://goo.gl/byQWag> or in the NSW Regulation at <https://goo.gl/9CPYYb>.

As you would appreciate, a key concern for beverage manufacturers is gaining uniformity or harmonisation on these matters issue across all CDRS States and Territories so we can harmonise product labels nationally.

You may also be aware that new Commonwealth legislation concerning labelling requirements pertaining to 'Country of Origin' (CoOL) manufacturing, will come into effect on the 1 July 2018. It is our hope that we will be able to combine the necessary label changes for both CDRS and Country of Origin label into one process to minimise the costs to businesses and consumers. On that basis, we write to you now asking for your urgent formal advice that your jurisdiction concurs with the NSW approach and that your State or Territory can confirm your legislation (or regulation) will align with NSW. This will permit Beverage Manufacturers to commence the process of amending their labels to be compliant with both CDRS and CoOL where necessary.

In this regard, we have already received 'letters of comfort' from your colleagues in both Queensland and Western Australia, who are similarly placed to ACT in preparing to implement schemes.

We now seek formal assurance of your agreement to align with the NSW requirements so as our Members can proceed with labelling amendments, confident that the changes they make, at considerable cost, will ultimately satisfy and comply with your and other CDRS jurisdictions. We understand your draft regulation makes such provision, but as you would appreciate, from a risk management and a commercial perspective, we now seek Government's formal assurance.

Due to the rapidly approaching deadlines and the significant lead time required to make changes to labels, we ask if you could kindly endeavour to confirm your acceptance as soon as possible, ideally by COB this Friday, 12 January, so we can notify our Members and other stakeholders as a matter of urgency.

Should you wish to discuss this matter, please don't hesitate to contact me on 0407 406 400 or via [alby@ausbev.org](mailto:alby@ausbev.org).

Yours sincerely,

A handwritten signature in blue ink, appearing to be "Alby Taylor", written over a light blue circular scribble.

Alby Taylor  
General Manager

