

# EPR deposit-refund system and retailers: obligations and responsibilities

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**November 1<sup>st</sup> will see the entry into force of the new extended deposit program, managed by producers under an extended producer responsibility (EPR) approach, and the end of the public and private deposit systems as we used to know them.** The *Regulation respecting the development, implementation and financial support of a deposit-refund system for certain containers* (EPR deposit regulation) defines the roles, obligations and responsibilities of beverage producers and retailers.

To represent them and assume responsibility for developing and implementing a modernised deposit system, beverage producers have chosen the [Quebec Beverage Container Recycling Association \(QBCRA\)](#). This management body was designated in October 2022 by RECYC-QUÉBEC.

**This fact sheet aims to answer the main questions you may have as a retailer.**

## 1. When does deposit EPR come into force?

The EPR deposit will come into force on November 1<sup>st</sup>, 2023. Consequently, as stipulated by regulation, the "old" deposit systems for beer and soft drinks will end on 31 October 2023.

## 2. Which beverage containers are covered by the EPR deposit?

The beverage containers covered by the deposit will be extended in two phases:



**Covered by Nov. 1<sup>st</sup>, 2023:**

Returnable soft drinks and beer containers, as well as ALL aluminium drinks containers from 100 ml to 2 L.



**Not covered yet:**

Wine bottles, plastic water bottles and juice containers (cardboard or plastic). **They will be returnable in March 2025.**

## 3. What are the deposit amounts?

The amount of the deposit associated with a returnable container, when it is endorsed, is set by regulation. It is:

- 0.10 for all other containers, including glass containers  $\geq 100$  ml to  $\leq 500$  ml;
- 0.25 for glass containers where the volume is  $> 500$  ml and  $< 2$  l.

What happens for containers with different deposit amounts?

- The regulation provides for a transition period of 15 days (i.e. until November 15, 2023) for consumers to receive the higher deposit amount paid before November 1<sup>st</sup>.
- Consumers will then receive the amount set out in the by-law.

BIÈRE : DE 20 CENTS  
À 10 CENTS



## 4. As a retailer, am I targeted by the EPR deposit?

- If you do not sell beverages in so-called "ready-to-drink" formats of  $\geq 100$  ml but  $< 2$  l. :
  - NO, you are not targeted, and you have no obligations arising from this settlement.
- If you sell these beverages:
  - YES, you are targeted by the instructions. See the next questions.

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5. I sell beverage containers covered by the deposit. Do I have to take the returnable containers?

## My business is a convenience store or a shop with a small sales area ( $\leq 375 \text{ m}^2$ )

The by-law does not require convenience stores and small grocery shops ( $\leq 375 \text{ m}^2$ ) to take back refundable containers. You do, however, have the option of continuing to take them back.

If you choose not to take back;

- You must clearly **display** in or at the entrance to your business the address of the **nearest** returnable container depot.
  - As a courtesy, inform the shop that you do not take back containers and that your customers are referred there to return their returnable containers.



If you voluntarily choose to take back:

- You must **take back all types of returnable beverage containers** (not just containers of the same type as those you sell).
- You had until **October 15** to **register with the QBCRA** to confirm your choice. **If you haven't already done so, do so quickly!** Your application must be approved by the QBCRA.
- You must clearly **display** in or at the entrance to your business the address of the place **you are returning to**.



## Whether or not you take back returnable containers, if you sell them you are obliged to display the amount of the deposit in the section of the shop where the product is located.

You will need to display the deposit amount on a poster or sign:

- At the entrance to the commercial section;
- At another point in the section where the information is clearly visible to the consumer;
- Or directly on the shelf where the product is found, etc.

Templates for posters, pictograms and danglers have been developed by the QBCRA: [Toolbox - Consignation](#)

## My business has a sales area $> 375 \text{ m}^2$ : you have an obligation to take back and display your premises

- You must **take back all types of returnable beverage containers** (not just containers of the same type as those you sell) on site or at a separate location, either alone or in conjunction with other retailers.
  - **If your shop already takes returnable containers,**
    - You will continue to take them back, according to terms that have yet to be negotiated with the QBCRA in the context of EPR.
    - You should put up a sign in the entrance to inform customers that your business is a return depot for returnable containers.
    - It is possible that retailers who sell drinks in containers covered by the deposit, but who do not take them back, approach you to group with you and indicate your address as the "return location".
    - Contract templates have been developed in collaboration with the major retail banners. **Contact your franchisor or visit the [retailers' page](#)** on deposit modernisation hosted by the ADAQ (Association des détaillants en alimentation du Québec) to access them.

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- **If your shop does not currently take back container:**
  - You can either decide to take back returnable containers or join forces with a retailer who takes back returnable containers. Whatever you decide, you need to be prepared and put up the appropriate sign.
  - **If you choose to partner** with a grocery shop or retailer that already takes back refundable containers and you haven't started yet, **hurry up and contact them - you're late!**
    - Please note that distance criteria must be respected (see Q.6).
    - In addition, the merchant is not obliged to accept your containers and a contract must be signed. Otherwise, you will have to identify another business or take back the containers.
    - However, most of the major banners have agreed to work together for the period from November 1<sup>st</sup>, 2023, to February 28, 2025.
    - [Proposed groupings for all administrative regions](#), respecting the criteria of the regulation and based mainly on the addresses of food businesses, have been developed by an external firm for the RCC (see the Excel file on the page dedicated to retailers).
- You should also **clearly display the amount of the deposit** (see information above).

**The group must be at least confirmed before registering with the QBCRA. Regulatory date : 15th October! Don't delay!**

**Please note: The groupings proposed for November 2<sup>st</sup>, 2023 are transitional!**

**On 1 March 2025, with the extension of the deposit to a very large number of beverage containers (water, wine, milk, in particular), the majority of retailers want returnable containers to be collected outside shops, in a separate location:**

- The QBCRA is working on a proposal for a network of common return locations grouping together several retailers. Consult the [map - vision 2025](#) to find out if your business is likely to be part of a group.
- If you do not belong to one of these groups, you may join together to set up common return areas (if they meet the distance criteria of the regulation (see Q.6) and subject to approval by the QBCRA).

This project will be reworked in early 2024, with a view to being ready by March 2025. Stay tuned!

## 6. What criteria must retailers meet to join forces?

The regulations state that several retailers may form a group if they comply with the following conditions:

- Be located within a maximum radius of 1 kilometre of one of the group's businesses.
- and :**
- Depending on the size of the local municipality, be located within a maximum radius (in km) of the other businesses in the group depending on the size of the local municipality:
    - 5 km for a local authority with fewer than 3,000 inhabitants
    - 3 km for a local authority with a population of 3,000 to 25,000
    - 2 km for a local authority with a population of 25,000 to 100,000
    - 1 km for a local authority with more than 100,000 inhabitants.

The regulation specifies that prior agreement must be obtained from the ARQCB for a grouping to be accepted. However, the transitional approach recommended by retailers for the transition period starting on November 1<sup>st</sup> meets the QBCRA's expectations.

## 7. Does joining forces contravene the Competition Act?

According to the analyses carried out for the MELCCFP, retailers who group together to manage a common premises would not contravene the Competition Act. The commercial agreement templates include the measures to be put in place to comply with the Act, validated by external experts.

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## 8. Do I have to have a contract with the QBCRA?

All retailers who take back refundable containers must have a contract with the QBCRA. This contract, which governs the relationship between retailers and the QBCRA, is currently being negotiated. **It is reasonable to expect a final version before November 1<sup>st</sup>.**

Regarding the costs associated with the return of returnable containers, subject to all reservations, an amount of 2.5 cents per container would be granted, pending a study carried out in collaboration with retailers and producers to identify the amount to be paid. The results would be applied retroactively to November 1<sup>st</sup>, 2023, and remain in force until February 28, 2025.

The QBCRA and the retailers' associations are identifying mechanisms to facilitate the signing of contracts, particularly for the first phase of the EPR starting on November 1<sup>st</sup>, 2023.

## 9. Is the current management fee agreement still in force if I don't have a contract?

No, the agreements signed as part of the public or private deposit are no longer in force on October 31, 2023, hence the new contract to be signed with the QBCRA.

## 10. If I don't have a contract, do I still have a take back obligation?

Yes, if there is no contract, you are obliged to take back the returnable containers.

- You must keep all evidence, invoices and supporting documents relating to the management of the container take-back (see question on costs for items covered);
- The QBCRA must pay invoices within 30 days (according to the regulations);
- Returnable containers must be collected twice a week (in accordance with the regulations).

A contract can be signed once the deadline has passed. An invoice template has been developed for retailers. It is available on the page dedicated to retailers.

## 11. Who are the collectors? When will collections be made?

The QBCRA wishes to continue its relationship with the collectors who have been collecting returnable containers in recent years. Collection plans that take into consideration removal and addition of return locations will be developed. They are not available.

However, the QBCRA is committed to responding to requests for additional collections within 48 hours of the call placed by the retailer. **Call 1-877-CANETTE if necessary.**

## 12. What do I have to do between now and November 1<sup>st</sup>?



- **Determine whether you wish to take back returnable containers** even though you are not obliged to do so ("opt-in") ( $\leq 375 \text{ m}^2 / 4\,036 \text{ ft}^2$ )
- **Determine whether or not you wish to group together** ( $> 375 \text{ m}^2$ ) (and take steps to obtain the appropriate agreements (before October 15 or as soon as possible) or be ready to take back containers (November 1<sup>st</sup>).
- **Register with the QBCRA and provide the required information on its platform by 15 October.**
  - The QBCRA will make allowances for latecomers, so hurry!
- **Have installed the required display:**
  - At the entrance to shops as a return or referral point to the affiliated location.
  - In sections where drinks (covered by the deposit) are sold.
- Be able to **invoice and reimburse the deposit** at the "correct" deposit amount.
  - The QBCRA regularly updates the database of bar codes for beverages on deposit as at 1<sup>er</sup> November. The list is available on the dedicated retailers page.
- Have **trained your employees** to be able to answer consumer questions.
  - A summary sheet has been developed by the retailers to answer the 5 main questions on EPR deposits and is available on the retailers' page.

## 13. Who can I contact for more information?

1. Your retailer associations are very involved in meetings with the QBCRA. If you are a member of these associations, do not hesitate to contact them.



- A [dedicated page](#) on deposit modernization, including all the tools developed for you by the RCC and the ADAQ as well as links to tools developed by the QBCRA, is hosted on the ADAQ website. This page is "hidden". Click on the link on this page.
    - Check the page regularly, as new tools become available.
  - You can also find the two webinars organised by CCCD and ADAQ, in collaboration with CCID and AMDEQ, entitled: "En route vers le 1<sup>er</sup> novembre 2023" (in French).
2. If you have specific questions about the extended consignment program and its application, you can contact the QBCRA directly:
    - Toolbox for your communications : [Toolbox - Consignation](#)
    - Support service for retailers:
      - If you have any questions, please contact: [detaillants@aqrcb.org](mailto:detaillants@aqrcb.org)
      - You can contact their Customer Service Department at 1-877-CANETTE (226-3883).
    - Sign up for [the Retail Newsletter](#)
    - Website if [Consignation](#) questions.
  3. Consumers are invited to consult the list of return locations, which will be available on the [Consignation](#) website.

**It is your responsibility to monitor the situation and keep yourself informed.  
Follow the newsletters from the QBCRA and your associations.**