

The EPR Regulations have now been published by the Department of Forestry, Fisheries and the Environment (DFFE). The regulations (no. 44539) were gazetted on 5th May 2021 and Producers have six months to register with the DFFE. The regulations become effective from 5 November 2021. In terms of the regulations, it is mandatory for a Producer to join (become a member of) an approved EPR Scheme / Producer Responsibility Organisation (PRO). Alternately, a Producer can set up their own scheme, which will require DFFE accreditation. Initially there will be a separate PRO for each of the material streams.

As set out in the regulations there are many obligations that must be met by an EPR scheme / PRO on behalf of its Producer members. Importantly this will include determining a mandatory EPR fee for each of the paper and packaging materials placed on the South African market. The fee will fund the scheme's objectives, including annual minimum recycling targets, life cycle assessments, waste pickers obligations and a transformation charter.

Companies that are included in the definition of Producer will be required to join an EPR Scheme / PRO for each paper and packaging material substrate.

The Glass Recycling Company (TGRC), of which Consol is a member, in its present form is a voluntary EPR Scheme / PRO for glass packaging that was established by SA glass manufacturers and brand owners in 2005. As now required, Consol has together with TGRC commenced with developing an EPR Glass Scheme as per the regulations which operationally will come into effect from 5 November 2021.

TGRC present activities includes, building infrastructure and capacity for the collection and processing of waste glass (known as cullet), glass recycling marketing and education. To date this joint initiative by all role players and TGRC in increasing the recycling of glass has been very successful. Over the past 15 years South Africa has increased its glass collection recycling rate from 18% in 2006 to 44% in 2020. There is however much more to do to meet the new 5 year collection target of 65%.

We believe that TGRC, already largely compliant with many of the EPR regulations, will be well placed to establish an EPR Glass Scheme and become a fully compliant PRO. An important outcome of the glass packaging EPR Scheme will be the EPR fee, which will be established once we have finality on the EPR Scheme to be adopted and reasonable certainty of the membership base.

As soon as the EPR Glass Scheme has been formulated, Consol together with TGRC will communicate further details of the arrangement.

* References:

- https://www.environment.gov.za/event/deptactivity/extendedproducerresponsibility_regulations2020registration#introduction
- https://www.environment.gov.za/amendment_regulations
- <https://www.cbn.co.za/featured/epr-is-coming-will-you-be-ready/>