



Producer's Manual

for Initial Distributors (beverage producers/beverage importers) of single-use plastic or metal beverage containers with a filling volume of 0.1 to 3.0 litres for the implementation of the regulation on deposits for single-use beverage containers made of plastic or metal (Deposit Regulation for Single-Use Beverage Containers, Federal Law Gazette II No. No. 283/2023)

hereinafter referred to as the "Manual"

A document of
EWP Recycling Pfand Österreich gGmbH,
hereinafter referred to as "EWP" or "we"

Part I – Registration process for Initial Distributors and beverage containers

Part II – Requirements for beverage containers

Part III – Eco-modulation

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PART I – REGISTRATION PROCESS FOR INITIAL DISTRIBUTORS AND BEVERAGE CONTAINERS

The aim of this Part I on the registration process for Initial Distributors of single-use beverage containers made of plastic or metal with a filling volume of 0.1 to 3.0 litres is to define the process for registering the containers.

1 REGISTRATION PROCESS

The respective Initial Distributor must register first as an organisation and then in its role as Initial Distributor (importer or producer) in the EWP Portal. A condition precedent to participation in the deposit system is that the Initial Distributor must have duly signed all the agreements:

- Initial Distributor Agreement
- Agreement for the Use of the Logo
- International GTIN Agreement, if applicable

1.1. Registration of containers

All new containers subject to the Deposit Regulation must be registered in **the EWP Portal** before being placed on the market and thus submitted to EWP for authorisation. The maximum registration period for a container is 6 weeks from receipt of the samples. In the event of incorrect entries and any resulting corrections needed, or of incomplete sample shipments, the registration period may be extended accordingly.

The Initial Distributor may view the status of its registration in the EWP Portal.

1.2. Registration of containers in the EWP Portal

The Initial Distributor must provide the container information requested by EWP, such as the materials used for the container components (container, lid, label), the dimensions, the filling volume, the weight, the container shape and, in the case of plastic containers, the colour of the containers. Further information, such as the new single-use GTIN, is also required. The Initial Distributor must upload the layout of the labels for the containers covered by the Single-Use Container Deposit Regulation with the GTIN (encoded in the EAN/UPC barcode) and Deposit Symbol in PDF form.

The specification provided in the EWP Portal must be fully completed for each container and submitted for authorisation. Corresponding samples must then be sent in accordance with EWP's specifications.

1.3. Sending of samples and sample types

The samples are checked by EWP for compliance with the requirements of this Manual. These checks include verification of the entries in the EWP Portal, assessment of recyclability and, where required, practical tests in reverse vending machines from various manufacturers.

There are three types of samples that can or must be sent to EWP by the Initial Distributor, provided that the requirements for the respective sample type are met:

Sample types:

1) Empty containers

2) "Old" containers before changeover to the single-use deposit

3) "New" containers with deposit labelling

1) Empty containers

To check the entries in the EWP Portal, empty containers (sample type 1) are always required for registration by EWP:

- a) Plastic bottles: empty, clean bottles without a label, but with a cap. This can be attached or loose.
- b) Beverage cans: empty cans with lids. The lid can be supplied loose. The cans are printed, but must not have a label attached.

The empty container must be labelled in accordance with the instructions in the EWP Portal.

2) "Old" containers before changeover to the single-use deposit system

This is the container as it was placed on the market before the introduction of the single-use deposit system in Austria. The container therefore still contains an old GTIN (encoded in the EAN/UPC barcode) and the Deposit Symbol is not shown. The container must be identical in terms of material, cap, labelling material, grammage, filling quantity and dimensions as well as container shape to the original container as placed on the market after the introduction of the deposit system.

3) "New" containers with deposit labelling

This is the finished container as it will be placed on the market in Austria from 1 January 2025 as a result of the Deposit Regulation. The container therefore already has the correct GTIN (encoded in the EAN/UPC barcode) and the Deposit Symbol is shown.

If neither sample type 2 nor sample type 3 is available for completion of registration prior to initial placing on the market, please contact us at produktregistrierung@ewp-oe.at. Recyclability will be determined on a provisional basis, and the corresponding samples must be submitted no later than two weeks after the initial placing on the market.

1.3.1 Number of samples to be submitted

The instructions for sending samples can be found in the EWP Portal. Those instructions specify the number of samples to be sent and the address to which they must be sent.

Samples of containers that do not comply with the standard in terms of dimensions and shape in accordance with Part II, section 2, are forwarded to third parties for further inspection. In this case, the approval period for a product may be extended accordingly.

1.3.2 Obligation to provide samples

Initial Distributors are obliged to provide EWP with a quantity of samples of the containers, to be determined by EWP. This obligation arises initially from Section 22 (1) of the Deposit Regulation, according to which the Initial Distributor must send samples of the containers to EWP or to a third party designated by EWP. Transmission of samples is also necessary because this is the only way for EWP to check whether the container data provided by the Initial Distributor corresponds to actual conditions. EWP is obliged to carry out this check.

Furthermore, (i) the Initial Distributor's right of first refusal for returned single-use beverage containers pursuant to Section 19 of the Deposit Regulation is also based *inter alia* on the weight and material of the containers, and (ii) the amount of the producer contribution pursuant to Section 10 of the Deposit Regulation is based on the material and ecological aspects of the containers. It is therefore necessary to know the exact weight and material composition.

1.4. Final registration

Final registration requires complete and correct data entry in the EWP Portal, including layout as a PDF file, and submission of all samples:

- Sample type 1) + sample type 2) or
- Sample type 1) + sample type 3)

Layout refers to all options for labelling the product for the single-use deposit system. This also includes sleeves, can layouts or stickers. The PDF does not have to be the final layout. However, the size and arrangement of the barcode and Deposit Symbol must be fixed and may not be changed before the single-use beverage container is placed on the market.

1.5. Corrections to the containers and refusal of registration

If a container does not correspond to the details entered in the EWP Portal or meet the requirements specified by EWP in accordance with this Manual, the Initial Distributor will be informed of the non-conformance via the EWP Portal and the registration of the container in the EWP Portal will be sent back for correction or refused.

Once the container has been rectified, the Initial Distributor must re-upload the rectified container to the EWP Portal. The rectified container will be checked by the registration office and either approved or refused again.

If the Initial Distributor fails to rectify the container, the container will consequently not be registered in the EWP Portal:

- In the event of deviations from EWP's urgent recommendations (e.g. barcode size), the container may be placed on the market at the Initial Distributor's own risk. EWP accepts no responsibility for poor legibility or difficulties when accepting containers in reverse vending machines.
- In the event of deviations from the requirements of the Deposit Regulation or the mandatory requirements of EWP (e.g. new barcode, proper affixing of the Deposit Symbol, barcode and Deposit Symbol must be in black and white, etc.), the containers may not be placed on the market by the Initial Distributor.

1.6. Change of containers' shape, size or material

The Initial Distributor must keep the data provided in the EWP Portal up to date. The Initial Distributor may make changes to registered products directly in the EWP Portal. A distinction is made between the following changes:

1.6.1 Changes that do not require authorisation from EWP

Changes to the product that are not relevant to the single-use deposit system, such as the product name, internal item number or recycled content, can be made directly by the Initial Distributor. No verification is carried out by EWP.

1.6.2 Changes that require authorisation from EWP

Changes that have a direct or indirect impact on the single-use deposit system must be authorised by EWP. Submission of changes requiring authorisation is not permitted during the period of initial placement on the market.

Examples of changes requiring authorisation include:

Change requiring authorisation	Impact on
Layout where the position or size of the bar-code or Deposit Symbol changes	Reverse vending machine acceptance
Weight of individual material components (main body, closure, labels, etc.)	Recyclability, reverse vending machine acceptance, right of first refusal
Degree of coverage of labels or sleeves	Recyclability
Container dimensions	Reverse vending machine acceptance
Barriers and additives	Recyclability
Barcode usage	Producer Agreement, billing
Product origin	Billing
Conversion of sticker products	Reverse vending machine acceptance, layout check

Changes may be authorised or rejected by EWP. In the event of rejection, the reason for rejection will be given. Placing on the market at the Initial Distributor's own risk is also possible in this case.

The status of the products in the EWP Portal does not change, meaning that the products are still authorised for the single-use deposit system and can be returned using reverse vending machines. The status remains as "registered", with the additional information "pending change" displayed. No further changes to the product may be submitted during the authorisation process.

1.6.3 Changes that trigger a new GTIN

In the event of significant changes to the container, a new GTIN must be assigned:

Changes requiring a new GTIN	Impact on
Container type	Sorting, right of first refusal
Material	Sorting, right of first refusal
Colour of plastic containers	Sorting, right of first refusal

The list of changes is not exhaustive and should only be considered as a list of examples.

1.7. Notification of initial placing on the market of registered products

Products with the status of "registered" are approved for the single-use deposit system.

The Initial Distributor must submit a notification of the number of products placed on the market per barcode per month within the first five days of the following month. Late notification is possible until the 9th day of the following month.

Notification of initial placement on the market applies not only to products that have been sold, but also to products that have been given away free of charge (e.g. sampling, donations, etc.) and lost (e.g. negative inventory differences, theft, etc.).

Corrections due to returns or positive inventory differences may be made in subsequent months.

Products placed on the market in Relevant Foreign Countries are also subject to notification of initial placing on the market.

1.8. De-registering products

If products are no longer placed on the market, they may be de-registered in the EWP Portal. De-registered products are still eligible for return but may no longer be placed on the market. Notification of initial placing on the market is therefore no longer possible. The barcode may no longer be reused for other products.

1.9. Overview of Product Registration Status

Status	Meaning	Action required by
Draft, imported	Products can be edited; not visible to EWP	Initial Distributor: please submit for registration
Sent for approval	Sample testing not yet completed	Initial Distributor: send sample EWP: test sample
Sent for amendment	Deviation identified during sample testing compared with the EWP Portal	Initial Distributor: adjust data
Provisionally registered	Samples have been tested and approved. If a label was uploaded, it has been rejected.	Initial Distributor: upload layout
Awaiting final approval	Layout review pending	EWP
Registered	Product registration completed	
Pending amendments	Amendments to the existing product submitted	EWP
Deregistration requested	Product is no longer being placed on the market	EWP
deregistered	Product is no longer being placed on the market; return remains possible	

PART II – REQUIREMENTS FOR SINGLE-USE BEVERAGE CONTAINERS

The container must conform to certain requirements in terms of shape, dimensions and material so that it can be reliably recognised as a container by the respective reverse vending machine used to collect the containers.

1 SHAPE

Containers that have a non-standardised shape, especially if the centre of gravity of the containers does not remain balanced in a horizontal position (these can get stuck in the machine during transport), angular shapes, or even new containers on the market, must be assessed individually and tested by EWP before they can be authorised for use in the single-use deposit system (i.e. EWP checks whether they can be recognised and read by the reverse vending machines certified by EWP).

2 DIMENSIONS

The following bottle and can dimensions (the "**standard dimensions**") apply exclusively to containers that are not to be regarded as special shapes:

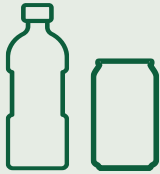
		Minimum	Maximum
	Diameter	50 mm	100 mm
Height (including lid)	80 mm	360 mm	

Figure 1

Containers that do not comply with these standard dimensions must be individually assessed and checked by EWP before they are authorised for the single-use deposit system.

3 IDENTIFICATION NUMBER (GTIN – GLOBAL TRADE ITEM NUMBER) IN THE BARCODE

The following specifications were created in accordance with GS1 standards.

The containers must be labelled with a unique number (GTIN) in a barcode (EAN/UPC) and subsequently registered with EWP by the Initial Distributor. Each container has only one barcode, which can be freely selected. Containers can only be registered for the single-use deposit system if only a single GTIN encoded in a barcode (EAN-13, EAN-8, UPC-A) is used that:

- a) is intended exclusively for the Austrian market (domestic GTIN) or
- b) is intended for international use (international GTIN).

The conditions for the use of GTINs in barcodes are part of the Initial Distributor Agreement for the use of international GTINs; see also Part IV.

Before the container is placed on the market, each Initial Distributor must register the GTIN of the container barcode with EWP. GTINs of barcodes that were used for containers in the past (i.e. before introduction of the single-use deposit system) may not be used on other containers of the single-use deposit system. Similarly, a GTIN that has already been used on one container may not be reused

later on another container. The reverse vending machine automatically reads the GTIN of the barcode on the container, so special regulations must be complied with regarding the placement, size and quality of the barcode.

Requirements for the barcode: Containers must be labelled with a barcode in accordance with the ISO/IEC 15420 standard (EAN/UPC bar code symbology specification). The barcode must have a minimum quality of 1.5 (C) in accordance with ISO/IEC 15416 throughout the entire service life of the containers. The general specification for the format can be found at <https://www.gs1.at/ean-upc>. The GTIN of the barcode is assigned by the GS1 organisation (GS1 Austria GmbH).

4 SHAPE AND SIZE OF THE EAN/UPC BARCODE

EWP specifies the maximum and minimum sizes for the individual barcode types in accordance with GS1 standards. Table 1 below shows the dimensions of EAN-13 barcodes and EAN-8 barcodes depending on the magnification factor.

Magnification	Ideal module width [mm]	Dimensions of the EAN-13 barcode [mm]		Dimensions of the EAN-8 barcode [mm]	
		Width	Height	Width	Height
0.80	0.264	29.83	18.28	21.38	14.58
0.85	0.281	31.70	19.42	22.72	15.50
0.90	0.297	33.56	20.57	24.06	16.41
0.95	0.314	35.43	21.71	25.39	17.32
1.00	0.330	37.29	22.85	26.73	18.23
1.05	0.347	39.15	23.99	28.07	19.14
1.10	0.363	41.02	25.14	29.40	20.05
1.15	0.380	42.88	26.28	30.74	20.96
1.20	0.396	44.75	27.42	32.08	21.88

The proportions of the barcode may not be changed; therefore, row-skipping is not permitted. The barcode width is understood to include the quiet zone. The barcode height corresponds to the shortest bar length.

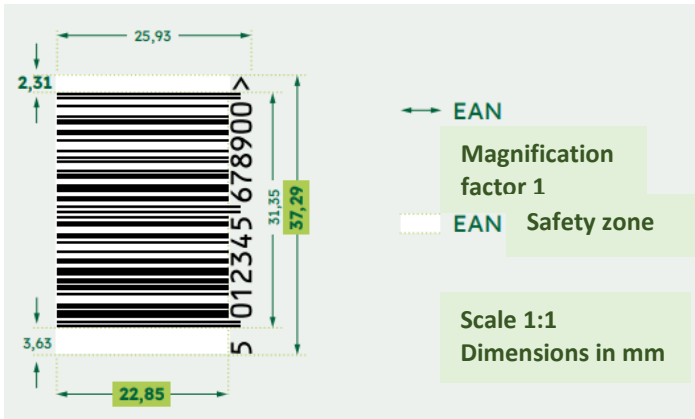


Figure 2

This results in the following sizes with an X-module of 0.330 mm/magnification factor of 1:

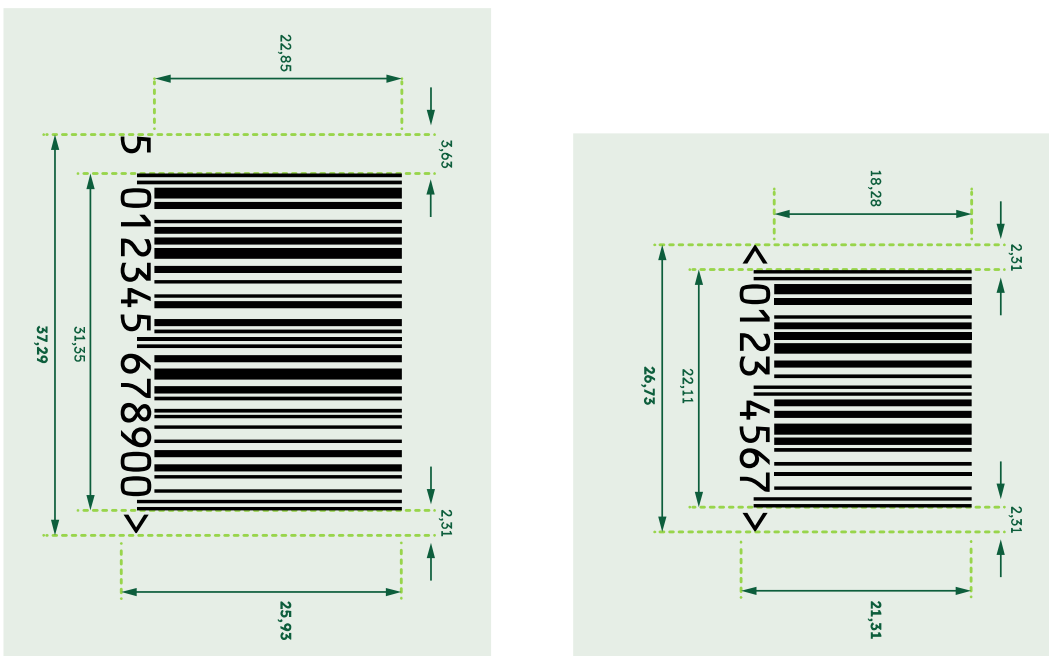


Figure 3: EAN-13 and EAN-8 barcode, X-module 0.330 mm, magnification factor 1.00. (Figures not to scale)

Barcode height truncated when space is limited: In practice, there are containers where the prescribed height cannot be realised due to lack of space. In this case, so-called "truncation" or shortening of the bar height is possible. To ensure the greatest possible position-independent reading, the smallest possible magnification factor (0.8) should be selected.

4.1. Light zone (quiet zone)

The light zone is part of the barcode. This is the area to the left and right of the barcode. It is generally the same colour as the gaps between the lines. No graphic elements or prints may extend into the light zone. If the light zone is interrupted, the barcode cannot be scanned. The size of the light zone is determined by the X-module (the width of the narrowest bar in the barcode). For the EAN/UPC barcode, this is defined in the ISO/IEC 15420 standard as follows:

	EAN-13:	EAN-8:
Left light zone	11 × X-module	7 × X-module
Right light zone	7 × X-module	7 × X-module

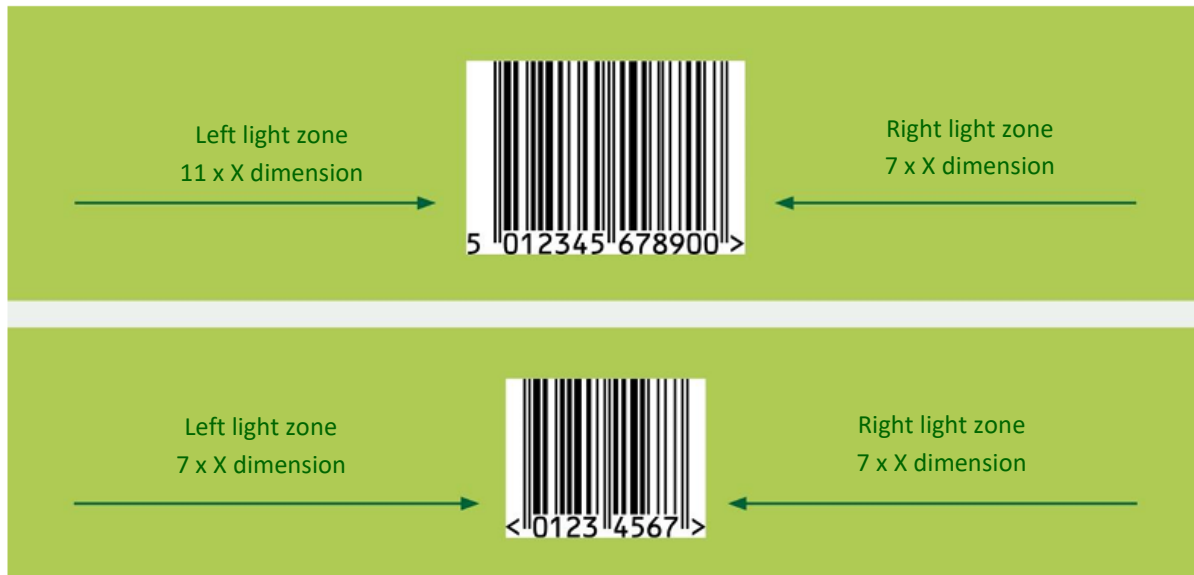


Figure 4: The light zone is part of the barcode.

4.2. Placement of the barcode on plastic and metal containers

The barcode must not be affixed more than once to the containers, taking into account the light zone (quiet zone).

To ensure that the barcode is legible and to prevent deformation of the barcode, the barcode must be affixed to the cylindrical surface of the container at a position with sufficient clearance, not at the neck of the bottle and at least 8 mm from the base of the container.

The barcode must be placed vertically – using so-called ladder alignment (see Figure 4). The vertical positioning of the barcode is easier to read due to the existing depth of field of the scanners in the reverse vending machine and is therefore necessary. If the barcode is placed horizontally, the containers are not suitable as returnable single-use containers and registration must be refused. Where possible, the label design should ensure that, once affixed to the bottle, the GTIN is positioned on a smooth surface (without grooves or edges).



Figure 5: Example of vertical placement of the EAN/UPC barcode and Deposit Symbol on can and bottle

4.3. Barcode colours

The legibility of barcodes depends, *inter alia*, on the contrast between the dark bars and the light background. In consultation with the reverse vending machine manufacturers, we strongly recommend printing black bars on a white background to ensure reliable legibility at the reverse vending machines in the interests of consumer friendliness. If the colour contrast is too low, the producer bears the risk of containers not being easily recognised or being rejected by the reverse vending machine. EWP accepts no responsibility for poor legibility in reverse vending machines. In addition, we recommend labelling batch identification on the labels in order to be able to identify the batch in the event of difficulties of the reverse vending machine in reading the labels. This batch labelling can also be below the overlap zone and is not mandatory.

4.4. How to avoid errors

The most common errors are visible to the eye and must be eliminated during the graphic design or container application phases, at the latest. These are:

- Barcode height – the barcode does not come up to the height required by the standard. Check the graphic design as to whether the barcode is large enough.
- Insufficient light zone – other elements of the graphic design on the containers overlap with the light zone of the barcode. It is essential that the light zone is not affected. If you print the barcode on the empty area of pre-printed containers, make sure that the light zone is within the prescribed parameters even if the containers are moved slightly during printing (i.e. there needs to be sufficient space on both sides of the barcode).
- Incorrectly or multiply placed barcode – even a high-quality printed barcode can be illegible if it is placed in the wrong position. Make sure that the barcode is not affixed to areas with stickers, folds, uneven surfaces, the edges of containers or the neck of a bottle.
- Exceeding bar width limits during printing – it is necessary to set the bar width reduction correctly during printing (add or reduce). EWP's recommendation is that graphic designers and printers work in a coordinated manner to avoid errors.
 - c) Furthermore, we recommend testing the printed surfaces with the possible printing processes and thus the print qualities in advance (according to ISO/IEC 15416, min. quality 1.5).

5 GRAPHIC ELEMENT ON DEPOSIT CONTAINERS (DEPOSIT SYMBOL)

Containers must be labelled in accordance with applicable law by means of a graphic element (the "**Deposit Symbol**"). The Deposit Symbol has the following legal meaning as a certification mark: the containers are single-use containers subject to a deposit of EUR 0.25 and refundable at points of sale in accordance with the Deposit Regulation 2023, Federal Law Gazette No. 283/2023.



The Deposit Symbol must be affixed one (1) time above the barcode on the container itself or on its label. The aim is that the consumer and the Acceptor can immediately recognise whether the container is part of the single-use deposit system or not.

The Deposit Symbol must not be covered by any other design or text (see also section 5.3).

The Deposit Symbol of the single-use deposit system consists of the € symbol surrounded by recycling arrows and symbols of a bottle and can in the background.

The Deposit Symbol must be displayed in black on a white background. The shade of black is not specified or defined in more detail, but should be recognisable to the naked eye as black. The same applies to the colour white.

5.1. Minimum size

The minimum size of the Deposit Symbol with text is 10 mm wide x 11.7 mm high.

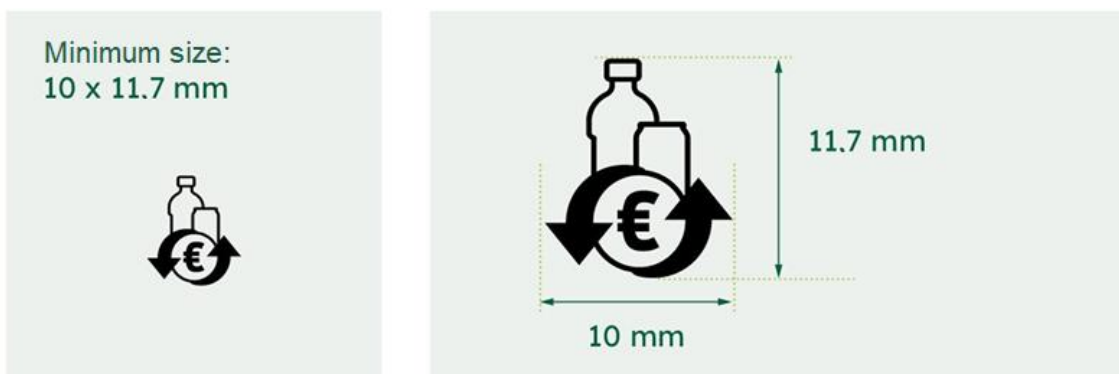


Figure 6

5.2. Light zone of Deposit Symbol

The light zone is defined as follows for all sides around the Deposit Symbol:



Figure 7 (not to scale)

5.3. Appearance of the barcodes (EAN-13 and EAN-8) and placement of the Deposit Symbol in connection with the barcode

The placement of the Deposit Symbol in connection with the barcode must be carried out in such a manner that the light zone of the Deposit Symbol and the light zone of the barcode are maintained. Placement of the Deposit Symbol must be above the EAN code. The EAN code must be aligned in a ladder arrangement.

The placement of Deposit Symbols from other countries is generally permitted in addition to the Austrian Deposit Symbol; note, however, that the Austrian regulations must be complied with.

The following illustrations show the strictly specified placement of the barcode while maintaining the minimum distances.

5.3.1. EAN-13 barcode

Minimum size (X-module 0.264 mm, magnification factor 0.8) of the barcode 29.83 × 18.28 mm.
Nominal size (X-module 0.330 mm, magnification factor 1.0) of the barcode 37.29 × 22.85 mm.



Figure 8 (not to scale)

5.3.2. EAN-8 barcode

Minimum size of the barcode: 21.38 x 14.58 mm.

Nominal size of the barcode: 26.73 x 18.23 mm.



Figure 9 (not to scale)

The same rules apply to the protection zones of the Deposit Symbol and barcode for EAN-13 and EAN-8: see Figures 8 and 9.

5.4. Use of the Deposit Symbol

The Deposit Symbol is a registered certification mark of EWP, registration number 326867. EWP has the exclusive and sole right to authorise or prohibit the use of the Deposit Symbol for the single-use deposit system. Permission to use the Deposit Symbol is only granted to registered Initial Distributors (beverage producers/importers) after they have signed the licence agreement. The print file will be sent after the signed agreement has been submitted. If the Deposit Symbol is used without authorisation, EWP is entitled (i) to demand that the Deposit Symbol not be used, (ii) to demand that the Deposit Symbol be removed from the containers, and (iii) to demand compensation for the unauthorised use of the Deposit Symbol. In addition, unauthorised use of the Deposit Symbol may also be punishable under the provisions of the Trademark Protection Act.

5.5. Stickers

If it is not practically possible to affix the Deposit Symbol to the containers – in particular, because the Initial Distributor only places small quantities of containers on the Austrian market – the Initial Distributor must affix a sticker (the "**sticker**") to the containers from one of the print shops to be designated by EWP, which is available for a fee, so that the labelling obligations under the Austrian deposit system are complied with by affixing stickers to the containers. Without exception, only original stickers may be used, which can be obtained from one of the print shops to be designated by EWP.

In order to prevent misuse of the stickers, all stickers have data matrix codes so that they can be matched with the containers and the entity that ordered the sticker (Initial Distributor). These data matrix codes are generated by EWP and provided to the print shops to be designated by EWP.

On products to which a sticker is affixed, no other data matrix code may be affixed to the label or the can! (Please note: as distinct from QR codes, which may be used, as they are not read by reverse vending machines.)

5.5.1. Differentiation – sticker vs. original label

If a sticker is subsequently affixed to ensure the labelling required for the deposit system, this constitutes a "sticker". A sticker is not a wrap-around label, but only covers a small part of the original label or can decoration.

The sticker has no brand name, no brand design (brand logo, design elements, marketing information) and no multicoloured design and therefore differs from an original label. The sticker has black print on white material. Only stickers have data matrix codes. Stickers can only be printed by a print shop designated by EWP.

An original label, by contrast, is applied at the factory during filling/production. It is usually multicoloured, displays the brand logo, brand and product variety, and is printed by a professional print shop. In addition to mandatory food law labelling, such as filling quantity, ingredients, nutritional values, etc., an original label also contains promotional marketing elements. Note: an original label could also be a self-adhesive label. The method of application does not affect the distinction. An original label may be produced by any print shop.

5.5.2. Sticker variants

The dimensions of the stickers can generally be freely selected. However, the specifications for the

EAN code dimensions (section 4) and the specification for the minimum size of the Deposit Symbol including the light zone (section 5.2) must be complied with. The sticker’s print data can be sent to the designated print shop by the Initial Distributor. The space for the Deposit Symbol, EAN code and data matrix code must be kept free. The designated print shop then inserts the EAN code, Deposit Symbol and data matrix code in the required size.

The Initial Distributor can choose between the sticker variants:

- a) Sticker with Deposit Symbol, GTIN (encoded in the EAN-8 barcode or EAN-13 barcode) and data matrix code.



Figure 10 (depiction by way of example, not to scale)

or

Sticker with Deposit Symbol, GTIN (encoded in the EAN-8 barcode or EAN-13 barcode), data matrix code and food law labelling.

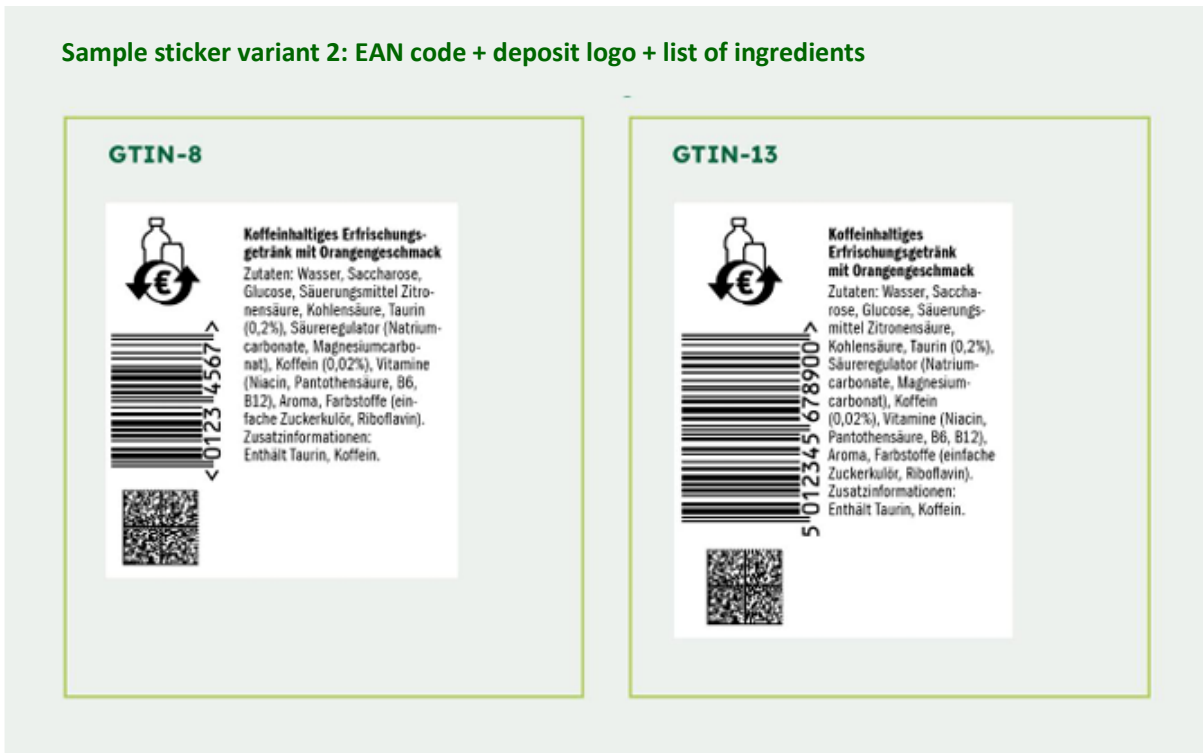


Figure 11 (depiction by way of example, not to scale)

5.5.3. Sticker design

The sticker can be ordered as a white adhesive label with black print. The sticker material is opaque and matt. The sticker is designed to tear when removed from the containers, which ensures that the sticker cannot be used more than once.

5.5.4. Ordering and paying for the sticker

Initial Distributors who wish to use the sticker for their containers must specify the desired number of stickers for the containers already registered in the EWP Portal – for the container registration process, see Part I, section 1.2.

The Initial Distributor then orders the required number of stickers from one of the designated print shops. EWP then creates the data matrix codes and sends them to the print shop from which the Initial Distributor orders the stickers.

Initial Distributors must then send the national GTIN code and – if the sticker is also to contain the list of ingredients – the list of ingredients to one of the print shops to be designated by EWP. The print shop in question checks and places the GTIN code and the Deposit Symbol in the required minimum sizes and adds the data matrix codes that it has received from EWP for the specified order quantity. Data matrix codes must always be square in design.

In connection with this, the proof and the print approval are directly coordinated between the Initial Distributor and the print shop. EWP disclaims all responsibility for the accuracy and completeness of the data transmitted by the Initial Distributor and then printed by the print shop.

Following receipt of the stickers, the Initial Distributor must activate them in the EWP Portal; they will then be enabled for use in reverse vending machines.

New payment terms for sticker products from 1 January 2026:

From 1 January 2026, the deposit amount and the producer fee for sticker products will no longer be payable to EWP in advance (prior to dispatch of the stickers by the print shops). Instead, the deposit amount and the producer fee for products labelled with stickers will be invoiced and collected after the monthly notification of initial placing on the market. As a result, quantity reporting and payment of deposit amounts for sticker products are handled in the same way as for products with original labels.

The detailed payment terms are set out in the term sheet for the Initial Distributor Agreement.

Billing for the design and printing of the stickers, as well as the associated shipping costs, is still settled directly between the print shop and the Initial Distributor.

5.5.5. Affixing the sticker

The Initial Distributor must affix the sticker to the containers in such a way that no other GTIN (encoded in the EAN/UPC barcode) is visible on the containers. The sticker must therefore be affixed so that the original GTIN is completely covered.

The sticker must be affixed in such a way that the GTIN (encrypted in the EAN/UPC barcode) appears in a ladder format (see Figure 12) and the Deposit Symbol is aligned vertically on the containers. The same rules apply as in sections 4.2 and 5.3.



Figure 12

The Initial Distributor is exclusively authorised to use the stickers for labelling the containers in accordance with the specifications of EWP. In the event of misuse or improper use of the stickers by the Initial Distributor, the Initial Distributor is liable to compensate EWP for any losses incurred as a result.

6 HANDLING RAW AND PACKAGING MATERIALS

The deposit system for single-use beverage containers assigns a value of EUR 0.25 to every container with a Deposit Symbol printed on it. As a result of this change, particular attention must be paid to raw materials and processes in the upstream supply chain, as this change also provides opportunities for fraudulent behaviour. In order to prevent misuse of raw and packaging materials with a deposit value of EUR 0.25, careful handling of can blanks, label rolls and stickers is recommended. It must be ensured that these do not enter the deposit cycle fraudulently. Locked storage facilities, strict monitoring of warehouse entrances, definition of critical areas at the production site or in warehouses, video surveillance of these areas, and verifiable disposal of production waste are recommended.

7 DESTRUCTION

7.1 Destruction of raw and packaging materials

Can blanks, labels and stickers must be disposed of in such a way that they cannot enter the deposit cycle fraudulently at the production site or in various storage areas.

7.2 Destruction of finished goods

a. Containers that have not yet been placed on the market

If containers that have not yet been placed on the market are destroyed, those containers do not need to be notified to EWP. During the destruction process, it must be ensured that those items cannot re-enter the deposit cycle through fraudulent return.

b. Containers that have already been placed on the market

For containers that are already part of the deposit system, EWP may refund the deposit amount to the Initial Distributor. The containers must be disposed of properly by licensed waste disposal companies. The notification of initial placing on the market may be reduced by the quantity disposed of. As part of an audit, the documentation must be submitted accordingly to the auditor engaged by EWP in accordance with the control concept pursuant to Section 8 of the Deposit Regulation.

PART III – ECO-MODULATION

Eco-modulation describes the ecological differentiation of levies or fees. Section 10 of the Deposit Regulation stipulates that producer contributions must be differentiated according to ecological aspects. As part of the implementation of the single-use deposit regulation, Initial Distributors pay differentiated contributions depending on the recyclability of the products. The aim is to create incentives for environmentally friendly and sustainable product development, to keep materials in circulation for as long as possible, and to reduce waste volumes in general.

The assessment of recyclability is a key element of eco-modulation.

1 OBJECTIVES OF ECO-MODULATION

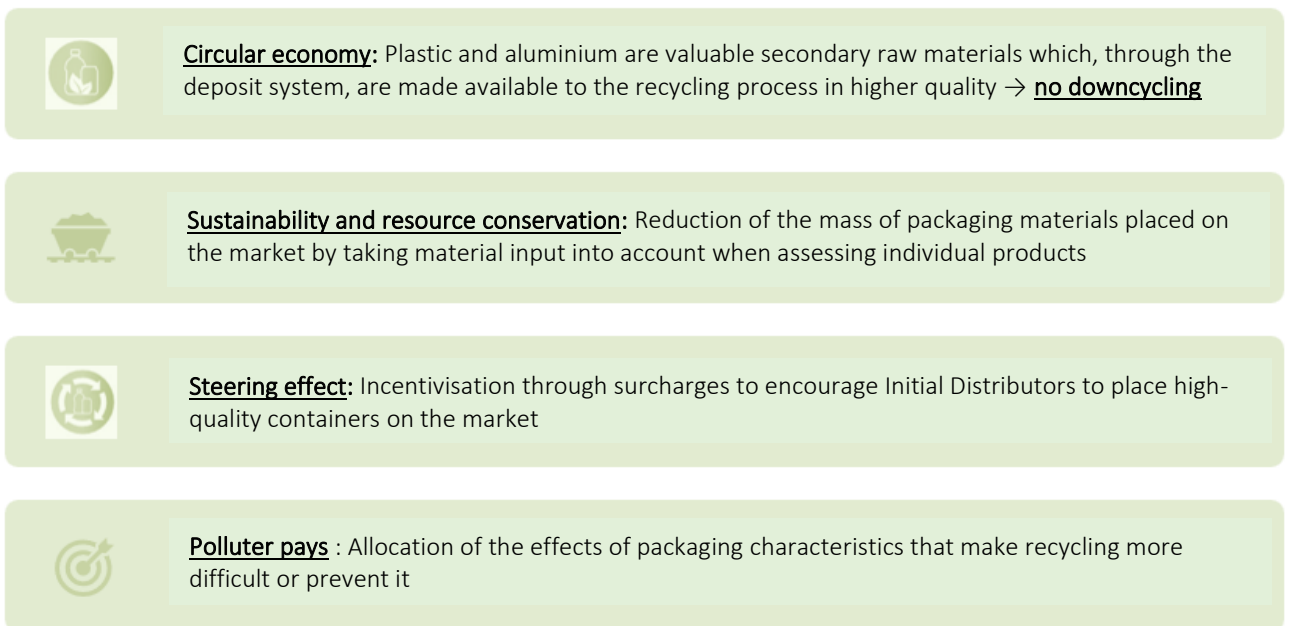


Figure 13

The model for calculating producer contributions must comply with the following requirements:

- Compliance with the legal framework in Austria (especially the Packaging Regulation and Deposit Regulation for single-use beverage containers)
- Inclusion of the EU Packaging and Packaging Waste Regulation (PPWR) as well as the CEN standards and the D4R criteria
- Compliance with the control concept pursuant to Section 10 of the Deposit Regulation for single-use beverage containers made of plastic and metal
- Ecological differentiation is handled by differentiating the amounts of producer contributions in the form of surcharges.

2 CONCEPT FOR ECO-MODULATION OF BEVERAGE CONTAINERS

The extended eco-modulation concept becomes effective from

- 1 May 2026 for all new registrations, and
- 1 October 2026 for all existing product registrations

2.1 Basis and structure of the concept

The new concept is based on the requirements of the PPWR (EU Packaging Regulation EU 2025/40), the Design for Recycling criteria and the CEN standards, as well as the adaptation of these criteria to practical recoverability in the EWP sorting facility and various recycling facilities.

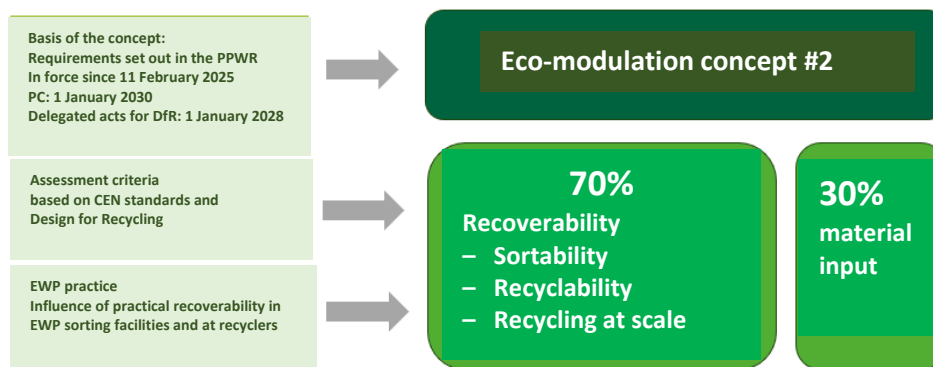


Figure 14

The concept relies on two pillars:

Recoverability and material input, weighted at a ratio of 70/30.

- a. The recoverability pillar comprises three levels, which are equally included in the calculation:
 - Sortability: Assessment of whether the material enters the correct sorting stream
 - Recyclability of the container in the recycling process: Assessment of theoretical recyclability from bottle to bottle and can to can
 - Recycling at scale: practical recyclability
- b. The objective of considering material input is to reduce container volumes and weights to a minimum. The weight of each container (aluminium and plastic) is compared with the weighted average weight of that container size. Negative deviations therefore trigger a surcharge to be added to the producer fee.

2.2 Formula for calculating recyclability

The formula for calculating recyclability is used for ecological differentiation of single-use beverage containers and is derived from the recoverability and material input pillars described in section 2.

$$\text{Recyclability} = (70\% * \% \text{ recoverability}) + (30\% * \% \text{ material input})$$

2.3 Performance classes as a result of recyclability

The performance classes are based on the PPWR, which will apply from 1 January 2030. The thresholds and surcharge amounts remain unchanged compared to the previous concept.

Recyclability	Performance class	Surcharge (added to the producer fee)
90–100%	A	0%
80–89.99%	B	10%
70–79.99%	C	30%
< 69.99%	D	60%

2.4 Assessment criteria for the recoverability stage

The masses of the individual container components are weighted and thus taken into account in the individual recoverability stages.

The assessment criteria are incorporated into a traffic light system and are taken into account accordingly in the calculation of recyclability. The traffic light system consists of three sections

- Green: positive rating of 90 to 100%
- Orange: medium rating of 30 to 89%
- Red: negative rating: 0%

The criteria are directly interdependent and, taken together, determine the classification of the packaging. The assessment criteria are presented individually, but must be considered as a whole.

In combination with other criteria, or due to the accumulation of minor deviations, the overall assessment may differ from the sum of the individual assessments.

2.4.1. Overview of assessment criteria – plastic bottles

Recoverability stage	Assessment criterion	Classification/ assessment		
Sorting	Label coverage	<70% for <500mL	>70% for < 500mL	
		>70% for ≥500mL		
Recyclability	Type of cap	Normal = Screw cap	Sports cap Other	
	liner	None PE PET HDPE	EVA TPE PP LDPE	Others
	Label material	OPP PP PE Foamed PET No label	Metallised labels Paper labels	OPS PS PLA PET PVC
	Adhesive	No adhesive Soluble in water or alkaline bath	Not soluble in water or alkaline bath	
	Extent of labelling	Extent of labelling ≤ 50%	Extent of labelling >50%	
	Barrier	Monolayer	Multilayer – PA	Multilayer – EVOH Multilayer PVDC Other
	Material	PET Aluminium Tinplate	HDPE	PP LDPE PLA Other
Recycling at scale	Colour	Clear transparent Transparent blue Transparent green		Coloured Other transparent light colours Opaque
	Cap material	PE HDPE Aluminium	PP PVC Duroplaste Other metals	Other

Figure 15

* Due to dependencies between the criteria, the overall assessment may differ from the sum of the individual assessments.

2.4.2 Overview of assessment criteria – metal cans

Recoverability stage	Assessment criterion	Classification/assessment		
Sorting	Material	PET Aluminium Tinplate	HDPE	PP LDPE PLA Other
Recyclability	Type of cap	Aluminium Tinplate		
	Label material / Sticker	PP PE Paper No label	OPS PS PLA OPP PET Foamed PET	Metallic label PVC
Recycling at scale	Material	PET Aluminium Tinplate	HDPE	PP LDPE PLA Other

Figure 16

* Due to dependencies between the criteria, the overall assessment may differ from the sum of the individual assessments.

EWP stickers are not included in the calculation of recyclability. The original containers are subject to eco-modulation.

The assessment of widgets or other attachments used as part of marketing campaigns is covered as

a standard process in the EWP Excel tool. Due to the variety of different widgets or attachments, these are subject to a separate assessment.

2.5 Implementation of the concept

The assessment of recyclability is carried out on the basis of the specification entered in the EWP Portal.

The calculation is performed automatically in the EWP Portal. The recyclability assessment is shown in the product details under RF #2, and the performance class is shown under PC #2.

A report containing the detailed results is attached.

The tool used to calculate recyclability can also be provided as an Excel file. Please direct any enquiries to produktregistrierung@ewp-oe.at.

3 PHASE-OUT MODEL FOR ECO-MODULATION OF BEVERAGE CONTAINERS

3.1 Eco-modulation calculation of recyclability

- Valid from January 2025 to April 2026 for new registrations
- Transition period for existing products until September 2026

Recyclability corresponds to the proportion of container components (main component such as bottle or can, cap, label) of the containers that can be recycled. The prerequisite for recyclability of a component is the allocation of the component to the "Good materials" column and the absence of components that prevent recyclability. The following formula is used:

$$\text{Recyclability} = \frac{\text{Weight of recycling components}}{\text{Total weight of container}} * 100$$

Recyclability forms the basis for calculating the surcharges added to the producer contribution.

The following performance classes were defined:

Performance class	Result recyclability	Amount of the surcharge
A	< 95%	No surcharge
B	90–94.9%	No surcharge
C	80–89.9%	10% surcharge
D	70–79.9%	30% surcharge
E	< 70%	60% surcharge

The formula is used for all materials listed in the "Good material description" column in the tables

below. When using materials from the "material-specific recycling incompatibilities" column, the container typically falls into performance class E.

This calculation method applies to all new registrations up to 30 April 2026. For products submitted for registration from 1 May 2026, the extended eco-modulation scheme will apply.

3.2 Material description

3.2.1 Plastic bottles made of PET

In order to support material-identical recycling, a transparent or transparent-bright (e.g. green or light blue) colour is generally preferable for PET plastic bottles. Non-transparent (e.g. white-pigmented) or dark colours (e.g. brown) should be avoided, as they are incompatible with recycling.

Table 1: PET bottles

Material group: Plastic bottles 0.1-3 litres		
Subgroup: PET transparent		
Component	Good material description	Material-specific recycling incompatibilities
Material	PET-A	PLA, PVC, PS, PETG, POM
Colour	Transparent, colourless Transparent light blue Transparent light green Other transparent light colours	Coloured or opaque PET, fluorescent or metallic pigments
Barrier (transparent clear)	No barrier layer SiOx coating	EVOH
Barrier (transparent light colours, light blue and light green)	SiOx coating Carbon plasma coating, Nylon MXD6 in a 3-layer structure with up to 6 wt% nylon MXD6 and without adhesion agent	Nylon MXD6 in a composite structure or > 6 wt% nylon MXD6, EVOH barrier
Additives		PA additive Additives that induce bio-/oxo-/photodegradation of the bottle
Cap	PE, PP Materials with a density of <1g/cm ³	Metals**, thermosets Materials with a density of >1g/cm ³

Labels and sleeves	PE, PP, OPP, foamed PET Materials with a density of <1g/ cm ³ Wet-strength paper labels	Materials with a density of >1g/cm ³ (e.g. PVC, PS or PET) Non-wet-strength paper labels* Metallised labels
Adhesives	Adhesive applications removable by hot wash or alkaline (at 60-80°C)	Adhesive applications not removable by hot wash or alkaline (>80°C)
Printing	EuPIA-compliant printing inks, no direct printing (apart from production code, BBD)	Large-scale direct printing

* Presence of non-wet-strength paper: is considered to introduce material-specific recycling incompatibilities, but these are not taken into account for assessing recyclability in 2025.

The assessment will be adapted in accordance with the CEN standards (European standard), which are expected to be published in 2025.

** For caps made of pure aluminium, a process-dependent evaluation is carried out.

If single-use plastic containers that are not made of PET are placed on the market, please contact EWP directly regarding the assessment of eco-modulation (Produktregistrierung@ewp-oe.at).

3.2.2 Cans

3.2.2.1 Aluminium cans

Table 2: Aluminium cans

Material group: Aluminium cans 0.1–3 litres		
Component	Good material description	Material-specific recycling incompatibilities
Material	Non-ferrous metal content	Composite materials
Closure	Aluminium	Tinplate or plastic closures
Labels and sleeves	Embossing	PVC labels
Printing	Lacquer coating Aluminium direct printing EuPIA-compliant printing inks and coatings	Non-compliant colours

3.2.2.2 Tinplate cans

Various types of steel cans fall into this category.

Table 3: Tinplate – Cans

Material group: Tinplate cans 0.1–3 litres		
Component	Good material description	Material-specific recycling incompatibilities
Material	Ferromagnetic metals	
Closure	Ferromagnetic metals	Plastic closures
Labels and sleeves	Embossing Paper sleeve	PVC labels
Printing	Lacquer coating EuPIA-compliant printing inks and coatings	Non-compliant colours

PART IV – USE OF INTERNATIONAL GTINS

In principle, Initial Distributors must use domestic EAN codes or GTINs (only those placed on the market in Austria) on the containers. If the Initial Distributor nevertheless wishes to use international EAN codes or GTINs (placed on the market in several countries) on the containers marked with the Austrian Deposit Symbol, this is only possible if the Initial Distributor concludes a supplementary agreement with EWP. The Initial Distributor thus undertakes to compensate EWP for any losses caused by the use of international EAN codes or GTINs. Alternatively, the Initial Distributor can affix the Deposit Symbol by means of a sticker to those containers that are actually being placed on the market in Austria (see also Part II, section 5.5).

What is meant by national vs. international GTIN:

National GTIN: a GTIN placed on the market only in Austria + Austrian Deposit Symbol.

International GTIN: a GTIN placed on the market in several countries in combination with the Austrian Deposit Symbol.

Further details on the separate terms for the use of containers with international EAN codes or GTINs and marked with the Deposit Symbol can be found in the Optional Supplementary Agreement, which must be concluded by the Initial Distributor in addition to the Initial Distributor Agreement.

1 OVERVIEW OF THE SUPPLEMENTARY AGREEMENT FOR THE USE OF INTERNATIONAL GTINS

1.1 General matters

EWP will conclude the Supplementary Agreement with those Initial Distributors for whose products international EAN codes or GTINs are to be used on the containers and the Deposit Symbol is also to be shown on the container or its labels. If the Supplementary Agreement is not concluded, the Initial Distributor is not permitted to place containers marked with the Deposit Symbol on the market outside Austria.

In this context, the Supplementary Agreement distinguishes between Austrian producers and importers.

An Austrian producer is any entity that produces its single-use beverage containers in Austria or abroad (either directly or via contract filling) (the "**Austrian producer**").

An importer is any entity that sources its single-use beverage containers from beverage manufacturers (that are not contract fillers) or beverage distributors abroad and places them on the market in Austria (the "**importer**").

The Supplementary Agreement model is evaluated annually by EWP and adjusted if necessary.

1.2 Assumption of losses

Under the Supplementary Agreement, the Initial Distributor undertakes to assume the losses incurred by the system as a result of containers used by the Initial Distributor with an international EAN code or GTIN and marked with a Deposit Symbol being subsequently returned in Austria.

In this context, it should be noted that the system will already suffer losses if the overall return rate in Austria is below 100%, because EWP is entitled to the deposit shortfall (Section 11 of the Deposit

Regulation) and the amount of the shortfall is needed to finance the deposit system.

1.3 Amount of losses

The amount of the losses per container consists of the deposit amount (Section 4 (1) of the Deposit Regulation), the producer contribution (Section 10 (1) of the Deposit Regulation), the handling fee (Section 12 of the Deposit Regulation) and the (internal) expenses incurred by EWP in association therewith.

1.4 Quantity limits

EWP sets a quantity limit on the number of containers marked with the Deposit Symbol that may be used in the Relevant Foreign Country. The maximum annual quantity is 500,000 items per international EAN code or GTIN. This means that the Initial Distributor may place on the market in the Relevant Foreign Country a maximum of 500,000 containers per year and per international EAN code or GTIN bearing the Austrian Deposit Symbol.

If the maximum annual quantity is exceeded, the Initial Distributor must use an Austrian GTIN and amend the registration of the relevant product in the EWP Portal to indicate that it no longer has an international EAN code or GTIN. EWP will grant the Initial Distributor a reasonable period of time to make such amendment.

EWP will regularly evaluate the quantity limit and may adjust it at any time if necessary.

1.5 International barcode fee

Furthermore, there will be an international barcode fee for the Initial Distributors – and thus for Austrian producers and importers – for the use of an international EAN code or GTIN. The international barcode fee is EUR 0.03 (the "**International Barcode Fee**").

The amount of the International Barcode Fee is evaluated by EWP at regular intervals and, if necessary, adjusted to actual circumstances. To differentiate between the Austrian producer and the importer regarding the International Barcode Fee, see below.

1.5.1. International Barcode Fee for Austrian producers

An Austrian producer must pay the International Barcode Fee for each container marked with the Deposit Symbol placed on the market in the Relevant Foreign Country.

1.5.2. International Barcode Fee for importers

An importer must pay the International Barcode Fee for each container placed on the Austrian market.

1.6 Additional obligations for Austrian producers

Austrian producers and importers must submit a notification to EWP via the EWP Portal regarding the number of containers placed on the market in the Relevant Foreign Country with an international EAN code or GTIN and marked with the Deposit Symbol. For this purpose, the Relevant Foreign Countries are:

European Union (excluding Austria), Switzerland, Liechtenstein, Norway, Serbia, Bosnia-Herzegovina, Montenegro, Kosovo, North Macedonia, Albania, Turkey, Andorra, Vatican City, San

Marino, Ukraine and Belarus (the "Relevant Foreign Countries").

The appropriateness of the export quantities of containers into the Relevant Foreign Countries must be certified by the Austrian producer and confirmed by an auditor once a year. The costs for the auditor are borne by the Austrian producer.

Containers that are placed on the market outside Austria and outside the Relevant Foreign Countries do not have to be reported in the EWP Portal by the Austrian producer.

1.7 Evaluation of amount of loss

EWP will evaluate the amount of the loss on an ongoing basis.

If the actual amount of loss incurred by EWP is higher than the International Barcode Fee paid by the Initial Distributor, the Initial Distributor shall pay the resulting difference to EWP in addition.

However, if the actual amount of loss incurred by EWP is lower than the International Barcode Fee paid by the Initial Distributor, EWP shall transfer the resulting difference back to the Initial Distributor, minus a deduction for the additional expense incurred by EWP due to the use of an international barcode or GTIN.

In the case of multiple Initial Distributors with the same GTIN, the amount of loss will be apportioned on a *pro rata* basis.

The review period is one calendar year. This review period may change based on empirical data.

2 USE OF STICKERS

The Initial Distributor also has the option of using international GTINs on the containers if the Deposit Symbol is not displayed directly on the containers or their labels, but is affixed to the containers to be placed on the market in Austria by means of stickers.

In this context, EWP is authorised to set a quantity limit so that the sticker may only be used by the Initial Distributor in connection with the use of international GTINs if the number of containers with the sticker that the Initial Distributor wishes to place on the Austrian market does not exceed the quantity limit set by EWP.

Further conditions for the use of the sticker are contained in Part II under section 5.5.

APPENDIX 1 – LIST OF ABBREVIATIONS

EAN	European Article Number
EPS	Expanded polystyrene
EuPIA	European Printing Ink Association
EVA	Ethylene vinyl acetate
EVOH	Ethylene vinyl alcohol copolymer
EWP	EWP Recycling Pfand Österreich gGmbH
GTIN	Global Trade Item Number
HDPE	High-Density Polyethylene (high-density polyethylene/rigid PE)
IRVM	Industrial reverse vending machine (industrial machine for returning empties)
MAH	Maleic anhydride
Nylon-MXD6	Modified nylon (PA)
RVM	Reverse Vending Machine (machine for returning empties)
OPP	Oriented polypropylene
OPS	Oriented polystyrene
PA	Polyamide, nylon
PE	Polyethylene
PEF	Polyethylene furanoate
PEN	Polyethylene naphthalate
PET	Polyethylene terephthalate
PET-A	Amorphous polyethylene terephthalate
PETG	Polyethylene terephthalate, glycol modified
PLA	Poly lactide
PO	Polyolefin
POM	Polyoxymethylene
PP	Polypropylene
PS	Polystyrene
PVC	Polyvinyl chloride
PVDC	Polyvinylidene chloride
RVM	Reverse Vending Machine – machine for returning empties
SiO _x	Silicon oxide
SKU	Stock Keeping Unit (Article)
TPE	Thermoplastic elastomers
UPC	Universal Product Code

APPENDIX 2 – LICENCE AGREEMENT FOR THE USE OF THE DEPOSIT LOGO

LICENCE AGREEMENT

FOR INITIAL DISTRIBUTORS ON THE USE OF THE DEPOSIT SYMBOL
ON SINGLE-USE BEVERAGE CONTAINERS

made by and between

EWP Recycling Pfand Österreich gmbH

(FN 594052 g)

Schönbrunner Schloßstraße 2/601

1120 Vienna

as the licensor (the "**Licensor**")

and

FN (company register number):

Address:

as the licensee (the "**Licensee**")

(The Licensor and the Licensee each referred to as a "**Party**" and jointly as the "**Parties**")

as follows:

1.
PREAMBLE

- 1.1. EWP Recycling Pfand Österreich gGmbH as Licensor is the owner of the following certification mark:



Registered at the Austrian Patent Office (ÖPA) on 08/05/2024 under registration number: 326867

(hereinafter referred to as the "**Deposit Symbol**")

- 1.2. The rules for the use of the mark for the Deposit Symbol (hereinafter referred to as the "**Rules for the Use of the Mark**") are available at: <https://www.recycling-pfand.at/markensatzung>
- 1.3. Pursuant to Section 6 of the Regulation of the Federal Minister for Climate Action, Environment, Energy, Mobility, Innovation and Technology on deposits for single-use plastic or metal beverage containers (hereinafter referred to as the "**Deposit Regulation**"), Initial Distributors must visibly, recognisably and permanently label single-use beverage containers that are part of the single-use deposit system in Austria with the Deposit Symbol.
- 1.4. This Licence Agreement (hereinafter referred to as the "**Licence Agreement**") governs the framework conditions for the use of the Deposit Symbol by the Initial Distributor as the Licensee.

2.
SUBJECT MATTER OF THE AGREEMENT

The subject-matter of this Licence Agreement is the grant of a licence right to the Deposit Symbol in the form of a high-resolution print file.

3.
GRANT OF LICENCE

- 3.1. The Licensor grants the Licensee the non-exclusive right to use the Deposit Symbol in accordance with the terms and conditions of this Licence Agreement for the duration of this Licence Agreement.

- 3.2. If the right to use the Deposit Symbol is withdrawn from the Licensee due to the provisions of the Rules for the Use of the Mark or if this right is cancelled in any other way, the right of use granted under this Licence Agreement shall also automatically lapse.
- 3.3. The Licensee is not authorised – with the exception of cases covered by section 4.2. – to grant sub-licences and/or pass on the Deposit Symbol.
- 3.4. The Licensee acknowledges that the Licensor is the owner of the Deposit Symbol. This Licence Agreement does not establish any rights, titles or claims to the Deposit Symbol for the Licensee other than the rights expressly granted under this Licence Agreement. In particular, the Licensee is not entitled to register the Deposit Symbol or any part thereof as a trade mark in any territory or to seek protection for the Deposit Symbol in any other form. The Licensee undertakes not to register any figurative representations and/or designations as a trade mark that are identical to the Deposit Symbol or similar to it in such a way that there is a risk of confusion.
- 3.5. The use of the Deposit Symbol is free of charge for the Licensee.

4.

SCOPE OF USE AND REQUIREMENTS FOR USE

- 4.1. The Licensee may use the Deposit Symbol only for the purpose of labelling single-use beverage containers in accordance with Section 6 of the Deposit Regulation. Furthermore, use is only permitted in compliance with the specifications for the use of the Deposit Symbol in accordance with the Producer's Manual for Initial Distributors (beverage producers/beverage importers) of single-use plastic or metal beverage containers with a filling volume of 0.1 to 3.0 litres for the implementation of the Regulation on the Deposit for Single-Use Beverage Containers Made of Plastic or Metal (Deposit Regulation for Single-Use Beverage Containers, Federal Law Gazette II No. 283/2023) (hereinafter referred to as the "**Producer's Manual**"), which is attached as an appendix to the "Agreement on the rights and obligations of the Initial Distributor of single-use beverage containers subject to a deposit and EWP" to be concluded separately.
- 4.2. The Deposit Symbol may only be passed on by the Licensee
 - (i) to the companies that print the labels or metal cans for single-use beverage containers for the Licensee;
 - (ii) to the companies that design the labels or cans for single-use beverage containers for the Licensee;
 - (iii) if the Licensee is an importer of single-use beverage containers subject to a deposit: to the producers of the respective beverages and the companies named under (i) and (ii) and commissioned by the producer.

- 4.3. Without the express prior written consent of the Licensor, the Licensee is only authorised to use the Deposit Symbol in accordance with the specifications in the Producer's Manual and only for the purposes defined in sections 4.1. and 4.2. In particular, the Licensee is not authorised to publish, manipulate, retouch or in any other way change or edit the Deposit Symbol, unless otherwise stated in the Producer's Manual.
- 4.4. The Deposit Symbol may not be used or referred to in a way that is likely to mislead the relevant public – and thus, in particular, the end consumer – about the certification content of the Deposit Symbol.
- 4.5. The Licensor has the right to modify/change the usage specifications in the Producer's Manual relating to the Deposit Symbol during the term of this Licence Agreement. The Licensee shall be informed of corresponding modifications/changes with reasonable notice, but at least 30 days before the modification/change. Such modifications or changes shall not affect the permissibility of the use of the Deposit Symbol for single-use beverage containers already produced up to the time of the modification.

5.

OTHER OBLIGATIONS OF THE LICENSEE

- 5.1. The Licensee undertakes to comply with all specifications contained in the Rules for the Use of the Mark and/or other specifications – in particular, the specifications in accordance with the Producer's Manual – for or in connection with the use of the Deposit Symbol for the entire term of this Licence Agreement.
- 5.2. The Licensee undertakes to inform the Licensor immediately if the Licensee is no longer acting as an Initial Distributor in accordance with the provisions of the Deposit Regulation.
- 5.3. Furthermore, the Licensee undertakes to ensure by means of a written agreement that the provisions of this Licence Agreement, the provisions of the Producer's Manual relating to the Deposit Symbol and the Rules for the Use of the Mark will not be violated when passing on the Deposit Symbol to the companies named under section 4.2.
- 5.4. In connection with the use of the Deposit Symbol, the Licensee is responsible for ensuring that its use complies with all applicable legal requirements, in particular with regard to competition law requirements in accordance with the Federal Act against Unfair Competition (UWG).
- 5.5. The Licensee undertakes to provide the Licensor with appropriate evidence of compliance with the provisions of this Licence Agreement, the Producer's Manual and the Rules for the Use of the Mark upon request.

6.

DELIVERY

- 6.1. The Licensor shall provide the Licensee with the Deposit Symbol as a high-resolution file for download in the EWP Portal after the Licensee has been activated in accordance with section 11.1.
- 6.2. Delivery is deemed to have taken place when the Deposit Symbol is downloaded by the Licensee.

7.

PROTECTION OF THE DEPOSIT SYMBOL

The Licensee shall store all work equipment (servers, PCs, laptops, etc.) on which the Deposit Symbol is stored, as well as any additional documents provided by the Licensor, in a place secured against unauthorised access by third parties and shall ensure compliance with its obligations under this Licence Agreement with regard to the use and protection of the Deposit Symbol by taking appropriate measures *vis-à-vis* its employees and other persons who are permitted access to the Deposit Symbol with the consent of the Licensor or in accordance with this Licence Agreement. The obligations with regard to the documents provided shall remain effective even after this Licence Agreement has ended.

8.

WARRANTY

- 8.1. The Licensor warrants exclusively that the Deposit Symbol is used to identify single-use beverage containers within the meaning of the Deposit Regulation and is free from third-party rights that would prevent free and unrestricted use by the Licensee. Any and all warranties beyond the scope of this section 8.1. are excluded.
- 8.2. The warranties provided for in this section 8. are excluded if a defect or an infringement of (intellectual property) rights of third parties was caused by conduct of the Licensee that went beyond contractual use or by unauthorised modification or editing of the Deposit Symbol by the Licensee in breach of the Agreement.

9.

LIABILITY OF THE LICENSEE

- 9.1. The liability of the Parties shall be governed by the statutory provisions. The Licensee is liable for losses incurred by the Licensor as a result of a breach by the Licensee of one or more provisions of this Licence Agreement, the Rules for the Use of the Mark and/or the provisions on the use of the Deposit Symbol in the Producer's Manual, in particular if

- (i) the Licensee exceeds the scope of use in accordance with section 4.;

- (ii) the Licensee violates the requirements for using the Deposit Symbol in accordance with the Producer's Manual;
- (iii) the Licensee violates provisions of the Rules for the Use of the Mark;
- (iv) the Licensee infringes the Licensor's intellectual property rights.

9.2. The agreements governed by this section 9 shall also apply after this Licence Agreement has ended.

10.

CONFIDENTIALITY, DATA PROTECTION

- 10.1. The Parties undertake to maintain confidentiality regarding the business secrets or other information of the other Party which is worthy of protection and which has come to their knowledge from or in connection with this Licence Agreement, unless this information is generally known or was already known to the respective Party prior to the conclusion of the Agreement by both Parties or if the Party is legally obliged to disclose this information or its disclosure is necessary in the context of legal proceedings in order to protect the interests of that Party.
- 10.2. The Parties undertake to perform their respective obligations in accordance with the applicable data protection laws and to conclude any necessary or appropriate agreements in writing.

11.

TERM OF AGREEMENT, TERMINATION

- 11.1. After the Licensor has made the contract documents available to the Licensee via the EWP Portal, this Licence Agreement shall enter into force upon signature and return of the complete and signed contract documents by the Licensee; the date of receipt of the signed contract documents by EWP shall be deemed determinative. This Licence Agreement is concluded for an indefinite term. EWP shall activate the Licensee in the EWP Portal after conclusion of the Agreement.
- 11.2. This Licence Agreement may be terminated by the Licensee in writing (without stating reasons) upon three calendar months' notice to the end of any calendar month.
- 11.3. The Licensor may terminate this Licence Agreement for good cause at any time with immediate effect, in particular for the following good causes:
- (i) The Licensee ceases to operate as an Initial Distributor within the meaning of the provisions of the Deposit Regulation;
 - (ii) The Licensee uses the Deposit Symbol beyond the scope of use governed by section 4.;

- (iii) The Licensee breaches a material provision of this Licence Agreement; in particular, the mandatory act of obtaining approval, the other obligations of the Licensee and the confidentiality obligations are deemed to be material provisions of the Agreement;
- (iv) The Licensee breaches a provision of the Rules for the Use of the Mark;
- (v) The Licensee breaches a provision of this Licence Agreement and does not remedy that breach (to the extent it can be remedied) within 14 calendar days of being requested to do so by the Licensor.

11.4. The Licensee may terminate this Licence Agreement at any time with immediate effect for good cause, in particular if the Licensee ceases to operate as an Initial Distributor within the meaning of the provisions of the Deposit Regulation.

11.5. After termination of this Licence Agreement, the Licensee is obliged to refrain from further use of the Deposit Symbol (in any form) and to delete the stored Deposit Symbol immediately from all work equipment (servers, PCs, laptops, etc.).

12.

FINAL PROVISIONS

12.1. If any provision of this Licence Agreement contradicts a provision of the Rules for the Use of the Mark, the provision of the Rules for the Use of the Mark shall take precedence and the provision of this Licence Agreement that contradicts the Rules for the Use of the Mark shall be null and void.

12.2. Amendments or addenda to this Licence Agreement must be made in writing and signed by all Parties. This also applies to the cancellation of this written form requirement.

12.3. The Parties agree that exclusive jurisdiction for all disputes arising from or in connection with this Licence Agreement shall be vested in the court with subject-matter jurisdiction for the first district of Vienna.

12.4. Governing law is Austrian substantive law, to the exclusion of the application of international private law.

12.5. References to a section refer to the sections of this Licence Agreement, unless expressly stated otherwise.

Vienna, dated _____

_____, dated _____

EWP Recycling Pfand Österreich gGmbH
FN 594052 g
(the Licensor)

[Company Name, Commercial Register Number,
Stamp]
(the Licensee)

SAMPLE COPY

APPENDIX 3 – VERSIONS – CHANGES TO THE CONTENTS OF V3 DATED JUNE 2024

Part	Chapter / Topic	Reason for revision
I	Product registration	Adaptation to the new changes in the EWP Portal
II	5.5.1. Differentiation – sticker vs. label	Explanatory text added
II	5.5.4 Ordering and paying for the sticker	Change in payment terms and reporting of initial placing on the market
II	Handling of raw and packaging materials and destruction	Explanatory text added
III	Eco-modulation	New eco-modulation concept from 2026 Existing concept simplified as it applies until the end of the transition period
III	2. Material description for eco-modulation	Simplification of the tables for plastic bottles
IV	National vs. international GTIN	Formulation of definition, additional Relevant Foreign Countries