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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2023 No.**

**The Deposit and Return Scheme for  
Scotland Amendment Regulations 2023**

**Low volume drink products**

7. After regulation 3 (scheme articles and scheme packaging), insert—

**“Low volume drink products**

**3A.—**(1) A person may only market, offer for sale or sell a low volume drink product to a consumer in Scotland if the producer is a—

- (a) listed producer, or
- (b) registered producer.

(2) For the purpose of paragraph (1), the following is to be regarded as the person who markets, offers for sale or sells the low volume drink product—

- (a) in the case of an online retail sale, the operator,
- (b) in the case of a vending machine sale—
  - (i) where the machine is marked with the name and address of its owner, that owner, or
  - (ii) otherwise, the person with the management and control of the premises on which the machine stands or to which it is affixed.

(3) Any person who markets, offers for sale or sells a low volume drink product in Scotland on or after 1 March 2024 must communicate to the purchaser at the point of sale that—

- (a) the product is not a scheme article to which the requirements of these Regulations apply,
  - (b) an item of packaging in which that low volume drink product is contained or sold cannot be returned in exchange for payment of a sum equal to a deposit.
- (4) Schedule 5 makes further provision in relation to low volume drink products.”.