

Media Release

Environment Protection Authority



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Successful CDL conviction

The Environment Protection Authority last week successfully prosecuted Mr Detlef Friedrich of Nairne for the sale and/or supply of non-compliant beverage containers to local businesses.

Mr Friedrich pleaded guilty to, and was convicted of, 11 counts of breaching Section 69B of the *Environment Protection Act 1993 Sale and supply of non-compliant beverages in containers*.

The Environment, Resources and Development (ERD) Court settled the matter last week and fined Mr Friedrich \$5,400 for the breach.

The fine relates to events occurring in October 2009 where Mr Friedrich imported and sold approximately 25,464 beverage containers which were unauthorised for sale in South Australia, in direct contravention of the Container Deposit Legislation (CDL) under the *Environment Protection Act 1993*.

This is the first conviction under the South Australian CDL since CDL laws were reformed in 2008.

In handing down the ruling Her Honour Judge Cole commented that this was a serious matter of wilful non-compliance with the legislation's purpose, which is to protect the environment. It also supports the fact that while majority of industry and business do the right thing, those that do not will be held accountable.

Judge Cole also commented that CDL is an important environmental scheme that has been remarkably effective in ensuring the disposal of beverage containers, in accordance with an environmentally sound system.

EPA Deputy Chief Executive Tony Circelli said that the EPA was pleased with the conviction and the fine.

"The South Australian CDL plays an important role in increasing recycling rates and diversion of waste from landfill.

"The refund increase to 10 cents in 2008 continues to be a catalyst for a direct increase in return rates, with the overall return rate in 2011–12 at a record high of 81.4 per cent for the state.

"This penalty is a reminder that the EPA is serious about pursuing those that breach the *Environment Protection Act 1993* and this type of illegal activity potentially undermines the CDL system and will not be tolerated," said Mr Circelli.

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