

# France – Implementation of Anti Waste and Circular Economy Law

TÜV Rheinland LGA Products - Information

October 2021

On June 2, 2019, the European Parliament and Council adopted the Single-Use Plastics Directive (SUP) Directive (EU) 2019/904, on the reduction of the impact of certain plastic products on the environment.

The directive implements the EU's plastic strategy and aims to "promote the EU's transition to a circular economy." (Art. 1.)

The Directive bans as from July 3, 2021, the use of certain single-use plastic products, which are considered as the most found as marine litter, such as cutlery (forks, knives, spoons, chopsticks), plates, straws, beverage stirrers, and certain food and beverage containers as well as cups made of expanded polystyrene and products made from oxo-degradable plastics.

The European Commission has published a guideline, including examples, of what is to be considered a single-use plastic product.

EU Member States have a period of 2 years to develop and approve their own legislation. More and more EU countries starting to develop their own legislation and proposals making their way through the different national houses of government.

Most of the countries within the EU have not finished drafting this legislation, approving and signing it. Single countries such as Germany and France are much further ahead than others and have passed their own laws.

## France | Law on the restriction for the use of mineral oils in packaging material.

France signed into law - Loi n° 2020-105 relative à la lutte contre le gaspillage et à l'économie circulaire (Law No. 2020-105 Regarding a Circular Economy and the Fight Against Waste). The aim is to feature a low consumption of non-renewable resources, the reuse of waste as a resource, products that have a longer useful life, the recycling of 100% of plastics, and less wastefulness.

Loi n ° 2020-1725 is laying down various adaptation provisions relating to extended producer responsibility, and it defines the conditions for prohibiting mineral oils in packaging and printing inks intended for the public in article 112 of the AGECE law.

#### IMPORTANT

The law provides under article 112 a ban for the use of mineral oils containing substances that disrupt the recycling of packaging waste or limit the use of recycled material because of the risks these substances present to human health. An order from the Minister responsible for the environment must specify the substances concerned.

The article 112 mentions that:

- i. From January 1, 2022, it is forbidden to use mineral oil on packaging. This probably means that mineral oil resulting from recycled papers is not concerned as this is not used “on” the packaging but it is “in” the packaging
- ii. From January 1, 2025, it is forbidden to use mineral oil for printing intended for general public. For unsolicited advertising flyers and catalogues for commercial promotion, this ban shall apply from January 1, 2023.
- iii. Applicable conditions of this article will be defined by decree.

On December 29, 2020 France issued Décret n° 2020-1725 to specify various adaptation provisions relating to extended producer responsibility.

#### NOTE

A corresponding “Arrêté” on how packaging and printing ink manufacturers can comply with this has not yet been published. At the time being the more detailed information discussed at the level of the French authorities. Please note until the final publication supporting documents, it is not possible to assess and confirm which methods or relevant substances and the applicable permitted limit values are being used.

## FRANCE | Plastic packaging for fruit and vegetables to be banned

In a press release on October 11, 2021, the French Ministry of the Environment confirmed plans to ban fruit and vegetables (on around 30 fruit and vegetables) from being sold in plastic packaging from January 1, 2022, as part of its anti-waste law aimed at creating a circular economy with single-use plastic phased out by 2040.

The law will be applied gradually up until June 30, 2026, so manufacturers have time to alter packaging solutions. A tolerance period of six months for the disposal of packaging stocks will also be allowed, according to the French Government. By 2026, all fruit and vegetables are to be sold without plastic packaging.

#### PRESS RELEASE

You can find the French government's catalogue of measures to counteract the waste of resources here: <https://www.ecologie.gouv.fr/lutte-contre-pollution-plastique-publication-du-decret-encadrant-linterdiction-des-emballages>

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Further information on current legal changes can also be found on our homepage at [www.tuv.com](http://www.tuv.com) or <https://www.tuv.com/regulations-and-standards/en/>.

Further technical information can be obtained from:

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