

France - Ban on the use of Mineral Oils in packaging material

TÜV Rheinland LGA Products - Information

June 2022

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

To support the implementation and provide a clear understanding, the European Commission has published a guideline, including examples, of what is to be considered a single-use plastic product.

The Directive implements the EU's plastic strategy and aims to "promote the EU's transition to a circular economy". It restricts as from July 3rd, 2021, various single-use plastic products, which are considered the most found in marine litter.

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

RESTRICTION FOR MINERAL OILS IN FRANCE

As reported in October 2021 (see also TUV Rheinland Customer information / France - Anti waste and circular economy law), France published [Decree No. 2020-105](#) on the 'Fight Against Waste and the Circular Economy'. Important for the packaging industry was here Article 112 to this law as it prohibits Mineral oils on packaging and for printing.

According to [Decree No. 2020-1725](#) 'Various Adaption Provisions Relating to Extended Producer Responsibility' respectively articles [D.543-45-1](#) and [D.543-213](#) describes various adjustment provisions related to extended producer responsibility, and the conditions for prohibiting mineral oils in packaging and printing inks intended for the public.

Finally the France's Ministry for Ecological Transition (Ministère de la Transition écologique) issued on May 3rd, 2022 the corresponding Order ([Arrêté du 13 avril 2022](#)) to specify the requirement on the regulation of Mineral Oils and implementation timeline.

The Order will become effective on January 1st, 2023 and contains other important provisions and definitions.

CONTENT OF THE ORDER

- Date of enforcement (Article 6);
- Definition for MOAH / MOSH and applicable limits (Article 2);
- Scope of exemptions (Article 4);
- Transitional periods (Article 5);
- Definition on the source of Mineral Oils (Article 1);
- Possible way(s) of compliance with the specified requirements (Article 3)

ARTICLE 2

The substances concerned by the ban on the use of mineral oils are:

- Mineral oil aromatic hydrocarbons (MOAH) with 1 to 7 aromatic rings;
- Mineral oil saturated hydrocarbons (MOSH) with 16 to 35 carbon atoms.

Until December 31st, 2024, the ban on the use of mineral oils applies when the concentration by mass in the ink of mineral oil aromatic hydrocarbons (MOAH) is greater than 1%.

From January 1st, 2025, the ban on the use of mineral oils applies:

- For mineral oil aromatic hydrocarbons (MOAH), where the mass concentration in the ink of these substances is greater than 0.1% or the mass concentration in the ink of compounds with 3 to 7 aromatic rings is greater than one part per million (ppm; mg/kg);
- For mineral oil saturated hydrocarbons (MOSH), where the mass concentration in the ink of these substances is greater than 0.1%.

ARTICLE 3

Compliance with the requirements set out in Article 2 may be verified before or after application or printing.

ARTICLE 5

Important for the industry, Article 5 specifies two transitional periods:

1. Packaging and printed paper manufactured or imported before January 1st, 2023, is required that the remaining stock is sold out after a period no more than of 12 months (December 31st, 2023).
2. For packaging and printed paper complying with the provisions approved before the deadlines (Article 2 of the Decree) and manufactured or imported before the deadlines, a period of 12 months applies to the sale of stocks.

With the corresponding Order in place, France has set the next step on how packaging and printing ink manufacturers can comply with the requirements.

France – Implementation of Anti Waste and Circular Economy Law

TÜV Rheinland LGA Products – Customer Information

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

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