

THE ANTI-WASTE LAW IN THE DAILY LIVES OF THE FRENCH PEOPLE, WHAT DOES THAT MEAN IN PRACTICE?

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MINISTÈRE
DE LA TRANSITION
ÉCOLOGIQUE
ET SOLIDAIRE

Foreword

The anti-waste law for a circular economy was voted upon at final reading in both Houses, following a conclusive Joint Committee which concluded this autumn's debates in the Senate and then in the National Assembly.

This law is the outcome of a wide consultation with all the stakeholders (local authorities, companies, NGOs) launched in October 2017 and the result of a broad political consensus involving most of the political groups in the Parliament.

It largely responds to the expectations of our citizens with respect to ecology through daily life measures with a concrete ecology which preserves resources, health, purchasing power, and economic and industrial development in the regions.

The law contains about fifty measures providing for:

- **new obligations** with the creation of new Polluter pays sectors to include new product families in the circular economy (toys, sports and do-it-yourself equipment, building materials, cigarette butts, sanitary textiles) and the requirement of transparency on the environmental and health impacts of products, on waste management;
- **new prohibitions** to control irreversible ecological ambitions, particularly on the use of single-use plastics and to combat wastage of both food and non-food unsold products.
- **new tools** to better control and sanction offences against the environment (greater power of the Mayors to fight against littering and illegal dumps), to support companies in their eco-design initiatives (with bonus/malus-type incentive systems) and assist citizens in new consumption practices (repairability index, information on endocrine disruptors, simplifying the sorting process, development of deposit-systems).

All these measures will fundamentally change the production methods of companies and the consumption patterns of our citizens. They form a coherent whole which can be used directly to illustrate the new ecological model that this government wishes to build.

Through a better resource and waste management, and the emphasis on material recycling, repair and reuse of products, the circular economy makes it possible to reduce both greenhouse gas emissions and the negative impacts of various kinds of pollution on biodiversity, while preserving and creating non-relocatable jobs in the regions.

Introduction

“The success of the ecological and inclusive transition depends on a transformation of our production and consumption models. We must move from a produce-consume-discard world to a more circular logic. It is a profound aspiration of our citizens, growing numbers of whom are taking action and seeking a societal change in this area.

The anti-waste law for a circular economy is one of the pillars of our action, it is the demonstration that everyday actions and major transitions can be reconciled.”



Elisabeth Borne, Minister for Ecological and Inclusive Transition



“The anti-waste law for a circular economy that we present is an ambitious piece of legislation to come out of the throw-away society. It proposes a more sober daily life in which manufacturers are more accountable, local authorities are relieved, and consumers are better informed to become more involved in the transition during their purchases.

A time when producing to destroy is no longer acceptable.”

Brune Poirson, Secretary of State attached to the Minister of Ecological and Inclusive Transition

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PART 1

Phasing out of disposable plastic

The law provides for a ban on all single-use plastics by 2040. After 60 years of accumulation of household and industrial uses of single-use plastic, it is a major industrial choice. To achieve this, the law lays down a progressive and reasoned method for phasing out by defining, under Parliamentary control, five-year plans that will provide for plastic reduction, reuse and recycling targets. At the same time, the law already provides a fast-track ban on single-use plastic for a first series of uses and products which predominantly end up in the environment and in the ocean, in accordance with the European SUP Directive.¹

1. Achieve zero disposable plastic by 2020
2. Replace disposable tableware in fast-food restaurants with reusable tableware
3. Combat everyday plastic:
 - Prohibit the “biodegradable” claim
 - Prohibit expanded polystyrene boxes
 - Prohibit plastic tea-bags
 - Prohibit plastic toys supplied with some menus
 - Prohibit plastic confetti
4. Introduce a mixed deposit for reuse and recycling
5. Promote bulk to reduce packaging
6. Ensure the full application of the ban on the provision of plastic bags
7. Add a plastic microfibre filter on new washing machines
8. Oblige institutions open to the public to be equipped with water fountains
9. Prohibit plastic packaging around fruit and vegetables
10. Prohibit the shipping under plastic wrap of press and advertising publications
11. Put in place collecting bins for packaging and over-packaging in supermarkets
12. Prohibit plastic heating containers intended for infants and young children

PART 2

Better informing consumers

The ecological transformation of our economic and social model requires a change in the behaviour of consumers and this change is based on better informing them. This information makes companies more accountable for the environmental quality and the durability of their products and services. It is this virtuous circle of information transparency which is strengthened in this law.

1. Make sorting more efficient through a single logo, sorting methods and a harmonization of the colour of waste bins

1 Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment

2. Impose the provision of information to the public on products containing endocrine disruptors
3. Develop a mandatory methodology for environmental labelling
4. Communicate to the consumers the equivalent of their internet and mobile consumption in greenhouse gas
5. Make information on the legal guarantee of conformity mandatory

PART 3

Fighting against waste and for solidarity reuse

The French people are more and more sensitive to wastage, whether it be of food or non-food products. That is why the law strictly prohibits the destruction of unsold non-food products while strengthening the fight against food wastage. In practice, where the companies were until now authorised to destroy their unsold products, they will now be required to give them a use, for example by donating them to associations. The law contains a large number of measures aiming at promoting reuse. The creation of a solidarity reuse fund mechanism aims to support all the associative players active in this area, often for the benefit of the people with modest incomes in local territories.

1. Prohibit the destruction of non-food unsold products
2. Increase the sanctions in case of non-compliance with the ban on food wastage
3. Create funds for reuse with more than €50 M each year
4. Enable the sale of medication to the unit
5. End the distribution of unrequested printed advertising matter containing mineral oils
6. Make the medical devices for persons with reduced mobility more accessible and environmentally-friendly
7. End the systematic printing of receipts

PART 4

Acting against planned obsolescence

Fighting against wastage is considering that products have several lives, that they can be repaired or reused. The law provides for an easier access to spare parts. Similarly, the setting up of a reparability index for products aims to make the repairable character or otherwise of a product a consumer choice criterion. Extending product lifespan makes it possible to reduce resource extraction and the production of waste from products that become obsolete too quickly, while improving the purchasing power of households.

1. Apply a reparability index and make progress towards a durability index
2. Facilitate repair and promote the use of used spare parts
3. Extend the legal guarantee of conformity
4. Introduce mandatory information on the duration of computer and phone operating software updates
5. Create repair funds
6. Enable the use of 3D printing for the repair of objects

PART 5

Better production

A significant part of the law concerns the act of throwing away and waste management. New polluter pays schemes created in the areas of toys, cigarette butts, sports equipment, pre-soaked wipes and nappies contribute to transferring 500 million euros of expenses incurred by local authorities to the economic players responsible for placing the waste on the market. These players will thus be encouraged to better design their products and put in place reuse and recycling channels. Other measures aim to simplify sorting habits, such as the harmonization of the colour of waste bins or the possible implementation of a deposit-system which aims to make this sorting more efficient to promote packaging recycling and reuse.

1. Transform the functioning of polluter pays sectors: the heart of the system
2. Extend the responsibility of manufacturers in the management of their waste by creating new channels
3. Create five-year eco-design plans
4. Set up a free collection of sorted building waste
5. Encourage more environmentally friendly products with a bonus-malus system



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PART 1

PHASING OUT OF DISPOSABLE PLASTIC

1. ACHIEVE ZERO DISPOSABLE PLASTIC BY 2040

During the discussion in open session of the anti-waste law for a circular economy at the National Assembly, the deputies adopted an amendment aiming to set a date for the ban on the marketing of disposable plastic in 2040 in 4 stages: 2020-2025, 2025-2030, 2030-2035 and 2035-2040.

**180,000
tonnes**

**of packaging
produced each year in
France by the fast-
food sector**

What will change

This measure concerns everything in our daily lives. Single-use plastic is everywhere. It includes tubes of cream or toothpaste, drums of laundry detergent or bleach, shampoo bottles, etc.

It is also a major measure for industry, where single-use plastic is found in many forms, such as stretch film to wrap the goods on pallets, in warehouses for example.

The total quantity of disposable household products put on the market is estimated to be nearly 140 billion units per year in France.

When?

2040 is a finish line but the race has already started with, in particular, from the 1st of January 2020, the ban on cups, plates and cotton buds, followed next year by the ban on straws, cutlery, stirrers, etc.

The text provides that reduction, reuse, and recycling targets will be set by decree for the 2021-2025 period, and then for each consecutive period of 5 years.

These decrees over 5 years will be prepared with NGOs, manufacturers, local authorities, and consumer associations in order to jointly define realistic goals and credible solutions and move away from the logic without strategy or consistency that has governed so far: each law has its own prohibitions.

2. REPLACE DISPOSABLE TABLEWARE IN FAST-FOOD RESTAURANTS WITH REUSABLE TABLEWARE

The fast-food sector produces each year in France 180,000 tonnes of packaging, immediately thrown away after use. Indeed, the clients are served in disposable dishware, even for meals on the site.

What will change

An amendment to the draft project adopted in committee obliges fast-food restaurants to use reusable tableware for the meals and drinks consumed on site by their customers.

This measure will contribute to decreasing the consumption of plastic and cardboard material.

When?

As of 1st January 2023

3. COMBAT EVERYDAY PLASTIC

- **Prohibition of the “biodegradable” claim or any equivalent claim on products and packaging**

There is no scientific consensus on the definition of “biodegradable”. The “biodegradable” claim does not encourage consumers to be careful and not dispose of these products in the environment. It misleads them by suggesting that they will not affect natural environments and that is detrimental to the fight against plastic pollution.

What will change

The “biodegradable” claim will be prohibited on products and packaging.

- **Ban on expanded polystyrene boxes**

In the fast-food service sector, food is often served in expanded polystyrene containers of the “kebab box” type. These polystyrene containers are for single use and non-recyclable.

What will change

These containers in expanded polystyrene for on-site or on-the-go consumption will be prohibited.

When?

As of 1st January 2021

- **Ban on plastic tea-bags**

Very often, the bag wrapping the tea leaves is not made in natural fibres (paper, cotton...) but is made from plastic synthetic materials. When immersed in hot water, they release microplastics.

What will change

The marketing of tea and herbal tea bags in non-biodegradable plastic will be prohibited.

When?

As of 1st January 2022



Ban on plastic tea-bags from 2022



Free plastic toys will be prohibited as from 2021

- **Ban on plastic toys supplied with some menus**

The catering sector often offers plastic toys with some of their menus. They are not recyclable and end up in the waste bin in most cases.

What will change

The law provides for the prohibition of plastic toys supplied with some menus. Toys are thus made optional.

When?

As of 1st January 2022



Ban on plastic confetti from 2021

- **Ban on plastic confetti**

Since several years, large amounts of plastic confetti have been found in the environment, where they remain in the soil for years.

When used in cities, this plastic confetti comes at a cost to the environment and in terms of cleaning: it clogs sewers and pollutes the water, which entails additional clean-up costs.

What will change

An amendment to the law provides for the prohibition of plastic confetti. The use of paper confetti is not in question.

When?

From 1st January 2021.

4. **INTRODUCE A MIXED DEPOSIT FOR REUSE AND RECYCLING**



The State and representatives from local authorities have agreed on a method to achieve the ambitious collection and recycling targets for plastic bottles.

What will change

- The setting up of a contact group between the State and representatives from the local authorities organising the public waste service.
- The definition of an objective measurement of performance in collecting, sorting, and recycling waste throughout a ten-year trajectory.
- The guarantee of completing the simplification of sorting rules, and therefore, the undertaken modernisation of sorting centers.
- The setting up of a mixed deposit system for recycling and reuse, following a progress report on the simplification of sorting rules, to be prepared in 2023 on the results of 2022.

- In the meantime, the launch of deposit experiments in voluntary regions (particularly in the overseas territories).
- The need to support reuse initiatives

5. PROMOTE BULK TO REDUCE PACKAGING



Unnecessary over-packaging and packaging are a major problem because they represent a significant quantity of single-use, non-recyclable plastics, put on the market.

What will change

The French people will now be able to bring their own containers in retail stores, as long as they are clean and suitable for the nature of the product being bought. For example, in the case of cut sales the seller will be able to request a specific type of container meeting some specific hygiene standards. In-store signage may provide guidance to consumers in this area.

When?

As of 1st January 2021

6. ENSURE THE FULL APPLICATION OF THE BAN ON THE PROVISION OF PLASTIC BAGS

Despite the measures to ban the provision of bags (for cashier bags since 1st January 2016 and other non-cashier bags since 1st January 2017), too many non-compliant plastic bags continue to be distributed each year. Retailers buy their supply, often in good faith and in disregard of this ban, from importers and wholesalers that offer for sale rolls of these non-compliant plastic bags.

What will change

The importation and manufacture of single-use plastic bags for the purpose of supply on the national territory will be prohibited.

When?

As of 1st January 2021

7. ADD A PLASTIC MICROFIBRE FILTER ON NEW WASHING MACHINES

The machine washing of synthetic fabrics releases plastic microfibres. Microfibres are eliminated in treated wastewater released to the oceans.

What will change

The law aims to limit the pollution from these textiles by imposing that each household or professional washing machine be equipped with a plastic microfibre filter.

When?

As of 1st January 2025

8. OBLIGE INSTITUTIONS OPEN TO THE PUBLIC TO BE EQUIPPED WITH WATER FOUNTAINS

Each year in France, nearly 200 million bottles end up in the environment.



What will change

In order to considerably reduce waste generation at source, and in particular plastic bottles, institutions open to the public (railway stations, libraries, schools, universities, hospitals, etc.) will have to be equipped with drinking water fountains.

They will no longer be able to distribute plastic bottles for free.

To strengthen the fight against plastic, bars and restaurants will also be required to prominently indicate on their menu or on a display space the possibility for consumers to ask for free drinking water.

Moreover, sponsors will no longer be able to impose the free or paid distribution of their bottles at cultural, sporting or festive events.

When?

As of 1st January 2022

9. PROHIBIT PLASTIC PACKAGING AROUND FRUIT AND VEGETABLES

What will change

This measure aims to reduce a practice consisting in displaying for sale fruit and vegetables packed in a plastic packaging, such as apples or bananas sold packaged. Such a packaging seems to be an aberration.

Furthermore, marks on the fruit and vegetables, which usually indicate a trademark, a producer or a label, will be prohibited unless they are made of paper or any other compostable material.

When?

On 1st January 2022

10. PROHIBIT THE SHIPPING UNDER PLASTIC WRAP OF PRESS AND ADVERTISING PUBLICATIONS

What will change

The shipping under plastic wrap of newspapers, magazines and advertising will be prohibited.

When?

As of 1st January 2023 for advertising, as of 1st January 2025 for newspapers and magazines.

11. PUT IN PLACE COLLECTING BINS FOR PACKAGING AND OVER-PACKAGING IN SUPERMARKETS

What will change

The installation in small and large supermarkets of selective sorting bins at the checkout end for packaging waste from products purchased in the establishment. These recovery points will enable customers to get rid of these packages as soon as they leave the check-out area, to leave the recycling to distributors, and thereby send a strong signal to the producers and distributors on their uselessness by letting them take charge of their disposal.

When?

As of 1st January 2021

12. PROHIBIT PLASTIC CONTAINERS USED TO HEAT FOOD FOR INFANTS AND YOUNG CHILDREN

Babies are particularly vulnerable to any endocrine disrupting substance. Food represents a major source of exposure to endocrine disruptors, in particular through migration from food containers.

What will change

In paediatric, obstetric, maternity wards, and perinatal centres, plastic containers for reheating or cooking baby food will be prohibited. This would concern for example reheatable food trays or plastic baby bottles.

When?

As of 1st January 2025



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PART 2

BETTER INFORMING CONSUMERS

1. MAKE SORTING MORE EFFICIENT THROUGH A SINGLE LOGO, SORTING METHODS AND A HARMONIZATION OF THE COLOUR OF WASTE BINS

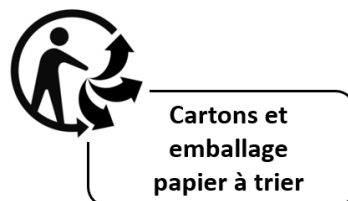
In the face of the wealth of information on our packaging, it has become extremely complex to know in which waste bin a product should be thrown away. Result: collection and recycling are less efficient. The same applies to waste bins: yellow, blue, green, black...

Today, according to the municipalities, our sorting bins never have the same colour. Two measures of the law provide to remedy this situation.

What will change

The Triman logo will be mandatory and indicated on the product, its packaging, or on the documents provided with the product, and will be accompanied by information on the sorting process for each type of product.

- The Triman logo does not mean that the waste will necessarily go in the recycling bin. This logo means that the waste is subject to a sorting rule (at-store return/take-back for electric and electronic equipment, specific collection stations for batteries, yellow waste bin for packaging...).



The Triman logo, along with sorting instructions, now mandatory

- The colours of the waste bins will be harmonized throughout the national territory. The sorting rules will therefore be the same everywhere in France.

When?

The Triman logo, along with information on sorting, will enter into force in 2021.

The colour of waste bins will be harmonized throughout the national territory by 31 December 2022.

2. IMPOSE THE PROVISION OF INFORMATION TO THE PUBLIC ON PRODUCTS CONTAINING ENDOCRINE DISRUPTORS

This measure aims to ensure transparent information for citizens on the presence of substances with endocrine disruptor properties in the products.

What will change

Any person marketing products containing substances with endocrine disruptor properties according to ANSES, must publish the list of these products and the substances contained in each of them. This publication will be in an open format enabling collaborative platforms to use this information and thus better inform consumers.

When?

As of 1st January 2022

3. DEVELOP A MANDATORY METHODOLOGY FOR ENVIRONMENTAL LABELLING

What will change

The actors in the sector will have to work with ADEME [French Environment and Energy Management Agency] towards the creation of an environmental and/or social labelling for the whole sector. This will allow consumers to quickly identify the most responsible products and make an informed choice.

When?

From the enactment of the law

4. COMMUNICATE TO THE CONSUMERS THE EQUIVALENT OF THEIR INTERNET AND MOBILE CONSUMPTION IN GREENHOUSE GAS

What will change

Internet service providers and mobile operators will have to display information on the amount of data consumed, as well as the equivalent in greenhouse gas emissions. This information will allow consumers to be made aware of the impact of their activity and their digital consumption on the environment and the climate, and the same applies to their service providers which may be required to improve their CO2 balance.

When?

As of 1st January 2022

5. MAKE INFORMATION ON THE LEGAL GUARANTEE OF CONFORMITY MANDATORY

A study by the Federal Union of Consumers (UFC) Que Choisir shows that only 57 % of sellers inform their customers about the legal duration of 2 years, whereas the chargeable guarantee extension is mentioned in 68 % of cases.

What will change

The billing document (receipt or invoice) delivered to the consumer at the time of purchasing an item will have to indicate the existence and the duration of the legal guarantee of conformity. It aims at improving consumer information on the legal guarantee of conformity since it is frequently confused with chargeable commercial guarantees offered by the distributor or the manufacturer.

When? As of 1st January 2022



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PART 3

FIGHTING AGAINST WASTE AND FOR SOLIDARITY REUSE

630

MILLIONS OF EUROS OF NEW PRODUCTS DESTROYED EACH YEAR

1. PROHIBIT THE DESTRUCTION OF NON-FOOD UNSOLD PRODUCTS

630 million euros of products are destroyed each year, i.e. equivalent to 7 times the sum received for the Téléthon 2018. [Source: Agence du don en nature, Ademe, Activa capital / AFM-Téléthon]

What will change

Disposal, in other words the landfilling and incineration, of unsold non-food products will be prohibited. From now on, companies will have to donate or recycle their unsold products. These are daily hygiene products, clothes, electronic products, shoes, books, household appliances, etc.

Over the medium and long term, the whole industrial sector will have to rethink stock management in order to reduce overproduction.

When?

The measure will enter into force not later than 31 December 2021 for all the products already covered by an EPR (extended producer responsibility) scheme and not later than 31 December 2023 for other products.

Will there be exceptions?

Only some products for which recycling would lead to a negative environmental impact or if it is prohibited (because it poses a risk to the environment or human health) or for which no technical solution for reuse, recovery or recycling exists, may benefit from an exception.

Zoom on textile products

Each year, between 10,000 and 20,000 tonnes of new textile products are destroyed in France. This is equivalent to the weight of one to two Eiffel Towers. In the world, the textile industry emits each year 1.2 billion tonnes of greenhouse gas, i.e. 2 % of global greenhouse gas emissions.

> What products will be concerned?

The measure prohibiting the disposal of unsold goods will apply to all banners (producers, distributors and on-line platforms)

> When?

Not later than 31 December 2021

Zoom on hygiene products

According to a survey conducted by Ifop for the association Dons Solidaires, 3 million French people deprive themselves of basic hygiene products and 1.7 million women do not have sufficient sanitary protection products. Associations are faced with a chronic deficit in basic hygiene products, such as soap, toothpaste, nappies, toilet paper. Yet each year, nearly 180 million euros of hygiene and beauty products are destroyed in France.

> What products will be concerned?

All the hygiene products will be concerned.

> When?

Not later than 1st January 2022

Between

**10,000
and
20,000**

*Tonnes of textile
products destroyed per
year in France, i.e. the*

*equivalent weight of **2***

**Eiffel
Towers**

180

*Millions of euros of
hygiene and beauty
products destroyed in
France each year*

2. INCREASE THE SANCTIONS IN CASE OF NON-COMPLIANCE WITH THE BAN ON FOOD WASTAGE

The fight against food waste started in 2016. It has made many advances, by making reprehensible the willful destruction of foodstuffs or the absence of conclusion of a donation agreement between medium and large supermarkets and authorized associations.

What will change

The law of 2016 has brought about a change in mentalities and practices. It is now necessary to be firmer towards recalcitrant players. The fine will be higher and adjustable according to the size of the business, up to 0.1% of the turnover, which is more dissuasive for large retail chains.

When?

Immediate entry into force

3. CREATE FUNDS FOR REUSE WITH MORE THAN €50 M EACH YEAR

Today, existing EPR schemes have no obligation to support actors involved in reuse which give objects a second life.

What will change

They will now be asked to financially support actors involved in reuse and insertion through employment (waste sorting and recovery centres, recycling centres...), through the creation of “solidarity reuse funds”. The contribution will be 5% for several schemes, i.e. a total of 50 million euros. These funds will make it possible to develop reuse and thus limit the wastage of thousands of tonnes of objects. By developing reuse networks, this will also contribute to job creation.

4. ENABLE THE SALE OF MEDICATION TO THE UNIT

Medications are subject to a great wastage in France. Indeed, most of the time, medications are sold in boxes and are rarely fully used. Medications thus end up in the waste bin.

What will change

In accordance with the President’s commitment and to stop this wastage, an amendment proposes the sale of medication to the unit in pharmacies when “their pharmaceutical form allows it and when the pharmacist accepts it”. This is referred to as unit dispensing.

30kg

OF PRINTED
ADVERTISING
MATTER PER
HOUSEHOLD PER
YEAR

In practice, when a doctor prescribes three tablets of a medication per day for three days, only nine tablets will be delivered to the patient.

Unit dispensing is already in place in several countries, notably Anglo-Saxon countries.

When?

On 1st January 2022 A decree will specify in more detail the terms of packaging, labelling, information of the insured, and traceability.

5. END THE DISTRIBUTION OF PRINTED ADVERTISING MATTER CONTAINING MINERAL OILS

18 billion printed products, i.e. 800,000 tonnes of paper or 30 kilos per household per year transit through the letterboxes of the French people and are often manufactured from mineral oils which are polluting and non-biodegradable.

What will change

The distribution in letterboxes of unrequested advertising leaflets and catalogues for commercial promotion and printed matter with ink containing mineral oils will be prohibited.

Furthermore, the distribution of advertising printed matter on cars will also be prohibited.

When?

As of 1st January 2022

6. MAKE THE MEDICAL DEVICES FOR PERSONS WITH REDUCED MOBILITY MORE ACCESSIBLE AND ENVIRONMENTALLY-FRIENDLY

- **By opting for parts from the circular economy**

Professionals in the sector will have to allow consumers to be able to opt for used parts when maintenance or repair is carried out on their medical equipment.

Still in case of repair, spare parts must be available for producers and distributors of medical material for a minimum period of 5 years following the purchase.

- **By donating to associations**

The players in the distribution sector and healthcare institutions can form partnerships with associations in the social and solidarity economy in order to donate the medical material they want to get rid of without charge. The associations will then have the task of refurbishing these materials.

In order to encourage this approach, the government, in its 2020 social security budget, is planning to experiment with the reimbursement by the health insurance scheme of refurbished wheel chairs.

7. END THE PRINTING OF CASH-TILL AND CREDIT CARD RECEIPTS

10,600

paper rolls consumed
each year per
hypermarket for the
printing of receipts.

A hypermarket consumes each year 10,600 rolls of thermal paper for the printing of receipts. The latter often have a lifespan of less than a few seconds since they are often thrown away after the purchase, even by the seller himself, or end up in crumpled balls in our pockets or in the back of a drawer.

What will change

In order to deal with this paper waste, the law proposes a ban on the systematic printing of cash-till and credit card receipts, and on the cash machine receipt when money and vouchers are withdrawn. Customers will nonetheless still have the possibility to ask for the printing of a receipt if they wish.

When?

As of 1st January 2023



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PART 4

ACTING AGAINST PLANNED OBSOLESCENCE

1. APPLY A REPAIRABILITY INDEX AND MAKE PROGRESS TOWARDS A DURABILITY INDEX



Today, only 40% of breakdowns of electric and electronic products give rise to a repair in France.

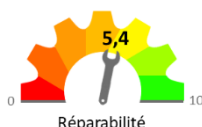
What will change

A repairability index will allow the consumer to know whether his product is repairable, difficult to repair, or non-repairable. He will have the means to act via a simple and visual tool.

Objective: achieve a 60% repair rate for electric and electronic products within 5 years.

How?

The Ministry for an Ecological and Inclusive Transition, ADEME and the actors in the sector are working on a simple index (a score out of 10) affixed directly on the product or its packaging, and at the point of sale (alongside the price of the product for example).



Example of a visual display currently being tested

It will be displayed on a number of electric and electronic products of general consumption (smartphones, laptop computers, washing machines, televisions...).

The purpose of this index is to give consumers the means to act, but also to encourage manufacturers to integrate repairability criteria from the product design stage. In the medium term, the work on the durability index will enrich it in order to work towards a durability index.

The work to build the repairability index brings together all the stakeholders (manufacturers, sellers, distributors, NGOs, consumer associations...). It focuses on 5 categories of “pilot” products: washing machines, TV sets, smartphones, laptop computers and mowers. Of course, the “generic” index is intended to be able to be applied to other categories of electric and electronic products, in particular those with similar characteristic to these 5 pilot categories.

When?

As of 1st January 2021

2. FACILITATE REPAIR AND PROMOTE THE USE OF USED SPARE PARTS

Today, the availability of spare parts is displayed only if they are actually available. But there is no consumer alert when this is not / no longer the case.



The availability of spare parts soon indicated to consumers

What will change

The law provides that when making a purchase, the consumer will have all the complete and reliable information, whether the spare parts of the product purchased are available or not.

This measure will apply to electric and electronic equipment (mobile phones, computer equipment, large and small household appliances, TV sets, hi-fi stereo systems...) and furniture. The list of available spare parts will be displayed at the point of sale. The manufacturer will also be able to indicate it on the product.

The period within which the spare parts must be made available by the manufacturer to the seller or repairer will be 15 working days.

Furthermore, the repairer will have an obligation to propose spare parts from the circular economy to the customer.

When?

As of 1st January 2021

3. EXTEND THE LEGAL GUARANTEE OF CONFORMITY

The duration of the legal guarantee for a product is currently two years. It provides that in case of a breakdown due to a lack of conformity (burden of proof on the seller), the customer may request the repair or replacement of the product.

What will change

The law provides for a 6 months' extension of the legal guarantee of conformity if the appliance is subject to repair under the legal guarantee of conformity. In practice, if a household appliance breaks down during the two-year period and if it is repaired, the guarantee shall then be extended by six months. The consumer will thus have 24 months' guarantee plus 6 additional months.

A second amendment also provides that the legal guarantee of conformity will be reset on the "new appliance" for a new period of 2 years; this will be possible only once for the purchase of an appliance.

This measure will enable the consumer to keep his product longer, encourage repair, and will generate savings.

When?

As of 1st January 2022

4. INTRODUCE MANDATORY INFORMATION ON THE DURATION OF COMPUTER AND PHONE OPERATING SOFTWARE UPDATES



Today, a consumer purchasing a new phone or a tablet has no information on the length of time that his device will bear the successive updates. These updates, both corrective and evolutionary, sometimes prevent keeping the same level of functionality and performance during “normal” use.

Indeed, this information on the “software compatibility” with updates is lacking, both for the choice of the device and for the acceptance or not of new updates. The consumers complain about this software obsolescence.

What will change

The manufacturers, and then the vendors of mobile phones and touchscreen tablet computers, shall be bound by an obligation of information on the period over which the software updates enable a use of the devices that remains “normal”. This will guide consumers in their choice during the purchase, and enable them to avoid “cosmetic” updates (mainly evolutionary ones). The latter can slow down the devices or make them prematurely obsolete, encouraging the purchase of new ones when they are only more recent but also often more expensive.

When?

As of 1st January 2021

5. CREATE REPAIR FUNDS

Today, existing EPR schemes have no obligation to support repair costs for the consumer.

What will change

The EPR (extended producer responsibility) schemes will have to finance “repair funds” via their PRO – producer’s responsibility organization. The objective is to reduce the cost of repair for consumers when they go to a certified repairer passing on this price reduction.

The product categories to which this fund will apply, the share of contributions to the funds, the terms of the funds’ operation and management, consumer information, and repairer certification, will be determined by decree.

When?

The terms will be defined for each of the EPR schemes and therefore the timetable for application will be specific to each stream.

6. ENABLE THE USE OF 3D PRINTING FOR THE REPAIR OF OBJECTS

What will change

When a spare part can be manufactured using a three-dimensional printing process and is no longer available on the market, the manufacturer or importer of movables must, subject to respect for intellectual property rights and in particular subject to consent of the holder of the intellectual property, provide professional vendors or repairers requesting it with the drawing for manufacturing the spare part by a three-dimensional printing means or the technical information useful for the elaboration.

This measure aims to provide a legal framework for 3D printing in the context of repair while respecting intellectual property rights.

When?

As of 1st January 2022



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PART 5

BETTER PRODUCTION

1. TRANSFORM THE POLLUTER PAYS SECTORS: THE HEART OF THE REACTOR

Today, manufacturers are required to finance the management of their waste through their contribution to a PRO – producer's responsibility organization in charge of managing this waste on their behalf. However, no results targets are imposed upon them.

What will change

The State will make changes to the sanctions regime imposed on PRO – producer's responsibility organization. They will also be asked to achieve quantifiable targets in terms of recovery, reuse, repair, and especially eco-design of the products subject to these channels.

When?

The timetable for application will be progressive between 2021 and 2023 according to the sectors.

2. EXTEND THE RESPONSIBILITY OF MANUFACTURERS IN THE MANAGEMENT OF THEIR WASTE BY CREATING NEW STREAMS.

On the basis of the polluter pays principle, in France, those who manufacture a product must finance its end-of-life: this is referred to as the extended producer responsibility (EPR). It is the reactor heart of waste management in France.

Several large product families are now concerned by this regulation: packaging, electric and electronic equipment, batteries, tyres, paper, textiles and shoes, furniture, etc. But many other products were not yet concerned by this regulation.

What will change

Professional packaging, construction products or materials from the building sector, toys, sports and leisure equipment, do-it-yourself and gardening products, used oil, cigarette butts, sanitary textiles (wipes, paper towels, cotton, nappies, etc.), fishing gear, will be subject to new streams. Their manufacturers will have to organise themselves and will have to ensure the second life of their products.

Furthermore, in order to ensure a better traceability of waste, PRO – producer's responsibility organizations will have to ensure the traceability of the waste they have collected within the framework of EPR schemes, through to the final treatment of this waste.

When this waste leaves the country for all or part of the stages until end treatment, the PRO – producer's responsibility organizations are required to report to the Minister for the Environment the nature, quantity and destination of the exported waste. A Council of State decree will set out the terms of this declaration.

When?

Each sector will have its own timeline for implementation between 2021 and 2024.

Zoom on the new polluter pays scheme for vehicles, to combat illegal trafficking

Each year, the illegal sector makes nearly 500,000 vehicles disappear from our country, in particular cars, which are either processed at an illegal site, or exported illegally. A structuring will dry up this illegal sector through a better monitoring of these vehicles and a facilitated and mandatory recovery.

The European Commission estimates that there are each year in Europe between 3.5 and 4.5 million vehicles whose end-of-life is not known.

To tackle this problem, the law provides for the creation of an EPR scheme specific to “private cars, vans, two- and three-wheel motor vehicles and quadricycles”.

> What vehicles will be concerned?

Motor vehicles including two- and three-wheel vehicles and quadricycles, whose producers will have to take charge of their end-of-life.

> When?

The producers will have to ensure the recovery of these vehicles throughout the country, from the 1st of January 2022.

> For what purpose?

This adjustment of the scope will improve the processing of these end-of-life vehicles and will contribute to the structuring of the automobile dismantling sector as a whole to increase efficiency.

Zoom on the new polluter pays scheme for sanitary textiles

4 out of 10 French households use disposable pre-soaked wipes: 7 wipes on average per week, generating an increasing production of waste. Wipes alone represent nearly 3% of domestic waste and nearly 5% of the expenses borne by local authorities within the public waste-management framework.

These wipes are not recyclable (they contain mainly plastic) and are a great source of pollution by clogging pipes and sewerage systems.

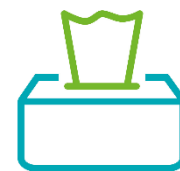
The law provides for the creation of a polluter pays scheme for sanitary textiles (household wipes, make-up removing wipes, wipes for babies...).

> What wipes will be concerned?

All the pre-soaked wipes will be concerned: household wipes, make-up removing wipes, cleansing wipes for babies.



Two- and three-wheel motor vehicles and quadricycles soon concerned by the polluter-pays sector



A polluter pays scheme for sanitary textiles as from 2024.

> When?

As of 1st January 2024

3. CREATE FIVE-YEAR ECO-DESIGN PLANS

What will change

Every five years, the producers subject to polluter pays schemes will have to draw up a prevention and eco-design action plan for their products so that they contain more recycled material and are more recyclable on the national territory. Provision is made for PRO – producer's responsibility organizations to be able to facilitate the drawing up of these plans whose implementation will remain in the hands of producers.

4. SET UP A FREE COLLECTION OF SORTED BUILDING WASTE

The building sector generates 42 million tonnes of waste. This waste stream is often littered or thrown into illegal dumps, which are a real ecological and economic scourge for local authorities. Each year, the removal and clean-up of these dumps represents a cost for cities, and therefore for taxpayers, estimated between 340 and 420 million euros.

In view of this, several measures of the law are intended to improve construction waste management and to fight against illegal dumping.

What will change

- **Creation of a polluter pays scheme for the building sector**

The marketers of construction products and materials from the building sector, for example the manufacturers of windows, carpets, or concrete, will be required to be organised into streams to ensure in particular the free recovery of waste sorted by craftsmen or private individuals.

These marketers will therefore collectively ensure the second life of their waste products which must no longer be found in the environment.

This sector would be operational from 1st January 2022.

- **Installation of new professional waste collection centers**

New waste collection points for professionals will be defined to increase the existing territorial network. There are now 600 such points in France. A consultation will take place with the professional organizations in the building sector, the local associations and the ADEME [French Environment and Energy Management Agency] to determine the number of new waste collection centers required to meet the needs of professionals and prevent the waste from ending up in the environment.

- **The free recovery of waste materials in waste collection centers when they are sorted**

The waste collection centers will freely take back the waste materials of professionals, provided that they are sorted (scrap, wood, rubble, etc.).

13. **ENCOURAGE MORE ENVIRONMENTALLY FRIENDLY PRODUCTS WITH A BONUS-MALUS SYSTEM**



Today, consumers have most often no information on the way the products they purchase are designed.

What will change for the consumer

Through the display of a bonus-malus, the French people will be able to choose eco-designed products: with recycled materials, without useless over-packaging, or made to be repairable.

What will change for manufacturers

Those who design their products in a more ecological way will benefit from a bonus on the contribution they pay to the PRO – producer's responsibility organization for the management and treatment of the end-of-life of their products.

Conversely, manufacturers that do not adopt an eco-design approach in their way of producing will see this contribution increase with a malus.

Eventually, this measure will make it possible to limit overproduction and overpackaging. It will require companies to thoroughly rethink their models.

How?

PRO – producer's responsibility organizations will implement bonuses and maluses, for example to achieve their recycling or product reparability targets. These bonuses and maluses will create financial incentives and may be set by decree if necessary.

The manufacturers will have to display the bonus-malus on their products, for example in the form of a colour code or a pictogram. The bonus-malus display system is yet to be determined: it will be defined on a regulatory basis.

What everyday products will be concerned?

All the products that are part of an EPR (extended producer responsibility) scheme: packaging (yoghurt cups, vacuum-packaged foodstuffs...), furniture, electric and electronic products (mobile phones, TV sets, tablets, hairdryers...), batteries, clothes and shoes, tyres, etc. Then sanitary

textiles, toys, sports and do-it-yourself equipment, when the EPR schemes will be created.

When?

As of 1st January 2021



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