



**FESI AND UNION SPORT & CYCLE  
JOINT WEBINAR ON:  
THE NEW FRENCH TRIMAN  
DECREE**

# PRESENTATION

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UNION DES ENTREPRISES DE LA FILIÈRE DU SPORT,  
DES LOISIRS, DU CYCLE ET DE LA MOBILITÉ ACTIVE

**Julien AUBIGNAT – Union Sport & Cycle, Secretary General**





# MANDATORY TRIMAN LOGO IN FRANCE : WHAT YOU NEED TO KNOW



Get ready now to be set on January 1<sup>st</sup> 2022

September 10th 2021

# First of all... Some background informations

- The Triman logo came into force on **January 1st 2015**.
- **Goal** : harmonise the separate collection systems within France. Provide a more readily understandable symbol for consumers in France to ensure recyclable products are separated at end of life.
- **Requirements** : all recyclable products which are subject to the Extended Producer Responsibility (EPR) in France must display a unified signage marking to inform consumers about the need to deliver their products to a separate collection for recycling at the end of its life cycle.
- **Exceptions (at the time)** :
  1. If it is not feasible to place the symbol on the product, the marking must be displayed on the packaging, use instructions or any other medium (including electronic) that accompanies the product.
  2. Products marked with other mandatory symbols, (i.e the crossed-out wheeled bin symbol for WEEE and batteries), do not require the Triman mark.
  3. Household glass packaging and products for professional use are excluded.

**The Triman logo also applies to products that are exported to France.**

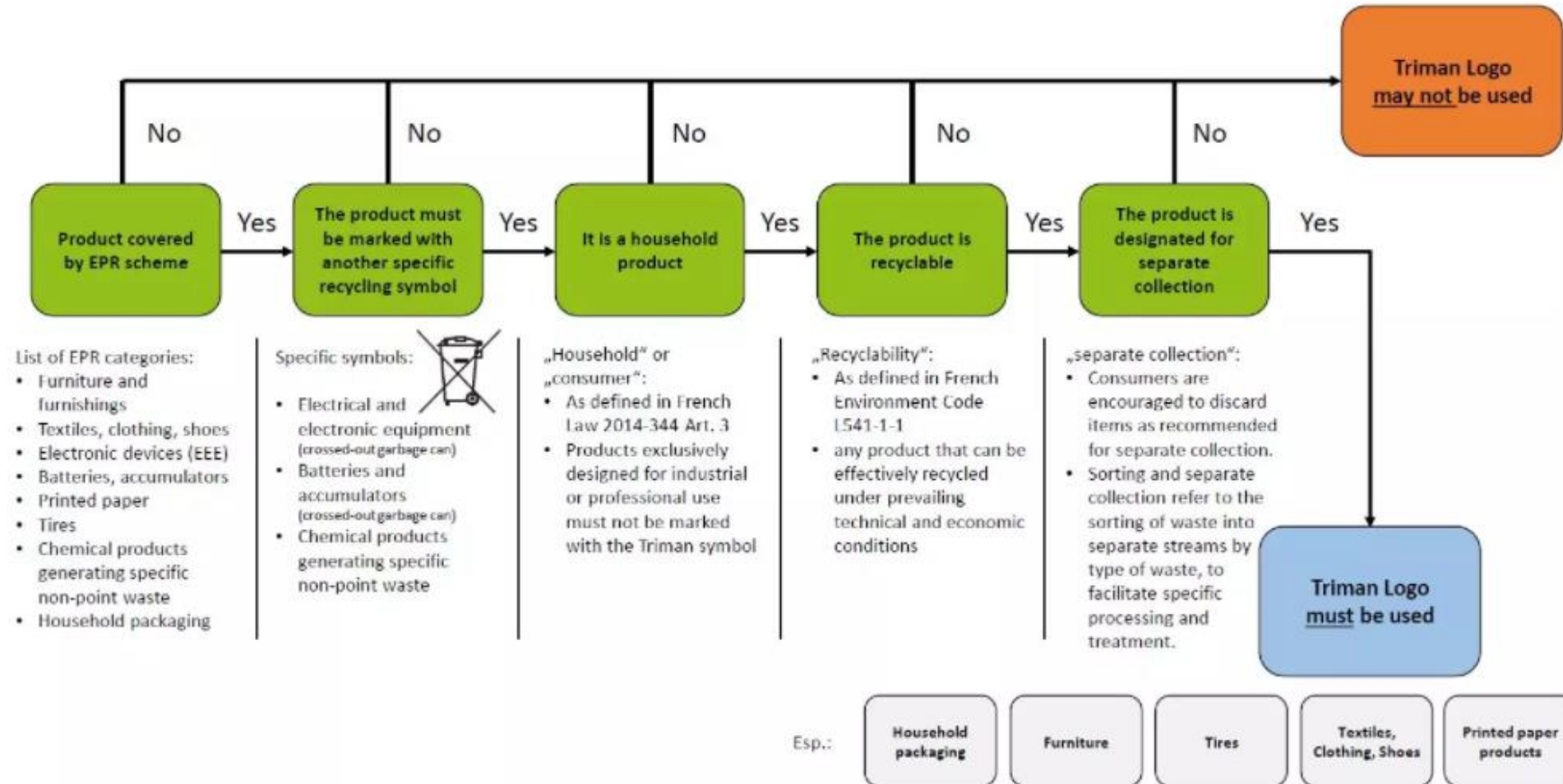
# Legal situation in France

- Anti-wastage and circular Economy law (« AGEC Law ») introduced a **new Extended Producer Responsibility chain for sporting goods and leisure items.**
- **Will be effective on January 1st 2022.**
- In practice :
  - Collection obligation and end-of-life management of every sporting goods placed on the market from January 1st 2022.
  - Marketers will pay an eco-tax to finance EPR.
- As part of the AGEC law, the French government wished to reform the multiple affixed logos on packaging and on products to simplify sorting habits, including the Triman.

# What has been valid up to now ?

- Until now, the Triman logo has only been mandatory for products such as furniture, textiles and shoes. For electrical equipment in accordance with WEEE, there was no obligation to label with the Triman logo.
  
- Non-compliance with regard to these labelling obligations was punished with fines of up to EUR 100,000 and a custodial sentence of up to 2 years.

# What has been valid up to now ?



Source: ADEME — Agence de la transition écologique, 2015

# Decree of June 30st 2021

- Proposition by the eco-organization concerning the display of the Triman logo.
- Eco-organizations of the Extended Producer Responsibility for Sporting Goods and leisure items :



**Re\_fashion**

- 12 months additional period for the company to start using the logo developed by the eco-organization.
- Goods and products fabricated or imported before that deadline can use a 6 months delay to clear their stocks.



# Timeline and Transition period

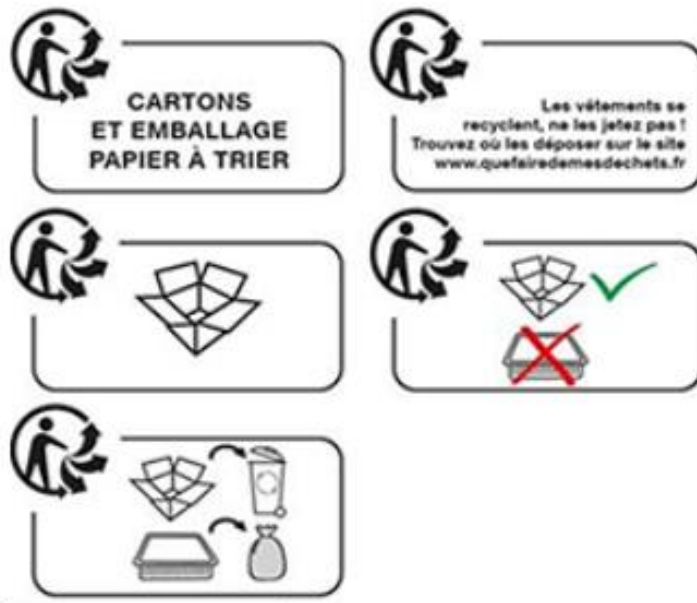
- Before September 30, 2021: the Refashion eco-organization sends a draft information on sorting rules to the ministry;
- Before November 30, 2021: the ministry validates the information on sorting rules;
- Before November 30, 2022: producers affix Triman signage and information on sorting rules on their products and packaging. Products manufactured or imported before November 30, 2022 may be sold until May 30, 2023.

# Decree of June 30st 2021

- Producers and marketers can use a different signage as long as it is a mandatory one, is approved by the European Union or any other EU member State and presents the same characteristics as the one applicable in France.
- A sticker can be used as a signage.
- When the product or packaging's largest side is less than 10 cm<sup>2</sup> and no other document is provided with it, the signage and the information can be displayed online.
- When the side is between 10 and 20cm<sup>2</sup>, only the information can be displayed online. The signage must appear on the product.

# Decree of June 30st 2021 : what will stay the same on January 1rst 2022 ?

- The Triman logo still needs to be printed in conjunction with recycling instructions or sorting instructions. It must be ensured that they are not incorrect or hamper the consumer's understanding. Examples :



- At least 0.6 cm wide
- No superimposition
- Not smaller than other elements
- No coloured logo.

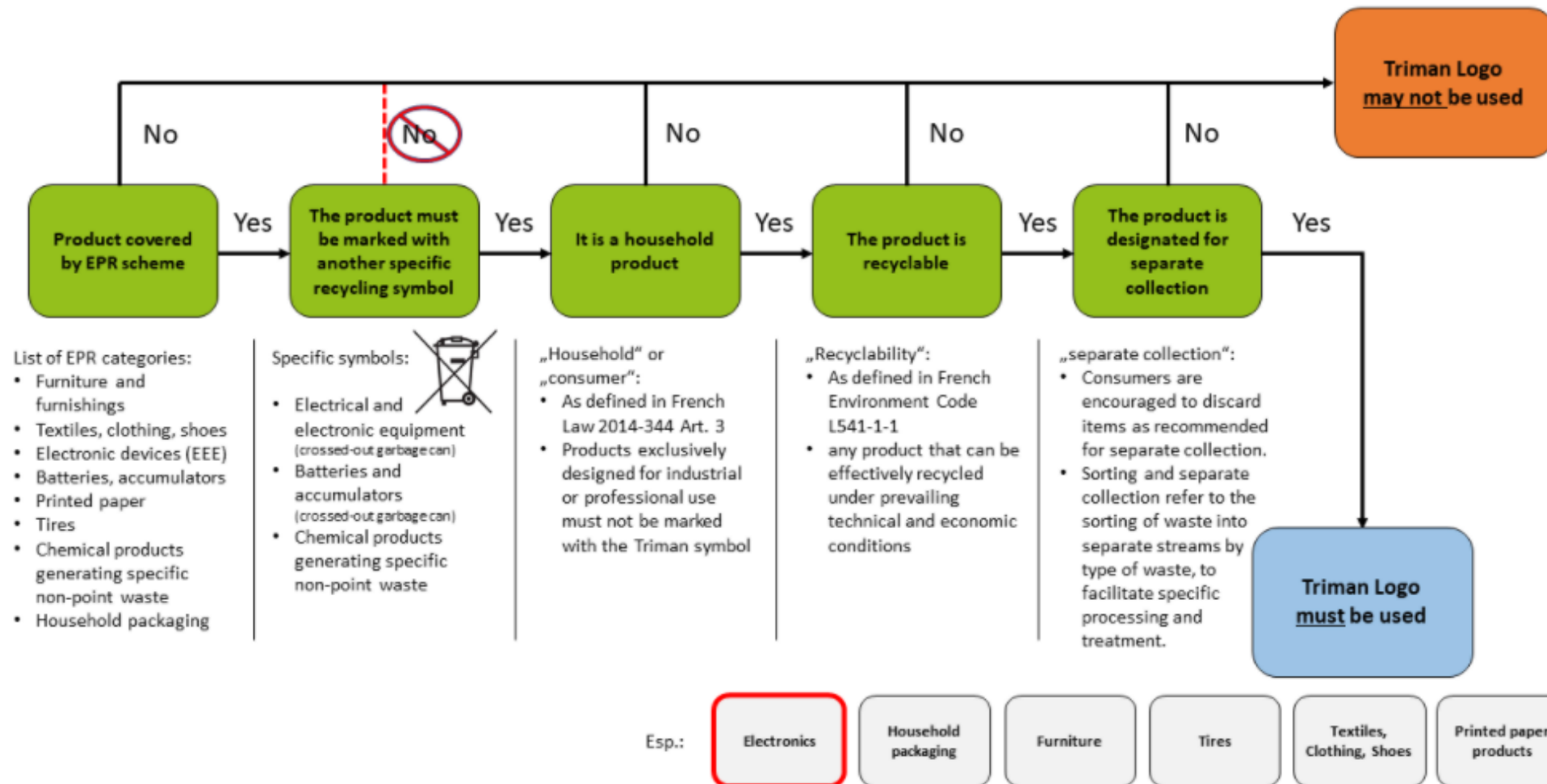
# Decree of June 30st 2021 : what will stay the same on January 1rst 2022 ?

- **Penalties** : according to the applicable environment law in France, a warning can be issued by the responsible authorities. Thereafter, continuous non-compliance can result in financial penalties of up to 100,000 € or up to 2 years in prison, same penalties as before.

# Decree of June 30st 2021 : what changes apply to the Triman logo ?

- **From January 1st 2022, the Triman logo is mandatory for all products and equipments.**
- It is also no longer sufficient to display the Triman logo on your own website.
- Therefore, the Triman logo must always be displayed on the actual product or on its packaging.

# Decree of June 30st 2021 : what changes apply to the Triman logo ?



# Answering your questions

- **What is the Triman signage ?** It is the Triman logo and the corresponding sorting informations.
- **What will be the mandatory elements on January 1st 2022 ?** The triman signage is mandatory on products and packaging. Informations must also appear online. Signage will be define by the eco-organization and published on their websites.
- **What about the 12 months additional period mentioned in the Decree ?** From the moment the eco-organization publishes its information (as explained before), companies have a 12 months additional period to comply with it. Obviously, they can start using the information from Day 1.

# Answering your questions

- **What about e commerce ?** Same rules apply to products only sold online.
- **What kind of products and companies are targeted ?** All products placed in the French market, no matter the nationality of the company/producer/marketer.
- **Must the Triman logo and the collect and sorting informations be placed next to one another ?** Yes
- **Can a sticker be used ?** Yes.



# Answering your questions... Answers still pending

- **Is there a new rule according to which unsold merchandise must be re-used or given to charities ?** There's no such rule in the Triman Decree.
- **Is there any ongoing lawsuit against the Triman Decree ?** Not for the moment. UNION Sport & Cycle won't file a lawsuit.
- **Does the possibility to replace the Triman signage with another EU or EU Member State signage cancels the penalty for using alternative logos such as the "Green Dot" ?** Several professional organizations have formally asked the French Council of State (highest administrative jurisdiction in France) that question. The Council of State has suspended the penalty from April 1st of 2021 onward. The final decision is still pending.

# Triman Decree... But also the new Climate law

- With the anti-waste bill (Loi AGEC), France listed a number of regulatory developments such as developing voluntary Environmental A to E type of labels.
- The bill announced an 18 months experimentation period to develop and generalize sector specific A to E LCA (life cycle assessment) labels.
- Since February 2020, the textile sector has been developing and testing these LCA methods.
- **On the 20 July 2021, the French Parliament adopted a new Climate Law which confirms that such consumer facing label should be unified and become mandatory within 5 years.**
- The details of this law will be developed into decrees.

# The new Climate law



- Continuation of the experimentation with a view to an obligation of environmental labeling on products or services.
- 2 environmental criteria used for the rating of clothing :
  1. Climate change: greenhouse gas emissions.
  2. Water pollution.
- **Aims :**
  - To encourage eco-design and the circular economy
  - To promote natural products
  - To operate a transition with a shared rating system
  - To give consumers an indication of the impact of their clothing purchases on the environment.

# The new Climate law



➤ Voluntary basis.

➤ This environmental display will be customer facing by marking or labeling the product, or by any other appropriate process, including through dematerialization.

# And now with the FESI...

- What kind of harmonization at the European level ?
  
  
  
  
  
  
  
  
  
  
- What role for FESI in that regard ?



**THANK YOU**

September 10th 2021