



Notification Number: 2006/433/F

## Draft decree on the prohibition as of 1 January of single-use carrier bags made of non-biodegradable plastic

Date received : 14/08/2006  
End of Standstill : Closed  
Issue of comments by : Belgium, Commission, Italy, Netherlands, Poland, Portugal  
Issue of detailed opinion by : Austria, Commission, United Kingdom

### Message

Message 002

Communication from the Commission - SG(2006) D/51945  
Directive 98/34/EC  
Translation of the message 001  
Notification: 2006/0433/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200601945.EN)

#### 1. Structured Information Line

MSG 002 IND 2006 0433 F EN 15-11-2006 14-08-2006 F NOTIF 15-11-2006

#### 2. Member State

France

#### 3. Department Responsible

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#### **4. Notification Number**

2006/0433/F – S10E

#### **5. Title**

Draft decree on the prohibition as of 1 January of single-use carrier bags made of non-biodegradable plastic

#### **6. Products Concerned**

The draft decree concerns single-use plastic bags with integrated straps, distributed free or paid for at the point of sale of goods;

#### **7. Notification Under Another Act**

d) Other Directive or Regulation: Directive 94/62/EC on packaging and packaging waste

#### **8. Main Content**

This decree shall determine the conditions of prohibition, as of 1 January 2010 of the distribution to the end consumer, free of charge or for payment of single-use carrier bags made of non-biodegradable plastic. It shall also determine the conditions for verifying the biodegradability of bags that may be put on the market or distributed.

It comprises two parts: the first, namely articles 1 to 3, specifies the scope of the prohibition; the second, namely articles 4 and 5, focuses on the checks and penalties relating to this prohibition measure.

Single-use carrier bags are defined as bags that are not reusable according to the definition under standard NF EN 13429. The biodegradable bag must meet the biodegradability requirements under standard NF EN 13-432 or any standard laying down an equivalent level of biodegradability.

As regards monitoring and penalties, the guiding principle is that of self-regulation, and failure to comply with this prohibition measure shall be penalised by a 3rd class penalty.

Keywords: bags – plastic - biodegradable

#### **9. Brief Statement of Grounds**

The purpose of this decree is to curtail the distribution of single-use carrier bags of fossil origin entailing a drain on natural resources and with a detrimental effect on the environment:

- the spreading of toxic substances into the environment;
- the visual impact of the bags on nature;
- dangers to marine fauna.

This decree is also intended to encourage the development of biodegradable carrier bags that can be made from vegetable material.



## 10. Reference Documents - Basic Texts

a) Attached texts:

- Article L. 214.1 of the Consumer Code;
- Article 47(1) of Act No 2006-11 of 5 January 2006 on agriculture;
- Article R 601 of the Penal Code

## 11. Invocation of the Emergency Procedure

NO

## 12. Grounds for the Emergency

-

## 13. Confidentiality

a) NO

## 14. Fiscal measures

b) NO

## 15. Impact assessment

-

## 16. TBT and SPS aspects

TBT aspect (Agreement on Technical Barriers to Trade)

a) YES

SPS Aspect (Agreement on Sanitary and Phytosanitary Measures)

a) NO

b) The draft is not a sanitary or phytosanitary measure pursuant to Annex A to the SPS Agreement.

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