



Notification Number: 2001/198/F

Draft Decree on the collection, recovery and disposal of publicity documents and free newspapers

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Issue of comments by : Commission

Message

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Message 002



Communication from the Commission - SG(2001) D/50977

Directive 98/34/EC

Translation of the message 001

Notification: 2001/198/F

(MSG: 200100977.EN)

1. Structured Information Line

MSG 002 IND 2001 0198 F EN 06-08-2001 03-05-2001 F NOTIF 06-08-2001

2. Member State

FRANCE

3. Department Responsible

Secrétariat Général du Comité Interministériel pour les Questions de Coopération Economique Européenne - 2, Bd Diderot - 75012 PARIS

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3. Originating Department

Ministère de l'aménagement du territoire et de l'environnement - Direction de la prévention des pollutions et des risques - Sous-direction des produits et des déchets - 20, avenue de Ségur - 75302 PARIS 07 SP

4. Notification Number

2001/198/F - S00E

5. Title

Draft Decree on the collection, recovery and disposal of publicity documents and free newspapers

6. Products Concerned

Flyers, directories, catalogues and free newspapers without addressee

7. Notification Under Another Act

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8. Main Content

Pursuant to Article L. 541 - 10 of the Environment Code, Article 4 of the draft stipulates that producers of flyers and free newspapers shall contribute to the collection and processing of the flyers or free newspapers that they issue or publish. In order to do so, these people may either contribute to a communal system which fosters the development of selective collections by local authorities, by joining an organisation or company approved by the public authorities (such as Eco-Emballages or Adelphe with regard to household packaging waste); or they may themselves set up an individual recovery system authorised and monitored by the public authorities. This provision is based on the system set up for household packaging (Decree No 92-377 of 1 April 1992).



Furthermore, the producers and distributors must take measures enabling any individual to refuse to receive such documents by means of a distinctive mark located on their letter box.

9. Brief Statement of Grounds

The French General Communities Code (Article L.2224-13) makes towns or public establishments for cooperation between towns responsible for household waste disposal. Waste comprising publicity flyers and free newspapers is therefore the responsibility of the local communities.

Unlike the case of household packaging waste, there is currently no provision for financial aid to assist the local communities in organising the selective collection of publicity flyers and free newspapers. This type of waste is often collected with paper and cardboard packaging waste.

Therefore, in pursuit of equality with regard to household packaging waste, the local communities should be subsidised for the collection, sorting and processing of free newspapers and publicity documents without addressee. This provision must be based upon the model of the current provision for household packaging used by the approved companies Eco-Emballages and Adelphe.

10. Reference Documents - Basic Texts

List of base texts:

- ☐ Council Directive (EEC) 75/442 of 15 July 1975 on waste, as amended by Directive (EEC) 91/156 of 18 March 1991;
- ☐ Directive 98/34/EC of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations;
- ☐ the French General Communities Code;
- ☐ the Environment Code, and in particular Book V, Title IV, Chapter I and Title I;
- ☐ Decree No 377 of 1 April 1992 implementing Act No 633 of 15 July 1975, amended, on the disposal of waste and the recovery of materials, with regard to waste resulting from the tipping of packaging

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

David O'Sullivan
General Secretary
European Commission



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers