



European Furniture Industries Confederation

EFIC feedback to TRIS notification 2020/410/F¹ (France)

Decree on consumer information symbols indicating the sorting rule for waste resulting from products subject to the principle of extended producer responsibility

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European furniture industries embrace circularity

The European furniture industries embrace the EU Green Deal and EU circularity objectives², strongly support circularity ambitions and are already transitioning to and promoting circular business models based on reuse, repair, refurbishment and remanufacturing of products. Circular Economy has a large potential to increase resilience, affordability, to create job and to accelerate a green recovery. Much remains to be determined in the path to circularity. What is certain is that a true circular economy can only be achieved through a holistic approach and requires the involvement of many actors, including policy makers, industry, experts, academia and consumers. Also, a like-minded and aligned approach to circularity will yield the strongest results. It is therefore crucial that circular economy rules are harmonized at EU level to mitigate the fragmentation of the Internal Market by preventing misaligned Member State level initiatives that jeopardize the success of the EU initiatives. The European Furniture industries are concerned about barriers at Member State level to the effective and timely implementation of the new Circular Economy Action Plan³ as presented by the European Commission in March 2020.

France has taken important steps in the circular economy agenda with the anti-waste legislation adopted on 10 February 2020⁴, showing commitment to an ever greener economy. This legislation has the potential to set an example for how other markets in Europe and around the globe address threats to our environment. However, we have identified potential barriers that the legislation may bring to the Internal Market and in particular the free movement of goods. One such barrier is the reinforcement of the TRIMAN sorting logo (amendment of Art. L. 541-9-3 of the French Code de l'Environnement by the French *Loi n° 2020-105* to require the use of the 'Triman' sorting logo).

Concerns over decree on TRIMAN sorting logo

The adoption of market-specific marking on products and packaging should be avoided, as this could lead to confusion and extra costs and barriers for companies. A mandatory TRIMAN sorting logo would create a unique marking for France (packaging and label, specifically and for the French market only), which would have the effect of restricting the free circulation of goods. A separate labelling requirement would be reinforced for products placed on the French market which has no equivalent

¹ Notification available at <https://ec.europa.eu/growth/tools-databases/tris/en/index.cfm/search/?trisaction=search.detail&year=2020&num=410&mLang=EN>

² [EFIC position paper on new Circular Economy Action Plan](#)

³ [European Commission new Circular Economy Action Plan \(COM/2020/98 final\)](#)

⁴ *LOI n° 2020-105 du 10 février 2020 relative à la lutte contre le gaspillage et à l'économie circulaire* available at: <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000041553759/>



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in other Member States and significant administrative burdens and costs are envisaged related to re-labelling, re-packaging and updating packaging.

Additional concerns related to the TRIMAN sorting logo are the fact that each Extended Producer Responsibility organisation should establish instructions on sorting. At the moment it is not clear in which form these sorting instructions could be requested, whether it will be written text, or additional symbols on products or on packaging. Moreover, if our understanding is correct and there will be different approaches for each product-group subject to EPR schemes in France, this could lead to further barriers and fragmentation of the internal market.

Lastly, EU rules on mutual recognition will not solve the potential barriers deriving from the introduction of the TRIMAN logo, firstly because there are no existing mandatory symbols that can be used (therefore, *de facto*, TRIMAN remains mandatory and the only choice), and because it is required to comply with the sorting instructions established in France.

Recommendations

The European furniture industries believe that in order to be effective, a common language at EU/international level is needed among EU consumers, companies and waste operators. Information for consumers specifically should be provided in various ways: a combination between online information, information in stores and labelling, adapted to the circumstance and specific needs of the customer. The information could be provided in the country language online and in stores, while symbols should preferably be used in packaging, to minimise trade barriers and administrative burdens. It is important to harmonise marking at least in the EU, with the use, when possible, of symbols on products/packaging, as opposed to the use of text, which is country-specific and which would restrict the free movement of goods and impose excessive administrative burdens for producers. The replacement of some existing labels with an international one would be welcomed as well.

In the Circular Economy Action Plan of March 2020 the European Commission announced that it will propose harmonising separate waste collection systems by 2022, including harmonised symbols and product labels. We support this initiative and we see it as an important opportunity to create a common language for all players involved, which will benefit EU consumers, the environment and the internal market. We therefore invite the French authorities to await and follow the rules that will be put in place following this Commission initiative.

For further information, please contact:

EFIC - European Furniture Industries Confederation

A: Rue Montoyer 24, PO Box 2, BE-1000 Brussels

T: 0032 (0)2 287 08 86; E: info@efic.eu