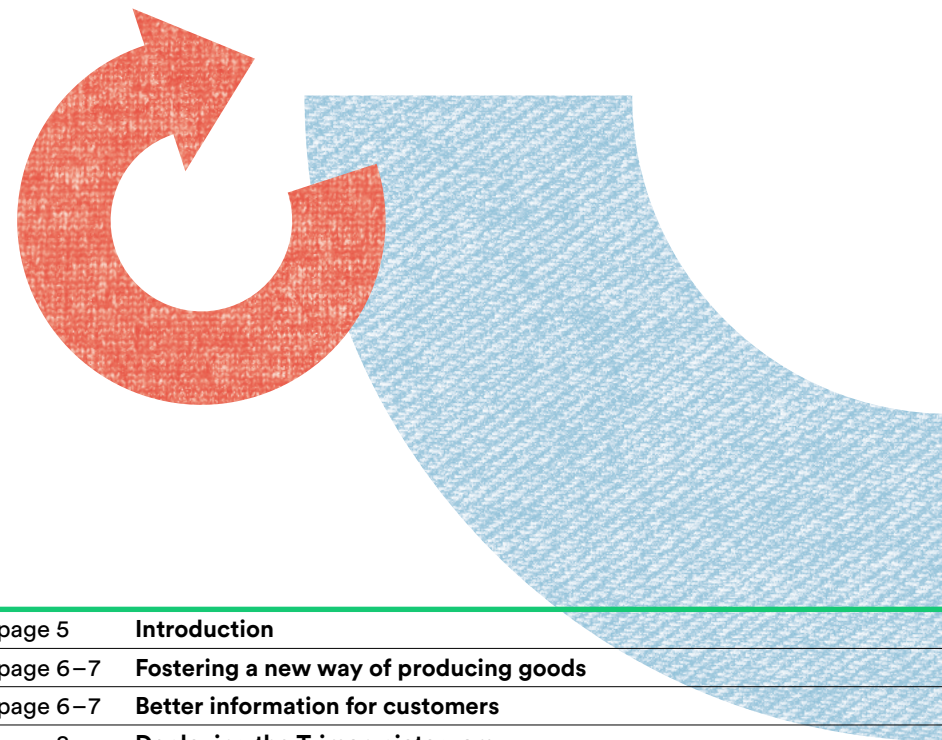

FRENCH LAW ON FIGHTING WASTE AND ON THE CIRCULAR ECONOMY

The Essentials for the CLF industry
Clothing, Linen and Footwear

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Law on fighting waste and on the circular economy

The essentials for the CLF industry
(Clothing, Linen and Footwear)

The article numbers indicated in this document refer to articles in the French Environment Code as published in Law 2020-105 of 10 February.

Law 2020-105 of 10 February 2020 on fighting waste and on the circular economy has given a boost to the ecological transition. It marks an important milestone for the CLF (Clothing, Linen and Footwear industry) that is firmly committed to sustainable development and supplements the initiatives already taken by the industry in this direction.

Companies play a major role in this transformation by: optimising the life cycle of products placed on the market, encouraging reuse, lengthening the service life of products, improving collection (only 50% of packaging have sorting instructions on them), integrating a minimum amount of recycled materials into products, donating rather than using disposal and by no longer throwing goods away, not wasting, etc.

Customers must also be better informed for them to be able to play a role by making the right consumer choices and adopting an appropriate behaviour.

A range of measures equal to the stakes, whose method of implementation is still under discussion with CLF industry stakeholders, will soon be determined through regulatory measures (decrees and orders).

These necessary changes for controlling the environmental impact of products can, with the involvement of all, enable the fashion industry to gradually become a more circular one and therefore become more responsible.

Source : all figures cited in this document are from the French Ministry of Ecological Transition and Solidarity.

Fostering a new way of producing goods

Art. L. 541-9, Art. L. 541-10-3

To move towards a used resources economy, right from the product design stage, the law has tightened the “bonus-penalty” system. This mechanism, that already exists for CLF industry products (Clothing, Linen and Footwear), consists in applying a modulated eco-fee paid to take-back scheme operators by those companies placing products onto the market. It fosters the production of products with a longer service life and/or that can be recycled, and encourages recycled materials to be incorporated during their manufacture.

In practice, those who design or import products in an “ecological” way (by incorporating recycled materials for example) will benefit from a bonus in regards to the financial contribution they

pay to their take-back scheme operator for the management and treatment of their products when these have reached the end of their service life. Inversely, the contribution for those who do not enter into this “high environmental value” product approach will be increased by a penalty. Information about this can be seen by consumers when purchasing the item so that they can make an informed choice.

Within the same eco-design rationale, in order to foster innovation and optimise recycling, some products will be required to incorporate a minimum ratio of recycled materials before they can be placed on the French marketplace. The methods in which this is to be applied and the list of products concerned will be defined by a decree.

Key tools :

- Developing the application of a bonus-penalty system
- Inciting producers to incorporate a minimum amount of recycled material in their manufacturing process, on condition that life cycle analyses are positive.
- A decree will determine the list of products, the incorporation ratio calculation method and the control methods.

Better information for customers

Art. L. 541-9-1

53% of the French population would like to consume in a better and alternative way. In order to meet this expectation, the law requires that those marketing products provide information to customers.

This communicated information can be in covered in two ways:

The first consists in providing information, by 1 January 2022, that is visible or accessible when purchasing an item, about the item’s environmental properties and characteristics (in particular the presence of recycled materials, the use of renewable resources, service life span, recyclability as well as the possible presence of hazardous substances).

The second is the display of an environmental, or environmental and social rating. This rating information will indicate the environmental, environmental and social, impact of an item of clothing. This will be displayed through marking, labelling or any other process, such as digital methods.

Key tools :

- The environmental properties and characteristics to be provided will be defined by a decree determining the method for establishing these, the product categories concerned as well as the methods for providing this information to customers.
- A great deal of freedom is given when choosing the medium for this information, so long as the buyer can see it and access it.
- A new trial (the first took place in 2011) on displaying environmental, or environmental and social, rating information will be undertaken immediately on a voluntary basis for 18 months.
- The environmental, or environmental and social, rating will become mandatory primarily for the clothing sector, after the entry into force of a measure adopted by the European Union with the same aim (European project PEF -Product Environmental Footprint- launched by the European Commission).



Deploying the Triman pictogram

Art. L. 541-9-3

To simplify sorting rules (knowing into which container a product must be placed) and to encourage citizens to sort their items (only 50% of packaging show sorting instructions) the law has chosen the Triman pictogram. This simple and clear pictogram (a small character with three arrows), that entered into force in 2015, is little known but will, from now on, be accompanied by an explanatory sentence (see pictogram shown). The sentence, proposed by the French Environment and Energy Agency (ADEME) is given for information purposes. This sentence informs consumers that the product is subject to a sorting rule and indicates to them, in regards to the CLF industry, (Clothing, Linen and Footwear), the type of self-deposit collection points to use: kerbside collection banks, banks in shops, associations, etc.

Key tools :

- The Triman pictogram advising that the product is subject to sorting rules, and indicating the self-deposit point to use.
- The pictogram must be displayed on the product or, failing this, on its packaging or other documents that come with it.
- The schedule: as from 1 January 2022



Ending printed labels

Art. L. 541-15-10

Systematically printed out at the cash till, receipts often have a life span of less than a few seconds. Several tens of billions of simple purchase receipts are printed out like this each year in France, only to end up in the bin. To fight against this waste, the systematic printing of receipts is being abandoned and only being printed being upon request by the client.

Consequently, companies will have to put in place a new receipt transmission system (purchase receipts, credit card receipts, etc.) taking into consideration the GDPR rules (General Data Protection Regulation). Today, some companies already use email to send receipts, but via their loyalty card system.

Key tools :

- End of systematic printing of cash and credit card receipts or vouchers and discount and promotional coupons.
- Exception: upon customer request.
- Schedule: as from 1 January 2023

Used textile collection

Art. L. 541-10-8

The Extended Producer Responsibility (EPR)* regulations go beyond product design and sales, because it commits producers to undertakings until the end of their products' service life. Producers are also responsible for recovering their products when these are used and the consumer wishes to dispose of them.

Several distributors have already organised the collection of used CLF (Clothing, Linen and Footwear) in their shops. According to Eco TLC, these have been identified as having self-deposit collection banks and can be geolocalised on www.lafibredutri.fr.

The law aims are fostering the development of a second life for products and materials, either through reuse of articles in good condition, or by recycling

CLF products that cannot be reused. This principle of the take-back of used product by retailers is becoming more widespread for all new products. Take-back remains free for customers. In the event of a sale with delivery, the retailer must offer a take-back service at the delivery point or at a near-by collection point.

The underlying idea here is to encourage more than impose this measure, especially as the CLF industry already has an efficient collection system with more than 45,000 self-deposit collection points: kerbside banks, shops, associations.

**Learn about the ERP concept on pages 10-11*

Key tools :

- Possibility of collecting used products no longer desired by customers.
- Free take-back of used products.
- The customer must be provided with information about the possibility of take-back.

Prohibiting the destruction of unsold items

Art. L. 541-15-8

Currently, companies destroy 5 times more items than they donate. To put an end to this situation, the law prohibits the destruction of unsold items and forces systematic redeployment (in particular through donating), reuse and recycling of unsold new products. However, there are exceptions (see the list here).

Key tools :

- End the landfilling and incineration of new, unsold products.
- Purpose: fight against overproduction and develop donations of essential items to clothing associations.
- The exceptions are:
 - Products for which material recovery is prohibited, disposal is mandatory or for which redeployment, reuse and recycling carry serious health and safety risks.
 - Products in which the conditions required for them to be redeployed, reused or recycled do not meet sustainable development objectives.
- Schedule: 1 January 2022.

Boosting EPR (Extended Producer Responsibility)

Art. L. 541-10 and the following articles

The EPR (Extended Producer Responsibility) is a legal requirement dating from 2007 for new CLF products (Clothing, Linen and Footwear). It requires those introducing products onto the market to contribute to the collection, sorting and recovery costs of used CLF. Curtains and indoor blinds in fabric have entered the scope of products concerned since the 1 January 2020.

Eco TLC is a take-back scheme operator onto whom those marketing goods have transferred this responsibility. With contributions having been paid by these entities, the take-back scheme operator ensures the coverage of CLF waste management and prevention costs. All producers concerned by EPR must register with the administrative authority

and will be provided with a unique ID. Registration guarantees membership to a take-back scheme operator, or the implementation of an individual waste management system. It enables relevant data to be acquired in order to monitor and determine the quantitative and qualitative waste prevention and management objectives for the industry.

The law also opens up the possibility of being directly covered for waste management costs when necessary.

Via their take-back scheme operator, it is also intended that those placing goods onto the market, participate in funding product redeployment and repair as well as in raising awareness amongst citizens in sorting behaviour.

Lastly, a stakeholder committee, bringing together those who market products, operators, local authorities, associations, etc. will be created by each take-back scheme operator in order to connect all stakeholders, share progress made and difficulties encountered and gather opinions and recommendations to improve efficiency.

Key tools :

- More and more products are affected by the ERP principle. Solutions that are implemented for consumer clothing will cover other textile items.
- Eco-fee modulation is the first driver for progress in order to promote high environmental value articles.
- An increase in contributions will be required because the treatment costs of a product's end of service life will naturally increase regarding the transformations required due to the change in volumes to be managed. The terms and conditions will be specified in a decree and in an Eco TLC specifications document.

Cosignatories

Alliance du Commerce

A leading professional organisation in individual equipment, Alliance du Commerce brings together stores, popular stores and clothing and footwear retailers, i.e. 450 store brands, 27,000 retail stores and 180,000 employees.

The Alliance du Commerce has developed various tools including a practical guide on responsible fashion and specific training to help stakeholders in the fashion sector to achieve their ecological transformation. A facilitator for discussions and consultations, Alliance du Commerce assists its members in their transition towards a more sustainable economic model in response to customer expectations.

www.alliancecommerce.org
[@AllianceCommerc](https://twitter.com/AllianceCommerc)

Fédération Française de la Chaussure

Created in 1929, the Fédération de la Chaussure brings together more than 200 brands, industrials and designers located throughout France. Recognised as artistic profession, footwear manufacture represents 23 million pairs of 'Made in France', a widely appreciated criterion internationally.

The FFC represents and assists its members within the framework of their marketing development and international expansion, in social and regulatory areas, and promotes French know-how and creativity. The sector has undertaken various responsible initiatives. The creation of a CSR charter for companies in the leather industry is being established. Innoshoe, a safety management programme, developed by the regional Pays de la Loire cluster, has been deployed for several years now.

www.chaussuredefrance.com
[@frenchshoesfederation](https://twitter.com/frenchshoesfederation)
www.french-shoes.com

Eco TLC

Eco TLC is a take-back scheme operator for the French Clothing, Linen and Footwear industry and manages waste prevention [and the end of service life of products on behalf of those placing goods onto the market (> 5,000 companies).

At the heart of the industry's ecosystem and at the service of all stakeholders, Eco TLC participates in funding the transition of textile industry towards a circular economy. To do this, it measures the changes in situations, sheds light on innovations, assists and encourages the implementation of the different forms of progress, such as eco-design, whose development is fostered by the circular economy.

www.ecotlc.fr

Fédération Française des Industries du Vêtement Masculin

The Fédération Française des Industries du Vêtement Masculin (FFIVM) brings together industrial stakeholders in ready-to-wear men's fashion, children's fashion, uniforms and workwear.

For several years now these companies have developed responses to safety product issues (in particular for children's fashion and personal protective equipment). For several of them, recycling clothing has been a reality for several years.

Similarly, exchanges within the Federation have made the sharing of "best practice" in both the area of CSR and manufacturing management and thereby precision stockpile management of finished products.

www.promas-international.fr

Fédération du Commerce et de la Distribution

The Fédération du Commerce et de la Distribution (FCD) brings together most of the store names in mass retailing, whether this be food retail or specialised retail.

This sector accounts for 750,000 jobs, more than 10 million customers per day, 2,131 hypermarkets, 5,962 supermarkets, 3,952 mainly own-brand supermarkets and more than 3,000 retail stores for revenues of around 200 million Euros.

The FCD is particularly active in the area of food safety, sustainable development, economic relations (SME, industrials, farming sectors), relations with industrial unions and bodies, and on topics related to land-use and urban planning.

www.fcd.fr

Fédération Française du Prêt à Porter Féminin

Since 2017 the Fédération Française du Prêt à Porter Féminin (FFPAPF) recognises the importance in assisting its members to move towards more responsible fashion. It has developed tools in order to provide practical help to fashion brands, in particular, a guide to responsible procurement with support from the DEFI.

The voluntary display of environmental and social ranking, to be trialled over the next 18 months, represents a new challenge. We are convinced that this will result in more and more eco-designed collections. In this context, we will be monitoring the criteria retained to describe the impacts so that they are accessible by the smallest companies that cannot rely on a dedicated team for this.

www.pretaporter.com

Fédération du E-commerce et de la Vente à Distance

Fédération du E-commerce et de la Vente à Distance (FEVAD) covers more than 650 members and 800 internet sites. This is the trade organisation that represents e-commerce businesses. According to a FEVAD study in February 2020, 45% of online buyers have already bought a product from the circular economy on the internet.

These environmental issues are at the centre of the concerns of e-businesses and their investment strategies.

The FEVAD therefore closely monitored the Law on fighting waste and on the circular economy. Its implementation is a significant challenge for the stakeholders that the federation represents.

www.fevad.com

Fédération de la Haute Couture et de la Mode

Representing fashion brands that foster design and international expansion, the Fédération de la Haute Couture et de la Mode (FHCM) aims at promoting French fashion culture, where high fashion and design play a primary role by combining, in all cases, traditional know-how and modern technologies and contributes in bolstering Paris' role as the world's fashion capital.

Thereby luxury and design brand products naturally fall into the law's objectives due to their specificities: mainly manufactured in limited series, they have a long service life, can be repaired or in the case of clothing, can be mended, and they are designed to be easily transferable, redeployable and reused due to the quality of the fabric in which they are made.

www.fhcm.paris

Cosignatories (next)

Fédération des Industries Diverses de l'Habillement Fashion Supplies & Accessories

The Fédération des Industries Diverses de l'Habillement (FIDH) brings together companies dealing in fashion supplies and accessories, such as buttons, belts or millinery.

Directly concerned by ecological requirements, these companies go beyond meeting standards and anticipate the needs and expectations of their customers (ready-to-wear brands or retail brands) by offering eco-responsible products, i.e. that can be recycled or reused, or alternatives by using innovative raw materials.

www.fidh-mode.com

Union Française des Industries Mode Habillement

The "Made in France" concept must not be remain void of meaning but must be a response to the need for a circular economy as requested by today's customers.

Traceability, clothing safety and low carbon footprint will be the advantages gained by a return to manufacturing in France in order to satisfy customers.

www.lamodefrancaise.org

Fédération de la Maille, de la Lingerie & du Balnéaire

The Federation de la Maille, de la Lingerie et du Balnéaire cover within a single community, companies operating at all levels in the textile-clothing industry (upstream, downstream, clients, brands, etc.) based around a shared vision of projects and markets.

Representing the interests of its members and attentive to them, the federation actively intervenes on topics concerning the circular economy and CSE (Corporate Social Responsibility).

It thereby assists its members and customers in implementing their CSR initiatives (eco-design, product safety and processes, etc.) through personalised advice, operational training, learning and practical guides.

www.la-federation.com

Union des Industries Textiles

L'Union des Industries Textiles (UIT) represents more than 2,200 companies having a textile business in France (spinning, milling, weaving, knitting, finishing).

Aware of the environmental urgency and experienced in responsible and sustainable practices (wastewater recycling, water and energy savings, production and stockpile optimisation, local loops, CSR) our members actively pursue their commitment to being eco-responsible and innovate with customers and partners through the value chain.

The UIT works alongside them, supporting and assisting them with their initiatives

www.textile.fr

ALLIANCE DU COMMERCE

ECO TLC
L'éco-organisme du textile - du linge - de la chaussure

fcd Fédération du Commerce et de la Distribution

fevad
www.fevad.com
fédération e-commerce et vente à distance

FÉDÉRATION FRANÇAISE CHAUSSURE

Fédération Française des Industries du Vêtement Masculin

FÉDÉRATION FRANÇAISE DU PRÊT À PORTER FEMININ

HC M FÉDÉRATION DE LA HAUTE COUTURE ET DE LA MODE

FÉDÉRATION DES INDUSTRIES DIVERSES DE L'HABILLEMENT FOURNITURES & ACCESSOIRES DE MODE

LA FÉDÉRATION MAILLE, LINGERIE & BALNEAIRE

UFIMH
UNION FRANÇAISE DES INDUSTRIES MODE & HABILLEMENT

UIT
Union des Industries Textiles

This “Essentials” document is the result of a wish by the CLF industry’s federations and take-back scheme operator to decipher, for their members, the law on fighting waste and on the circular economy.

Brief and educational, this document summarises the essential information for the sector from this law, published in the Official Journal of 11 February 2020 and for which some methods in applying it have been determined through regulations (decrees and orders).

