

DECLARATION OF REUSE OF INDUSTRIAL AND COMMERCIAL PACKAGING AND FOOD SERVICES PACKAGING

Declaration Support Guide

2024 Declaration
for 2023 data of packaging placed on the market

February 2024

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1.Preamble

Targets for the reuse of packaging in France have been set through the French Anti-Waste Act for a Circular Economy (*loi Anti-Gaspillage pour une Economie Circulaire*, referred to as the AGECE Act).

France thus adopts a national trajectory aimed at increasing the proportion of reused packaging placed on the market relative to single-use packaging, so as to attain a proportion of 10% of reused packaging placed on the market in France in 2027, expressed in sales units or sales unit equivalents.

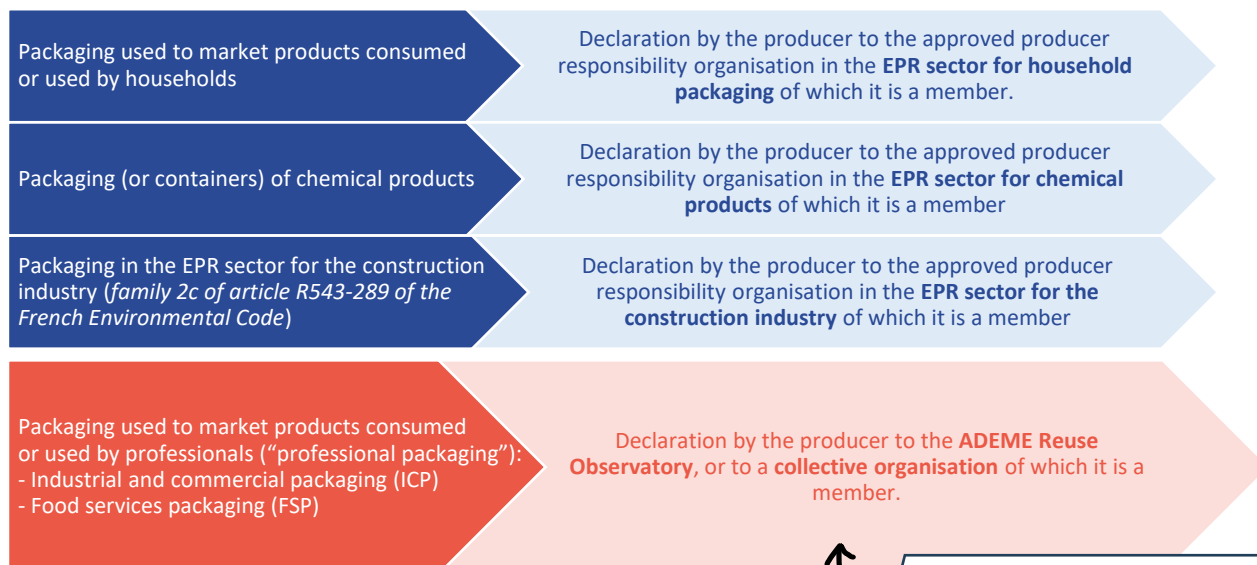
Obligations concerning the placing of reused packaging on the market are set for all producers placing at least 10,000 units of packaged products on the market per year. Decree no. 2022-507 of 8 April 2022 on the minimum proportion of reused packaging to be placed on the market annually specifies the terms of these obligations:

- The types of packaging concerned,
- The producers concerned,
- The possibility for these producers to group themselves together within a collective organisation or to rely upon their producer responsibility organisation in order to meet their reused packaging obligation,
- The minimum proportions of reused packaging to be placed on the market for producers, according to their annual turnover.

Declaration obligations and procedures

All producers placing at least 10,000 units of packaged products on the market per year have to report their packaging data annually, as from 2024 (on their 2023 marketing data).

The procedures for reporting packaging data differ according to the type of packaging placed on the market by the producer.



This support guide is exclusively dedicated to declaration of reuse of ICP and RCP to the Observatory.

Declaration procedures for professional packaging

"Professional packaging" is industrial and commercial packaging (ICP) and food services packaging (FSP). To date, the EPR sector for industrial and commercial packaging has not been put in place – it will be set up at 1st January 2025 – and there are therefore no approved producer responsibility organisations for this sector able to collect these members' packaging data.

The food services packaging EPR system will be introduced at the beginning of 2024. Although producer responsibility organisations may be approved, they are not obliged to collect data in a retroactive manner for the

period prior to their approval. Data for 2023 declared in 2024 will not be collected from their producer members in the course of 2024, the year in which the system is put in place.

The Reuse Observatory (*Observatoire du réemploi et de la réutilisation* in French) managed by ADEME is putting a transitional solution in place in 2024 in order to collect producers' professional packaging data pending the setting up of these EPR systems.

This guide is solely dedicated to producers' declaration of their **professional packaging data to the Reuse Observatory in 2024**.

Reference documents concerning the rules for counting the reuse of packaging in France

In February 2023 the Reuse Observatory published a study on methodologies for counting the reuse of packaging placed on the market in France, for professionals.

This study is available here at the [Librairie ADEME](#). To complement the study, the Observatory provides an [Frequently Asked Questions](#) list and an [explanatory video](#) (only available in French).

We invite you to acquaint yourself with these elements which constitute the reference documents with regard to obligations concerning the counting of reuse of packaging.

This guide is a supplementary resource solely concerned with the declaration of data relating to industrial and commercial packaging and food services packaging placed on the market in France in 2023.

2. Security, Confidentiality and Use of Data

Confidentiality and security of data:

Your declaration is made using the online questionnaire provided for this purpose.



This ADEME questionnaire makes it possible to **manage both data security and confidentiality**. Answers to the questionnaire will be visible solely to the ADEME and its service provider LE SPHINX from their administration area. ADEME and LE SPHINX undertake to ensure the confidentiality of data declared within the framework of this declaration. By virtue of the contract signed between ADEME and LE SPHINX, the latter is subject to confidentiality obligations.

What use will be made of my declared data?

The data declared by producers as a whole will be **compiled and processed by ADEME** in order to assess the national proportion of reused packaging placed on the market in France in the year of observation. None of your data will be disclosed in an individualised manner.

3. About the Declaration

3.1 Who is concerned by this declaration?

The professionals concerned

The professionals concerned by this declaration are **producers**¹, that is to say:

- Any professional that **packages products or has them packaged** for the purpose of placing them on the French market,
- Any **importer/introducer** whose products are marketed in packaging in France or,
- The person responsible for **the first placing of these products on the market** (in the absence of identification of the producer or importer).

Examples of professionals concerned by this declaration (non-exhaustive list):

- ✓ Manufacturers
- ✓ Distributors
- ✓ Marketplaces
- ✓ Food service providers and artisans
- ✓ Logistics platforms, if they pack products in packaging for the dispatch of their orders

Packaging manufacturers and managers of packaging pools (poolers) do not place products in packaging on the market: they are therefore not concerned by this declaration. However, poolers are required to pass on certain data to their clients in order to enable counting of packaging by clients.

Declarant entity

The declaration has to be made at the level of a **legal entity corresponding to a SIREN** (French legal entity business identification number). In the case of a group with several subsidiaries with different legal entities, you may choose to declare at the group level or for each of these subsidiaries.

It is not possible to declare at the level of an establishment (SIRET, French business establishment identification number). If this concerns you, please consult your registered office and do not make your declaration via this questionnaire.

→ Are you part of a collective organisation?

In 2024, collective organisations may take care of collection of their members' professional packaging data (with the exception of data concerning household packaging (HP), chemical products (CHEMP) and construction industry building products and materials). A collective organisation may be, for example, an industry federation, or a producer responsibility organisation without regard to its approval category.

If you have already made your declaration to a collective organisation, you should not declare your data again to the Reuse Observatory.

At the end of the declaration period, these organisations are obliged to compile and pass on the data they have collected to the Observatory.

Threshold for the declaration obligation

Producers are subject to the declaration obligation if they place **more than 10,000 units of packaged products per year** on the market. Producers that place less than 10,000 units of packaged products per year on the market may declare their packaging on a voluntary basis.

¹See Article R541-350 of the French Environmental Code (*Code de l'environnement*).



How to determine whether my company places more than 10,000 units of packed products per year on the market?

Each producer calculates the units of packaged products it placed on the market in the course of a year (for example, in 2023) with regard to the following criteria:

- Packaging placed on the market in metropolitan France and French overseas departments and territories;
- All packaging categories – (household packaging + ICP + food services + etc.);
- All packaging typologies and materials;
- Single-use, new reusable and reused packaging.

The following is excluded from this calculation:

- Packaging subject to prohibition of reuse is excluded (R. 541-350, III).

Example calculation:

Example of data for packaging placed on the market by a producer in 2023



3.2 When to declare data?

The declaration period is open from **15 February 2024** until **30 April 2024** with a secure online questionnaire.

3.3 What data to declare?

Declarants are asked to provide the following data via the secure online questionnaire:

- Declarant's identity
- Turnover
- Business sector
- Quantities of industrial and commercial packaging (ICP) and food services packaging (FSP) placed on the market in 2023, in packaging units:
 - Total quantity of ICP and FSP packaging placed on the market in 2023
 - Proportion of reused ICP and FSP packaging placed on the market in 2023

Declarant's identity

Here you should state whether you are declaring as a legal entity corresponding to a SIREN (French business identification number) or whether you have been appointed by an entity to make this declaration.

If you have been appointed to make the declaration on behalf of an entity, you have to be in a position to prove this in case of inspection. You will be asked to enter your company name and your SIRET (French business establishment identification number) in the questionnaire.

The following information concerning the declarant entity will then be demanded:

- Company name
- Country of residence and postcode (for a company headquartered in France)

- SIREN number (for a company headquartered in France) or European Union value added tax number or registration number with the tax authorities in the country in which the company is headquartered.

Turnover

In this section you should enter your **total annual turnover** corresponding to the declarant SIREN number. Enter your turnover for 2023 or, if the accounting year does not allow it, for 2022.

Specific questions relating to the definition of turnover are not dealt with in this guide. They are dealt with by the French Directorate General for Risk Prevention (*Direction Générale de la Prévention des Risques, DGPR*), attached to the French Ministry for an Ecological Transition and Territorial Cohesion (*Ministère de la transition écologique et de la cohésion des territoires*).

Business sector

You should first enter the declarant SIREN entity's NAF code (French classification of business activities). If your company is not headquartered in France, you will be asked a main business sector activity similar to [the French NAF code](#).

You should then indicate whether you principally market consumer products. A consumer product designates a product intended for the end consumer (a household). If this is the case, you should then select a main business sector from a drop-down list. In case of activity in more than one business sector, select the sector which represents the largest share of your turnover in euros (€).

The sectors provided are as follows:

- Fresh non-processed foodstuffs
- Fresh processed foodstuffs
- Drinks
- Sweet / savoury / other groceries
- Hygiene / beauty
- Cleaning products / chemical products
- Food services
- Textiles
- Electrical and electronic equipment
- Toys and paediatric articles
- Furniture
- Pharmaceutical products
- Tobacco
- DIY, garden, motor vehicles, general store, paper stationery
- E-commerce
- Other non-food

For further details on business sectors and sub-sectors, **you may consult Annex 1 of this guide**.

Number of professional packages

Producers declare their quantities of industrial and commercial packages (ICP) and food services packages (FSP) placed on the market in 2023 to the Reuse Observatory, in sales units or sales unit equivalents.

(1) Exclusions

➔ **You are a member of an approved producer responsibility organisation for packaging?**

Any packaging included within the remit of a currently approved producer responsibility organisation for packaging should not be declared to the Reuse Observatory via this questionnaire.

The currently approved producer responsibility organisations for packaging are as follows:

- The EPR sector for Household packaging (HP);
- The EPR sector for chemical products (CHEMP);
- The EPR sector for construction industry building products and materials (family 2c of article R543-289 of the French Environmental Code (*Code de l'Environnement*)).

Any packaging coming within the scope of these three EPR sectors should not be directly declared via the Observatory questionnaire. This data is to be passed on to your producer responsibility organisation.

(2) Calculation of the total quantity of ICP and FSP placed on the market

Each producer declares the total quantity of industrial and commercial packaging and food services packaging that it placed on the market in France in 2023. How to calculate it?

$$\text{Total quantity of ICPs and FSPs} = \text{Number of reused ICPs and FSPs} + \text{Number of new reusable ICPs and FSPs} + \text{Number of single use ICPs and FSPs}$$

Definition of reused packaging:

This means packaging subject to being used at least a second time according to three scenarios:

- Either the packaging is used for a second time for a use of the same nature as that for which it was designed and whose reuse is organised by or on behalf of the producer.
- Or by being filled at the point of sale as part of bulk sale.
- Or by being filled at home in the case of a recharge arrangement organised by the producer.

Definition of new reusable packaging:

Reusable packaging is packaging which has been conceived, designed and placed on the market to accomplish within its lifecycle multiple trips or rotations by being refilled or reused for the same purpose for which it was conceived.

New reusable packaging is reusable packaging that is placed on the market for the first time (moreover reused packaging is reusable packaging which has been placed on the market at least a second time).

Definition of single-use packaging:

Conversely, this means packaging which is not reusable packaging.

In order to obtain the numbers of **reused**, **new reusable** and **single-use** ICP and FSP packages, producers should apply the counting methodologies. Consult **Summary 7** of the ADEME study "Counting the Reuse of Packaging in France" [by clicking here](#).

(3) Calculation of the proportion of reused ICP and FSP packaging placed on the market

Each producer declares the proportion of reused industrial and commercial packaging and food services packaging that it placed on the market in France in 2023. How to calculate it?

$$\text{Proportion of reused ICPs and FSPs} = \frac{\text{Number of reused ICPs and FSPs}}{\text{Total quantity of ICPs and FSPs}}$$

The proportion of reused ICPs and FSPs is the number of reused ICPs and FSPs divided by the total quantity of ICPs and FSPs placed on the market.

4. How to complete the online declaration questionnaire


The declaration questionnaire can be accessed [HERE](#) from the Reuse Observatory's dedicated page.

4.1 Choice of language

Specify the language to complete the questionnaire: French / English

4.2 Home page and confidentiality

On this page you will find the principal information concerning the Declaration of reuse of industrial and commercial packaging and food services packaging to the Reuse Observatory.



Declaration of reuse of industrial and commercial packaging and food services packaging
2023 data

All producers placing at least 10,000 units of packaged products on the market per year **have to report their packaging data annually, as from 2024 (on their 2023 data).**

This guide is solely dedicated to declaration by producers of their professional packaging data in 2024 to the French National Reuse Observatory piloted by ADEME. Professional packaging are the industrial and commercial packaging and food services packaging.

This declaration does not apply to the packaging within the scope of:

- the Extended Producer Responsibility (EPR) for household packaging;
- the EPR for chemical products;
- the EPR for construction industry building products and materials.

Any packaging coming within the scope of these three EPR sectors should not be directly declared via the Reuse Observatory questionnaire. This data is to be passed on to your [producer responsibility organisation](#).

Are you part of a collective organisation?

In 2024, collective organisations may provide collection of their members' professional packaging data. A collective organisation may be, for example, an industry federation, or a producer responsibility organisation apart from its approval category.

If you have already made your declaration to a collective organisation, you should not declare your data again to the Reuse Observatory.

If you do not participate to a collective organisation, you have to declare your professional packaging to the Reuse Observatory by using this questionnaire.

You are about to declare to the ADEME's National Reuse Observatory your professional packagings placed on the market in 2023.

Before you answer:

- 1 - Make sure that you are declaring as a legal entity corresponding to a SIREN (French business identification number).** Indeed, only legal entity corresponding to a SIREN number (or their authorized representative) must declare. An establishment corresponding to a SIRET number can not declare.
- 2 - Please read the 2024 declaration support guide** available on <https://filieres-rep.ademe.fr/observatoire-du-reemploi-et-de-la-reutilisation/2024-declaration-reuse-professional-packaging>.


This guide contains every information that you need to complete your declaration in this questionnaire. **Please ensure that you are able to answer all the information requested before starting to fill in the following questionnaire.** Incomplete declarations cannot be saved for later validation.

What use will be made of my declared data?

The data declared by producers as a whole will be **compiled and processed by ADEME** in order to assess the national proportion of reused packaging placed on the market in France in the year of observation. **None of your data will be disclosed in an individualised manner.**

Click on "Next" to begin the questionnaire.

4.3 Information on the processing of personal data



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Declaration of reuse of industrial and commercial packaging and food services packaging
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Information on the processing of personal data

This questionnaire is provided by ADEME's National Reuse Observatory.

ADEME undertakes to use the personal information communicated in this questionnaire only for the processing necessary for its operation and to carry out occasional user surveys, enabling us to improve the relevance and quality of the information processed and disseminated.

[To find out more](#)

How to reach us
ADEME - French Ecological Transition Agency
Data protection delegate
20, avenue du Grésillé - 49100 ANGERS
Tél. 02 41 20 41 20

Please click here if you want [more information on the treatment of your personal data](#).

I accept the processing of my personal data in accordance with the information provided
You must accept to continue.

[← Previous](#) [Next →](#)


On this page, you will find information on the processing of your personal data (GDPR).

Tick the box “I accept the processing of my personal data in accordance with the information provided”.

Click “Next”.

4.4 Start your declaration

Choose one of the two answers according to your situation.



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Declaration of reuse of industrial and commercial packaging and food services packaging
2023 data

Start your declaration

Which situation applies to you? *
* The answer is compulsory.

I declare as a legal entity corresponding to a SIREN number I have been appointed by an entity to make the declaration on its behalf

[← Previous](#) [Next →](#)

a. *If you are declaring as a legal entity corresponding to a SIREN number*

Click "Next" and go directly to part [3.3 Information on the declarant](#).

b. *If you have been appointed by an entity to make the declaration on its behalf*

Enter the details of the company that is acting as representative if you are able to provide proof that you have been appointed to make the declaration. Enter your company name and SIRET number.

Information on the representative

In the event of an audit, are you able to provide proof that you have been appointed by a legal entity corresponding to a SIREN to make its declaration? *

Yes No

Authorized representative's company name: *

Authorized representative's SIRET: *

[← Previous](#) [Next →](#)

! Rule: The SIRET number cell lights up red?

Check that the number of figures entered is equal to 14 and that the cell only contains figures.

Click "Next" and go directly to part [3.3 Information on the declarant](#).

! If you do not have proof of your appointment as representative, you will not be able to complete the online questionnaire:

A declaration by a representative requires that, in case of verification, the representative can provide proof that he is mandated by a legal entity (corresponding to a SIREN) to make his declaration on his behalf.

Contact the entity for which you are declaring and get the proof of your appointment before replying to the questionnaire.

Please contact the entity that appointed you to make its declaration in order for it to provide you with documentary proof of your appointment.

4.5 Information on the declarant

Declare the information relating to your entity (legal entity corresponding to a SIREN number). If you have been appointed by an entity to make the declaration on its behalf, complete this and the following pages with the information concerning the entity that has appointed you.

Enter your declarant entity's company name and the country in which it is headquartered.

a. *The country in which the company is headquartered is France (metropolitan and overseas departments and territories)*

If the country in which it is headquartered is France (metropolitan France and French overseas departments and territories), enter the information concerning your declarant entity:

- Its postcode;
- Its SIREN number;
- Its annual turnover;
- Its NAF code (5 figures).

Then tick the box corresponding to your situation in response to the question “Do you principally market consumer products?” A consumer product designates a product intended for the end consumer (a household). If the answer is no, click “Next”.

If the answer is “Yes”, you should then select a main business sector from a drop-down list. In case of activity in more than one business sector, select the sector which represents the largest share of your turnover in euros (€). Click “Next”.

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Declaration of reuse of industrial and commercial packaging and food services packaging
2023 data

Information on the declarant entity
As a reminder, declaration is made by a legal entity corresponding to a SIREN number.

Declarant entity's company name: *

Declarant entity's country of residence: *

France (metropolitan France and French overseas departments and territories) Another country

Declarant entity's postcode: *

Declarant entity's SIREN number : *

Declarant entity's annual turnover declared in 2023: * €

Declarant entity's NAF code: *

Do you principally market consumer products? *

Yes No

Main business sector of this products? *

! Rule: The NAF code cell lights up red?

Check that the number of figures entered is equal to 5 characters.

! Rule: The SIREN number cell lights up red?

Check that the number of figures entered is equal to 9 characters.

b. The country in which the company is headquartered is not France


If the country in which it is headquartered is not France (metropolitan France and French overseas departments and territories), select your entity's country from the drop-down list. Find the country more easily by writing its first letters in the selection. Countries are listed in alphabetical order.

Then enter the following information concerning your declarant entity:

- Its annual turnover;
- (Depending on the country) Its European Union value added tax number or its registration number with the tax authorities in the country in which it is headquartered.

Then tick the box corresponding to your situation in response to the question "Do you principally market consumer products?" A consumer product designates a product intended for the end consumer (a household). If the answer is no, click "Next".

If the answer is "Yes", you should then select a main business sector from a drop-down list. In case of activity in more than one business sector, select the sector which represents the largest share of your turnover in euros (€). Click "Next".



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Information on the declarant entity

As a reminder, declaration is made by a legal entity corresponding to a SIREN number.

Declarant entity's company name: *

Declarant entity's country of residence: *

France (metropolitan France and French overseas departments and territories) Another country

Specify your country: *

Declarant entity's annual turnover declared in 2023: * €

Declarant entity's European Union value added tax number: *

What is your main business sector? *

Do you principally market consumer products? *

Yes No

Main business sector of this products? *

4.6 Quantities of professional packaging placed on the market in 2023 (in units of packaging)


Depending on the details of your data, you may complete the questionnaire in a detailed or simplified manner by selecting the box of your choice.

a. In the case of detailed data:

You will have 3 boxes to complete with the following information in units of packaging:

- The quantity of **reused professional packaging** placed on the market in 2023
- The quantity of **new reusable professional packaging** placed on the market in 2023
- The quantity of **single-use professional packaging** placed on the market in 2023

It should be recalled that the definitions of these categories of packaging and the associated counting methodologies are set out in the Annexe to this guide and in still greater detail in the ADEME study “Counting the reuse of packaging in France”.



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2023 data

Quantities of professional packaging placed on the market in 2023 (in units of packaging)

Professional packaging are the industrial and commercial packaging and food services packaging. For more information on determining your number of professional packaging, please refer to the declaration support guide available at <https://filieres-rep.ademe.fr/observatoire-du-reemploi-et-de-la-reutilisation/2024-declaration-reuse-professional-packaging>

You are able to enter the quantities of professional packaging placed on the market in 2023: *

in a detailed manner by indicating quantity of reused packaging, quantity of new reusable packaging and quantity of single-use packaging

in a simplified manner by indicating the total quantity of packaging and the proportion of reused packaging

Quantity of reused professional packaging placed on the market in 2023: * packaging

Quantity of new reusable professional packaging placed on the market in 2023: * packaging

Quantity of single-use professional packaging placed on the market in 2023: * packaging

Select the level of qualification of your declared data: *

You have exhaustive monitoring of your data and the declared data is sound.

Part of the declared data, but a non-significant proportion, is estimated.

There are significant uncertainties in the reported data.

b. In the case of simplified data:

You will have 2 boxes to complete with the following information:

- The **total** quantity of **professional** packaging placed on the market in 2023,
- The **proportion** of **reused professional** packaging placed on the market in 2023 (in %).

It should be recalled that the methodology for calculation of the proportion of reused packaging is set out in the “What data to declare?” chapter of this guide.

Please note that if you have chosen to declare detailed data for your packaging, the tool automatically calculates the proportion of reused professional packaging on the basis of the declared data, according to the formula described in the “[What data to declare?](#)” chapter of this guide.

c. Qualification of your data

Select the level of qualification of your declared data from the three options:

- Level 1: You have exhaustive monitoring of your data and the declared data is sound.
- Level 2: Part of the declared data, but a non-significant proportion, is estimated.
- Level 3: There are significant uncertainties in the reported data.

If you select level 3, a “Comments” field is available, in which you may set out any information you consider useful with regard to the uncertainties in your declared data.

Click “Next”.

4.7 Your personal information

Finally, you are asked to enter:

- Your surname
- Your first name
- Your e-mail address (compulsory)
- Your telephone number

It is compulsory to enter your e-mail address in order to be sent a **declaration certificate**.

If you have consented to the use of your personal data and wish to withdraw your consent, send all of the necessary information (your contact details, etc.) by e-mail to ADEME, specifying that your question concerns the declaration of reuse of packaging questionnaire: rgpd@ademe.fr.

For further information, consult the ADEME [Personal data protection policy](#).

The screenshot shows the ADEME declaration form. At the top, there are logos for the République Française, ADEME (Agence de la Transition Écologique), and the Observatoire national (Réemploi, Réutilisation). The title of the form is 'Declaration of reuse of industrial and commercial packaging and food services packaging 2023 data'. Below the logos, the section is titled 'Information on the declarant'. It contains four input fields: 'Surname: Enter your text here', 'First name: Enter your text here', 'E-mail address: *' (with a note: 'It is compulsory to enter your e-mail address in order to be sent a declaration certificate.'), and 'Phone number:'. At the bottom, there is a 'Register' button and a 'Save' button. A message states: 'To finish, please click on Register. By clicking on Register, you confirm that your declaration is correct and it will be automatically forwarded to the Reuse Observatory. A declaration certificate will be sent to your e-mail adresse and you will have the possibility to access again to your declaration if you wish to correct any data.'

Click "Next".

4.8 Before saving

You are about to save your declaration. A summary of the declared data will be available after having clicked "**Save**" and an e-mail will be sent to you with your declaration certificate.

Click "**Save**" to validate and send your declaration.

4.9 Conclusion of the Declaration

Your declaration has been saved and will be sent to the Reuse Observatory. On this page you will find a summary of the information you have declared. A **declaration certificate** has been sent to you at the e-mail address entered earlier in the declaration. It is automatically generated by @sphinxonline.net. **Please check your spam folder** if you have not received it at the e-mail address previously entered in the declaration.

This e-mail redirects you to a web page where you can access the summary of your declaration and **download the PDF of your declaration certificate** issued by the Reuse Observatory.

If you notice an error in your declaration and wish to make a change, you will have the opportunity to make a correction to your declaration. Don't forget to click on "**Save**" at the end of the questionnaire to validate your information. If you fail to do so, the changes will not be taken into account and your declaration will remain unchanged.

5. Contact

For any further information or questions concerning the Declaration questionnaire, you may contact our declaration support unit:

E-mail address: assistance-declaration-reemploi@ademe.fr

Acronyms and definitions

Abbreviations	Meaning
ICP	Industrial and commercial packaging
FSP	Food services packaging
SUP	Single-use packaging
ORR	Reuse Observatory

Placing of an ICP/FSP on the market: The placing of industrial and commercial packaging (ICP) or food services packaging (FSP) on the market corresponds to the **transport** of one or more packaged products and an **act of purchase / transfer** (whether in return for payment or free of charge) of the packaged product or products **between two entities with different SIRET numbers**.

Reused packaging: this means packaging subject to being used at least a second time according to three scenarios:

- Either the packaging is used for a second time for a use of the same nature as that for which it was designed and whose reuse is organised by or on behalf of the producer.
- Or by being filled at the point of sale as part of bulk sale.
- Or by being filled at home in the case of a recharge arrangement organised by the producer.

Reusable packaging: Reusable packaging is "Packaging which has been conceived, designed and placed on the market to accomplish within its lifecycle multiple trips or rotations by being refilled or reused for the same purpose for which it was conceived" (Article R543-43 of the French Environmental Code).

New reusable packaging: Reusable packaging placed on the market for the first time.

Single-use packaging: which is not designed to be reusable.

Producer: Any person who, in a professional capacity, packs or has their products packed for the purpose of placing them on the market, any importer whose products are marketed in packaging or, if the producer or importer cannot be identified, the person responsible for the first placing on the market of these products" (Article R541-350 of the French Environmental Code).

Annexes

Annexe 1: List of sectors and subsectors

List of associated sectors and subsectors:

Fresh non-processed foodstuffs:

- Fruit and vegetables
- Eggs
- Cooked pork meats (charcuterie)
- Fish
- Meats

Fresh processed foodstuffs:

- Bread – Pastry
- Fresh dairy products
- Non-fresh dairy products
- Fresh catering (apart from commercial catering)
- Ready-to-use raw fruit and vegetables (classified as the “4e gamme” in France)
- Frozen food

Drinks:

- Beers and ciders
- Soft drinks
- Still and carbonated water
- Fruit juice
- Wines
- Milk
- Spirits

Groceries:

- Cereals, biscuits etc.
- Rice, pasta, pulses
- Coffee, tea, chocolate
- Compotes, jams
- Confectionery
- Preserved foodstuffs
- Aperitifs, snacks
- Oils, vinegars, condiments
- Soups, potages
- Pet foods
- Sugar, flour etc.
- Specialised nutrition products: evaporated milk, powdered and baby milk, dietetic food and products, clinical nutrition products

Hygiene, beauty:

- Hygiene, beauty products: hygiene and hair care, skincare, make-up, perfumes

Cleaning products / chemical products:

- Hygiene and cleaning products
- Chemical products for DIY, gardening, motor vehicles

Food services:

- Mass catering
- Themed commercial catering
- Fast food

Other non-food

Textiles

Electrical and electronic equipment

Toys and paediatric articles

Furniture

Pharmaceutical products

Tobacco

DIY, garden, motor vehicles, general store, paper stationery

E-commerce:

- If your core business is e-commerce and you for the most part use shipping packaging containing products pertaining to different sectors, select this sector.

Annexe 2: Details on the scope of packaging to be declared

(1) What is packaging?

Packaging is defined in article R543-43 of the French Environmental Code as “*all products made of any materials of any nature to be used for the containment, protection, handling, delivery and presentation of goods, from the producer to the user or the consumer. All ‘disposable’ items used for the same purposes should be considered as packaging.*”

“Packaging consists solely of:

- **Sales packaging or primary packaging**, i.e. packaging conceived so as to constitute a sales unit to the final user or consumer at the point of purchase;
- **Grouped packaging or secondary packaging**, i.e. packaging conceived so as to constitute at the point of purchase a grouping of a certain number of sales units whether the latter is sold as such to the final user or consumer or whether it serves only as a means to replenish the shelves at the point of sale; it can be removed from the product without affecting its characteristics;
- **Transport packaging or tertiary packaging**, i.e. packaging conceived so as to facilitate handling and transport of a number of sales units or grouped packagings in order to prevent physical handling and transport damage. Transport packaging does not include road, rail, ship and air containers.”

Industrial and commercial packaging (ICP) is primary / secondary / tertiary packaging for products not intended for household consumption. By way of example: pallets, drums, containers, crates, trays, canisters, casks, bottles, pots (see further examples in this mapping of product / packaging type and material couples published in 2021 by ADEME : <https://librairie.ademe.fr/dechets-economie-circulaire/5272-cartographie-des-couples-produit-type-et-matieres-emballages.html>)

Food services packaging is primary packaging for food products used or consumed by professionals in the food services business. By way of example: pots of cream, canisters of oil, tubs of mayonnaise, packages of meat etc. A decree establishing EPR for food services packaging sets out the components thereof (see decree (décret) no. 2023-162 of 7 March 2023 establishing the EPR sector and the order (arrêté) of 20 July 2023 introducing the scope of the EPR).

(2) What does the “placing on the market” of ICP or food services packaging mean?

The placing of industrial and commercial packaging (ICP) or food services packaging (FSP) on the market corresponds to the **transport** of one or more packaged products and an **act of purchase / transfer** (whether in return for payment or free of charge) of the packaged product or products **between two entities with different SIRET numbers**.

Containers dedicated to processes and handling within a site are not packaging placed on the market to be monitored by the producer.

This declaration concerns ICP and FSP placed on the market in 2023. It has to be monitored and declared from 2024 by each producer concerned.

To access to further information, please consult **Summary 1** of the study “Counting the Reuse of Packaging in France” [by clicking here](#).

(3) What is the sales unit (or sales unit equivalent) to be used?

The reuse objectives set out in the Environmental Code are expressed in sales units or sales unit equivalents. Each producer has to monitor their quantities of packaging in compliance with this unit of measure, which is different according the type of packaging placed on the market.

Primary ICP and FSP

Primary industrial and commercial and food services packaging is counted **per sales unit**.

Sales unit: product corresponding to a volume of product contained in a reference list, which is the subject of a transaction between two actors)

For products referenced listed by unit, the packaging (which may comprise several components) connected with each product unit is counted as one package.

For products reference listed by quantity (weight, volume, dimensions), each corresponding package (which may comprise several components) is counted as one package.



1 bottle sold in food services (CHR) with a stopper
= 1 package counted



1 gastronorm container with cover
= 1 package counted



1 IBC with stopper
= 1 package counted



1 drum with cover
= 1 package counted

Examples of counting from the ADEME study “Counting the reuse of packaging in France”

Do you sell products for bulk sale?

You may justify an equivalence of 0.5 L or kilogrammes for reusable packages of products that you sell, which are destined for bulk sale.

This equivalence does not have any systematic character whatsoever; it is a possibility provided to the producer who shall justify it under their own responsibility. Please consult **Summary 3 “Use of an equivalence”** for further details on your eligibility and on how to use this equivalence.

Secondary and tertiary ICP and FSP

Secondary and tertiary industrial and commercial and food services packaging is counted **per package**.

1 package counted = a packaging component with any associated ancillary component(s).

A packaging component is considered as being an ancillary component in the following cases:

- The packaging component is a sealing component (lid, etc.)
- It is an element that is mechanically connected (screwed, glued, welded, etc.) to the packaging (label, tape, staple, etc.)



1 pallet with a label
= 1 package counted



1 rolling cart
= 1 package counted



1 pallet crate with cover and straps
= 1 package counted



1 box with tape and label
= 1 package counted

Examples of counting from the ADEME study “Counting the reuse of packaging in France”

Certain specific cases conform to specific counting rules. This is the case in particular for the following:

- Individually packaged sales units, grouped in secondary or tertiary packaging,
- Case of fillers not specific to a product unit,
- Case of dividers,
- Case of pallet film

What to do when my sales unit or packaging unit contains both reused and single-use packaging components?

Secondary and tertiary ICP and FSP is considered as being reused packaging if:

- The total weight of the single-use packaging components is **less than 20% of the total weight*** of the packaging concerned

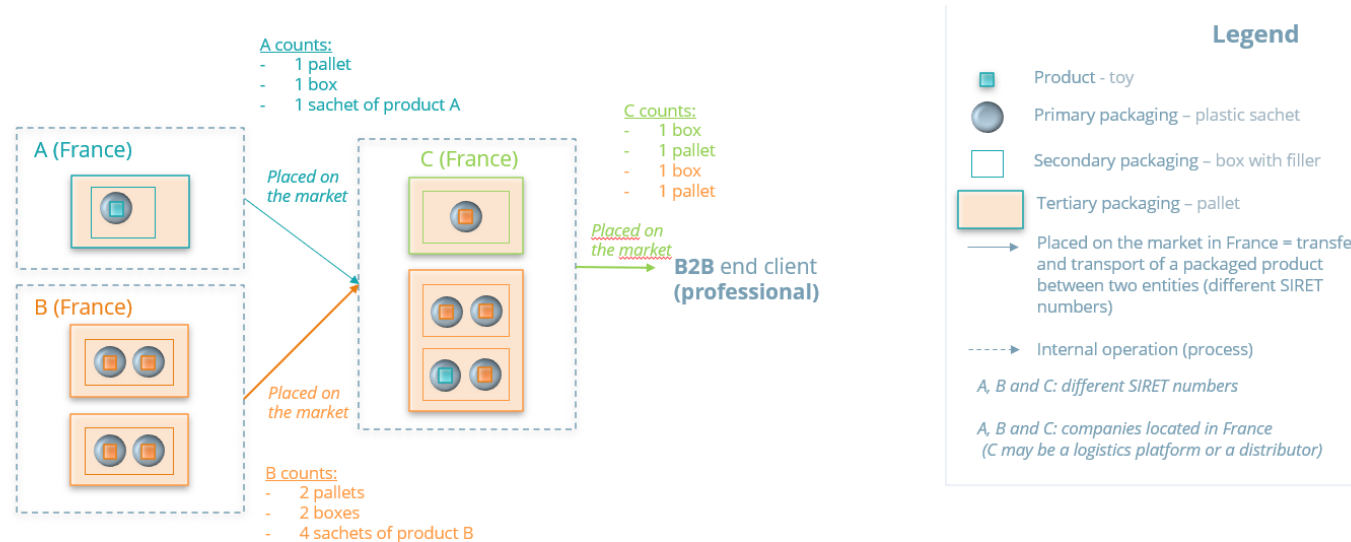
Primary ICP and FSP constituting a sales unit is considered as being reused if the following two conditions are met:

- The single-use packaging component(s) is (are) used for at least one of the following functions:
 - Seal of primary packaging (lid, cap, stopper, cover, sprayer, etc.)
 - Labelling
 - Reinforcement of the protection of the product (barrier properties, integrity of product, dangerous product, sanitary protection, filler, absorbent sheet, food divider, etc.)
- The total weight of the single-use packaging components is:
 - **In the case of FSP: less than 20 % of the total weight*** of the package concerned
 - **In the case of ICP: less than 40 % of the total weight*** of the package concerned

If a condition is not met, the sales unit or package is considered as being single-use.

* Total weight of the package = weight of single-use components + weight of reused components

Annexe 3: Insight into the case of distributors and logistics platforms



In this example, company C:

- Uses a box to pack a product B → **company C counts the box because packing has taken place**
- Uses a box transferred to it by B, but does not repack this box (the box retains both products B) → **company C does not count any box packaging because no packing has taken place**
- Uses a box transferred to it by B, and repacks this box with a product A and a product B → **company C counts a box because packing has taken place**
- Packs two pallets (one transferred by B and one which it owns) with the boxes of products → **company C counts 2 pallets because packing has taken place***

*It should be noted that packaging transferred by B to C, which C uses once again for packing products, can therefore be counted by C as reused packaging.

Annexe 4: Special cases for the counting of ICPs

→ Packaged sales units grouped in secondary or tertiary packaging

In the case where one or several sales units are each packaged in primary ICP, or in fillers specific to each sales unit (replacing a primary ICP package), the following are then grouped in the same secondary or tertiary ICP:

Primary ICPs or specific fillers are counted per sales unit (cf. the unit of measure of primary ICP packaging),

- Secondary and tertiary packaging are counted per package.

Examples:




<p>1 grid containing 21 sales units packaged in plastic bags and boxes, with the different layers separated by dividers</p>	<p>1 grid > 1 package counted 2 dividers (see the special case of dividers) > 2 packages counted 21 sales units (21 boxes and 21 plastic sachets specific to each product unit) > 21 packages counted = 24 packages counted</p>
<p>12 glasses individually packaged in protective foam The whole packed in a box</p>	<p>1 group box > 1 package counted 12 sales units (21 fillers specific to each product unit) > 12 packages counted = 13 packages counted</p>

Examples of counting from the ADEME study "Counting the reuse of packaging in France"

→ Case of fillers not specific to a product unit,

If the filler is not specific to a product unit, it is to be counted with the secondary/tertiary packaging.

Examples:

<p>One product unit</p>		<p>1 group box with a set fillers not specific to a product unit > 1 package counted = 1 package counted</p>
<p>Several product units</p>		<p>1 group box with a set of fillers not specific to a product unit > 1 package counted = 1 package counted</p>
<p></p>		<p>1 group box with a set of fillers not specific to a product unit > 1 package counted 4 product units (4 glass bottles) > 4 packages counted = 5 packages counted</p>

Examples of counting from the ADEME study "Counting the reuse of packaging in France"

→ **Case of dividers,**

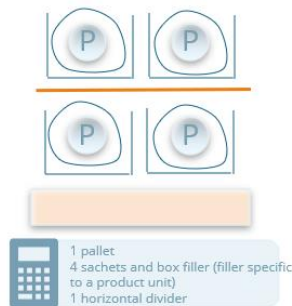
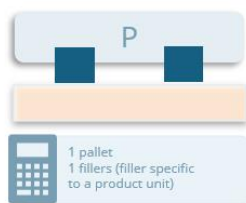
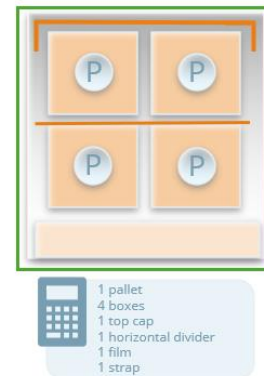
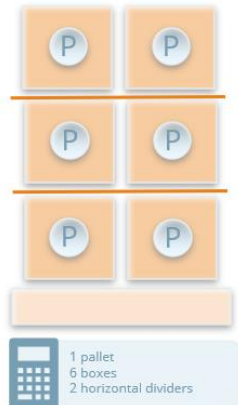
Dividers used in making up a palletised load are counted per unit. Any other element used (crosspieces, etc.) and dividers used outside the making up of a pallet load are to be counted according to the rule for fillers. **Case of pallet film**

Pallet film is to be counted **per filmed pallet = 1 package counted**

Examples of counting of special cases of palletisation:



1 pallet
1 film
12 boxes
= 14 packages counted



Legend



Examples of counting from the FAQ "Counting the reuse of packaging in France"

DECLARATION OF REUSE OF INDUSTRIAL AND COMMERCIAL PACKAGING AND FOOD SERVICES PACKAGING

Reuse targets for packaging in France have been set through the French Anti-Waste Act for a Circular Economy (*loi Anti-Gaspillage pour une Economie Circulaire*, referred to as the AGE C Act).

France thus adopts a national trajectory aimed at increasing the proportion of reused packaging placed on the market relative to single-use packaging.

All producers placing at least 10,000 units of packaged products on the market per year have to report their packaging data annually, as from 2024 (on their 2023 marketing data).

The Reuse Observatory (*Observatoire du réemploi et de la reutilisation*) managed by ADEME is putting a transitional solution in place in 2024 in order to collect producers' professional packaging data pending the setting up of the ICP and FSP EPR sectors.

This guide is solely dedicated to producers' declaration of their professional packaging data to the Reuse Observatory in 2024.



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