

# Frequently Asked Questions (FAQ)

## Prevention and eco-design plan

### 1. Am I affected by the prevention and eco-design plan?

According to [Article 72 of the AGEC law \(Anti-Waste Law for a Circular Economy\) of 10 February 2020](#), any producer concerned by a EPR (Extended Producer Responsibility) sector mentioned in Article [L.541-10-1 of the Environmental Code](#) is concerned; Producer means natural or legal persons acting in a professional capacity as:

- Maker
- Importer on the national territory
- Seller under his name or own brand (private label)
- Online product seller

Thus, this provision concerns all marketers of EPR sectors, in particular those of Ecomaison. As the law and its various implementing texts have not included a timetable for the implementation of the provision, the latter already applies.

However, to take into account the gradual and phased implementation of the different EPR streams, the administration wished to specify the expected milestones. Thus:

- For the REP furniture/bedding as well as textile decoration, games and toys, DIY and garden articles, the prevention and eco-design plans must be sent to Ecomaison by **15 September 2023**.
- For the building products and materials sector, Ecomaison is still waiting for more information from the administration on the desired schedule.

### 2. I am subject to several EPR channels, do I have to establish several prevention and eco-design plans?

No, the AGEC law stipulates that it is up to the producer mentioned in [Article L.541-10-1 of the Environmental Code](#), as a single entity, to carry out its prevention and

#### Eco-furniture

eco-design plan. For a producer placing on the market products concerned by different EPRs, the latter has the freedom to decide to carry out a prevention and eco-design plan for each of the EPRs concerned. In this case, it will transmit each plan to each eco-organization concerned.

The producer can also choose to produce a single document, in connection with a global strategy for his entire eco-design approach. In this case, he must send a copy of his unique plan to each of the eco-organizations concerned.

As such, Ecomaison in association with ecosystem, Refashion and Citeo have proposed a framework for prevention and eco-design plans that are common to the 4 eco-organizations in order to simplify the process for the producer concerned. This frame is available on Ecomaison website [Espace-Services](#).

### 3. Do I have to write an individual prevention and eco-design plan?

No, the producer is not obliged to draw up an **individual prevention and eco-design plan**. On the other hand, it must subscribe to the obligation of regulatory compliance by claiming the implementation of a common plan. Indeed, [Article 72 of the AGEC law](#) offers only two alternatives: the prevention plan "may be individual or common to several producers". Ecomaison will propose, as of the end of September 2023, a **common prevention and eco-design plan for each of the REP furniture, games and toys, DIY and garden articles sectors**. For the building products and materials sector, Ecomaison is still waiting for clarification from the administration. Each producer who so wishes will be able to avail himself of this common plan, in return for a commitment on his part to the effective implementation of the objectives and monitoring indicators of the common plan. These joint plans will be available from 1 October 2023 on Ecomaison website [Espace-Services](#).

### 4. I am a distributor, marketplace or importer, how should I draft my voluntary eco-design commitments?

Distributors who are not directly involved in product design make a selection of the products they place on the market. This selection is made in a classic way on issues, quality, aesthetics, price and availability for example.

This selection can also be made on environmental criteria that can be included in a prevention and eco-design plan. This is called **eco-selection of products placed on the market by the distributor**.

Nevertheless, we recommend that you carefully fill in the green boxes of the frame relating to the objectives listed in [Article 72 of the AGEC law](#), namely: the reduction

of the use of non-renewable resources, and the increase in the use of recycled materials as well as the recyclability of products.

### 5. What is the deadline for submitting my individual prevention plan?

Your individual prevention plan must be submitted on our website **before 15/09/2023**; so that Ecomaison can take it into account in the summary that the eco-organism must write before the end of 2023.

### 6. How do I submit my individual prevention plan?

Your **prevention and eco-design plan is to be deposited on our website** in the service called "Write your prevention and eco-design plan".

To facilitate the synthesis work, upon receipt of all prevention and eco-design plans, **we ask you to send us the file in Excel format**. You must indicate in your prevention and ecodesign plan your identifier or identifiers in the event that your eco design plan concerns several entities or companies; You can identify them by creating a new Excel sheet on the raster.

### 7. How long do the objectives listed in the prevention plan cover ?

If the Anti-Waste Law for a Circular Economy stipulates that this plan must be revised every 5 years maximum, **each company is however free to establish the deadlines of its choice for each of the actions contained in its prevention and eco-design plan**.

### 8. What will my individual prevention plan be used for?

Individually, the objectives of the prevention and eco-design plan is to enable the producer to implement his eco-design strategy and to follow the objectives he has set himself in this area; to meet both his commitments to his stakeholders and the regulatory requirements set by environmental policies.

Every three years each eco organisms must write a summary of all the plans it has received. This summary will be transmitted to the public authorities and published.

For Ecomaison, the synthesis that is produced on the basis of all the individual plans received allows us to measure:

- The evolution of the volumes of eco-designed products marketed over time.
- To better understand the volumes, materials, and physico-chemicals characteristics of the latter when these products become waste and will have

to be recycled and recovered. It also makes it possible to anticipate the evolution of industrial recycling and recovery capacities and to control the evolution of the full cost of the sector.

Finally, for the administration, the synthesis of the plans provided by the Eco-organisms allows it to measure the evolution of the national and international objectives it has set itself in terms of waste prevention and circular economy.

## 9. What sanctions do I face?

[Article 72 of the AGEC Act](#) does not mention sanctions for non-transmission of the plan.

Nevertheless, [Article L541-9-5](#) stipulates that in the event of a finding of non-compliance, marketers incur an administrative penalty "the amount of which takes into account the seriousness of the breaches found and the benefits derived from them.

*This amount may not exceed, per unit or per ton of product concerned, €1,500 for a natural person and €7,500 for a legal person. The decision shall state the time limit and the detailed rules for payment of the fine. The French Minister responsible for the environment may also, under the same conditions, order the payment of a daily penalty payment of no more than €20,000 from a date fixed by the decision until the prescribed measures have been met. »*

## 10. What support does Ecomaison provide to complete the individual plan?

Ecomaison propose a common framework for four French eco-organisms:

- **Ecomaison** for the management of objects and materials of the house: furniture, bedding, games and toys and DIY and garden items.
- **CITEO** for the management of household packaging and graphic papers.
- **Ecosystem**, for the management of waste electrical and electronic equipment.
- **Refashion** for the textile sector of clothing, household linen and shoes.

Ecomaison is also working on the drafting of joint prevention and eco-design plans for each of the sectors for which it holds an accreditation. Thus, the regulatory compliance of its members will be ensured according to the conditions specified in Article 3 of this FAQ.

For any other question please go to [this contact form](#).