

Building Products and Materials

Member's Guide

UPDATED OCTOBER 2024

In partnership with:



for inert materials



Welcome to Ecomaison!

Created in 2011 under the name Eco-mobilier, Ecomaison is a producer responsibility organisation, a private not-for-profit company approved by the State to organise the collection, sorting, reuse and recycling of furniture and bedding, building products and materials, DIY and garden items, toys and outdoor games. For over 12 years, Ecomaison has been helping 10,000 companies to comply with regulations.

The Building EPR obligation applies from 1 May 2023.

To cover both categories of materials, inert and non-inert, Ecomaison has signed a partnership agreement with Ecominéro.

Ecomaison is a co-founder of the coordinating body called OCA Bâtiment (OCAB), which harmonises the rules between the four producer responsibility organisations approved for EPR.



Good to know

The OCAB has produced a guide to the interpretation of EPR regulations, entitled "OCAB common rules for Construction and Building Products and Materials identification", which is available here: https://oca-batiment.org/ressources/

Join us

For more information, visit our website at <u>ecomaison.com</u> or contact us at 0801 908 108 (calls are free).





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The scope of the Building EPR

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1.1 Building products and materials concerned

Article R. 543-289 of the French Environmental Code:

"Products and materials, including wall, floor and ceiling coverings, designed to be incorporated, installed or assembled permanently in a building or used for interior design linked to its use, located within the site parameter, including for vehicle parking, excluding products and materials only used for the duration of the worksite."

To find out more, consult the Notice to Producers on legifrance.gouv.fr

PRODUCTS INCLUDED IN THE BUILDING EPR

Building materials are classified in two types:

Category 1: **MINERAL MATERIALS** Concrete and mortar, or • materials used in their preparation • Lime Limestone, granite, sandstone • and lava stone Raw earth or terracotta .

- . Slate
- . Bituminous mixtures or materials used in their preparation (excluding membranes)
- Aggregate

Category 2: NON-MINERAL MATERIALS

- Metal
- Wood
- Mortars, coatings, paints, varnishes, resins*
- Joinery items containing glass, glass walls or related construction products
- Plaster
- Plastics
- Bitumen membranes •
- Glass wool
- Rock wool •
- Plant or animal-based . materials or other materials

* Only products not covered by the Specific Diffuse Waste EPR (mainly large containers)

Complete list on our complete price catalog

BUILDING PRODUCTS AND MATERIALS ARE DIVIDED INTO 15 SECTIONS CORRESPONDING TO THE NOMENCLATURE USED BY DISTRIBUTORS AND WHOLESALERS

<u>1.</u> <u>Primary</u> construction materials



<u>3. Structural works.</u> masonry, framework

4. Covering, sealing







6. Insulation



7. Partitioning. Ceilings



8. Door and drawer fronts



9. Floor. wall. atceiling coverings





11.Paint. maintenance products.glues and treatments*



12.Bathroom. kitchen sanitary equipment and WC (excluding furniture)



13. Electricity





14. Heating



15. Gardening products





* Only products not covered by the Specific Diffuse Waste EPR (mainly large containers)

PRODUCTS EXCLUDED FROM THE BUILDING SECTOR

In particular, by:

• Excavated soil, including soil used for landscaping and some for green roof terraces: waste corresponding to the codes listed in section 1 of Appendix I, according to the single list of waste referred to in Article R. 541-7 of the French Environmental Code;

• Products and equipment used temporarily to set up construction sites;

• Within a fixed industrial installation: the structures and equipment that are inseparable from the process and contribute to its operation and maintenance;

• Products intended exclusively for public works (as some products are dual-use, a specific rule applies for these products: see page 10).

PRODUCTS INCLUDED IN ANOTHER EPR CHANNEL

Some products may be covered by other existing EPR channels for which Ecomaison is also accredited:

• **DIY and garden items:** tools, sheds and non-masonry garden sheds <5m², wheelbarrows, composters, ladders, etc;

- Outdoor toys and games: climbing frames, paddling pools, etc. ;
- **Furniture:** bathroom furniture, kitchen furniture, garden furniture, worktops, vanity tops, workbenches and removable carpets;
- Furnishing and decorative textiles: interior blinds, event carpets, etc.

Some of your products may also be covered by other EPRs run by other producer responsibility organisations, such as CITEO or Léko for packaging and graphic paper (including graphic wallpaper), EcoDDS for consumer chemical products such as paints, glues, etc., Ecologic for waste electrical and electronic equipment (WEEE), machines and motorised thermal appliances, Ecosystem for WEEE, lamps and small fire extinguishers.



Good to know

Industrial and commercial packaging will be subject to an EPR recycling channel from 1st January 2025. It therefore does not fall within the scope of the Building EPR. Ecomaison will provide you with all the information you need to comply during the 4th quarter of 2024.



The following entities are considered traders:

- A **Manufacturer** who sells products and materials within the scope on the French market, under its own brand or name, or without a brand name.
- A **Distributor** who sells products and materials within the scope under its own brand.
- An **Importer** who buys products and materials from abroad* and introduces them onto the French market.
- A **Marketplace** for non-compliant third-party sellers (without a unique ID).
- A **Craftsperson** or company that manufactures a product within the scope that is intended to be integrated into a building structure or its plot.

* Please note that if the foreign supplier of the imported products has joined a producer responsibility organisation, the importer remains responsible for the marketing of its imports from this supplier, and for choosing to be the trader of these products.

Special case of complex products

Manufacturers of complex products such as joinery, metal frameworks, etc. are considered traders, with the exception of timber-framed walls and traditional frameworks.

Therefore, these companies:

- must join Ecomaison,
- purchase the components used in the manufacture of these products free of ecofees (to find out more, consult the leaflet available on the OCAB website),
- must declare their sales to Ecomaison.



Good to know

A company that buys components used in the manufacture of a complex product can benefit from an eco-fee allowance on its supplies. To do this, it completes and submits to its supplier an exemption certificate for the products/materials concerned. A model of this certificate can be downloaded from the <u>OCAB website</u> (https://oca-batiment.org/ resources/).

<u>1.3</u> Special rules for

dual-use materials for the Building and Civil Engineering sectors

This paragraph sets out the cut-off rules and arbitrations made by the OCAB in the case of products at the border between the Building EPR and another EPR, or with a dual Building / Non-Building use (eg: Civil Engineering).

A dual-use product has been allocated by convention:

- Either in the Construction and Building Products and Materials EPR
- Or outside of the Construction and Building Products and Materials EPR
- Or for dual use in Building/Civil Engineering, with the possibility of exemption on the basis of a certificate to be downloaded from the OCAB website.

If the product is classified as "Construction and Building Products and Materials": the eco-fee is applied systematically by the producer, whatever the end use of the product. All purchasers of this product must pay the eco-fee.

If the product is classified as "Not Construction and Building Products and Materials": the eco-fee is never applied to the product, whatever its end use.

The list of products concerned can be found in the dedicated documentation available on the OCAB website (Note of 18 September 2023 on dual-use products). Building / Civil Engineering).

1.4 Special rules for dual-use products

Building / Furniture

Wood-based panels

1. The following raw panels without decoration or edging:

Types of panels

P5, P6, P7, OSB, CP, MDF LA and MDF HLS

are considered to be part of the Building EPR and as such are systematically subject to the Building EPR eco-fee.

The trader of these panels without decoration or edging is:

- Either the French manufacturer,
- Or the importer.

Special case: in the case of a sale between industrial companies, both of which hold a unique identification number (IDU) for the Building EPR, the trader designated above may sell the panels free of eco-fees, since its customer becomes the trader of a finished product, after having transformed the panel.

2. The following coated panels:

Types of panels

P1, P2, P3, P4 or coated MDF (surfaced, melamine, laminate)

are considered to be part of the Furniture EPR.

The trader of these coated panels is:

- Either the distributor (DIY superstores and retailers), particularly when the customer is not a professional,
- Or the fitter, in the case of a complete fit-out, when it has a Unique ID for the Furniture EPR.

Note: if the panel is sold without cutting to a professional, the trader is not the distributor, but always the professional.

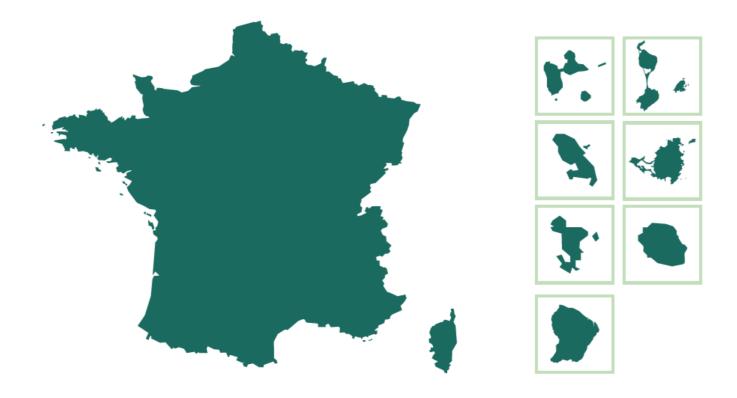
3. Double contributions

 If a company with a Unique ID for one of the EPRs finds itself in a double contribution situation for the same EPR or two different EPRs, it is eligible for reimbursement of the first eco-fee paid. To do this, it sends its request for reimbursement of this 1st ecofee to the EPR coordinating organisation concerned (OCAB for raw panels, OCABJ for coated panels).

1.4 geographical scope of the EPR

The Building Products EPR channel applies to the whole of France and the following French overseas departments and regions:

- Metropolitan France, including Corsica
- French Overseas Regions and Departments: Guadeloupe, French Guiana, Martinique, Réunion, Mayotte
- French Overseas Territories: Saint-Martin, Saint-Pierre-et-Miquelon



It does not apply to Monaco, the French Overseas territories of French Polynesia, New Caledonia, Wallis and Futuna, Saint-Barthélemy, or to exports of materials. Products and materials that may be affected by these territories may be subject to a reimbursement procedure (see chapter 4).

Note for Overseas French Territories

The French Overseas Territories concerned by the regulations (Martinique, Guadeloupe, French Guiana, Réunion, Mayotte, Saint-Martin, and Saint-Pierre-et-Miquelon) should not be considered as exports by traders registered in mainland France, who invoice products and materials sold from mainland France to the French Overseas Territories, Regions, and Departments with the eco-fee.



- Who is required to join? (p.12)
- How to join? (p.13)



<u>2.1</u> Who is required to join?

Member:

• Traders (legal entities established in France) (See Chapter 1);

Or

• By delegation, the purchasing centre or a brand on behalf of several points of sale;

Or

• **Sellers based abroad** (who direct their sales directly to French cross-border consumers, third-party internet sellers, etc.), who are traders in this capacity;

Or

• **Marketplaces** established in France or abroad, through a contract on behalf of thirdparty sellers who do not have a unique identification number;

Or

• **The professional client** who imports building products and materials for installation on a building site in France.

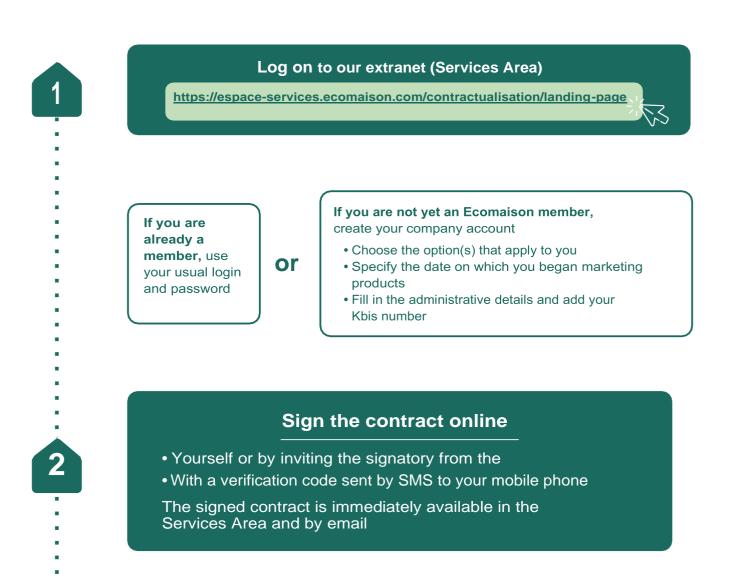
Ecomaison gives each member a unique identification number (IDU) certifying the compliance of its products for the two categories of the building products and materials channel.

The unique identification number: proof of your regulatory compliance



The Unique Identification Number and the certificate of compliance certify that your company complies with the regulations on Extended Producer Responsibility. Your Unique ID will be sent to you by Ecomaison, which will centralise registrations with ADEME once the process has been completed.





Receive your unique identification number within a few days

- By email
- And directly in the Services Area

Please note



When you receive your Unique ID, you must mention it in your General Terms and Conditions of Sale (GTCS).

You can also specify: "Subsequent purchasers and resellers of the product may include the amount of the eco-fee on their invoices and inform purchasers that the eco-fee finances the recycling of sorted waste".

Solution Codification and display of the eco-fee

- Identifying the product concerned and its product code (p.15)
- Coding rules (p.15)
- Passing on and displaying the eco-fee (p.16)



3.1 Identifying the product concerned and its product code

Ecomaison has developed an online product coding tool available on our website : the code generator (see link on page 24).

This system makes it possible to:

- Identify whether the product in question is included in the list of products and materials covered by the Building EPR.
- Obtain the declaration code and associated rate. The coding tool is structured according to the segmentation into 15 departments (see chapter 1).

<u>3.2</u> Coding rules

The Ecomaison code has 11 digits.

Each product has a corresponding item code that you can use in your information systems.

A configurator is provided to match your repository to the Ecomaison codes.



Good to know

The 2024 eco-fee rates are modulated according to the recyclability of materials, and for certain materials, according to the sustainable management of the resource or the incorporation of recycled raw materials. To find out which products are eligible for eco-modulation and the corresponding Ecomaison code, see the complete 2024 rates (see link p.24).

To find out more, see our 2024 eco-fee guide (see link on p.24).

3.3 Passing on and displaying the eco-fee

Required display



Good to know

Ecomaison offers a range of standard wording templates for information for consumer displays

For professional customers

You must inform your professional customers of your regulatory compliance with your Unique ID (see page p.12) and of the application of the eco-fee, particularly in your general terms and conditions of sale (GTCS).

Sample text (to be adapted as required) that you can incorporate into your GTCS and other documents (quotes and invoices, for example):

Company XXX is a member of Ecomaison as part of the EPR scheme for Construction and Building Products and Materials and has a unique identifier "FR_0000000_XX_XXXX". To this end, it applies the eco-fee scale to the products it markets.

The eco-fee is not subject to any rebate, margin or other commercial discount and must be passed on identically at all stages of the commercial chain.

For individual customers

It is advisable to inform the end customer as clearly as possible before the sale. You can insert a statement on paying a contribution in the General Terms and Conditions of Sale of quotes.

The trader is therefore free to decide whether or not to display the contribution in sales documents and chooses the information methods to be used.

Invoicing of the eco-fee

For distributors

The membership contract provides for your customers to be informed at the bottom of the invoice. There is no obligation to display unit amounts.

For distributors and manufacturers who are traders

Identical application of the contribution for all the products you put on the market: you must apply the amount of the scale in force according to the characteristics of the material or product.

For craftspeople and construction companies

They are not obliged to give details of the contributions paid on supplies to their customers. However, it is advisable to inform them of the eco-fee on invoiced products, which helps to finance the recycling of construction waste.

Please note



An opinion from the CEPC (Commission d'examen des pratiques commerciales) dated 26 January 2024 recommends that eco-fee information should appear at the bottom of the invoice. If the information is provided on the invoice, the amount of the eco-fee should be specified, as it is in the notice, so as not to create confusion or ambiguity about the unit amount of the product excluding tax.

The declaration of products and materials placed on the market

- The principles (p.19)
- Simplified system (p.21)
- How to declare products (p.23)
- Control procedures (p.23)
- Getting your eco-fee refunded (p.23)



<u>4.1</u> The principles **of the quarterly declaration**

The trader is responsible for declaring it to Ecomaison. It must do so in good faith on the basis of verifiable and justifiable elements. (see our 2024 price guide).

Regardless of the method of declaration, a minimum charge may apply to cover the costs of issuing the Unique ID and registering producers.

4.1.1 Quarterly declaration

All companies with turnover more than €1 million must declare these volumes on an actual basis every quarter.

In principle:

- The declaration is to be made no later than 30 days after the end of the quarter.
- Invoicing will take place upon receipt of the declaration.
- Payment is made within 15 days of the last day of the reporting month.

For 2024, exceptionally, five declarations will be required:

Marketing intervals for 2024	Applicable scale	Declaration period	Payment deadline
1 st quarter from 1 st January to 31 March 2024	2023 Pricing Scale	1 st to 30 April 2024	15 May 2024
2 nd quarter from 1 st April to 30 April 2024		1 st to 31st May 2024	15 June 2024
2 nd quarter from 1 st May to 30 June 2024		1 st to 31 July 2024	15 August 2024
1011 1 May 10 50 Julie 2024			15 August 2024
3 rd quarter from 1 st July to 30 September 2024	2024 Pricing Scale	1 st to 31 October 2024	15 November 2024



Good to know

Regardless of when you joined the scheme, you will have to comply retroactively for all your marketing activities prior to 1 May 2023 or the first day of your activity, depending on the applicable scale.

4.1.2 Declarations of eco-modulations

Prices vary according to the recyclability of materials and the sustainable management of wood. They are reported on a quarterly basis.

To find out more about eco-modulations and our premiums for the incorporation of recycled raw materials, consult our <u>price guide</u>.

For more information, consult our <u>all sectors guide to eco-modulations</u>.

4.1.3 How to declare products

You must declare to Ecomaison all the products and materials within the scope (see chapter 1) for which you are the trader for category 2.

As an Ecominéro partner, you can also join category 1 with Ecomaison and declare your sales in this category every quarter in your member area.

To make it easier for you to make your declaration, our tools are available on our website:

- online eco-contribution codes and rates generator.
- **<u>complete price list</u>** applicable from 1 May 2024.

Please note: for products to be declared by weight, the weight of the packaging should be excluded. The only exception is products in the "Paints, stains, varnishes and coatings" family, which must be declared including the weight of the packaging.

<u>4.2</u> Simplified system (annual declaration)

Who can benefit?

Craftspeople, retailers and manufacturers with an annual turnover of less than €1 million for building-related products and materials that have not already been invoiced with an eco-fee.

Principle

This declaration is calculated on the basis of a percentage of their annual sales of products subject to EPR (Extended Producer Responsibility) for the previous calendar year. This percentage may vary depending on the main activity.

This is a simplified system proposed by Ecomaison to make it easier for VSEs and SMEs to comply. Membership is essential for the issue of the Unique ID to be inserted in the GTCS and proof of the company's compliance in the event of an inspection.

Eco-fee rates for the simplified system

- For your 1st May to 31 December 2023 sales: apply the 2023 scale
- For your 1st January to 31 December 2024 sales: apply the 2024 scale

How do you calculate your turnover and eco-fee?

The turnover concerned corresponds to **the manufacture of a product or material for use in the building sector**. It is made up of two main components:

• Purchases of raw materials, which will be processed into finished products;

• Manufacturing, installation or any other service related to the use of these elements on building sites.

To calculate **marketing turnover** accurately, we need to distinguish between purchases:

- When invoiced with eco-fee by the supplier or trader: the eco-fee is then shown on the purchase invoice,
- When invoiced without an eco-fee (e.g. purchases abroad, purchases from sawyers, etc.).

It is these purchases without eco-fees for which the craftsman, merchant or building company becomes a trader and must therefore join and make the declaration to Ecomaison.

On this basis, you can calculate the building activity sales (Y):

 $\mathbf{Y}_{(\mathbf{\epsilon})} = \mathbf{X}_{(\%) \times} \mathbf{A}$

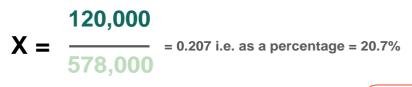


- TOTAL turnover, called A
- TOTAL PURCHASES, referred to as \mathbb{B}
- PURCHASES EXCLUDING ECO FEE, known as C

Calculation: example

You are a joiner

- Your total turnover A = 1,329,000 € excl. tax
- Your total purchases represent (with and without eco-fee) B = €578,000 excl. tax
- Your purchases without eco-fee represent C = €120,000 excl. tax



 $Y_{(€)} = 20.7_{(\%)x} €1,329,000$

This means that €275,103 (Y) is used as the basis for applying the corresponding % (see the <u>2024 eco-fee scale and list</u>) i.e. Y x 0.12% = amount of eco-fee to be paid = €330 excl. tax

Y (€) = €275,103

4.3 How to enter your declaration?

You make declarations in the confidential online section of the Ecomaison Services Area.

For declarations based on actual marketing figures, members can:

- either enter their marketing information by product code, line by line;
- Or upload a CSV file to the Services Area, with the product codes and quantities placed on the market.

The procedures are described on our page dedicated to declarations.

4.4Control procedures

Traders are subject to regulatory controls and audits, the protocol for which is appended to the services contract. These audits are intended to ensure regulatory compliance of the member and equal treatment amongst traders.

4.6 Getting your eco-fee refunded

As soon as a company buys a product that is supposed to be used in the building industry (see chapter 1 - dual-use products) but which will be used for another purpose or exported, it can request reimbursement of the eco-fee from its producer responsibility organisation.

(see the list of dual-use products for Building/Civil Engineering on the <u>OCAB</u> website) _

Toolbox

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- The OCA Building resources area:
 <u>https://oca-batiment.org/ressources/</u>
- Your Ecomaison account (Service Area) to join and declare:
 <u>https://espace-services.ecomaison.com/contractualisation/landing-page</u>
- Use our online tool to code your products and find out their eco-fee rate:
 <u>https://espace-services.ecomaison.com/codifier-mes-produits-et-calculer-leur-eco-participation?</u>
- Our guide to eco-fees applicable from 1 May 2024 (PDF):
 - => <u>https://ecomaison.com/ressources/batiment-guide-tarifs-eco-</u> participations-applicables-au-1er-mai-2024/
- Our complete schedule of eco-fees applicable from 1 May 2024 (Excel):
 <u>https://ecomaison.com/ressources/batiment-grille-complete-des-tarifs-deco-participations-applicables-le-1er-mai-2024/</u>
- See our article on changes to the building 2024 eco-fee scale:
 <u>https://ecomaison.com/actualites/evolution-tarifs-materiaux-batiment-primes-recyclabilite/</u>
 - Our all sectors guide to eco-modulations 2024: => <u>https://ecomaison.com/en/ressources/guide-ecomodulation-</u> multifil/
- Our guide to eco-fee rates for Furniture Product 2024:
 <u>https://ecomaison.com/ressources/ameublement-tarifs-deco-participation-2024/</u>

Please get in touch if you have any questions:

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Find our latest news and events at ecomaison.com/professionnels/on-en-parle/ and on our accounts X (formerly Twitter) and LinkedIn





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