



No 1557

NATIONAL ASSEMBLY

CONSTITUTION OF 4 OCTOBER 1958

SEVENTEENTH LEGISLATURE

Registered at the Presidency of the National Assembly on 10 June 2025

DRAFT LAW

AMENDED BY THE SENATE,

aimed at reducing the environmental impact of the textile industry,

(Accelerated procedure)

SENT BY

THE PRESIDENT OF THE SENATE

TO

THE PRESIDENT

OF THE NATIONAL ASSEMBLY

(Referred to the Committee on Sustainable Development and Land Use Planning [commission du développement durable et de l'aménagement du territoire], in the absence of establishment of a special committee within the time limits laid down in Rules 30 and 31 of the Rules of Procedure).

Following initiation of the accelerated procedure, the Senate amended, at first reading, the proposal for a law adopted by the National Assembly at first reading, the content of which is as follows:

See the numbers:

National Assembly: **2129, 2307** and T.A. **258** (16th legislature).

Senate: **431** (2023–2024), **458, 459** and T.A. **136** (2024–2025).

Article 1

? After Article L541-9-1 of the Environmental Code, an Article L541-9-1-1 is inserted, worded as follows:

? ‘Article L.541-9-1-1. – I. – The industrial and commercial practices of the producers referred to in Article L541-10 categorised as ultra-express fashion are those which result in the reduction in the duration of use or in the lifespan of new products referred to in Article L541-10-1(11°) due to the placing on the market of a high number of references of new products or the low incentive to repair these products.

? The reference thresholds for new products and the criteria for the low incentive to repair, by brand as defined in Article L711-1 of the Intellectual Property Code and by sales channel, shall be set by decree. Where the natural or legal persons referred to in Article L541-10 of this Code use an online platform provider to implement the practice referred to in the first paragraph of this point I., assessment of whether or not they have exceeded the thresholds will be based on their main sales channel, as defined by decree.

? ‘I.a. – For a natural or legal person who facilitates the distance sales of the products referred to in I. of this Article through the use of an electronic interface such as a marketplace, platform, portal or similar mechanism, the commercial practice of ephemeral fashion shall be assessed according to the criteria referred to in the same point I.

? The commercial practice is then assessed on the basis of all of the references of new products offered by that person, with the exception of references for which that person has evidence demonstrating that the person who is the proprietor of the brand of those products is the producer mentioned in that I. and that the person mentioned in the first paragraph of this I.a does not constitute their main sales channel.

? In this case, the person referred to in the same first paragraph shall keep the corresponding evidence available to the administrative authority.

The implementation methods for this I.a shall be defined by decree.

? II. – The person referred to in I.a who employs the commercial practice referred to in I. shall display messages on their online sales interface encouraging restraint and product re-use, repair and

recycling and providing information about the social and environmental impact of the product, raising awareness of its environmental impact and providing information about the

environmental impact of the proposed product delivery service. These messages shall be displayed in a clear, legible and comprehensible manner in any format used, close to the price, on all of the pages on which the products of persons using the practice referred to in the same I. are offered for sale. The content of the messages and the manner in which they are displayed shall be defined by decree, issued after obtaining the opinion of the Environment and Energy Management Agency.

? III. – *(Deleted)*

?? IV. *(new)*. – The making available on the market of new products referred to in Article L541-10-1(11°) and unsold by natural and legal persons distinct from those who first placed them on the market does not fall within the scope of the commercial practice referred to in I. of this Article.

?? V. *(new)*. – In the promotion of a product by persons employing the commercial practice referred to in I., the term ‘free’ may not be used as a marketing and promotional tool in the context of a commercial relationship.’

Article 1a AA *(new)*

? After Article L541-9-1 of the Environmental Code, an Article L541-9-1-2 is inserted, reading as follows:

? ‘*Article L541-9-1-2*. – The manufacturing origin of the garment or textile sold online must be clearly identifiable by the consumer on the digital platform. The indication of the geographical origin of the textiles shall be visibly and legibly marked in characters of a size equal to that of the indication of the price and in the vicinity thereof.’

Article 1a AB *(new)*

Natural or legal persons employing the commercial practice referred to in Article L541-9-1-1(I) of the Environmental Code shall not be eligible for the tax reduction referred to in Article 238*bis*(2) of the General Tax Code.

Article 1a A

? I. – *(Not amended)*

? II. *(new)*. – After Article L512-20 of the Consumer Code, an Article D512-20-4 is inserted, worded as follows:

‘*Article L512-20-4*. – Article 11 of the Code of Criminal Procedure

- ? or its provisions relating to professional secrecy notwithstanding, Competition, consumer affairs and fraud prevention agents and agents of the National Commission for Information Technology and Civil Liberties (CNIL) may provide each other, spontaneously or on request, with all information and documents held or collected during the course of their respective tasks and necessary for the investigation and detection of infringements and breaches of the rules falling within their respective fields of competence.'

Article 1a

(Deleted)

Article 2.

I. – The Environmental Code is amended as follows:

- ? 1° Article L541-10-3 is amended as follows:

- ? a) In the first sentence of the first subparagraph, in the French version, after the word 'lesquels', the following words are inserted: 'l'impact environnemental, notamment les atteintes à la biodiversité et l'empreinte carbone', giving the English meaning '...among which [criteria], environmental impact, including damage to biodiversity and the carbon footprint,'; and, after the word 'durabilité', the following words are inserted: ', y compris, résultant des pratiques industrielles et commerciales,' thereby qualifying the criterion 'durability' as 'including [that] resulting from industrial and commercial practices,';

- ? b) *(Deleted)*

- ? 2° Article L541-10-9 is amended as follows:

- ? (a) The following reference is added at the start of the first subparagraph: 'I. –';

- ? (a a) In the first sentence of the second subparagraph, the word 'Article' is replaced by the reference: 'I.';

(b) A point II. is added, worded as follows:

T 'II. – Where a person not established in France is subject to the principle of extended producer responsibility pursuant to Article L541-10 or pursuant to the first subparagraph of I. of this

Article, they shall appoint a natural or legal person established in France, by written mandate, as the authorised representative responsible for ensuring compliance with their obligations under the extended producer responsibility scheme. This person is subrogated to all of the obligations arising from the principle of extended producer responsibility in respect of which they accept the mandate.

1² The obligation to appoint an authorised representative referred to in the first paragraph of this point II. shall be deemed fulfilled for products for which a natural or legal person referred to in I., established in France, ensures compliance with the obligations relating to the extended producer responsibility scheme.’;

1² 3° Article L541-10-27 is amended as follows:

2² (a) The following reference is added at the start of the first subparagraph: ‘I. –’;

2² (aa) In the second subparagraph, the word ‘Article’ is replaced by the reference ‘I.’;

2² b) New points II., II.a, III. and IV. are added, worded as follows:

2² ‘II. – For products subject to the principle of extended producer responsibility pursuant to Article L541-10-1(11°), the financial contributions referred to in Article L541-10-3 are adjusted, depending in particular on the durability coefficient evaluated by the results obtained using the methodology determined in Article L541-9-12, insofar as it takes into account their durability linked to the impact of producers’ industrial and commercial practices. The specifications of the ecological body provide that the additional contributions collected mainly be reallocated in the form of premiums to producers of products who meet ecodesign criteria for better environmental performance.

1² II.a. – Products subject to the principle of extended producer responsibility pursuant to Article L541-10-1(11°) and which are subject to a penalty pursuant to II. of this Article shall not be eligible for premiums.

?? III. – The amount of penalties applicable to products subject to the principle of extended producer responsibility pursuant to Article L541-10-1(11°) and determined on the basis of the criterion defined in II. of this Article shall be at least EUR 5 per product in 2025, EUR 6 per product in 2026,

EUR 7 per product in 2027, EUR 8 per product in 2028, EUR 9 per product in 2029 and EUR 10 per product in 2030. The amounts per product category are specified in the product specification referred to in Article L541-10 and, by way of derogation from the third subparagraph of Article L541-10-3, the rate of 20 % of the product selling price excluding VAT, to which the ecological body is required to limit the amount of this penalty, is increased to 50 %.

?? IV. – A proportion of the financial contributions paid by the producers of the products referred to in Article L541-10-1(11°) shall be used by the ecological bodies to finance collection and recycling infrastructure on national territory.’;

?? 4° (*new*) In Article L541-15-8(II.), the word ‘in’ is replaced by the words ‘in I. of’.

?? II. (*new*). – Waste management operators may only manage waste from products referred to in Article L541-10-1(11°) of the Environmental Code if they have concluded contracts for the management of that waste with approved ecological bodies or approved individual systems.

Article 3

? I. – After Article R229-61 of the Consumer Code, an Article D229-61-1 is inserted, worded as follows:

? ‘*Article L229-61-1.* – Advertising relating to the marketing of products in the context of the industrial and commercial practice defined in Article L541-9-1-1, or directly or indirectly promoting brands employing that industrial and commercial practice, shall be prohibited insofar as the excessive production of clothing, household linen and footwear jeopardises the objective of protecting the environment and combating global warming.’ II. – I. shall enter into force on 1 January 2026.

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Article 3a (*new*)

I. – After Article 4 of Law No 2023-451 of 9 June 2023 aimed at

[?] regulating commercial influence and combating abuses of influencers on social networks, a VI.a is inserted, worded as follows:

[?] ‘VI.a. – Persons exercising the activity of commercial influence by electronic means, whether in return for payment or free of charge, shall be prohibited, regardless of the nature of the consideration, from making any promotion, direct or indirect, of products falling within the scope of the commercial practice defined in Article L541-9-1-1 of the Environmental Code and of the brands employing that commercial practice.

[?] ‘Failure to comply with this VI.a shall be punishable by an administrative fine not exceeding EUR 100 000. That fine shall be imposed in accordance with Chapter II of Title II of Book V of the Consumer Code.’

[?] ‘I.a. – At the start of Article L511-7(32°) of the Consumer Code, the words ‘Of V.’ are replaced by the words ‘Of V. and VI. a’.

[?] II. – Article L229-64(I.) of the Environmental Code is supplemented by a point 4° worded as follows:

[?] ‘4° Products subject to a commercial practice referred to in Article L541-9-1-1 of this Code.

[?] In addition to the information on the environmental impact referred to in this point 4°, any advertising, regardless of the medium used, relating to the marketing of products falling within the scope of the commercial practice defined in Article L541-9-1-1 must be accompanied by a message encouraging more sustainable consumption patterns, such as the purchase of second-hand products or renting, in order to contribute to reducing the environmental impact associated with the production of new products.’

[?] III. – This Article shall enter into force on 1 January 2026.

Article 4

The Environmental Code is amended as follows:

[?] 1° (*deleted*)

[?] 2° In the first subparagraph of Article L541-9-4-1, after the reference ‘L541-9-1’, the following words are inserted: ‘and in Article L541-9-1-1(II.)’.

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Article 5

Article L511-7 of the Consumer Code is amended as follows:

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1° (*new*) Point 28° reads as follows:

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‘28° Articles L541-9-1 and L541-9-1-1 of the same Code;’ 2°

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(*Deleted*)

Article 6

(*Compliant*)

Article 6a (*new*)

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Before the last subparagraph of Article L312-19 of the Education Code, a subparagraph is inserted worded as follows:

- M ‘It shall include awareness-raising on environmental impacts, including learning about responsible or low-impact materials and sustainable everyday practices in the use of clothing, production conditions and labelling. It shall emphasise individual and collective responsibility for conservation of the environment and aim to develop critical thinking about unsustainable production models. It shall be based on concrete cases, such as the ecologically responsible consumption of textile and clothing products.’

Article 7

Within one year of the promulgation of this Law, the Government shall submit a report to Parliament reviewing the implementation of mirror measures at the borders of the European internal market to impose European health, social and environmental standards on the importation of fast and very fast changing textile products. The report also analyses the desirability of reversing the burden of proof at the time of entry of the products into the European Union; it is for the exporter to prove that its products have been produced under conditions that comply with European standards with particular vigilance regarding respect for human rights.

Article 8 (new)

Chapter I *a* of Title III of the Second Part of the First Book of the General Tax Code is supplemented by a Section XV thus reinstated:

M ‘Section XV

Tax on small parcels of extra-European provenance

O ‘Article 1609(f). – I. – A tax is introduced that is payable by marketplaces, platforms, portals or similar mechanisms established outside the European Union and which dispatch parcels weighing less than 2 kg to natural persons in France.

II. – The tax is based on the number of parcels weighing less than 2 kg dispatched to France and of which the recipient is a natural person.

III. – The chargeable event shall be the delivery operation.

P IV. – The tax, ranging from EUR 2 to EUR 4, is set by joint order of the ministers responsible for digital affairs and the budget.

V. – The tax shall be declared and paid by the person liable on the dates determined by order of the Minister responsible for the budget. The frequency of declarations and payments shall be at most monthly and at least annual.

VI. – The tax shall be recovered and monitored according to the same procedures and under the same sanctions, guarantees, securities and privileges as taxes on turnover. Any claims shall be submitted, examined and adjudicated upon according to the rules applicable to these taxes.

VII. – Where the person liable is not established in a Member State of the European Union or in one of the States referred to in Article 289A(I)(1°), they shall have a representative accredited before the competent tax department under the conditions laid down in IV. of the same Article 289A, who is established in France, subject to value added tax and undertakes to complete the formalities in the name and on behalf of the person liable and, where necessary, to pay the tax in their place.’

Debated at a public session in Paris on 10 June 2025.

The President,

Signed: Gérard LARCHER