

FRENCH REPUBLIC

Ministry for the Ecological Transition,
Biodiversity, Forests, Marine Affairs
and Fisheries

Order of

fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials

NOR: TECP2506054A

Groups concerned: *producers (manufacturers, importers, distributors) of packaged products, contents and containers of chemical products liable to present a significant risk to the environment, furnishing elements, electrical and electronic equipment, sports and leisure articles, DIY and garden articles, toys; approved eco-organisations in these sectors, coordinating organisations and waste management operators.*

Subject: *this Order amends the specifications applicable to approved eco-organisations in the following extended producer responsibility (EPR) sectors: household packaging, printed paper and paper for graphic use, contents and containers of chemical products liable to present a significant risk to the environment, furnishing elements, electrical and electronic equipment, sports and leisure articles, DIY and garden articles, toys. It amends or introduces adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials and specifies their implementation procedures. An annual assessment of the implementation of this Order and its impacts will be carried out by the French Agency for Ecological Transition, ADEME, in the context of its EPR sector supervisory missions and made public. On the basis of this assessment and, where appropriate, the proposals made by the eco-organisations under the conditions laid down in Article R541-99 of the Environmental Code, the implementation procedures for this Order may be reviewed. In this context, particular attention will be paid to the implementation conditions for Article 6. Where necessary, a discriminatory approach may be taken into account regarding the different treatment processes.*

Entry into force: *the provisions of this Order shall enter into force on 1 January 2026.*

Application: *this Order is adopted pursuant to Article L541-10-3 of the Environmental Code.*

This Order may be consulted on the Légifrance website (<https://www.legifrance.gouv.fr>).

The Minister for the Ecological Transition, Biodiversity, Forests, Marine Affairs and Fisheries,

Having regard to the Environmental Code, in particular Articles L541-10, L541-10-1, L541-10-3, R543-53, R543-172, R543-228, R543-240, R543-320, R543-330 and R543-340 thereof;

Having regard to the Order of 1 October 2021 laying down specifications for eco-organisations and individual systems in the extended producer responsibility sector for the contents and containers of chemical products liable to present a significant risk to health and the environment referred to in Article L541-10-1(7) of the Environmental Code and falling within categories 1 to 10 of Article R543-228;

Having regard to the amended Order of 27 October 2021 laying down specifications for eco-organisations, individual systems and coordinating bodies in the extended producer responsibility sector for electrical and electronic equipment;

Having regard to the amended Order of 27 October 2021 laying down specifications for eco-organisations and individual systems in the extended producer responsibility sector for toys;

Having regard to the amended Order of 27 October 2021 laying down specifications for eco-organisations and individual systems in the extended producer responsibility sector for sports and leisure articles;

Having regard to the amended Order of 27 October 2021 laying down specifications for eco-organisations and individual systems in the extended producer responsibility sector for DIY and garden articles;

Having regard to the Order of 12 October 2023 laying down specifications for eco-organisations, individual systems and coordinating bodies in the extended producer responsibility sector for the furnishing elements designated in Article R543-240 of the Environmental Code;

Having regard to the Order of 7 December 2023 laying down specifications for eco-organisations and individual systems in the extended producer responsibility sector for household packaging, printed paper and paper for graphic use;

Having regard to the opinion of the Inter-sectoral Committee on Extended Producer Responsibility of 13 March 2025;

Having regard to the observations made during the public consultation carried out from 11 March 2025 to 1 April 2025, pursuant to Article L123-19-1 of the Environmental Code;

Having regard to the notification to the European Commission dated _____, pursuant to Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services,

Hereby orders:

Article 1

For the purposes of this Order, the following definitions apply:

- ‘post-consumer waste’ means waste from products previously placed on the market, whether in return for payment or free of charge;
- ‘contact-sensitive packaging’ means contact-sensitive plastic packaging within the meaning of Regulation (EU) 2025/40 of the European Parliament and of the Council of

19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC;

- ‘Sectors’ means the sectors mentioned in Article L541-10-1 of the Environmental Code;
- ‘recycled plastic material’ means plastic material from post-consumer waste that has undergone a recycling process within the meaning of Article L541-1-1 of the Environmental Code;
- ‘recycling disruptors’ means materials, substances or components integrated into a product or packaging which, by their nature, composition, or combination with other materials, limit the recyclability of that product or packaging within the meaning of Article R541-228 of the Environmental Code and within the meaning of the implementing decisions setting ecodesign requirements by product group taken pursuant to Article 5 of Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC;
- ‘plastic’ means the material defined in Article D541-330 of the Environmental Code;
- ‘recycling process’ means a set of unitary operations, such as sorting, shredding, washing, decontamination, depolymerisation and repolymerisation, aimed at transforming plastic waste into recycled materials intended for direct use in the production of new finished products, ensuring their quality, compliance with technical specifications and suitability to replace virgin materials.

Article 2

Pursuant to Article L541-10-3 of the Environmental Code, the financial contributions paid by producers shall be adjusted, for each product, according to the quantity of recycled plastic material incorporated by resin.

This adjustment shall take the form of a premium paid to the producer for each product, per tonne of recycled plastic material incorporated into the products it places on the market.

Any product incorporating recycled plastic material and covered by the principle of extended producer responsibility listed in points (1), (2),(5), (7) (categories 3 to 13 of Article R543-228), (10), (12), (13) and (14) of Article L541-10-1 of the Environmental Code, under the conditions laid down in this Order, is eligible for the premium.

Article 3

The premium amount is established as follows:

(1) EUR 450 per tonne of recycled plastic material incorporated from the recycling of waste products from extended producer responsibility sectors other than that of the product into which the recycled plastic material is incorporated, under the conditions established in Article 5 of this Order;

(2) EUR 550 per tonne of recycled plastic material incorporated from the recycling of waste products from the same extended producer responsibility sector as the product into which the

recycled plastic material is incorporated, under the conditions established in Article 5 of this Order;

(3) EUR 1 000 per tonne of recycled plastic material incorporated derived from plastic resins which, at the current state of scientific and technical knowledge, are considered difficult to recycle to be incorporated into contact-sensitive packaging, under the conditions established in Article 6 of this Order.

The eco-organisations concerned by the payment of these premiums may jointly propose changes to these amounts under the conditions laid down in Article R541-99 of the Environmental Code.

Article 4

I.- The following are not eligible for the premium:

- products incorporating recycled plastics into a composite matrix, i.e. plastic resins which, together with reinforcements (natural or mineral fibres or particles), form a composite material with reinforced physical and mechanical properties;
- products containing recycling disruptors identified by the recognised organisations in the relevant product category;
- the packaging referred to in Article L541-10-1(1) and (2) of the Environmental Code and the containers of the chemicals referred to in (7) of the same Article when it incorporates recycled polyvinyl chloride (PVC).

II.- Any product whose recycled plastic material originates from a recycling process with an output efficiency by mass of less than 50 % is also not eligible for the premium. This output efficiency is calculated between the first step of the recycling process and the step beyond which the plastic is not processed further before being subjected to pelletisation, extrusion or moulding operations or, in the case of plastic flakes, is not further processed before use in the final product.

Article 5

I.- Products falling within the sectors referred to in Article 2 that incorporate recycled plastic material are eligible for the premium amounts referred to in Article 3(1) and (2) of this Order unless a minimum rate of incorporation of plastic material has been established. Where applicable, only products for which the quantities of recycled plastic material incorporated exceed the minimum rate of incorporation of plastic material specified in III. of this Article are eligible for the premium.

II.- For a given plastic resin used in the manufacture of all or part of a product, the rate of incorporation of recycled plastic material is calculated by dividing the mass of plastic resin of recycled origin contained in the product by the total mass of this resin in the product. The resulting quotient is expressed as a percentage.

III.- For the packaging referred to in Article L541-10-1(1) and (2) of the Environmental Code and the containers of chemical products referred to in (7) of the same Article, the minimum rate of incorporation of recycled plastic material shall be established as follows:

Plastic drinks bottles (excluding caps)

Polymers	Minimum rate of incorporation of recycled plastic material	
	Until 31 December 2029	From 1 January 2030 onwards
Clear, coloured and opaque PET	25 %	30 %
HDPE	0 %	30 %

VI.- Within each sector referred to in Article 2 of this Order, the approved eco-organisations may jointly raise proposals to change the threshold under the conditions laid down in Article R541-99 of the Environmental Code.

Article 6

I.- The packaging referred to in Article L541-10-1(1) and (2) of the Environmental Code and the containers of chemical products referred to in (7) of the same Article are eligible for the amount of the premium referred to in Article 3(3) if they incorporate recycled plastic materials for a return to the sensitive contact and are derived from the following resins:

- clear polyethylene terephthalate (PET) from food containers, with the exception of plastic drinks bottles;
- coloured and opaque polyethylene terephthalate (PET);
- polystyrene, with the exception of expanded polystyrene (EPS);
- polypropylene (PP);
- high-density polyethylene (HDPE);
- low-density polyethylene (LDPE).

II.- The minimum rates of incorporation of recycled plastic material referred to in Article 5(III) of this Order shall not apply to the payment of this premium.

III.- By way of derogation from the amount provided for in Article 3(3), the amount of the premium shall be set at EUR 550 per tonne of recycled plastic material incorporated for the years 2026 and 2027.

IV.- Within each sector referred to in I. of this Article, the approved eco-organisations may jointly raise proposals for changes to the resins concerned, under the conditions laid down in Article R541-99 of the Environmental Code.

Article 7

I.- The premiums paid pursuant to this Order shall be financed exclusively by the contributions and, where applicable, by the adjustments paid by the plastic materials or products incorporating exclusively or mainly plastic belonging to the same extended producer responsibility sector as that of the products benefiting from the premium.

II.- Within each sector referred to in Article 2 of this Order, the approved eco-organisations may jointly propose an adaptation of these financing arrangements under the conditions laid down in Article R541-99 of the Environmental Code.

Article 8

Only products incorporating recycled plastic that follow the proximity principle described below shall be eligible for the premium.

This proximity principle is considered to have been followed if the stages of collection, sorting, recycling and incorporation of recycled plastics are carried out cumulatively:

- within the maximum radius of 1 500 kilometres around the weighted centre point of the territory of Metropolitan France (46° 29' 38" N, 2° 36' 10" E, as calculated by the National Institute of Geographic and Forest Information [IGN]);
- in a European Union country or in a third country meeting standards equivalent to those laid down in the Waste Framework Directive, the Industrial Emissions Directive and all European regulations and directives applicable to the products concerned by this Order.

If traceability cannot be ensured from the initial collection point, only the sorting, recycling and incorporation stages of the plastics are taken into account.

For products placed on the market in the communities governed under Article 73 of the Constitution, in Saint-Martin and Saint-Pierre-et-Miquelon, the weighted centre point of Metropolitan France may be replaced by the geographical weighted centre point of the territory concerned.

Within each sector referred to in Article 2 of this Order, the approved eco-organisations may jointly propose an adaptation of the arrangements for implementing this proximity principle under the conditions laid down in Article R541-99 of the Environmental Code.

Article 9

The eco-organisation shall define the traceability requirements necessary for payment of the premiums referred to in Article 3 of this Order. In the event that multiple eco-organisations are approved within a sector, the approved eco-organisations shall coordinate under the aegis of the coordinating body with a view to defining common traceability requirements.

The traceability requirements defined by the eco-organisation or, where applicable, by the coordinating body shall meet the following minimum conditions:

(1) the content in recycled plastic may be qualified at any time by using a control chain model consistent with the European rules establishing the requirements for checking the content in recycled plastic;

(2) the information necessary to ensure the traceability of the recycled material incorporated into the products shall include in particular:

- the quantities of recycled plastic incorporated in relation to the total quantity of plastic, broken down resin by resin;
- evidence of the output efficiency by mass referred to in Article 4(II.) of this Order;
- evidence that the proximity principle referred to in Article 8 of this Order has been followed;
- evidence that the waste originates exclusively from post-consumer waste;
- evidence of the absence of substances disrupting the recycling process.

The eco-organisation shall put in place an assessment and checking mechanism to ensure the veracity of the information submitted by producers. This mechanism may be integrated into the periodic internal inspections based on regular independent audits pursuant to Article L541-10(II.).

The eco-organisations may agree on one or more certification schemes to verify the conformity of one or more of the above-mentioned items of information.

Article 10

(1) The specifications of the eco-organisations in the extended producer responsibility sector for household packaging, printed paper and paper for graphic use are amended in accordance with Annex I to this Order;

(2) The specifications of the eco-organisations in the extended producer responsibility sector for electrical and electronic equipment are amended in accordance with Annex II to this Order;

(3) The specifications of the eco-organisations in the extended producer responsibility sector for the contents and containers of chemical products liable to present a significant risk to health and the environment referred to in Article L541-10-1(7) of the Environmental Code and falling within categories 1 to 10 of Article R543-228 are amended in accordance with Annex III to this Order;

(4) the collective specifications of the eco-organisations in the extended producer responsibility sector for furnishing elements are amended in accordance with Annex IV to this Order;

(5) The specifications of the eco-organisations in the extended producer responsibility sector for toys are amended in accordance with Annex V to this Order;

(6) The specifications of the eco-organisations in the extended producer responsibility sector for sports and leisure articles are amended in accordance with Annex VI to this Order;

(7) The specifications of the eco-organisations in the extended producer responsibility sector for DIY and garden articles are amended in accordance with Annex VII to this Order.

Article 11

The provisions of this Order shall enter into force on 1 January 2026.

Article 12

The Director-General of Risk Prevention shall be responsible for implementing this Order, which shall be published in the Official Journal of the French Republic.

Done on

The Minister for the Ecological Transition, Biodiversity,

Forests, Marine Affairs and Fisheries,
For and on behalf of the Minister:
The Director-General for Risk Prevention

Cédric BOURILLET

ANNEX I

to the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials

The specifications for eco-organisations in the extended producer responsibility sector for household packaging, printed paper and paper for graphic use set out in Annex I to the Order of 7 December 2023 laying down specifications for eco-organisations and individual systems in the extended producer responsibility sector for household packaging, printed paper and paper for graphic use are amended in accordance with the provisions of this Annex.

Subparagraph 2.2.2.4, entitled ‘Premiums relating to the incorporation of recycled plastic materials’ of Chapter 2, ‘Provisions relating to the ecodesign of household packaging, printed paper and paper for graphic use and to the declaration by parties placing printed paper and paper for graphic use on the market’ is replaced by the following subparagraph:

‘2.2.2.4. Premiums relating to the incorporation of recycled plastic materials

‘The eco-organisation shall grant a premium for plastic packaging incorporating recycled plastic material under the conditions established in the Order fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials.’

ANNEX II

to the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials

The specifications for eco-organisations in the extended producer responsibility sector for electrical and electronic equipment set out in Annex I to the amended Order of 27 October 2021 laying down specifications for eco-organisations, individual systems and coordinating bodies in the extended producer responsibility sector for electrical and electronic equipment are amended in accordance with the provisions of this Annex.

Chapter 2, entitled ‘Provisions relating to the ecodesign of electrical and electronic equipment’, is amended as follows:

(1) Paragraph 2.1, entitled ‘Calculation of the adjustments’, is supplemented by a subparagraph worded as follows:

‘A premium cannot be granted for a product affected by a penalty, with the exception of premiums linked to the incorporation of recycled materials.’

(2) At the end of paragraph 2.2, entitled ‘Support for research and development projects’, a paragraph 2.3 is added, entitled ‘Incorporation of recycled plastic materials’, worded as follows:

‘2.3 Incorporation of recycled plastic materials

‘From 1 January 2026 onwards, as regards the incorporation of recycled plastic materials, the eco-organisation shall grant a premium for electrical and electronic equipment incorporating recycled plastic material under the conditions established in the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials.’

ANNEX III

to the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials

The specifications for eco-organisations in the extended producer responsibility scheme for the contents and containers of chemical products liable to present a significant risk to health and the environment mentioned in Article L541-10-1(7) of the Environmental Code and falling within categories 1° to 10° of Article R543-228 appearing in Annex I to the Order of 1 October 2021 on the specifications for eco-organisations and individual systems in the extended producer responsibility sector for the contents and containers of chemical products liable to present a significant risk to health and the environment mentioned in Article L541-10-1(7) of the Environmental Code and falling within categories 1° to 10° of Article R543-228 are amended in accordance with the provisions of this Annex.

In paragraph 2.1, entitled 'Calculation of the adjustments', two subparagraphs are inserted before the first subparagraph, worded as follows:

'From 1 January 2026 onwards, as regards the incorporation of recycled plastic materials, the eco-organisation shall grant a premium for chemical containers incorporating recycled plastic material under the conditions established in the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials, with the exception of pyrotechnic products covered by Article R543-228(III.) (1) and fire extinguishers and other appliances with a fire-extinguishing function covered by (2) of that Article.

A premium cannot be granted for a product affected by a penalty, with the exception of premiums linked to the incorporation of recycled materials.'

ANNEX IV

to the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials

The specifications for eco-organisations in the extended producer responsibility sector for furnishing elements set out in Annex I to the Order of 12 October 2023 laying down approval specifications for eco-organisations, individual systems and coordinating bodies in the extended producer responsibility sector for the furnishing elements designated in Article R543-240 of the Environmental Code are amended in accordance with the provisions of this Annex.

I.- Paragraph 2.1, entitled ‘Applicable adjustments’, of Chapter 2, ‘Provisions relating to the ecodesign of furnishing elements’, is amended as follows:

(1) subparagraph 2.1.1, entitled ‘General criteria’, is amended as follows:

(a) in the first paragraph, the words ‘From 1 January 2025 onwards,’ are deleted and the table is replaced by the table below:

Criterion	Evidence demonstrating a minimum of:	Amount of premium or penalty (EUR/kg of furnishing elements)
Use of sustainably managed renewable resources	50 % foam or textile by mass from sustainably managed OEKOTEX Made in Green-, CERTIPUR- or EUROLATEX-certified renewable resources	Premium 0,05
	Furnishing element mainly composed of wood without PEFC or FSC certification or other equivalent certification	Penalty 0,15
Extension of the duration of use	Furnishing element is of modular, expandable or repairable design allowing its duration of use to be extended in practice	Premium 0,05
Recyclability	Furnishing element eligible for the designation “Fully recyclable furnishing element” pursuant to Article R541-221	Premium 0,01
	Physical elements or chemical substances liable to disrupt sorting and recycling or recovery through other modes of recovery.	Penalty 0,15

’;

(b) The second subparagraph is replaced by a subparagraph worded as follows:

‘A premium cannot be granted to a product subject to a penalty, with the exception of the premiums referred to in point 2.1.2.’.

(2) subparagraph 2.1.2, entitled ‘Criteria for the incorporation of recycled materials’, is amended as follows:

(a) The first subparagraph and its table are replaced by the following subparagraph and table:

‘The financial contributions paid to the eco-organisation by producers shall be adjusted according to the premiums associated with the incorporation of raw materials originating from recycling, the amounts of which are defined in the following table:

Furnishing materials	Recycled material incorporated into the product placed on the market	Premium in Euros per tonne of recycled material incorporated into the product placed on the market
For wood materials	Wood from open-loop recycling of post-consumer wood waste, collected or supported by an approved eco-organisation beyond a threshold of 35 %	40
For textile materials	Raw materials from open-loop recycling of waste collected or supported by an approved eco-organisation excluding food grade plastic resin’.	500

(b) The second subparagraph is replaced by the following two subparagraphs:

‘The integration premium amounts shall be paid up to the limit of actual recycling of the materials in a product in a unit located less than 1 500 km from their place of collection.

From 1 January 2026 onwards, the eco-organisation shall grant a premium for furnishing elements incorporating recycled plastic material under the conditions established in the Order of , fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials.’

II.- In the first subparagraph of paragraph 3.4, entitled ‘Network connections’, of Chapter 3, entitled ‘Provisions relating to collection, sorting and recovery’, the words ‘before 30 January’ are replaced by the words ‘before 31 May’.

ANNEX V

to the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials

The specifications for eco-organisations in the extended producer responsibility sector for toys set out in Annex I to the amended Order of 27 October 2021 laying down specifications for eco-organisations and individual systems in the extended producer responsibility sector for toys are amended in accordance with the provisions of this Annex.

Chapter 2, entitled 'Provisions relating to the ecodesign of toys', is amended as follows:

(1) in paragraph 2.1, entitled 'Calculation of the adjustments', a subparagraph is inserted before the first subparagraph, worded as follows:

'A premium cannot be granted for a product affected by a penalty, with the exception of premiums linked to the incorporation of recycled materials.'

(2) subparagraph 2.2, entitled 'Study on the integration of recycled materials into toys', is amended as follows:

(a) in the heading, the words 'and adjustments' are added after the word 'Study';

(b) after the first subparagraph, a subparagraph is inserted, worded as follows:

'From 1 January 2026 onwards, as regards the incorporation of recycled plastic material, the eco-organisation shall grant a premium for toys incorporating recycled plastic material under the conditions established in the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials.'

ANNEX VI

to the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials

The specifications for eco-organisations in the extended producer responsibility sector for sports and leisure articles set out in Annex I to the amended Order of 27 October 2021 laying down specifications for eco-organisations and individual systems in the extended producer responsibility sector for sports and leisure articles are amended in accordance with the provisions of this Annex.

In paragraph 2.1, entitled ‘Calculation of the adjustments’, of Chapter 2 ‘Provisions relating to the ecodesign of sports and leisure articles’, two paragraphs are inserted after the fourth subparagraph, worded as follows:

‘A premium cannot be granted for a product affected by a penalty, with the exception of premiums linked to the incorporation of recycled materials.

From 1 January 2026 onwards, as regards the incorporation of recycled plastic materials, the eco-organisation shall grant a premium for sports and leisure articles incorporating recycled plastic material under the conditions established in the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials.’

ANNEX VII

to the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials

The specifications for eco-organisations in the extended producer responsibility sector for DIY and garden articles set out in Annex I to the amended Order of 27 October 2021 laying down specifications for eco-organisations and individual systems in the extended producer responsibility sector for DIY and garden articles are amended in accordance with the provisions of this Annex.

In paragraph 2.1, entitled ‘Calculation of the adjustments’, of Chapter 2 ‘Provisions relating to the ecodesign of DIY and garden articles’, two paragraphs are inserted after the second subparagraph, worded as follows:

‘A premium may not be granted to a product subject to a penalty, with the exception of premiums linked to the incorporation of recycled materials.

From 1 January 2026 onwards, as regards the incorporation of recycled plastic materials, the eco-organisation shall grant a premium for DIY and garden articles incorporating recycled plastic material under the conditions established in the Order of fixing the adjustments applicable to the financial contributions paid by producers when they incorporate recycled plastic materials.’