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## France

### Food and Agricultural Import Regulations and Standards

### FAIRS Country Report

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**Report Highlights:**

France is a member of the European Union (EU) and generally follows EU directives and regulations, including those relating to the importation of food products. This report provides an overview of food laws in force in France that cover areas which are not yet harmonized. This report also provides contact information and technical reference materials for exporters of U.S. foods to France.

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DISCLAIMER: This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Paris, France for U.S. exporters of food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped.

***FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.***

France, as a member of the European Union (EU), generally follows EU directives, regulations, and obligations. This report focuses on food laws in force in France that cover areas which are not yet EU harmonized. EU regulations are explained in the [Food and Agricultural Import Regulations and Standards \(FAIRS\) EU-27 GAIN Report E700048](#) authored by the U.S. Mission to the EU in Brussels, Belgium.

## SECTION I. FOOD LAWS

1. Food legislation not regulated in detail at the EU level may be handled differently by Member States. There may be variation in application of the European Union's harmonized legislation ([see EU-27 GAIN Report E700048](#)) due to the transitional period needed to adjust to the new rules. There is also wide variation in inspection fees, registration fees, and the time required to evaluate products used in the food production process.
2. Certain regulations exist both in France and the EU which limit market access for specific U.S. agricultural exports. EU-27 GAIN Report E70048 should be consulted regarding regulations for restrictions relative to hormone-treated beef, poultry treated with anti-microbial treatments, genetically modified products, in addition to other restricted products. The ongoing harmonization of EU import regulations, as well as the implementation of the World Trade Organization (WTO) agreements, may result in the elimination of French regulations inconsistent with the WTO, as well as in the conversion of quotas, variable levies, and restrictive licensing to tariffs that are to be reduced over time. Additional products that are subject to restrictive regulations include the following: enriched flour, animal genetics, "exotic meats" such as alligator and buffalo, crayfish, pet food, in addition to certain fruits and vegetables. These products are subject to EU quality norms and must be inspected at the point of entry. More details concerning regulations for these products can be found in Section VI "Other Regulations and Requirements" of this report.

## SECTION II. LABELING REQUIREMENTS

(see [EU-27 GAIN Report E700048](#) for EU Labeling requirements)

EU Directive 2000/13/EC dated March 20, 2000, as modified, applies to the labeling of food products. France transcribed this Directive into the "[Code de la Consommation - Partie Réglementaire - Livre Premier : Information des Consommateurs et formation des Contrats](#)"

The "Code de la Consommation" stipulates that all products destined for France must have labels in French, regardless of the origin of the product. Multilingual labels are acceptable. As previously mentioned, the use of the French language is mandatory on labels, as well as in documents, packaging, and merchandise. The use of foreign names is forbidden in place of existing equivalent French terms; however, foreign names are authorized when no French equivalent name exists or is not used.

[French label and product ingredient regulations](#) are among the strictest in the European Union. The General Directorate for Competition, Consumption, and Fraud (DGCCRF) is responsible for enforcing these regulations and can be contacted at the following address:

Direction Générale de la Concurrence  
de la Consommation et de la Répression des Fraudes (DGCCRF)  
Ministère de l'Économie, des Finances et de l'Industrie  
Teledoc 07159, boulevard Vincent Auriol  
75703 Paris Cedex 13  
Tel: (+33) 1 44 87 1717 Fax: (+33) 1 44 97 3030  
Internet: <http://www.economie.gouv.fr/dgccrf>

French regulations severely limit superlatives in food labeling. Product nomenclature may describe a product, but not promote it. For example, terms such as "great" cannot be used to describe a food product. The use of the word "natural" may depend upon its location on the label and the product and is [strictly regulated](#) by the Code de la Consommation. Labels may not imply that a food has certain properties when similar products possess the same properties.

Labels must not confuse the consumer. For example, "peanut butter" should be denominated as "pâte d'arachide" (paste of peanuts) and not "beurre d'arachide" (butter of peanuts) since it does not contain any butter (from dairy) as defined by French regulations.

Generic terms such as beer, yogurt, and candy can be used only if the product is certified as produced in accordance with specific processing procedures. Products that do not conform to these procedures can be imported, but may not carry generic labeling terms and may be subject to special taxes.

Other labeling requirements:

- The product name, net quantity (in metric units), date of minimum shelf life (DLC) for perishable products or the date of optimal usage (DLUO) for non-perishable products, and the name and address or EU identification number of the importer must be in the same area of the label.
- For non-perishable products, the DLUO must appear on the label using the words, "A consommer de préférence avant fin" (best consumed before) (day, month, year). For perishable products, the DLC must appear on the label using the words, "A consommer avant" (to be consumed before) (day, month, year). However, for extremely perishable products, the DLC must appear on the label as "A consommer jusqu'au," (to be consumed until) (day, month, year) or "A consommer jusqu'à la date figurant" (to be consumed no later than) (day, month, year).
- Products that are exempt from indicating the DLC or DLUO include: fresh fruits and vegetables, wines and spirits, alcoholic beverages with an alcoholic content equal to or greater than 10.5 percent by volume, vinegars, sugar, confectionery items, and live shellfish intended for raw consumption.
- The name and address of the manufacturer, packer or vendor within the EU must be provided. If packed by a third

party in France, the code of the packing establishment must be listed, preceded by the name “emb” for “emballeur” (packager).

- Ingredients, including herbs and spices, must be listed in descending order of their quantity in the product at the time of manufacturing or processing. The list of ingredients should be preceded by the word, “ingredients.” When ingredients are included in the name of the product, their weight, as a percentage of total net products, must be included in the ingredients list (see QUID section below).
- Additives and preservatives must be included on the label of all food products, either by specific group name or by “E” number. Certain substances, such as herbs, spices, and aromatics, must be listed on the ingredients list; if their names are used in the name of the product, and the percentage must be stated. Flavorings are considered additives and should be noted as “arôme de” followed by the name of the flavor.
- The country of origin must be indicated in letters not less than 4 millimeters in height on all product cases (packing labels, etc.). The abbreviation “USA” is acceptable.
- The alcoholic content must be indicated on the label of all beverages with an alcoholic content greater than 1.2 percent, by volume.
- For prepackaged food products, for traceability reasons, the manufacturer’s lot number must be listed on the packaging or on the commercial documents accompanying the product and should be preceded by the letter “L” or “Lot”.
- Maximum storage temperature should be specified for frozen foods. If appropriate, the word “SURGELE” (quick frozen) should be in a highly visible place in capital letters on the label.
- For canned foods packed in liquid, in addition to the net product weight, the drained weight in metric units must also be included on the label. The net weight of the product must be given along with the drained weight if the liquid in the package is used in the preparation of the product. These weights must appear in grams.
- The net weight, product weight or the drained weight in metric units must be provided on the label. Few French buyers are familiar with U.S. weights and measures, thus metric weights and measures should always be used in commercial transactions.
- The word, “butter” or “cream” may not be used on the label of certain foodstuffs, unless the only fat used is butter fat. Concentrated butter may be used instead of butter and the word “butter” may be used on the label provided the fatty acid composition of the concentrated butter has not been altered by any treatment, in particular by hydrogenation. Hydrogenated butter is considered to be a food fat and not butter. If concentrated butter is used in the product, the words “pure”, “fine”, “extra”, “fresh”, etc., in combination with the word “butter” cannot be used.
- In certain foodstuffs, the word “milk” or “milk products” may only be used if certain minimum quantities of milk solids are present in the product.
- Individual portions of beef under 3 kilograms are not accepted for import into France.
- A veterinary stamp or sanitary certificate is mandatory on products of animal origin (meat and meat products, milk and milk products, eggs and egg product, fish and seafood and products) with the EU-27 approval number of the processing plant.
- Instruction for use or conservation (or advice on preparation of a food product) is mandatory only when necessary, and should be clearly indicated and visible on the label to allow the appropriate use of the product, such as “à conserver dans un endroit sec”: “to be kept in a dry place”.
- **Beginning in 2013, food items packaged in food containers which contain Bisphenol A (BPA) must bear a**

**warning label for pregnant and lactating women and infants aged less than 3 years.**

### **SECTION III. PACKAGING AND CONTAINER REGULATIONS**

For products requiring special packaging or container sizes to enter the EU, such as wines and alcohol, [see EU-27 GAIN Report E700048](#) for information and general guidelines. France has its own packaging/container size requirements for a large variety of food products, including beers, fermented beverage, breakfast cereals, pre-packed fruits and vegetable, non-alcoholic beverages, coffee, milk, oil and vinegar, ice creams, frozen fish, frozen fruits and vegetables, dried fruits and vegetables, and pet foods.

A wide variety of prepackaged foods requires a declaration of unit price, per kilogram, 100 grams, deciliter, or liter. This requirement is already in force for all retail sales outlets. Although not mandatory, bar codes for all products are used in supermarkets.

By Council Directive 94/62/EC, Member States were required to adopt measures to reduce packaging waste. France transposed this directive by decree 96-1008 of 18 November 1996. France also adopted a decree, in force since January 1993, stipulating that entities responsible for the initial placement of a packaged product on the market used by households must contribute to, or provide for, the disposal of the used packaging. [Eco-Emballages](#) has developed a green logo for packaging indicating that the packaging manufacturer participates in a municipal waste disposal system for recycling. Under the same conditions, and in agreement with the French ministries, the wine and spirit industry created in 1993 its own packaging recycling system called [Adelphe](#) which now oversees the recycling of all packaging materials.

The French regulations implementing EU regulations 1935/2004 (EC), 2023/2006 (EC) and 450/2009 (EC) for packaging materials in contact with food products as well as France-only for material not regulated at the EU level (notably rubber, stainless steel, and aluminum packaging) have been summarized in this [sheet](#). More details can be found in brochure No. 1227 published by the French Official Journal and includes previous modifications. This brochure can be obtained from the French Official Journal (Please see address listed in Appendix II of this report.).

**Note:** The use of the following materials in direct contact with foods is strictly forbidden in France: copper, zinc, and galvanized iron, except for use in the process of distilling, confectionary, and chocolate manufacturing. **The use of food containers containing BPA in direct contact with the food is banned as of January 1, 2013 for all foods for infants aged less than 3 years and as of January 1, 2015 for all other food.**

### **SECTION IV. FOOD ADDITIVE REGULATIONS**

Legislation on food additive (EU regulation 1233/2008 (EC)) is now harmonized in the European Union. Please refer to [see EU-27 GAIN Report E700048](#) for information and general guidelines. Please see [here](#) for additional information on France's implementation.

### **SECTION V. PESTICIDES AND OTHER CONTAMINANTS**

Legislation on pesticides and contaminants is partially harmonized in the European Union. Please [see EU-27 GAIN Report E700048](#) for information and general guidelines.

## 1. Pesticide Authorization Procedure

The list of phytosanitary products authorized in France is available at the French Ministry of Agriculture's (MinAg) Directorate for Food (Direction Generale de l'Alimentation (DGAL)) website: <http://e-phy.agriculture.gouv.fr/>. This website lists authorized phytosanitary products, those no longer authorized, authorized active substances, maximum residue levels ("limites maximales de residus" or LMR) by substance and by plant, companies involved, fertilizers, blends, and toxicology information. Product authorizations are based on reviews of standardized scientific files prepared by companies and presented to DGAL accompanied by complete toxicology and biological studies.

## 2. Monitoring of Pesticide and Contaminant Content in Food Products

### Pesticide Phytosanitary Tests

The Crop Protection Service (SPV) of DGAL of MinAg is responsible for preventing phytosanitary risks in crop production. SPV/DGAL tests imported products for phytosanitary compliance at points of entry. The Fraud Control Office (DGCCRF) of the French Ministry of Economy, Finance and Industry tests for pesticides and other contaminants on vegetable products.

## SECTION VI. OTHER REGULATIONS AND REQUIREMENTS

### 1. Products that must meet inspection requirements upon entry

**As a reminder: EU imports of red meat, meat products, pet food, farm and wild game meat, ratites, milk and milk products, seafood, bovine embryos and semen, porcine and equine semen, gelatin and animal casings from the U.S. must originate from EU approved U.S. establishments (See European Union Food and Agricultural Import Regulations and Standards – <http://www.fas.usda.gov/gainfiles/200707/146291677.pdf>).**

Agricultural and food products subject to additional inspection requirements and/or subject to French trade restrictions include:

#### Enriched flour

Since adding vitamins to food products is prohibited under [French regulations](#), the importation of any product made with flour enriched with vitamins is also prohibited, with the exception of approved health/diet food products.

#### Bovine genetics

The general animal health requirements governing intra-EU trade and imports into the EU of deep-frozen semen of domestic animals of the bovine species are specified in [Council Directive 88/407/EEC](#).

Distribution and placement of semen in the country of destination is not covered by the Directive but regulated by Member States. French marketing controls and regulations require that bovine semen imports from third countries must obtain an import license from French Customs prior to importation. The license must also be approved by the following entity:

French Ministry of Agriculture

Direction générale des politiques agricole, agroalimentaire et des territoires,

Sous-direction des produits et marchés,

Bureau du lait, des produits laitiers et de la sélection animale,

3, rue Barbet de Jouy - 75349 Paris 07

Tel: (+33) 1 49 55 4611 Fax: (+33) 1 49 55 4590

### **Exotic meat (Alligator)**

French regulations prohibit the importation of exotic meats, including the importation of alligator meat.

### **Dried fruits and nuts**

French standards based on the United Nations Economic Commission for Europe (UNECE) are now established for the following dried fruits and nuts: Almonds; apples; apricots; cashew nuts; date; fig; raisins; pears; pine kernels; pistachios and prunes.

**Note:** Only walnuts and hazelnuts apply EU standards.

### **Animal by-products for human consumption**

See Paragraph 4 for French regulations on transmissible spongiform encephalopathies (TSE) and specified risk materials (SRMs).

### **Animal feed for ruminants and for non-ruminants**

See paragraph 4 for French regulations on transmissible spongiform encephalopathies (TSE) and specified risk materials (SRMs).

### **Pet food**

Legislation on pet-food is partially harmonized in the EU. Please refer to [EU-27 GAIN Report E700048](#) for information and general guidelines.

In addition to the EU sanitary certificate, France requires that imports of pet-food must be accompanied by an additional certificate in compliance with the [French ministerial decree, dated 23 April 2008](#), modifying the [French ministerial decree, dated August 4, 2005](#) (Annex I, Chapter II, Certificate in article 5 ; Annex II – Certificate in Article 6), relating to sanitary conditions applicable to marketing, exchanges, imports and exports of some animal products intended for pet food and pet food processing and other uses.

French authorities require that these additional statements be included on the existing EU health certificates accompanying U.S. exports of pet food to France. Export certificates need to be obtained prior to the shipment of the product. All certificates must be at least in French.

To obtain certificates and additional declaration in English and French, please go to the following website:

Animal Plant Health Inspection Service (APHIS)

[http://www.aphis.usda.gov/regulations/vs/iregs/products/product\\_france.shtml](http://www.aphis.usda.gov/regulations/vs/iregs/products/product_france.shtml)

## **2. Laboratory testing**

To ensure conformity with French import standards as to quality, sanitary, and ingredient criteria, some products could be subjected to laboratory testing. This is often done for canned fruits and vegetables, beer, and dairy products, including yogurt.

Laboratory tests are generally requested by buyers for supermarkets to assure compliance with French regulations of the products they intend to sell. While very few manufacturers or U.S. exporters contact a laboratory directly, the Office of Agricultural Affairs U.S. Embassy Paris has a list of French approved laboratories.

## **3. Policy for Sample Food Product Shipments**

Food product samples shipped via express mail or parcel post are subject to the same import regulations as a commercial shipment with regard to sanitary or phytosanitary requirements. (Please see the additional requirements for meat, poultry, dairy, and fish products for food shows below.)

For customs, the sample shipment must be accompanied by a proforma invoice indicating the value of the sample product. In order for samples of commercial value to enter France duty and tax free, a bond or deposit of the potential duties and taxes must be paid. Samples re-exported within one year get the deposit back. Samples of no commercial value enter France free of duties and taxes. "No commercial value" should be written on the appropriate shipping documents.

An alternative is applying for an "Admission Temporaire/Temporary Admission" (ATA) carnet, which is a special international customs document designed to simplify and streamline customs entry procedures of merchandise for up to one year. Customs authorities in the United States and France accept carnets as a guarantee that all customs duties and excise taxes will be paid if any of the items covered by the carnet are not re-exported within the time period allowed. Carnets may be used for commercial samples, professional equipment, and goods destined for exhibitions and fairs.

### **Meat, Poultry, Dairy and Fish Products for Food Shows**

Meat, poultry, dairy, and fish products for food shows are governed by [French decree of July 27, 2004](#), and should be accompanied by relevant sanitary and animal health certificates. These products may be used for display purposes only and should not be sold or consumed and should be destroyed at the end of the food show. To inquire about or apply for an ATA Carnet, contact the U.S. Council for International Business:

USCIB  
1212 avenue of the Americas  
New York, NY 10036  
Tel: (212) 354 4480  
Fax: (212) 575 0327  
Email: [info@uscib.org](mailto:info@uscib.org)  
Internet: <http://www.uscib.org>

## **4. Certification and Documentation Requirements**

### **Import documentation**

Import and export transactions exceeding 12,500 Euros (around \$19,400 depending on the currency exchange rate) in value must be conducted through an approved banking intermediary. Goods must be imported no later than six months after all financial and customs arrangements have been completed.

For products originating in countries other than EU Member States or participants in the World Trade Organization (WTO), and for a limited number of products considered to be sensitive, a specific import/export license may be required by product or by category of products. Otherwise, the following shipping documents are required for import into France:

- Commercial invoice;
- Bill of lading or air waybill;
- Certificate of origin;
- Sanitary/health certificate if need be (depending on the products)

U.S. exporters should make sure that their products comply with French regulations and verify customs clearance requirements with local authorities through their contacts before shipping products to France. The Office of Agricultural Affairs at the U.S. Embassy Paris can provide assistance and information on these matters.

### **Transmissible Spongiform Encephalopathies (TSE) EU and French Regulations on Specified Risk Materials (SRMs) and corresponding certification**



France maintains an import ban on some ruminant tissue for human consumption, due to transmissible spongiform encephalopathies (TSEs) concerns. In addition to the EU certificate, France requires an additional health certificate for products that include specified risk materials (SRMs).

[The French ministerial decree dated 12 May 2006](#) (Article 5) modified the list of specified risk materials (SRMs) set by the ministerial decree dated August 10, 2001, relating to the import ban on some ruminant tissue for human consumption due to transmissible spongiform encephalopathies (TSEs). Animal products containing materials from bovine, ovine and caprine origins for human consumption, animal feed (including mixed animal feed/petfood and pre-mixes containing such products) or to be used as fertilizers, must be accompanied by the health certificate required by EU and French regulations, as well as a, additional declaration signed by the competent authority of the producing country.

All certificates must be in French. To obtain the French supplementary certificates in French for animal by-products **not** for human consumption, please contact:

APHIS (Animal and Plant Health Inspection Service)  
 National Center for Import and Export  
 Technical Trade Services  
 Animal Products Staff Import/Export Animals Staff  
 4700 River Road, Unit 40  
 Riverdale, MD 20737  
 Tel: (301) 734 8364 - Fax: (301) 734 8226  
[http://www.aphis.usda.gov/regulations/vs/iregs/products/downloads/fr\\_srm\\_ct.pdf](http://www.aphis.usda.gov/regulations/vs/iregs/products/downloads/fr_srm_ct.pdf)

To obtain the French supplementary certificates in French for animal by-products for human consumption, please contact:

FSIS (Food Safety Inspection Service)  
 International Policy Staff  
 Import and Export Policy Section  
 1400 Independence Ave, SW  
 Washington DC 20250  
 Tel: 202-720-6400 - Fax: 202-720-7990  
[http://www.fsis.usda.gov/regulations/European\\_Union\\_requirements/index.asp](http://www.fsis.usda.gov/regulations/European_Union_requirements/index.asp)

French Requirements for Animal Products for Human Consumption:

Animal products for human consumption must be accompanied by a declaration of compliance with EU regulation 999/2001, and by additional statements in compliance with French ministerial decree dated August 10, 2001 (Article 5) modified on May 12, 2006. These requirements became applicable after July 1, 2006.

The French ministerial decree dated May 12, 2006 (Article 5) modified the list of specified risk materials (SRMs) set by the ministerial decree dated August 10, 2001, relating to the import ban on some ruminant tissue for human consumption due to transmissible spongiform encephalopathies (TSEs).

The following table summarizes the additional certificates required by French regulations to import animal products for human consumption:

<b>Designation of Products (*)</b>	<b>EU and French Regulations</b>
Meat products and processed products and other animal products	EU Directive EC/94/65 and EC/77/99 French ministerial decree dated <a href="#">29 Feb 1996</a> ,
Products derived from bones for human consumption and	EU Directive EC/77/99

mechanically deboned meat	and EC/64/433 French ministerial decrees dated <a href="#">25 Sep 1995</a> and <a href="#">9 Feb 2004</a>
Gelatin for human consumption	EU Directive EC/92/118 - French ministerial decree dated <a href="#">15 April 2001</a>
(*) As defined by EU regulations. If physical inspection and documentation of the product can clearly show that it does not contain any bovine, ovine or caprine material, the certificates mentioned in Articles 4, 5, and 6 are not required. For bovine, ovine and caprine not packaged as fresh meat, if physical inspection of the product can clearly show that it does not contain all or part of the head, the certificate mentioned in Articles 4 and 5 is not required. For bovine not packaged as fresh meat, if physical inspection of the product can clearly show that it does not contain all or part of the head, nor ovine or caprine materials, the certificate can be limited to the sentences relating to the spleen, thymus, and tonsils as mentioned in Articles 4 and 5.	

French Requirements for Animal Products Not for Human Consumption:

[European Parliament and Council regulation 1774/2002](#) establishes the health rules concerning animal by-products not intended for human consumption. Animal products not intended for human consumption (pet food, feed of ruminant and non-ruminant cattle, or for fertilizers and crop substrates), must also be accompanied by a declaration of compliance with [EU regulation 999/2001](#), and by additional statements in compliance with the following French ministerial decrees:

- a) Pet food: [French ministerial decree dated May 12, 2006](#), modifying the ministerial decree dated August 4, 2005, relating to intra-EU exchanges, imports and exports of some animal products intended for pet food and pet food processing containing or made of animal fats (Annex I Chapter II, Certificate in Article 5, Annex II Certificate in Article 6).
- b) Animal products for feed of ruminant cattle: [French ministerial decree dated May 12, 2006](#), relating to sanitary conditions applicable to the use, marketing, exchanges, imports and exports of some animal products intended for feed and processing of feed or other uses (Annex I Chapter II, statement in Article 3-II, Annex II statement in Article 4) and [French ministerial decree dated July 18, 2006](#), relating to the ban of some animal proteins in feed and processing of bovine feed (Article 10 and Annex 1.1).
- c) Animal products for feed of non-ruminant cattle: [French ministerial decree dated May 12, 2006](#), relating to sanitary conditions applicable to the use, marketing, exchanges, imports and exports of some animal products intended for feed and processing of feed or other uses (Annex I chapter II, statement in Article 3-II, Annex II statement in Article 4) and [French ministerial decree dated July 18, 2006](#), relating to the ban of some animal proteins in feed and processing of bovine feed (Article 10 and Annex 1.2).
- d) Animal products for fertilizers and crop substrates: [French ministerial decree dated May 12, 2006](#), relating to sanitary conditions applicable to the use, marketing, exchanges, imports and exports of some animal products intended for feed and processing of feed or other uses (Annex I Chapter II, statement in Article 3-II, Annex II statement in Article 4) and French ministerial decree dated September 19, 2005 suspending marketing and ordering the withdrawal of some fertilizers and crop substrates (Annex 1).

Additional information can be obtained from:

Service d'inspection vétérinaire et phytosanitaire aux frontières (SIVEP)  
Direction Générale de l'Alimentation

Ministère de l'Agriculture, de l'Agroalimentaire et de la Forêt  
251 rue de Vaugirard  
75732 Paris Cedex 15  
Tel (+33) 1 49 55 58 35 Fax : (+33) 1 49 55 83 14  
E-mail: [sivep.sdasei.dgal@agriculture.gouv.fr](mailto:sivep.sdasei.dgal@agriculture.gouv.fr)

## SECTION VII. OTHER SPECIFIC STANDARDS

### 1. Genetically Engineered /Biotech Products

For more information on genetically engineered products in France, please see [GAIN report FR9096, dated June 15, 2012](#).

#### *Labeling:*

Under the Regulations 1829/2003 and 1830/2003 on biotech traceability and labeling, the European policy set standards for positive (sourced from biotech), but not for negative labeling (not sourced from biotech). Each Member State can, however, put in place specific national requirements for biotech-free labeling. France implemented the 1829/2003 and 1830/2003 Regulations in April 2004. The Fraud Control Office of the Ministry of Economy, Finance and Industry (DGCCRF) is the authority enforcing compliance with the regulation and sets general rules for negative labeling.

An explanation on biotech labeling regulation by the Fraud Control Office of the Ministry of Economy (DGCCRF) is available here: <http://www.economie.gouv.fr/dgccrf/consommation/Etiquetage-des-produits/OGM>

There have been several voluntary initiatives put in place by the food industry and supermarket chains using “biotech-free” labeling, including Carrefour-branded products, and the Loué free range poultry industry. In both cases, animal products concerned are sourced from animals fed on less than 0.9 percent biotech feed these; however, represent minor market shares in the total French food market.

Canned sweet corn has been sold with a specific “biotech-free” logo since 2004, when the European traceability and labeling regulation for biotech products in food was implemented, in order to prevent sales from declining.



The supermarket chain Carrefour puts a “fed without GMO” logo on animal products sold under the Carrefour-branded name and using a 0.9 percent threshold. Opposed is the logo.

The Government of France has worked for several years on national rules for non-biotech labeling, so that it would inform rather than disorient consumers, when based on specific rules for all products, as part of the implementation of the national biotech law of 2008. More than two years after the High Council for Biotechnology (HCB) released its recommendation of the definition of “GMO-free” labeling, a decree number 2012-128 relative to voluntary “GMO-free” labeling was published in the Official Journal dated January 31, 2012.



This decree describes the requirements for “GMO-free” labeling for products produced in France, but does not apply to imported products from the European Union or from the Economic European Area. Nothing in the decree mentions application to imported products from the rest of the world. In the decree, the threshold of 0.1 percent was used for plant products under which they can be labeled as “GMO-free.” For animal products, two thresholds are set in the decree:

0.1 percent and 0.9 percent, to be indicated on the label, under which “fed without GMOs” or “Sourced from animals fed without GMOs” can be labeled. For apiculture products, the decree stipulates that there shouldn’t be biotech plants closer to the apiary than three kilometers. “GMO-free” labeling is not permitted to catch the attention of consumers more than the regular list of ingredients.

### ***National Ban on the only GE Corn Trait Commercially Grown in the EU:***

According to the Directive EC 2001/18, when a Member State, as a result of new information, has detailed grounds for considering that an approved biotech event constitutes a risk to human health or the environment, the Member State may invoke a safeguard clause on the biotech product; its use would be provisionally restricted or prohibited on its territory.

A safeguard clause was initiated on three biotech events. In 1998, on Bayer rapeseed Topas 19/2 and Bayer rapeseed MS1XRf1 for imports and processing, and in 2008 and again in 2012 on Monsanto corn MON810. France’s ban on MON810 has been challenged several times both by scientific (European Food Safety Agency (EFSA)) and legal organizations (European Court of Justice).

In November 2011, the French high administrative authority Conseil d’Etat lifted the ban imposed in 2008, based on the conclusions of the European Court of Justice. Nevertheless, the Government of France reinitiated the ban in a decree March 2012, early enough to prevent farmers from planting, and only a few weeks before the presidential elections.

## **2. Dietetic/Health Foods**

[EU Directive 89/398 of May 3, 1989](#), implemented by [French decree 91-827](#) of August 29, 1991 gives the definition of a health/dietetic food product. It was completed by [EU Directive 2001/15\(EC\)](#), which lists nutritional substances that can be used in dietetic/health products, implemented in France by the [decree of June 5, 2003](#). To date, EU harmonization of dietetic/health food products is in force for the labeling and ingredient regulation of infant and toddler foods (0 to 12 months old, and 1 to 3 years old, respectively), low calorie products for diets, high calorie products for sports, and foods intended for special medical purposes such as diabetes.

In addition to the general French labeling requirements (per Section II-A), all dietetic/health food products must indicate the following information on the label:

- Brand name of the product, immediately followed by its properties and nutritional characteristics;
- Quantity of each nutritional ingredient, expressed in grams (g), or milligrams (mg), per 100 grams of finished product;
- Calorie content expressed in KJ and Kcal per 100 grams of finished product.
- Product should be packed in a manner whereby the packaging covers the product entirely. For bulk dietetic/health products, all nutritional characteristics should be clearly brought to the attention of the consumer on the outside packaging.
- The expiration date of the product must be clearly indicated for perishable products.
- The list of additives contained in the product. Some additives are not authorized in health/dietetic food products in France. The list of authorized additives and substances is contained in [French decree of October 2, 1997](#).

**Note:** Dietetic/health foods are not medicines. Thus, the label may not indicate any curative or preventive properties.

## **3. Food Supplements**

[French Decree 2006-352](#) of March 20, 2006, transposed, without any changes, EU Directive 2002/46/EC of June 10, 2002, establishing harmonized rules for food supplements on labeling, vitamins and minerals, as well as EU Directive 2006/37/EC amending Annex II of Directive 2002/46/EC establishing a list of permitted vitamin and mineral preparations that may be added for specific nutritional purposes in food supplements.

The EU Directives, however, did not fix any maximum levels for vitamins and minerals used in food supplements and individual member states have established their own levels. On May 9, 2006, France adopted a [Decree fixing those limits](#) for the French market. There are some issues with whether the maximum levels for vitamins and minerals which may be used in the fabrication of food supplements as established by France are reasonable and based on science-based risk assessment measures. The EU is currently in the process of reviewing and setting these maximums at the EU level.

## 4. Organic Foods

France applies EU Regulation 2092/91, which regulates the production and labeling of organic foods from vegetable origin, and EU Regulation 1804/99 of July 19, 1999, for animal organic production and labeling (called REPAB). As REPAB permits, France established specifications completing this regulation, called CC REPAB F, which contains stricter regulations than the European level. To assist with understanding CC REPAB F, a guide on animal production is available at: ([http://www.agencebio.org/upload/GuideLect\\_PA\\_avr\\_2008.pdf](http://www.agencebio.org/upload/GuideLect_PA_avr_2008.pdf)) and a guide for vegetable production can be found at: ([http://www.agencebio.org/upload/guide\\_lect\\_pv\\_nov06.pdf](http://www.agencebio.org/upload/guide_lect_pv_nov06.pdf)). An overview of EU organic situation is available in this report:

<http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Export%20opportunities%20for%20U.S.%20organics%20in%20the%20EU%20market%20The%20Hague%20Netherlands%20EU-27%202-11-2013.pdf>

Commission Regulation 1235/2008 lays down rules for the implementation of Regulation 834/2007 regarding the arrangements for imports of organic products from third countries. In order to export organic products to the EU, third countries must prove that their production standards are equivalent to the EU standards. In February 2012, the United States and the EU agreed to a new historic partnership on organic trade. The “US-EU Organic Equivalency Arrangement,” which entered into force on June 1, 2012, ensures that both parties operate in conformity with each other’s respective organic programs. All products traded under the Arrangement must be accompanied by an organic import certificate issued by a USDA-AMS accredited certifying agent. The list of USDA accredited certifying agents and the model EU certificate can be downloaded from the USDA-AMS website at <http://www.ams.usda.gov/AMSv1.0/nopradeeuropeanunion>. The Agreement is effective for three years, until June 1, 2015, and will then be re-examined by both parties for areas of improvement.

For more information on the US-EU Organic Equivalency Arrangement see <http://www.usda-eu.org/trade-with-the-eu/trade-agreements/us-eu-organic-arrangement/>.

To facilitate identification of organic products for French consumers, the words “Agriculture Biologique” (organic agriculture) and the “AB” logo are applied on the product label. This logo represents the French Ministry of Agriculture certification that the product was organically grown or processed according to both specific EU and French criteria. The “AB” logo is awarded by three certifying agencies: Ecocert, Qualite France and Ascert International. Also, the “AB” logo signifies that the producer, the importer or the distributor has been duly registered with the EU Member State’s organic food trade association. Ecocert, Qualite France and Ascert International conduct regular inspections of producers, who are subject to strict controls.

## 5. Alcoholic Beverages, Wine, and Beer

French wine imports from non-EU countries are subject to EU import duties, which vary depending on the percentage of alcohol contained in the wine and the type of container. Other taxes, such as a transportation tax, which is the equivalent of an excise duty, and value added tax (VAT), apply to both domestically and foreign-produced wines. For any import above 30 hectoliters, an import certificate is required and can be obtained from the wine department of France Agrimer:

<http://www.franceagrimer.fr/filiere-vin-et-cidriculture/Vin>.

Also, a VI.1 document is necessary, as well as an invoice. The document certifies that the Alcohol and Tobacco Tax and Trade Bureau (TTB) has approved the U.S. wine exporter. This document is issued in the U.S. by the producer. For additional information, please visit the TTB website at: <http://www.ttbimport@ttb.treas.gov>.

For information on labeling regulations for wine, wine and spirit drinks, as well as alcoholic regulations, please refer to EU-27 GAIN Report E49058 dated August 7, 2009.

Beer imports to France are also subject to custom duties and tax laws. To be called “beer” the product should correspond to criteria as defined in [French decree 92-307](#) of March 31, 1992.

## 6. Animal Products

### Beef Labeling

France follows the EU requirement that all beef meat sold in France must be labeled with the country(ies) where the animal was born, raised, and slaughtered. Since January 1<sup>st</sup> 2003, France has required that restaurants be able to provide the origin of the meat served to its customers.

## 7. Environmental Labeling

For more detailed information, see [GAIN report FR9121 dated November 11, 2012](#)

Testing environmental labeling for all goods, not only food products, started on July 1, 2011. It is described in a report published in January 2012 by the Ministry of Ecology and Sustainable Development titled, “Towards an environmental labeling for food products” (an English translation is available [here](#). Environmental labeling aims to “test how information is passed on throughout the entire production and distribution chain, all the way to the consumer.”

The legislative grounds for environmental labeling are the in Grenelle laws indicating “consumers must have access to sincere, objective and comprehensive environmental information on the overall characteristics of the product/package pair.”

The technical grounds of environmental labeling include a methodology of good practices for environmental labeling of consumption products (BPX30-323:2009), which sets carbon dioxide emissions as the main but not unique criteria for environmental labeling, and life-cycle as the basis for calculation. This methodology resulted from the work of the Environment and Energy Management Agency and of the Food Standards Agency (ADEME-AFNOR).

Overall, thirty-six food organizations (including 29 private companies) volunteered to participate in the program, on a total of 326 food products. Three indicators were labeled on the products, on average: greenhouse gas (GHG) emissions, water consumption, and impact on biodiversity. Consumers were informed mainly via internet, labeling at the retail outlet, or through a mobile application. The results indicated that 75 percent of the food companies want to continue environmental labeling, and 60 percent want it to expand. The coexistence of this environmental labeling scheme on food products with other distinctions (such as organic agriculture, sustainable agriculture, geographical and quality indications, ‘product grown on a farm with high environmental value’ and the European Ecolabel) has yet to be studied.

Here is an example of environmental labeling taken from organic breakfast cereals (oats):





## 8. Sustainable Agriculture Labeling

Fair Trade Labeling: In 2011, there were more than 3,000 products sold in France under this label, representing sales of 315 million Euros, mainly including coffee (41 percent), cotton, (14 percent), cocoa (13 percent), banana (8 percent), and tea (8 percent). Ecocert certifies products under “equitable, supportive, responsible” include cocoa, coffee, dried fruits, legumes, olive and sesame oil, quinoa, rice, rum, can sugar, vanilla, coconut, bananas.

The following logos indicating fair trade can be found on food products sold in France:



## SECTION VIII. COPYRIGHT OR TRADEMARK LAWS

### 1. Trademarks

Trademarks and brand names are protected under French law, with no limitations on number. In a general sense, trademarks recognize and protect indicators which distinguish one product or service from similar products or services. A trademark has a ten-year life span and is renewable every ten years.

To register a trademark, applications must be filed with the following organization:

- Institut National de la Propriété Industrielle (INPI)  
Division des Marques  
26bis, rue de Saint Pétersbourg  
75800 Paris Cedex 08  
Tel: (+33) 1 53 04 5304 Fax: (+33) 1 49 01 0737  
<http://www.inpi.fr>

The registration of a trademark, as is the case for patents, requires a French address, which may be obtained through a legal representative in France or in Europe.

## 2. Protected Geographical Indications

France was among the first countries in the world, dating as far back as 1919, to establish a system protecting the use of geographic indications (appellations) for food products. In 1992, it was later extended at the European level ([see EU-27 GAIN Report E700048](#)). The EU Regulations set up three systems/labels: Traditional Specialty Guaranteed (TSG), Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI). In France, the Institut National des Appellations d'Origine (INAO : <http://www.inao.gouv.fr>) oversees the PGI system.

Note that in France, no agricultural or food product is protected yet under the TSG system but four products are in the process including beer and shallots. For products with a geographic name not protected under the PGO/PGI system, including products from third countries, the DGCCRF at the Ministry of the Industry and Finance, insures the accuracy of the label. For example, if a product is labeled as coming from Florida, the seller must prove, with proper documentation, that the product is truly from Florida. When a registered brand includes a geographic name (such as California Cola), and the product does not come from the region named in the brand, the label must indicate clearly the origin of the product.

Third countries can have their geographic names recognized and protected at the EU level through bilateral agreements with the EU, which are also valid in France.

## SECTION IX. IMPORT PROCEDURES

For general EU import procedures, please refer to [see EU-27 GAIN Report E700048](#). For France specific requirements:

Considering the variety of distribution options available in France, it is important for the new-to-market exporter to select the method best suited to his product. French buyers generally prefer to purchase through an intermediary (distributor, agent, or salaried representative), thus sales directly to the end-user a rare practice. Imports of foodstuffs to France generally require the following:

1. Customs clearance: Done by a person or a company able to present to customs authorities at the port of entry the imported goods as well as the necessary accompanying documents for the food products (i.e., commercial invoice, bill of lading, the certificate of origin, the import and sanitary/phytosanitary certificate). The U.S. exporter should have the customs clearance done by a forwarding agent, importer/distributor, or agent in the country of destination.
2. Customs clearance should be done in a customs office at the port of entry. For more information regarding proper customs clearance documentation and addresses of various customs offices, please contact:

Centre de Renseignements Douaniers  
11, rue des Deux Communes 93558 Montreuil Cedex  
Tel: (+33) 1 0811 20 4444  
Email: [crs@douane.finances.gouv.fr](mailto:crs@douane.finances.gouv.fr)  
<http://www.douane.gouv.fr/page.asp?id=263>



All shipping documents must be in French. Also, some products, as enumerated previously in this report, are subject to veterinary or health inspection upon arrival in France. Representatives of both Ministries of Economy and Agriculture are present at each port/airport of entry.

The entire customs clearance procedure is rapid, provided the U.S. exporter has furnished all the necessary documentation with the shipment. Also, it is recommended that the exporter be fully aware of the necessary shipping documents required for the product. Most often the information is provided by the importer.

3. When foodstuffs enter France, customs duties, ad valorem, must be paid. The amount of these duties differs according to product. In addition, a value added tax (VAT), is applied (5.5 percent for all food products, except for alcoholic beverages, chocolate and candies where the VAT tax is 19.6 percent).

## **APPENDIX I: FRENCH GOVERNMENT REGULATORY AGENCY CONTACTS**

For European Community contacts and how to obtain legislation, [see EU-27 GAIN Report E700048](#).

The General Direction for Food of the French Ministry of Agriculture (DGAL/MINAG) participates in the preparation of food laws and the definition of norms. It also administers sanitary and phytosanitary policy. DGAL headquarters are located at the following address:

Direction Générale de l'Alimentation  
Ministère de l'Agriculture, de l'Agroalimentaire et de la Forêt  
251 rue de Vaugirard  
75015 Paris  
Tel: (+33) 1 49 55 49 55 - Fax: (+33) 1 49 55 48 50  
Internet: <http://www.agriculture.gouv.fr>

The DGAL office providing French import requirements is:

Service d'inspection vétérinaire et phytosanitaire aux frontières (SIVEP)  
Direction Générale de l'Alimentation  
Ministère de l'Agriculture, de l'Agroalimentaire et de la Forêt  
251 rue de Vaugirard  
75732 Paris Cedex 15  
Tel (+33) 1 49 55 58 35 Fax : (+33) 1 49 55 83 14  
E-mail: [sivep.sdasei.dgal@agriculture.gouv.fr](mailto:sivep.sdasei.dgal@agriculture.gouv.fr)

The General Direction for Competition, Consumption and Frauds (DGCCRF) is the French regulatory agency responsible for the safety of all foods. DGCCRF's activities are directed against impure, unsafe, and fraudulently labeled foods. DGCCRF is also responsible for enforcing French laws in manufacturing and marketing and also at the import level. They have offices at each point of entry. Their headquarters are at the following address:

Direction Générale de la Concurrence  
de la Consommation et de la Répression des Fraudes (DGCCRF)  
Ministère de l'Economie, des Finances et de l'Industrie  
59, boulevard Vincent Auriol  
75703 Paris Cedex 13  
Tel: (+33) 1 44 87 1717 Fax: (+33) 1 44 97 3031  
Internet: <http://www.finances.gouv.fr>

The Association Française de Normalisation (AFNOR) is the French authority in charge of coordinating work and research

relating to establishing standards. AFNOR prepares new and revised standards, puts them to public enquiry, and then submits them to the relevant ministry for approval. It is the French branch of the European Standardization System (CEN) and a member of the International Organization for Standardization (ISO). AFNOR can be reached at the following address:

AFNOR  
11, avenue Francis de Pressense  
93571 St Denis la Plaine Cedex  
Tel: (33-1) 41 62 8000 Fax: (33-1) 49 17 9000  
Internet: <http://www.afnor.fr>

## **APPENDIX II: OTHER IMPORT SPECIALIST CONTACTS FOR FRANCE**

### **For additional information about a particular product:**

Office of Agricultural Affairs  
U.S. Embassy Paris, France  
2, avenue Gabriel  
75382 Paris Cedex 08  
Tel: (+33) 1 43 12 2245  
Fax: (+33) 1 43 12 2662  
Internet: <http://www.usda-france.fr>  
Email: [agparis@fas.usda.gov](mailto:agparis@fas.usda.gov)

### **For information on duties, taxes and documentation:**

Centre de Renseignements Douaniers  
11, rue des Deux Communes  
93558 Montreuil Cedex  
Tel: (+33) 1 0811 20 4444  
Email: [crs@douane.finances.gouv.fr](mailto:crs@douane.finances.gouv.fr)

For business and credit reports on an importer/distributor or agent in France, please contact:

Altare  
Immeuble Capitole  
55, avenue des Champs Pierreux  
92012 Nanterre Cedex 01  
Tel: (+33) 1 41 37 5000  
Fax: (+33) 1 41 37 5001  
Internet: <http://www.altares.fr>

### **French Statistical Institute:**

INSEE Infos Service  
18, Bld Adolphe Pinard  
75014 Paris  
Tel: (+33) 1 41 17 5050  
Fax: (+33) 1 41 17 6666  
Internet: <http://www.insee.fr>

### **To obtain EU/French Customs tariffs:**

Journal Officiel

26, rue Desaix

65015 Paris

Tel: (+33) 1 40 58 7979

Fax: (+33) 1 45 79 1784

[Email: info@journal-officiel.gouv.fr](mailto:info@journal-officiel.gouv.fr)

<http://www.legifrance.gouv.fr>