

France Specifies Mineral Oil Requirements Under Anti-Waste and Circular Economy Law

SafeGuardS

**EE Restricted Substances, Food Contact Material,
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May 24, 2022

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France is regulating two categories of mineral oil in ink for packaging and printed paper. Their restrictions will be implemented in two phases, starting January 1, 2023

In 2020, France published **Decree No. 2020-105 on the 'Fight Against Waste and the Circular Economy'**. Article 112 to this law regulates the use of mineral oils on packaging. It:

- Prohibits mineral oils on packaging from January 1, 2022
- Prohibits mineral oils for printing intended for the general public from January 1, 2025. This prohibition, however, will become effective on January 1, 2023, for unsolicited advertising materials and catalogs for commercial promotions
- Allows the applicable conditions of Article 112 to be defined by Decree

According to Articles **D543-45-1** and **D543-213** of the Environment Code and **Decree No. 2020-1725 of December 29, 2020** 'Various Adaption Provisions Relating to Extended Producer Responsibility' (the Law), the conditions for the implementation apply to mineral oils containing substances that disrupt the recycling of packaging waste paper or restrict the use of recycled materials because of the risk of these substances to human health.

On May 3, 2022, France's Ministry for Ecological Transition (Ministère de la Transition écologique) issued Decree of April 13, 2022 (**Arrêté du 13 avril 2022**, the Decree) to regulate two categories of mineral oil and their requirements for the implementation of Articles D543-45-1 and D543-213, as well as Decree No. 2020-1725. The Decree contains several important provisions. It:

- Pushes back the effective date for Article 112 of Decree No. 2020-105 from January 1, 2022, to January 1, 2023
- Defines mineral oils as oils produced from feedstocks derived from petroleum hydrocarbons used in the production of inks
- Provides a specific definition for mineral oils and specifies their requirements in ink (see Table 1)
- Indicates that compliance can be checked before or after application or printing (Section 3)

According to Section 4 of the Decree, the restrictions of mineral oil aromatic hydrocarbons (MOAH) and mineral oil saturated hydrocarbons (MOSH) do not apply to packaging, printing intended for the public, letters from advertising leaflets and unsolicited catalogs aimed at commercial promotions if there are specified requirements in a Community provision that expressly authorizes the use of (mineral) oil in inks.

Highlights of the requirements for MOAH and MOSH are summarized in Table 1

Decree of April 13, 2022, specifying the substances contained in mineral oils whose use is prohibited on packaging and for printing intended for the public Official Journal of the French Republic, Number 102, May 3, 2022			
Substance	Scope	Requirement	Effective Date
MOAH consisting of 1 to 7 aromatic rings	Inks	≤ 1.0%	January 1, 2023
		≤ 0.1% and ≤ 1 ppm MOAH compounds containing 3 to 7 aromatic rings	January 1, 2025
MOSH consisting of 16 to 35 carbon atoms		≤ 0.1%	January 1, 2025

Table 1

The Decree will become effective on January 1, 2023.

There are two transitional periods:

- Packaging and printed matter of paper manufactured or imported before January 1, 2023, is required to be disposed of by December 31, 2023
- Compliant packaging and printed paper manufactured or imported before each of the deadlines in Table 1 is required to be disposed of within 12 months of those deadlines

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For inquiries, please contact:

Dr. Hingwo Tsang
Global Information and Innovation Manager
t: **(+852) 2774 7420**

Pascale LAMBERT-DESMURS
Expert Global Contact Alimentaire et Chimie E&E
t: **+33 6 85 93 63 00**

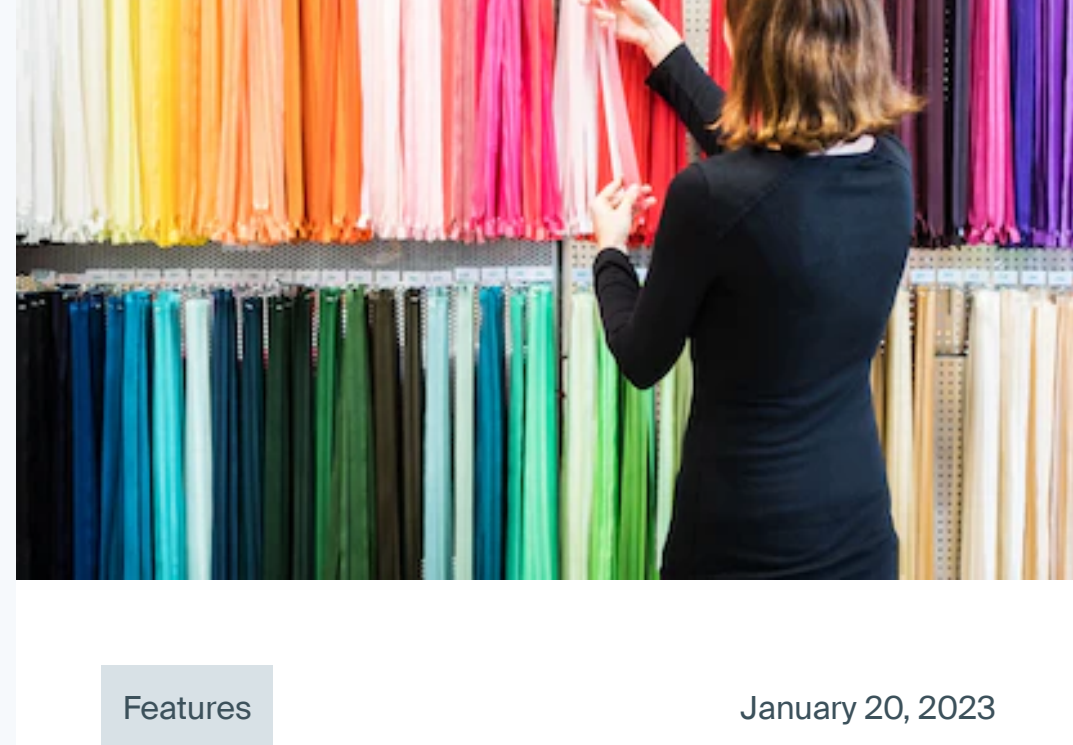
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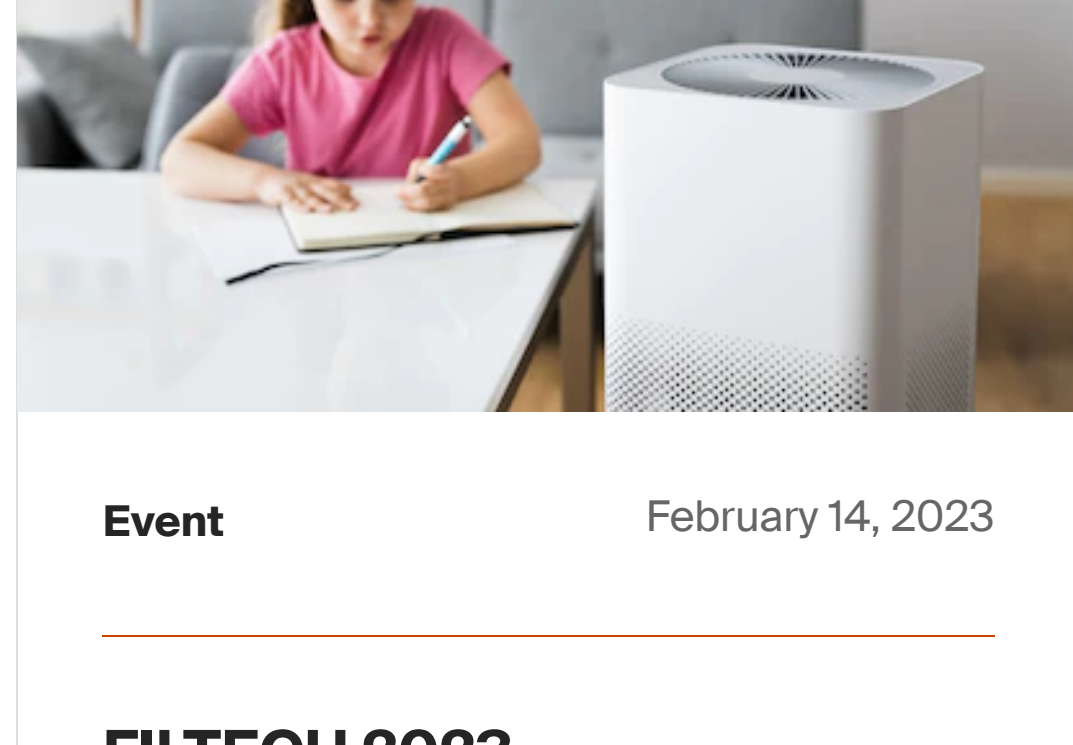


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California Proposition 65: Reformulation of Chemicals in Consumer Goods

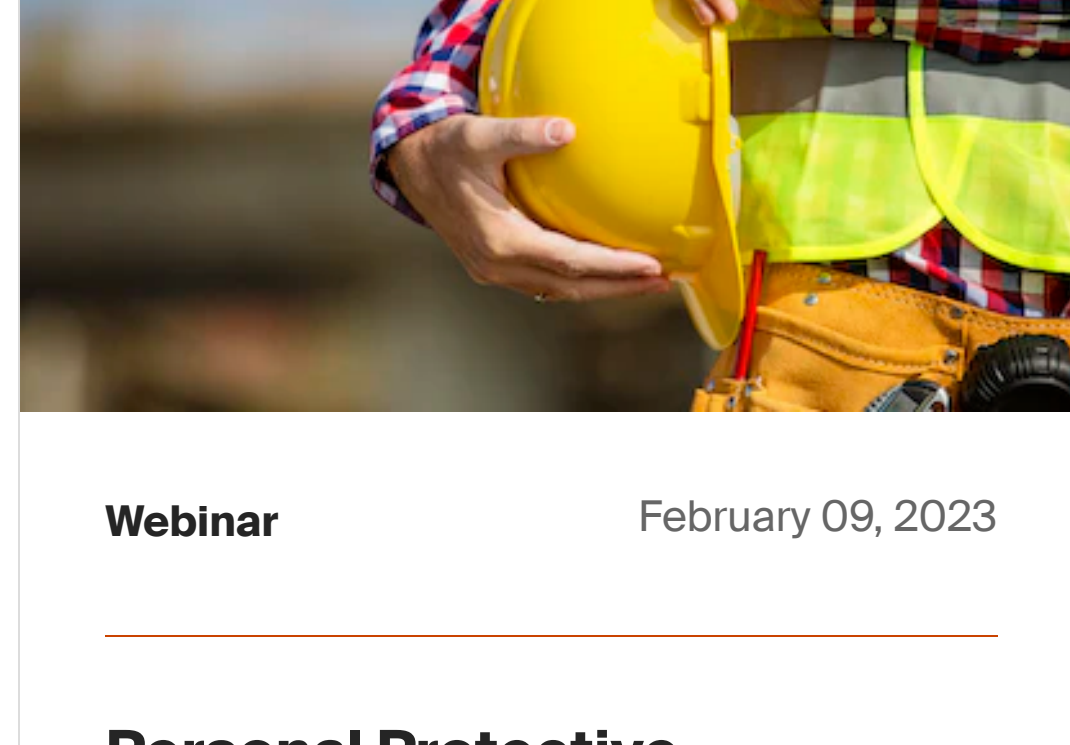
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