

Contribution to the TRIS notification of the «Decree on consumer information symbols indicating the sorting rule for waste resulting from products subject to the principle of extended producer responsibility» [Inter IKEA & Ingka Group]

23 September 2020

The IKEA vision is to create a better everyday life for the many people, by offering a wide range of well-designed, functional home furnishing products at prices so low that as many people as possible will be able to afford them. As one of the leading brands in the global furniture industry, IKEA has a big responsibility - and with it, big growth opportunities - to make a large-scale, positive impact on climate and resources by adopting a circular business model. To create the greatest impact, sustainable living must be affordable for as many people as possible. COVID-19 has put a strain on resources for many households; now, more than ever, we need to protect affordability to enable a sustainable future.

IKEA welcomes this opportunity to submit the following comments and recommendations during the standstill period of the TRIS notification on the French “Decree on consumer information symbols indicating the sorting rule for waste resulting from products subject to the principle of extended producer responsibility”.

Challenges

- **The French Law on Wastage and Circular Economy (Article 17), in combination with the notified decree, creates unique obligations for the French market that will substantially increase costs across the supply chain.** The French law requires the mandatory use of a sorting logo (Triman symbol). In addition, manufacturers are required to include sorting information for each product category subject to Extended Producer Responsibility (EPR) schemes in France, which are expected to become 22 in total, (including furniture, textiles, toys etc.). This means that producers who want to sell products in the EU will need to create specific packaging and labelling exclusively for the French market. It's possible, as well, that each product group sold in France (if subject to a French EPR) will need its own packaging approach, should sorting instructions vary on a product-by-product basis. **Ensuring compliance with these rules will significantly increase costs throughout the supply chain, including consumer product prices, require new set-ups, logistics and create excessive administrative hurdles.**
- **Unique mandatory sorting information on packaging will ultimately put up barriers to cross-border trade within the EU and affect optimization of resources.** Should each EU country take its own approach, we will have an internal market with 27 different ways of marking and providing sorting instructions within the EU, resulting in a complete fragmentation of the EU Single Market. Unsold products in France may not be easily transferred to another EU Member State due to the French-specific symbols and instructions, leading to more packaging waste and costs. For IKEA, this would impact our ability to react on fluctuating market demands, by losing the flexibility to respond to increased or reduced demands across EU countries. More information to be added on packaging will require more packaging material, generating more waste.



- **Short implementation timelines in the requirements increase legal uncertainties.** The notified decree allows for a high level of flexibility to EPR organizations to at any time propose and revise the product-specific sorting instructions, which should be implemented by companies within maximum one year from the date of publication ('**Article. R. 541-12-18**' of the notified decree). This strict deadline don't take into account the time needed to implement new systems – if major changes are requested - and has the potential to pose a heavy burden on supply chains and increase legal uncertainty for businesses operating in France.
- **It's uncertain if the labelling costs bring added benefits to the customer.** The requirements call for different instructions for product groups, which could increase complexity for consumer understanding and behaviour change. The same material could be potentially subject to different sorting instructions on a product-by-product basis. From the consumers' perspective, this scattered approach risks creating an inconsistent information flow and a confusing landscape.

Recommendations

1. **Establish requirements at the EU level.** A common EU approach will facilitate, rather than hinder, trade and will enable a common language among all stakeholders, from businesses operating in various parts of the supply chain to policymakers and authorities at different levels of government (local, regional, National, European). As we live in a Union where people and goods freely circulate from country to country, we believe that this will benefit European consumers too. There are already some legal instruments, such as the EU Packaging and Packaging Waste Directive, and there is also a clear political willingness to work on common rules at the EU level, as expressed by the European Commission in the 2020 Circular Economy Action Plan. This is an opportunity to create a common language and clear framework among EU consumers, companies and waste operators, as well as significantly reduce costs and benefit the EU Single market.
2. When regulating consumer information requirements, such as markings and sorting instructions, **we strongly recommend using a smart mix of information carriers (on the product, in the store, online)**, to ensure that information is available to the consumers when needed, reducing the amount of information on products/packaging to what is truly beneficial. **We also recommend the use of international symbols, over text or Nation-specific marking.** There are many successful cases, including the almost globally used ISO symbols for washing textiles. Using international symbols will allow the free circulation of goods and reduce the amount of space needed in the packaging, generating less costs and less waste.
3. **Support the behavioural change.** When thinking information on sorting, it is critical to set a clear scope and objective, prioritizing the product categories/materials that are actually possible to recycle, and securing that consumers have the means to do the recycling wherever they live. If this is not the case, customers will face scattered, confusing and inconsistent information.
4. **For any new obligation there should be a consideration of the supply-chain implications and a reasonable timeline for implementation.** Changes in supply chain need a longer period of time than one year and a good level of legal certainty for companies to plan and execute changes.



With our move toward a circular business, IKEA supports regulatory efforts and applauds the French government for placing circularity at the core of its agenda. To deal with the challenges in the best way, though, we need modern, greener economy policies to be founded on a harmonised regulatory approach that optimises costs and allows sustainability to be affordable for as many people as possible. **For this reason, we call on the European Commission to closely examine the compatibility of the French notified decree against EU law, and take the above comments under consideration. IKEA welcomes the opportunity to provide clarification or addition input.**

About IKEA: The IKEA business is operated through a franchise system with over 430 stores in over 50 markets. Many companies with different owners work under the IKEA trademark. **Inter IKEA Group** is responsible for continuously developing the IKEA Concept and its core business unit - IKEA Range & Supply - is responsible for designing and supplying the global IKEA range to franchisees; **Ingka Group** is the strategic partner and it owns and operates 374 stores in 30 countries representing 90% of total IKEA sales. Within the European Union, Ingka group is present in 22 Member States through our retail operations, shopping centres and investment projects.

For more information on [Circular IKEA](#).

Contact: Roberta Dessì, Director of Regulatory Affairs, IKEA Range&Supply - roberta.dessi@inter.ikea.com