

**Order of XXXX suspending the placing on the market of products sold in powder form intended for intranasal consumption**

NOR:

**The Minister attached to the Minister for Labour, Health and Solidarity, responsible for Health and Prevention and the Minister attached to the Minister for the Economy, Finance and Industrial and Digital Sovereignty responsible for Business, Tourism and Consumer Affairs,**

Having regard 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, and in particular notification No XXXXX;

Having regard to the Consumer Code, in particular Article L. 521-17 thereof;

Whereas the introduction into the market of products sold in powder form intended for intranasal consumption which, through their presentation, general appearance, specific mode of consumption and promotion of the expected stimulating effects, imitate in particular cocaine, a substance whose consumption and sale is illegal, and which are confused with the use of narcotics;

Whereas these methods of consumption and marketing are such as to trivialise the use of this narcotic product;

Whereas some of these products, which include sweet or fruity flavours in their composition and which are presented in a particularly attractive way for young people, are likely to increase the risk of experimentation with and use of cocaine or other narcotic products by this public and thus encourage their use;

Whereas the intranasal route of administration of these powders presents a proven risk, in the event of repeated use, of weakening the nasal passages with associated harmful effects such as bleeding, congestion and sinus infections, and even rupture of the septum, and that the active substances contained in these powders are likely to have harmful effects on the nasal epithelium and its environment;

Whereas the consumption of these products in a collective context, caused by the sharing of straw or inhaler, leads to an increased risk of transmission of infectious diseases;

Whereas the unexpected extent of media coverage of these products in recent times increases the risk of consumption;

Whereas these powders intended for intranasal consumption thus pose a serious and immediate danger to public health;

Whereas it is therefore necessary, in particular in order to decide on the conditions for the marketing of such products, to suspend their placing on the market as a matter of urgency, to withdraw products already on the market, to recall products already acquired by consumers and to issue warnings concerning the dangerous nature of these products,

**Hereby order the following:**

**Article 1**

The placing on the market, free of charge or in return for payment, of products sold in powder form intended for intranasal consumption which is confused with the consumption of narcotic drugs shall be suspended for a period of one year.

The previous subparagraph shall not apply to medicinal products, medical devices and tobacco products.

**Article 2**

The products referred to in Article 1 shall be withdrawn from wherever they may be found and recalled from consumers in possession of them.

Warnings informing consumers of the dangerous nature of the products referred to in Article 1 and urging them not to use them shall be issued by those responsible for first placing them on the market.

The costs incurred in applying the provisions of this Order shall be borne by the persons responsible for placing the products referred to in Article 1 on the national market.

### **Article 3**

This Order shall be published in the *Official Journal* of the French Republic.

Done on [date]

The Minister attached to the Minister for the Economy, Finance and Industrial and Digital  
Sovereignty, responsible for Business, Tourism and Consumer Affairs,

The Minister attached to the Minister for Labour,  
Health and Solidarity,  
responsible for Health and Prevention,