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## France

### Food and Agricultural Import Regulations and Standards

### FAIRS Annual Report

## 2004

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**Report Highlights:**

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Sections Updated:

- Section II: Labeling Requirements
- Section VI: Other Regulations and Requirement: Pet Food
- Section VII: Other Specific Standards: Organic Foods, Alcoholic Beverages, wine and beer

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This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Paris, France for U.S. exporters of domestic 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.**

## SECTION I. FOOD LAWS

1. Exporters should be aware that there may be some variation among Member States in applying EU harmonized legislation. This may be due to variations in the transitional period needed to adjust to EU rules. There may be temporary waivers or exemptions and in certain cases and there may be room for interpretation of EU harmonized legislation. Legislation not regulated in detail at EU level may be handled differently in different Member States. Also, there is a wide variation in inspection fees, in registration fees, and in the time required to evaluate products used in the food production process.
2. Although France is not a closed market, certain regulations exist both in France and in the EU which limit market access for specific U.S. agricultural exports. The ongoing harmonization of EU import regulations, as well as the implementation of the Uruguay Round commitments under the World Trade Organization (WTO), may result in the elimination of WTO-inconsistent French regulations, as well as in the conversion of quotas, variable levies and restrictive licensing to tariffs which are to be reduced over time. **Products which are subject to restrictive regulations include: poultry meat, enriched flour, genetic material, "exotic meats" such as alligator and buffalo, crayfish and pet foods and 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 are given in Section VI. "Other Regulations and Requirements" of this report.
3. French labeling and product ingredient regulations are among the most strict in the European Union (EU). The General Direction for Competition, Consumption and Frauds (DGCCRF) is the French agency responsible for enforcing these regulations and can be reached 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  
59, boulevard Vincent Auriol  
75703 Paris Cedex 13  
Tel: (33-1) 44 87 1717  
Fax: ((33-1) 44 97 3031  
Internet: <http://www.dgccrf.minesi.gouv.fr>

DGCCRF views their role as 1) A protector of the consumer's health by overseeing "safe" ingredients and 2) a protector of food quality standards by ensuring clear, descriptive labeling.

Note: It is prohibited to imply that a food has certain properties when all similar products would possess these same properties.

French regulations severely limit superlatives in food labeling. For example superlatives such as “great” cannot be used on labels to describe a food product. The use of the word “natural” may be permitted depending upon its location on the label and the product. The Adding vitamins to foods, beverages and flour products, and using traditional French cuisine terms, such as “beef bourguignon” are also not allowed. In summary, product nomenclature is allowed to describe a product, but not to promote it.

Labels should be worded in such a way so as not to confuse the consumer. For example, “Peanut Butter” should be denominated as “Pate d’arachide” and not “beurre d’arachide” since it does not actually contain any butter as defined by French regulations.

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

The result of the DGCCRF’s enforcement of these requirements and others is that many U.S. products are disadvantaged by virtue of their American-style labeling (usually a marketing tool as well as nomenclature) and/or manufacturing practices. U.S. exporters may need to consider the possibility of modifying their food product/label for the French/EU market, but the built-in bias against U.S. manufacturing techniques and the prohibition of certain safe ingredients may persist as a non-tariff trade barrier to U.S. high-value foods in France.

French is the official language. While many business people speak English, product literature, correspondence and negotiations in French provide a distinct advantage over competitors who are only using English. It should be noted that other EU suppliers are accustomed to dealing with contacts in French.

## **SECTION II. LABELING REQUIREMENTS**

### **A. General Requirements**

All labels must be in French regardless of the origin of the product. However, multilingual labels are acceptable. France has very restrictive additive regulations. The appearance of a food additive on the EU list of approved additives does not automatically mean the additive is approved for use in France or that it is approved for use in all types of food products.

The use of the French language is mandatory in documents used in business transactions as well as on labels, packages, and merchandise itself. The use of foreign names is forbidden in place of existing equivalent French terms. However, the following are authorized: chorizo, couscous, gin, merguez, paella, salami, vodka, aquavit, Gorgonzola and whiskey.

... 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 consommé de préférence avant fin (day, month, year).” (“Best consumed before ....”). For perishable products, the DLC must appear on the label using the words, “A consommé avant (day, month, year).” (“To be consumed before ...”). However, for extremely perishable products, the DLC must appear on the label as “A consommé jusqu’au (day, month, year)”, (“To be consumed until ...”) or “A

consommer jusqu'à la date figurant (day, month, year)," ("To be consumed no later than...").

... Some products are exempt from indicating the DLC or DLUO. They include: Fresh fruits and vegetables, wines and spirits, alcoholic beverages with an alcoholic content equal of greater than 10.5 percent by volume, vinegars, sugar, confectionery items, and live shellfish intended for raw consumption.

... Name and address of manufacturer, packer or vendor within the EU must be given.

... 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 product must be included in the ingredient list (see QUID section below).

*Note: As of November 25, 2004 France will implement EU Directive 2003/89 of 11/10/03 requiring operators to label on the list of ingredients certain allergens used in the manufacturing process of the product. The list of allergens can be found in the Annex of the EU Directive. ([www.europa.eu.int](http://www.europa.eu.int))*

... All additives and preservatives must be indicated on the label of all food products either by their specific group name or by their "E" Number. Certain substances such as herbs, spices and aromatics should be listed on the ingredients list; if their names are used in the name of the product 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 mm in height on all product cases (packing labels, etc.). The abbreviation "USA" is acceptable in France.

... 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, 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".

... 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 a liquid, in addition to the net product weight, the drained weight in metric units must also be indicated 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 should appear in grams.

... Give the net weight, product weight or the drained weight in metric units. 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, one may not use the words "pure", "fine", "extra", "fresh", etc., in combination with the word "butter".

- ... 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 acceptable for import into France or other EC countries.
- ... Veterinary stamp or sanitary certification is mandatory on products of animal origin (meat, delicatessen, milk, eggs, fish and seafood ...)
- ... Instructions for use (or advice on how to prepare a food product) is mandatory only when necessary, and should be clearly indicated and visible on the label to allow for appropriate use of the product.

#### **B. Requirements Specific to Quantitative Ingredients (QUID):**

Quantitative ingredients declaration (QUID) is mandatory in the following cases:

- ... Where the ingredient or category of ingredients appears in the name under which the foodstuff is sold: i.e., strawberry ice cream - QUID for strawberries  
fruit pie - QUID for total fruit content
- ... Where the ingredient or category of ingredients is usually associated with that name by the consumer: i.e., goulash soup - QUID for beef.
- ... Where the ingredient or category of ingredients is emphasized on the labeling in words (i.e., "made with butter"), pictures (i.e., of a cow to emphasize dairy ingredients) or graphics (different size, color and/or style of print)
- ... Where the ingredient or category of ingredients is essential to characterize a foodstuff and to distinguish it from similar products.

The QUID declaration must be indicated in or immediately next to the name under which the product is sold unless a list of ingredients is voluntarily indicated on the label in which case the quantity may appear in the list. The quantity of the ingredient, expressed as a percentage, must correspond to the quantity of the ingredient (s) actually used in the preparation of the product.

The QUID requirement DOES NOT apply to constituents naturally present in foods and which have not been added as ingredients, i.e., caffeine (in coffee) and vitamins and minerals (in fruit juices). QUID declarations are not needed in a number of cases, i.e., when products state the drained net weight or where an ingredient is used for purposes of flavoring. QUID declarations CANNOT replace nutrition labeling.

Commission Directive 1999/10/EC provides for derogations from the QUID requirement:

- Where the wording "with sweeteners" or "with sugar(s) and sweetener(s)" accompanies the name under which a foodstuff is sold

- Where the addition of vitamins and minerals is subject to nutrition labeling
- Where foodstuffs are concentrated or dehydrated.

### C. Requirements Specific to Nutritional Labeling

French decree 93-1130 dated September 27, 1993, and decree of December 3, 1993, as amended, implements an EU directive 90/496 on nutritional labeling. This decree applies to all packaged food products, including food products for hotels, restaurants and institutions (HRI), but does not apply to mineral water and food supplements. However, nutritional labeling is not mandatory in France and in the EU, except when a nutritional fact is indicated on the label, in the advertising or in the presentation of a food product. In these cases, two possibilities for nutritional labeling are suggested:

- Group I: Caloric value (in kJ and Kcal), proteins, glucides, lipids (in g)
- Group II: Caloric value (in kJ and kcal), proteins (in g), glucides (in g) from which sugars (in g), lipids (in g), of which saturated fatty acids (in g), fiber (in g), sodium (in g).

In addition to the information of Groups I and II above, nutritional labeling may also indicate quantities of one or several of the following nutrients: (Starch, polyols, saturated fatty acids, cholesterol, minerals and vitamins present in the product, if they represent at least 15% of the daily recommended supplies. All nutrient quantities should be expressed in milligrams (mg) or grams (g).

Certain quantitative nutritional facts (i.e., "light in ...", rich in vitamins or minerals, without added sugar, etc.) apply particularly to dietetic/health food products.

In France, labeling should not attribute any health claim to a food product. However, no precise regulation currently exist for facts relative to health. A nutritional fact describes the role of the nutrient in the current functions of the body, as indicated in the Commission for Studies of Food Products (CEDAP), Advice of 1997. CEDAP proposes that the function of vitamins and minerals be stated, but the final choice is left to the manufacturer. These allegations should always be accompanied by information indicating to the consumer that a diversified diet is best and that the daily recommended needs assure the coverage of nutritional needs.

### SECTION III. PACKAGING AND CONTAINER REGULATIONS

In addition to various harmonized EU Directives for products which need special packaging or container size to enter the EU, such as wines and alcohol, France has its own packaging or container size requirements for a large variety of food products, including beers, fermented beverages, breakfast cereals, pre-packed fruits and vegetables, 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 require a declaration of unit price, per kilo, 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 supermarket stores.

The Green dot logo on a package is an environmental seal indicating that the packaging manufacturer participates in a municipal waste disposal system for recycling (ex: Eco-emballage). While the application of this logo on food labeling is not mandatory for all companies, a French decree of 1992 implementing EU directive 94/62, stipulates that it is the responsibility of producers, importers or generally persons responsible for the marketing

of a food product to contribute or provide for the elimination of all the packaging waste matter.

The French regulation, implementing the EU Directive, for packaging materials in contact with food products is compiled in brochure No. 1227 of 1997, including modifications of 1998 and 1999. This brochure can be obtained from the French Official Journal (See address listed in Appendix II of this report). However, use of the following materials directly in contact with foods are strictly forbidden in France: copper, zinc, and galvanized iron, except for use in the process of distilling, confectionary and chocolate manufacturing.

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

The French decree of October 2, 1997, published in the French Official Journal of November 8, 1997 as modified, implements various EU Directives on additives authorized in food products.

This French decree also stipulates the requirements and restrictions on the use of additives in foodstuffs, and determines the maximum level of tolerance.

A U.S. exporter wishing to obtain a copy of the French Official Journal of November 8, 1997 on the authorized additives which can be used in food products should write or call:

- Journal Officiel de la République Française  
Direction des Journaux Officiels  
26, rue Desaix  
75727 Paris Cedex 15  
Tel: (33-1) 40 58 7979  
Fax: (33-1) 45 79 1784  
Contact: Information Services  
<http://www.legifrance.gouv.fr>

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

There are different regulations in France governing pesticides and contaminants. Some of these regulations implement EU directives, and some replace the lack of any EU directives or regulations.

The General Direction for Food at the French Ministry of Agriculture and Fisheries (MINAG/DGAL) regulates pesticides and contaminants. MINAG/DGAL also enforces regulations at the agricultural production level only, while the DGCCRF is the agency which enforces regulations for imported products, as well as products sold on the domestic market.

The list of pesticides and contaminants authorized in France with their maximum tolerance levels, along with French regulations for phytosanitary products, are published in a book issued by the Association of Technical Agricultural Coordination (ACTA). U.S. exporters can obtain a copy of this publication by contacting ACTA at the following address:

- Association de Coordination Technique Agricole  
(ACTA)  
149, rue de Bercy  
75595 Paris Cedex 12  
Tel: (33-1) 40 04 5000  
Fax: (33-1) 40 04 5011  
Email: [acta\\_publications@acta.asso.fr](mailto:acta_publications@acta.asso.fr)

Pesticides and contaminants which are not authorized in France can be registered through the MINAG/DGAL. Any information regarding the registration process may be obtained at the following address:

Ministère de l'Agriculture, de l'Alimentation, de la Pêche et des Affaires  
Rurales  
DGAL - Bureau de la Réglementation et de la Mise sur le Marché des Intrants  
Sous-Direction de la Protection des Végétaux  
251, rue de Vaugirard  
75732 Paris Cedex 15  
Tel: (33-1) 49 55 55 84  
Fax: (33-1) 49 55 59 49  
Contact: Ms. Gaëlle Feron  
Email: [gaelle.feron@agriculture.gouv.fr](mailto:gaelle.feron@agriculture.gouv.fr)  
<http://www.agriculture.gouv.fr>

## SECTION VI. OTHER REGULATIONS AND REQUIREMENTS

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

*As a reminder* : Imports of red meat, meat products, farm and wild game meat, ratites, milk and milk products, seafood, bovine embryos and semen, porcine and equine semen, gelatin and animal casings to the EU from the U.S. may only originate from EU approved U.S. establishments (European Union Food and Agricultural Export Regulations and Standards – E23195 dated 10/20/2003).

Specific agricultural and food products which are subject to inspection requirements and/or subject to French trade restriction and barriers include:

- *Poultry, meat and eggs*: A French decree dated December 1<sup>st</sup>, 1997 sets sanitary conditions for import of live poultry and egg products from third countries. Use of arsenical, antimonial, and estrogen in poultry feed compounds is not authorized.
- *Enriched flour*: French regulations prohibit the import of any products made with flour enriched with vitamins, since added vitamins are not allowed in food products, with the exception of dietetic food products.
- *Bovine genetics*: Current Government of France (GOF) marketing controls and regulations discriminate against the free movement of bovine semen and embryos. An import license must be obtained from the French Customs prior to the import process. The license must also be approved by the :

Ministry of Agriculture  
Direction des Politiques Economiques et Internationales,  
Sous-Direction de l'Elevage et des Produits Animaux,  
Bureau de la Génétique Animale,  
Tel: (33-1) 49 55 4695  
Fax: (33-1) 49 55 8026

- *Exotic meat (alligator)*: Current French regulations prohibit imports of exotic meats. Imports of alligator meat from the U.S. into France are currently the subject of ongoing discussions with the French Veterinary Service.

- *Flightless bird meat (ratite)*: The slaughtering and processing plant must be certified by the EU, and the establishment must comply with the sanitary requirements of Commission Decision of 29 September 2000 laying down animal and public health conditions and veterinary certification for imports of farmed ratite meat amending Decision 94/85/EC drawing up a list of third countries from which the Member States are authorized to import fresh poultry meat. In the United States, there are currently four EU-certified for export establishments.

- *Live crayfish*: A 1985 regulation only allows four species of crayfish to be imported live into France, none of which are available from the United States. Until recently, lax enforcement of the regulations had allowed imports of live U.S. crayfish to increase significantly. The GOF is currently trying to discern and quantify the negative impact, if any, that the live crayfish could have on the overall aquatic ecosystem in France.

- *Beef and bison meat*: Imports into France of beef and bison meats are possible provided the slaughterhouses are EU-certified and the meat is hormone-free. A number of EU-certified for export establishments exist in the United States for beef meat while there are only two for bison meat.

- *Fruits and vegetables*: Fresh fruits and vegetables, including apricots, citrus fruits, artichokes, asparagus, eggplant, garlic, carrots, certain varieties of lettuce, Brussels sprouts, cauliflower, cabbage, cucumbers, squash, spinach, strawberries, beans, onions, peaches, leeks, peas, apples, pears, sweet peppers, plums, grapes, tomatoes and kiwis are subject to EU quality norms which mandate a quality inspection at the border of entry to the European territory prior to customs clearance. In addition to the quality inspection, a systematic phytosanitary inspection is done on all shipments of fresh fruits to EU countries, including France. A phytosanitary inspection is not required for fresh vegetables, but an import certificate is requested for garlic. In addition, current regulations require traceability of all produce from the producer to the consumer; this means that each handler should be able to supply information on their supplier or buyer.

- *Certain fresh fruits and vegetables* are subject to seasonal price restrictions. Bananas are subject to import licenses. The import of fresh potatoes from third countries to France is prohibited due to EU concerns over the risk of transmission of certain diseases.

- *World standards based on the United Nations Economic Commission for Europe (UNECE) are now developed for the following dried fruits*: Almonds, apples, apricots, cashew nuts, dates, figs, raisins, hazelnuts, pears, pine kernel, pistachios, prunes and walnuts.

- *Pet food* :

*On May 1st, 2004 a new European Animal By-Products Regulation came into force:*

Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption, modified by Commission Regulation (EC) No 668/2004 of 10 March 2004 amending certain annexes.

It can be found on the European Community legislation website at :

[http://europa.eu.int/eur-lex/en/search/search\\_lif.html](http://europa.eu.int/eur-lex/en/search/search_lif.html)

Information on this animal by-products legislation is on :

[www.useu.be/agri/by-products.html](http://www.useu.be/agri/by-products.html)

Key points :

- Pet food plants have to be dedicated,
- Certain categories of pet food have to be denatured with specified substances,
- There is ban on the use of fallen "downer" stock for pet food.

Pet food exports may be restricted depending on the raw materials used.

Since May 1<sup>st</sup>, 2004, according to regulation (EC) No 1774/2002, modified by Commission Regulation (EC) No 668/2004 of 10 March 2004 amending certain annexes, pet food products have to originate from establishments certified by the competent authority of the third country (APHIS) according to specific instructions of the regulation, and be accompanied by a health certificate complying with samples contained in :

- annex X, Chapter 3 A in the case of canned petfood,
- annex X, Chapter 3 B in the case of processed petfood other than canned,
- annex X, Chapter 3 in the case of dogchews.

In addition to the above health certificates the following two French regulations (decrees) apply:

- French ministerial decree dated March 20, 2003 relating to sanitary conditions applicable to marketing, exchanges, imports and exports of some animal products intended for petfood and petfood processing and other uses, includes the health certificate required for import into France of low risk raw materials intended for petfood processing. The additional information required in paragraph 1, 2 and 3 of the decree should be included in the health certificate.
- French modified ministerial decree dated June 15, 2001 relating to sanitary conditions applicable to marketing, exchanges, imports and exports of some animal products intended for petfood and petfood processing. The additional information should be included in the health certificate.

The health certificates can be provided by APHIS.

All above decrees (arrêtés) were published in the "Journal Officiel" and can be found in French on the website:

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

## **2. Laboratory testing:**

Some products, in order to make sure that they conform to French import standards as to quality, sanitary and ingredients criteria, can be laboratory tested. This is often done for canned fruits and vegetables, beer, dairy products including yogurt.

However, these laboratory tests are generally requested by French supermarket buyers to ascertain if the products they intend to sell conform to French regulations. Very few manufacturers or U.S. exporters address the laboratory directly. However, when a U.S. exporter wants to make sure that its product conforms to a French regulation he may contact a laboratory directly for product testing. The Office of Agricultural Affairs in Paris has a list of French administratively-approved laboratories.

## **3. Animal By-Products for Technical or Pharmaceutical Use:**

The French decree dated 5 April 2002 published in the French Official Journal n.87 dated 13 April 2002 relates to French import or transit requirements for animal by-products or pathogen agents from third countries for technical or pharmaceutical use. It can be found in French on the website : <http://www.legifrance.gouv.fr/>

It is modified by the new Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption, modified by Commission Regulation (EC) No 668/2004 of 10 March 2004 amending certain annexes.

It can be found on the European Community legislation website at :

[http://europa.eu.int/eur-lex/en/search/search\\_lif.html](http://europa.eu.int/eur-lex/en/search/search_lif.html)

Information on this animal by-products legislation is on :

[www.useu.be/agri/by-products.html](http://www.useu.be/agri/by-products.html)

#### **4. Policy for Sample Food Product Shipments:**

Food product samples shipped via express mail or parcel post are subject to the same import regulations as for a commercial shipment in regard to sanitary or phytosanitary requirements.

For customs, the sample shipment should be accompanied by a proforma invoice indicating the value of the sample product. However, samples of no commercial value enter France free of duties and taxes. When sending such samples parcel post, the sender must specify what type of samples are being shipped. "No commercial value" should be written on the appropriate shipping documents. In order for samples of commercial value to enter France duty- and tax-free, a bond or deposit of the total amount of duties and taxes must be arranged. Samples must be reexported within one year if the deposit is to be recouped. An alternative to a deposit 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 reexported within the time period allowed. Carnets may be used for commercial samples, professional equipment, and goods destined for exhibitions and fairs.

#### **5. Certification and Documentation Requirements:**

##### **Import documentation:**

Import and export transactions exceeding 12,500 Euros (\$11,800) 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 to import into France:

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

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

**Certification Requirements:**

*Dairy, meat, and seafood products* must originate from an EU-certified establishment.

*Prepared food products* containing meat, or animal origin foods should originate from an EU-certified manufacturing plant.

***Fresh Fruits and Vegetables:***

Apart from quality inspection controls indicated in para. VI-1 above, fresh fruits and vegetables in France are not subject to any particular certification requirements.

***Plant Phytosanitary Regulations:***

There is no restriction on importing wood, wood products and plants into France, but certain wood and plant species are subject to EU phytosanitary regulations, and inspection upon arrival in France or in the European Union. Also, some coniferous woods are subject to heat treatment certification.

***Pet food products :***

Since May 1<sup>st</sup>, 2004, pet food products have to originate from establishments certified by the competent authority of the third country (APHIS) according to specific instructions of Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption modified by Commission Regulation (EC) No 668/2004 of 10 March 2004.

It can be found on the European Community legislation website at :

[http://europa.eu.int/eur-lex/en/search/search\\_lif.html](http://europa.eu.int/eur-lex/en/search/search_lif.html)

Information on this animal by-products legislation is on :

[www.useu.be/agri/by-products.html](http://www.useu.be/agri/by-products.html)

Article 18 describes the approval of pet food plants and technical plants. Annex VIII, Chapter I, describes requirements for the approval of pet food and technical plants. Annex VIII, Chapter II, describes requirements for pet food and dogchews.

On June 3, 2004, the French Ministry of Agriculture requested APHIS to send the list of US certified petfood plants accompanied by a different list for each category of animal by-products in accordance with EU regulation 1774/2002 before September 1<sup>st</sup>, 2004. The list of US petfood plants published by the Official Journal of the French Republic dated January 10, 2003, will be repealed due to these changes.

The French Ministry of Agriculture office in charge is :

Ministère de l'Agriculture, de l'Alimentation, de la Pêche et des Affaires  
Rurales

Direction Générale de l'Alimentation  
Mission de Coordination Sanitaire Internationale  
Bureau Importation Pays Tiers  
251 rue de Vaugirard  
75732 Paris Cedex 15  
tel: (33-1) 49 55 81 20  
fax: (33-1) 49 55 44 62

E-mail : [import.mcsi.dgal@agriculture.gouv.fr](mailto:import.mcsi.dgal@agriculture.gouv.fr)

Once the updated list is published in the Official Journal of the French Republic, listed plants

will be authorized to export pet food to France.

Additional information may be obtained from:

APHIS Veterinary Services, National Center for Import Export Products Program  
Riverdale, Maryland  
Tel: (301) 734-3578, Fax: (301) 734-8226.

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

A new French decree was finalized in early 2004, still to be validated by the French Food Safety Agency (AFSSA), requesting that meat, poultry, dairy and fish products for food shows be accompanied by a sanitary certificate, as well as an animal health certificate. These products should not be sold or consumed and should be destroyed at the end of the food show. New certificate forms will be available when the French decree will be approved by AFSSA.

Additional information should be obtained from:

Mission de Coordination Sanitaire Internationale, Bureau importation pays tiers  
Direction Générale de l'Alimentation  
Ministère de l'Agriculture, de l'Alimentation de la Pêche et des Affaires Rurales  
251, rue de Vaugirard  
75732 Paris Cedex 15  
Phone: 011-33-1 - 49 55 88 44  
Fax: 011 33-1 - 49 55 83 14  
Email: [import.mcsi.dgal@agriculture.gouv.fr](mailto:import.mcsi.dgal@agriculture.gouv.fr)

For detailed information on French import regulations contact the:

Director, Export Coordination Division, Food Safety Inspection Service, Washington,  
D.C. 20250  
Telephone: (202) 720-6427, Fax: (202) 720-7990.

## **SECTION VII. OTHER SPECIFIC STANDARDS**

### **1. Genetically Modified Organisms - GMOs (Biotech Products):**

A moratorium on approvals of new GMOs in the European Union has been in effect since 1998. This has blocked U.S. corn shipments to the EU. However, with the expected approval of new GMOs in Europe in the first quarter of 2004, the moratorium may be lifted. More info (in French) can be found in: <http://www.ogm.gouv.fr>

(1) The French competent authority implementing the EU Directive 2001/18 is the Commission du Génie Biomoléculaire (CGB) (Biomolecular Engineering Committee). This EU Directive, sets up the conditions of authorization of GMOs to be released in the environment, but not for food or feed use. The CGB surveys the dossiers presented by petitioners (private biotech companies or public organizations), and approves or disapproves these GMOs' market release. When approved, the dossiers go to the European level, are examined by all the Member States and the European scientific committees, and come back to France for final approval. Under this Directive, there are currently a few hectares of GMO field trials in France.

There are currently 6 GMOs approved in Europe and France under this Directive:

- Corn: . Bt-176, produced by Novartis, corn borer tolerant (authorized to be domestically produced and imported). 9 seed varieties derived from Bt176 have been approved for planting in France
  - . MON 810, produced by Monsanto, corn borer resistant (authorized to be domestically produced and imported). 6 seed varieties derived from Mon 810 have been approved for planting in France
  - . T 25, produced by AgrEvo (now Aventis), herbicide tolerant (authorized to be domestically produced and imported). No seeds derived from T25 have been approved for plantings.
- Tobacco: ITB-1000-0X, produced by SEITA (now Altadis), herbicide tolerant (but not commercially developed).

In addition, two chicory hybrid varieties developed by Bejo-Zadden, , herbicide tolerant, have been approved for plantings and seeds sales.

In addition, the following GMOS are authorized for imports and industrial uses, but not for planting:

- Soybeans RoundupReady from Monsanto,
- Corn Bt-11, produced by Novartis, corn borer tolerant.

Authorized for industrial uses:

- Ingredients produced- from Roundup Ready Soybeans
- Ingredients coming from corn Bt176, Bt11, T25, Mon810 and Mon809
- Oils coming from Rapeseed Topas 19/2, GT73, Liberator L62, Falcon GS 40/90, MS1, RF1 and their hybrids, MS1, RF2 and their hybrids, MS8, RF3 and their hybrids.
- Oil coming from cotton Breed 531 and 1445

At present, there is no biotech crop production in France, because there is no market for such products.

(2) The French Loi d'Orientation Agricole (1999) created the French "Comité de Biovigilance", which is a commission in charge of monitoring GMOs once they are released in the environment for experiments or commercial production. This commission principally works on the environmental risks of GMO test plots.

(3) The French Food Safety Agency (AFSSA) ([www.afssa.fr](http://www.afssa.fr)) is the French authority assessing health risks of GMOs for human health, under the Novel Foods Directive. Biotech crops and their derived products for use in food are regulated by the EU regulation 258/97, and the Novel Food regulation, which specifies that GMOs and food containing GMOs have to have a label indicating the presence of GMOs. According to the EU regulations 49/2000 and 50/2000, packaged food products containing GMO ingredients, additives and flavors must be labeled as such, provided that GMOs represent more than one percent of the product.

Following discussions between Member States and at the EU parliament, the EU Commission published on October 18, 2003 (see [http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l\\_268/l\\_26820031018en00010023.pdf](http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l_268/l_26820031018en00010023.pdf) and [http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l\\_268/l\\_26820031018en00240028.pdf](http://europa.eu.int/eur-lex/pri/en/oj/dat/2003/l_268/l_26820031018en00240028.pdf)), a new regulations pertaining to Labeling and Traceability. This regulation will be fully effective in France after April 18, 2004.

## Traceability

GMOs products or products containing GMOs should be identified at each stage of their processing and sales, thru a permanent exchange of information between the actors, from the seed to the fork. This implies that every actor in the process should keep records on suppliers and buyers of any good containing GMOs. This information would have to be kept for 5 years.

To ease the exchange of information between the actors, and to facilitate controls, a unique code would need to be set to identify any step in the processing of the GMO product. This regulation also applies to imported product.

## Labeling

The previous system of labeling implied the possibility of detecting DNA or modified protein in the processed products. Thus, for highly purified products such as refined oils, GMO labeling was not mandatory.

The new regulation expands the labeling rules to all food products as well as to animal feed, even if no modified DNA can be detected in the product.

The level of exemption has been set at 0.9 percent for all products and animal feed.

Those criterias are extended to un-packed and bulk products proposed to consumers as well as to restaurant menus. Implementation of this rule to the restaurant sector will be defined later on. On the other hand, milk or meat products derived from an animal fed on GMO feed do not have to be labeled as GMO.

(4) GMOs in planting seeds: Although there is no regulation yet, the French seed industry uses a one percent threshold. The U.S. industry is affected by this situation because the U.S. is France's leading supplier of soybean and corn seeds, to be planted. There are current discussions at the European Level to set a lower threshold.

## 2. Dietetic/Health Foods:

EU Directive 89-398 of May 3, 1989, implemented by French decree 91-287 of August 29, 1991 gives the definition of a health/dietetic food product. To date, EU harmonization of dietetic/health food products is only in force for the labeling and ingredient regulation of infant and toddler foods (0 to 12 month old, and 1 to 3 years old, respectively), high calory products, as well as foods intended for special medical purposes. The other health/dietetic food regulations are in the process of being harmonized, such as sport products (cereal bars, energy drinks, etc.) and products for diabetics. In the meantime, imports of these products are governed by current French regulations.

Please note that EU Directive 2001/15 listing nutritional substances which can be used in dietetic/health products has been published in French decree of June 5, 2003.

In addition to the general French labeling requirements (as per section II), all dietetic/health food products should 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. Note that 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, published in the French Official Journal of November 8, 1997. The use of vitamins and minerals is governed by French decree of August 4, 1986, as modified.

Note that a dietetic/health foods are not medicines. Thus, the label may not indicate any curative or preventive properties.

### 3. Organic foods:

France applies EU Regulation 2092/91 which regulates the production and labeling of organic foods. All producers and importers must comply with this regulation. Certain third countries have already been EU-certified to export organic food and agricultural products into the European Union. Some U.S. organic certifiers have been reviewed and approved under the new USDA organics regulations. Equivalency between U.S. and European standards and regulations is under discussion at the EU level; and in the meantime any imports of organic food products from the United States are subject to a case-by-case authorization procedure conducted in the EU country of import. Guidance notes to import organic products from third country into the EU and authorization form to market in the EU can be found on the following website: [www.useu.be/agri](http://www.useu.be/agri). All third countries desiring to export organic foods should be EU-certified by December 31, 2005.

To facilitate identification of organic products for French consumers, the words "Agriculture Biologique" (organic agriculture) and the "AB" logo are applied on the label of the product. This logo was instituted by the French Ministry of Agriculture as a means of certifying that the product has been organically grown or processed according to both specific EU and French criteria and specifications. 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.

In addition to the "AB" logo and to facilitate identification of organic products for European consumers, there is now an EU organic logo to be applied on the label of the product and which ensures the consumers that the product has been grown or processed according to specific EU criteria and specifications. Both logos ("AB" and EU) are not mandatory but just an assessment for the consumers.

The EU agreed on June 10, 2004 on its Organic Action Plan. This Plan will form the basis for the development of new EU legislative initiatives covering all aspects of organic food and farming. The EU Organic Action Plan will address issues such as:

- the balanced growth of supply and demand,

- the needs of organic food processing companies and the adequacy of distribution networks and marketing strategies
- the role of the supermarkets,
- the implementation of the 2003 CAP reform which could provide a framework for the future development of organic farming in the EU,
- support of organic farmers through rural development measures,
- improving inspection systems,
- the harmonization of national standards and certification,
- the use of the EU organic logo alongside other private logos or labels,
- co-existence of organic farming with conventional methods,
- co-existence of organic farming with genetically modified agriculture.

For more information about the EU Organic Action Plan, please visit:  
[www.europa.eu.int/comm/agriculture/qual/organic/plan/index\\_en.htm](http://www.europa.eu.int/comm/agriculture/qual/organic/plan/index_en.htm)

#### **4. Alcoholic Beverages, Wine and Beer:**

French imports of wine 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 transportation tax, which is the equivalent of an excise duty, and value added tax (VAT) also apply to domestically and foreign-produced wines.

An import certificate is required and can be obtained from the Office National Interprofessionnel des Vins (ONIVINS) . Also, a VI.1 document is necessary. This is an EU document certifying that the U.S. wine exporter is approved by the U.S. Bureau of Alcohol, Tobacco and Firearms (BATF). This document is issued in the United States. For additional information, please visit the BATF website at: [www.atf.gov](http://www.atf.gov).

The U.S. and the EU are in the process of negotiating a bilateral agreement on wine. Exports of U.S. wine to the EU continue under derogations permitting certain U.S. oenological practices, which would otherwise be prohibited. Current derogation for U.S. wine making practices and certification has just been extended until December 2005.

On February 23, 2004, the European Commission published a set of amendments to the wine labeling regulation. These new rules introduce arrangements for the protection of certain traditional expressions linked to an EU geographical origin and third country wines may include geographical indications on the label under certain conditions. For more information, visit the following website: [www.useu.be/agri/usda.html](http://www.useu.be/agri/usda.html)

Beer imports into 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.

#### **SECTION VIII. COPYRIGHT/TRADEMARK LAWS**

Trademarks and brand names are protected under French law, with no limitations on number. In a general sense, trademarks recognize and protect indicators which serve to 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)  
26bis, rue de Saint Pétersbourg

75800 Paris Cedex 08  
Tel: (33-1) 53 04 5304  
Fax: (33-1) 53 04 4523  
<http://www.inpi.fr>

To register a trademark, as in the case of patents, requires a French address, which may be obtained through a legal representative in France or in Europe.

## SECTION IX. IMPORT PROCEDURES

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 or her product. French buyers generally prefer to purchase through an intermediary (distributor, agent or salaried representative), making sales directly to the end-user a rare practice. Imports of foodstuffs into France should take the following steps:

1. Customs clearance: Could be done by a person or a company able to present Customs Authorities at the port of entry in the country the imported goods as well as the necessary accompanying documents for these food products (i.e., commercial invoice, bill of lading, the certificate of origin, the import and sanitary/phytosanitary certificate if need be) . It is recommended that the U.S. exporter has the customs clearance done by either a forwarding agent or his importer/distributor or agent in the country of destination.

2. Customs clearance should be done in a Customs Office at the port of entry or at the airport. For more information regarding proper customs clearance documentation and addresses of various customs offices, please contact:

- Centre de Renseignements Douaniers  
84, rue d'Hauteville  
75010 Paris  
Tel: (33-1) 0825 30 8263  
Fax: (33-1) 53 24 6830  
Email: [crd-ile-de-france@douane.finances.gouv.fr](mailto:crd-ile-de-france@douane.finances.gouv.fr)

All shipping documents should be in the French language. Also, some products, as enumerated previously in this report, are subject to veterinary or health inspection when arriving in France, in which case the Agencies or Ministries responsible for these products are the DGCCRF or the Veterinary Services of the French MINAG. Representatives of both Ministries are present in 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 his product. Most often this information is provided by the importer.

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

**APPENDIX I: GOVERNMENT REGULATORY AGENCY CONTACTS****1. The General Direction for Food of the French Ministry of Agriculture**

**(DGAL/MINAG)** activities are primarily for the promotion and control of food and agricultural product quality, the development of agricultural and food industries, and animal and plant protection. DGAL participates in the preparation of food laws and the definition of norms. It also administers sanitary and phytosanitary policy. DGAL headquarters is located at the following address:

Direction Générale de l'Alimentation  
Ministère de l'Agriculture, de l'Alimentation, de la Pêche et des Affaires Rurales  
251, rue de Vaugirard  
75015 Paris  
Tel: (33-1) 49 55 4955  
Fax: (33-1) 49 55 4850  
Internet: <http://www.agriculture.gouv.fr>

**2. 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 toward the health of the Nation 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 all over France at port of entries and airports. The headquarters office 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.dgccrf.minesi.gouv.fr>

**3. The Association Française de Normalisation (AFNOR)**, is the French authority in charge of coordinating work and research relating to the establishment of standards in France. AFNOR prepares new and revised standards, subjects them to public enquiry, and finally 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 additional information about a particular product:***

Office of Agricultural Affairs  
American Embassy  
2, avenue Gabriel  
75382 Paris Cedex 08  
Tel: (33-1) 43 12 2245/2264  
Fax: (33-1) 43 12 2662  
Internet: <http://www.amb-usa.fr/fas/fas.htm>  
Email: [agparis@usda.gov](mailto:agparis@usda.gov)

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

Centre de Renseignements Douaniers  
84, rue d'Hauteville  
75010 Paris  
Tel: (33-1) 0825 30 8263  
Fax: (33-1) 53 24 6830  
Email: [crd-ile-de-france@douane.finances.gouv.fr](mailto:crd-ile-de-france@douane.finances.gouv.fr)

***For business and credit report on an importer/distributor or agent in France to ensure its reliability, please contact:***

Dun & Bradstreet France  
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.dbfrance.com>

***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>