



USDA Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Template Version 2.09

Required Report - public distribution

Date: 7/31/2006

GAIN Report Number: FR6041

France

Food and Agricultural Import Regulations and Standards

Annual

2006

Approved by:

Elizabeth B. Berry

U.S. Embassy

Prepared by:

Xavier Audran, Roselyne Gauthier, Marie-Cécile Hénard, Florence Pinon

Report Highlights:

This report gives an overview of food and feed regulations in force in France. All sections have been updated.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
Paris [FR1]
[FR]

Table of Contents

SECTION I. FOOD LAWS	4
SECTION II. LABELING REQUIREMENTS	6
A. General Requirements	6
B. Requirements Specific to Quantitative Ingredients (QUID):	8
C. Requirements Specific to Nutritional Labeling	8
SECTION III. PACKAGING AND CONTAINER REGULATIONS	9
SECTION IV. FOOD ADDITIVE REGULATIONS	10
SECTION V. PESTICIDES AND OTHER CONTAMINANTS	11
1. Pesticide Authorization Procedure:	11
Authorization:	11
Termination of Authorization:	11
2. GOF Monitoring of Pesticide and Contaminant Content in Food Products:	11
Pesticide Sanitary and Phytosanitary Tests:	11
Animal Feed:	12
Mycotoxins in Cereal-Based Food Products:	12
Mycotoxins in pepper (capsicum spp.)	12
Dioxins and PCBs:	12
Polycyclic Aromatic Hydrocarbons (PAH) in Smoked Meat and Seafood:.....	13
Livestock Meat:.....	13
Poultry Meat:.....	13
Rabbit Meat:.....	13
Game Meat:	13
Farm-Raised Fish:	13
Milk:	14
Eggs:	14
Honey:	14
SECTION VI. OTHER REGULATIONS AND REQUIREMENTS	15
1. Products that must meet inspection requirements upon entry:.....	15
Enriched flour:	15
Bovine Genetics:	15
Exotic meat (alligator):	15
Flightless bird meat (ratite):.....	15
Live crayfish:	16
Beef and bison meat:	16
Fruits and vegetables:	16
Fresh Fruits and Vegetables:	16
Dried Fruits:	16
Fertilizers:	16
Animal by-products for human consumption:	17
Animal feed for ruminants and for non-ruminants:	17
Pet food:.....	17
2. Laboratory Testing:	18
3. Policy for Sample Food Product Shipments:	18
4. Certification and Documentation Requirements:	19
Import documentation:	19
Certification Requirements:	19
Transmissible Spongiform Encephalopathies (TSE) EU and French Regulations on	
Specified Risk Materials (SRMs):	19
Meat, Poultry, Dairy and Fish Products for Food Shows.....	22
SECTION VII. OTHER SPECIFIC STANDARDS	24
1. Genetically Modified Organisms - GMOs (Biotech Products):	24
Food and Feed:	24
Planting Seeds:	24

2. Dietetic/Health Foods:	24
3. Food Supplements:	25
4. Organic Foods:	25
5. Alcoholic Beverages, Wine and Beer:	26
6. Animal Products.....	26
Beef Labeling:	26
SECTION VIII. COPYRIGHT AND/OR TRADEMARK LAWS	27
Trademarks	27
Protected Geographical Indications	27
SECTION IX. IMPORT PROCEDURES.....	28
APPENDIX I: GOVERNMENT REGULATORY AGENCY CONTACTS	29
APPENDIX II: OTHER IMPORT SPECIALIST CONTACTS	31

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.

SECTION I. FOOD LAWS

1. Exporters should be aware that there may be some variation among Member States in the application of the European Union's harmonized legislation (See [Gain Report E36098](#)). This may be due to variations in the transitional period needed to adjust to EU rules. There may be temporary waivers or exemptions, in certain cases, and there may be room for interpretation of EU harmonized legislation. Legislation not regulated in detail at the EU level may be handled differently in different Member States. Also, there is a wide variation in inspection fees, 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 French regulations inconsistent with the WTO, 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: enriched flour, genetic material, "exotic meats" such as alligator and buffalo, crayfish, pet food 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 strictest 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'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.minefi.gouv.fr>

DGCCRF views their role as a protector of:

- 1) Consumers' health by overseeing the safety of ingredients and
- 2) 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. Adding vitamins to foods, beverages and flour products is limited by regulation. Using traditional French cuisine terms, such as “beef bourguignon” is prohibited. In summary, product nomenclature may describe a product, but not 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.

Reminder: French is the official language of business in France. While many business people speak English, product literature, correspondence and negotiations in French provide a distinct advantage over competitors who only use English. Other EU suppliers are accustomed to dealing with contacts in French.

SECTION II. LABELING REQUIREMENTS

(See [Gain Report E36098](#) for EU Labeling requirements)

A. General Requirements

EU Directive 2000/13/EC dated March 20, 2000, as modified applies to labeling of food products. France transcribed this Directive into the "Code de la Consommation - Partie Réglementaire - Livre Premier" and it can be found on the following website:
<http://www.legifrance.gouv.fr>

The "Code de la Consommation" stipulates that 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 on the 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 consommer de préférence avant fin (day, month, year)." ("Best consumed before"). For perishable products, the DLC must appear on the label using the words, "A consommer avant (day, month, year)." ("To be consumed before ..."). However, for extremely perishable products, the DLC must appear on the label as "A consommer 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. These include: Fresh fruits and vegetables, wines and spirits, alcoholic beverages with an alcoholic content equal 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 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).
- ... 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.

Note: As of November 25, 2004 France implemented EU Directive 2003/89 of 11/10/03, entering into force on November 25, 2005, and requiring operators to label on the list of ingredients certain allergens used in the manufacturing process of the product. Directive 2005/26/EC establishes a list of allergen derivatives that, based on the European Food

Safety Authority's risk assessments, are temporarily exempted (until November 25, 2007) from mandatory labeling. Guidelines for the implementation of the new allergen labeling rules are available at:
<http://europa.eu/int/comm/food/food/labelingnutrition/foodlabeling/guidelines 6 10 pdf>.

B. Requirements Specific to Quantitative Ingredients (QUID):

(Those requirements are not specific to France. Please refer to EU [Gain Report E36098](#) for information and general guidelines).

C. Requirements Specific to Nutritional Labeling

French decree 93-1130 dated September 27, 1993, and decree of December 3, 1993, as amended, implement EU Directive 90/496/EEC 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 for 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 claims 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.

Note that in January 2003, the Commission started a review among Member States to amend Council Directive 90/496/EEC on nutritional labeling. The overall objective for this review is to improve the existing nutritional labeling rules for better consumer understanding. A new regulation is expected in the fall of 2006.

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 supermarkets.

By Council Directive 94/62/EC, Member States were required to take measures to reduce packaging waste. On April 1, 1992, France adopted a decree stipulating that any person responsible for first placing on the market packaged products used by households must contribute to or provide for the disposal of their used packaging. This decree has been in force since January 1993, and Eco-Emballages has developed the green logo on a package as an environmental seal 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 has its own packaging recycling system called Adelphe.

The French regulation implementing EU Directives for packaging materials in contact with food products is contained in brochure No. 1227 of 2002, and includes previous modifications. This brochure can be obtained from the French Official Journal (See address listed in Appendix II of this report), and can also be viewed at the following website: http://www.europa.eu.int/comm/food/chemicalsafety/foodcontact/legisl_list_en.htm

Note: the use of the following materials in direct 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 tolerance levels.

A U.S. exporter that wishes to obtain a copy of the French Official Journal of November 8, 1997 on the authorized additives that can be used in food products should contact:

- 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

Legislation on pesticides and contaminants is partially harmonized in the EU. For EU regulations, please See [Gain Report E36098](#).

1. Pesticide Authorization Procedure:

Authorization:

The list of phytosanitary products authorized in France is available at the French Ministry of Agriculture's (MinAg) Directorate for Food (Direction Générale de l'Alimentation-DGAL)'s website:

<http://e-phy.agriculture.gouv.fr/bas.htm>

This website lists phytosanitary products authorized and those no longer authorized, authorized active substances, Maximum Residue Levels ("Limites Maximales de Residus" or LMR) by substance and by plant, companies involved, fertilizing matters, blends, and toxicology information.

In France, the competent authority for authorizing pesticides is the DGAL, which assigns assessments to a number of committees including experts, Government representatives and civil society members (such as consumer associations and environment protection organizations). For more information on the committees, please see:

http://www.agriculture.gouv.fr/spip/ressources.themes.santeetprotectiondesvegetaux.maitrisedesintrants.evaluationdesproduits.proceduresdemisesurlemarche_r387.html

Product authorizations are based on reviews of standardized scientific files prepared by companies and presented to the French MinAg, accompanied by complete toxicology and biological studies.

Termination of Authorization:

The French MinAg is in the process of terminating the authorization for a number of products, in the context of the European review of active substances under the Directive 91/414, and of monitoring actions of the French MinAg. The products for which authorization is being terminated are available at the MinAg's DGAL website:

http://www.agriculture.gouv.fr/spip/ressources.themes.santeetprotectiondesvegetaux.maitrisedesintrants.produitsautorises.retraitdeproduits_r394.html

The following active matters are under review before being pulled from the market:

- Atrazine, Simazine, Terbutylazine: all products
- Fentines (acétate et hydroxyde): all products
- Parathion-Méthyl: all products
- Diuron: reduced dose of use.

2. GOF Monitoring of Pesticide and Contaminant Content in Food Products:

Pesticide Sanitary and Phytosanitary Tests:

The Crop Protection Service (SPV) of the Directorate for Food (DGAL) of the French MinAg is in charge of preventing sanitary/phytosanitary risks in crop production. SPV/DGAL conducts sanitary/phytosanitary testing at French borders on imported products. In 2004, there were 45,00 tests conducted on animal products (dairy, eggs, meat, and seafood products) and 3,000 tests on plant products.

The Fraud Control Office (DGCCRF) of the French Ministry of Economy, Finance and Industry also conducted tests on pesticides and contaminants on vegetable products. These tests resulted in the following:

Animal Feed:

In 2004, DGCCRF tested almost 1,000 samples of animal feed for undesired and forbidden substances, for composition (mainly on compound feed), and searched for additives. Less than 0.5 percent of the samples tested resulted in violations due to undesired and forbidden substances (including aflatoxins, B1, pesticide residues, heavy metals, and dioxins), the same number as in 2003.

In 2004, DGAL conducted 1,700 tests on animal feed, and 0.5 percent did not conform with maximum authorized levels: dioxins were detected in three fish meal samples, and mercury was found in one fish meal sample.

Mycotoxins in Cereal-Based Food Products:

In 2005, DGCCRF tested the mycotoxin content of 105 samples in the milling and semolina industry:

- 73 samples of soft wheat-derived products were analyzed and the tests concluded that they all had mycotoxin contents below the authorized level;
- 11 samples were tested of hard wheat-derived products and their content of ochratoxin A, desoxynivalenol and zearalenon, which found lower contents than maximum level authorized.
- 13 samples of corn-derived products were tested for aflatoxin, ochratoxin A, desoxynivalenol, zearalenon, and fumosinins. Two samples of corn meal were declared unauthorized for consumption: one contained more aflatoxin B1 and total aflatoxin than the maximum rate authorized of 7.5 µg/Kg, and the other had a strong content of fumosinins B1 and B2 (more than 4000 µg/Kg);
- 8 samples of spelt, rye, black wheat and rice meals were tested and all had ochratoxin A, desoxynivalenol, zearalenon contents below maximum authorized levels.

Maximum authorized content levels of zearalenon, desoxynivalenol and fumosin (mycotoxins produced by the *Fusarium* fungi) are specified in the EU regulation 856/2005 modifying the EU Regulation 466/2001. The new Regulation sets maximum mycotoxin levels for products marketed after July 1, 2006.

*Mycotoxins in pepper (*capsicum* spp.)*

In 2005, DGCCRF tested 37 samples of pepper imported from China, India, Brazil, Spain, Hungary, Turkey, and Madagascar. Aflatoxins were quantified in 24 samples, and one sample from Turkey exceeded the maximum rate authorized (48.4 µg/Kg for aflatoxin B1 and 53.5 µg/Kg for total aflatoxins). Ochratoxin A was quantified in 28 samples, of which 2 contained more than the maximum 20 µg/Kg of ochratoxin A (Spanish and Indian products).

Dioxins and PCBs:

In 2005, DGCCRF tested 14 samples of cereal-based products as well as 11 samples of fruits and vegetables for dioxin and PCB content. Dioxin content (PCDD and PCDF) was below the recommended rate of 0.4 ng/Kg set by the EU Recommendation 2002/201/EC. Dioxin-type

PCB tested were all below the next intervention rate of 0.2 ng/Kg set by the EU Recommendation 2006/88/EC.

In 2005, DGCCRF also tested 13 samples of oils and fats of animal and vegetable origin. There were 3 samples which did not conform, including a food supplement derived from fish oil (which contained 2.0 pg/g of dioxins, i.e., almost three times the authorized rate), cod liver oil (which had a dioxin and dioxin-type PCB rate slightly above the 10 pg/g of fat authorized), and palm oil (which had a dioxin-type PCB content slightly above the future intervention level of 0.5 pg/g of fat).

Polycyclic Aromatic Hydrocarbons (PAH) in Smoked Meat and Seafood:

The EU Regulation 208/2005, modifying the 466/2001 Regulation, sets the maximum contents for benzopyren (PAH marker) at 5 µg/Kg. In 2004, DGCCRF tested 95 samples of smoked meat and smoked fish. Only one sample of smoked eel had a higher content (6.2 µg/Kg) than allowed under the new regulation.

Livestock Meat:

In 2004, DGAL conducted almost 26,000 analyses on meat products to detect chemical residues. Tests for prohibited substances (veterinary pharmaceuticals and pesticides) were globally satisfactory: all tests were in conformity with the regulations for anti-thyroidians, nitrofurans, nitroimidazoles, benzimidazoles, anti-coccidians, carbamates, tranquilizers, AINS phenylbutazone, and glucocorticoids. In addition, the maximum rate of non-conformity was 0.2 percent for steroids, beta-agonists, chloramphenicol, tetracyclins, and avermectins. The rate was higher for antibiotics (0.4 percent), sulfamids (0.3 percent), tetracyclins (0.5 percent), pesticides (0.4 percent) and heavy metals in muscle (1.74 percent). The high rate recorded for heavy metals in muscle mainly came from Polish horses with higher than average cadmium rate.

Note: AINS stands for Anti-Inflammatory Non Steroidian

Poultry Meat:

In 2004, DGAL conducted 6,500 tests on samples for chemical residues of veterinary products or pesticides in poultry meat. Results were globally satisfactory for growth promoters, chloramphenicol, nitrofurans, veterinary drugs and pesticides. All results were in conformity with standards except for nitroimidazols (0.1 percent) and quinolons (0.2 percent).

Rabbit Meat:

In 2004, DGAL conducted 600 tests on rabbit meat. Sulfamids were the only chemicals detected on these samples (3.87 percent exceeding Maximum Residue Levels (MRL) of 100 µg/Kg).

Game Meat:

In 2004, DGAL conducted 285 tests on game meat. Results of the tests were satisfactory for forbidden substances, veterinary drugs and pesticides. Only cadmium above MRL (0.5 mg/Kg) was detected in game liver.

Farm-Raised Fish:

In 2004, DGAL conducted 980 tests on farm-raised fish. MRLs were within limits for growth

promoters, chloramphenicol, nitrofurans and heavy metals (lead, cadmium and mercury). 0.9 percent of the samples were above the MRLs for antibiotics and quinolons, and 1.1 percent for polychlorobiphenyls. However, 6.1 percent of the samples tested were above avermectin MRLs, and 3.8 percent were above green malachite MRLs.

Milk:

In 2004, DGAL conducted 2,500 tests on milk, and concluded that MRLs were not exceeded for any of the substances tested.

Eggs:

In 2004, DGAL tested 900 samples of egg products for chemical residues. Only nitroimidazols and sulfamids resulted in higher contents than MRLs (0.5 percent each). There were no problems found for chloramphenicols, nitrofurans, flubendazol or pesticides.

Honey:

In 2004, DGAL tested 900 samples for chemical residues. MRLs were exceeded for tetracyclins (2.2 percent), and 2 samples tested above MRLs for lead. There were no problems identified for chloramphenicol, sulfathiazole, fluvalinate, bromopropylate, amitraze, and coumaphos residues.

SECTION VI. OTHER REGULATIONS AND REQUIREMENTS

1. Products that must meet inspection requirements upon entry:

As a reminder: 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 to the EU from the U.S. must originate from EU approved U.S. establishments (See European Union Food and Agricultural Import Regulations and Standards – [Gain Report E36098](#) dated 6/26/2006).

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

Enriched flour:

French regulations prohibit the importation of any products made with flour enriched with vitamins, since added vitamins are not allowed in food products, 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. This Directive harmonizes:

- the health conditions which semen must satisfy for the purposes of intra-EU trade or importation into the EU from third countries;
- the conditions for approval of semen collection and storage centers.

Distribution and placement of semen in the country of destination is not covered by the Directive but regulated by Member States.

Current Government of France (GOF) marketing controls and regulations discriminate against the free movement of bovine semen and embryos from third countries. An import license must be obtained from 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 being discussed with the French Veterinary Service.

Flightless bird meat (ratite):

The slaughtering and processing plant must be certified by the EU. The establishment must

comply with the sanitary requirements of Commission Decision of 29 September 2000, which specifies animal and public health conditions and the veterinary certification for imports of farmed ratite meat. Decision 94/85/EC provides a list of third countries from which the Member States are authorized to import fresh poultry meat. In the United States, there are currently five EU-certified 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. The GOF is currently trying to discern and quantify the negative impact, if any, that 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 slaughterhouse is EU-certified and the meat is hormone-free. Several EU-certified for export establishments exist in the United States for beef, while there are two for bison meat. The locations can be found at the FSIS website: <http://www.fsis.usda.gov>

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 obtaining a 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. Certain fresh fruits and vegetables are subject to import certificates (garlic, bananas, canned mushrooms and canned mandarines). In addition, current regulations require traceability of all produce from the producer to the consumer, which means that each handler should be able to supply information about their supplier or buyer.

Fresh Fruits and Vegetables:

Certain fresh fruits and vegetables are subject to seasonal price restrictions. Bananas are subject to quotas and certification. An import certificate is also required for canned mushrooms and canned mandarines. The import of fresh potatoes from third countries to France is prohibited due to EU concerns over the risk of transmission of certain diseases.

Dried Fruits and Nuts:

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

Fertilizers:

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).

Animal by-products for human consumption:

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).

Animal feed for ruminants and for non-ruminants:

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).

Pet food:

According to EU regulation 1774/2002 of the European Parliament and Council dated 3 October 2002 applicable since May 1, 2004, pet food must originate from, and be produced in, plants certified by the French Ministry of Agriculture according to specific instructions of the present regulation, and be accompanied by a health certificate complying with samples contained in:

- annex x, Chapter 3 A in the case of canned pet food,
- annex x, Chapter 3 B in the case of processed pet food other than canned,
- annex x, Chapter 3 in the case of dog chews.

As of September 1, 2006, pet food must also be accompanied by a declaration of compliance with EU regulation 999/2001 (Annex XI, letter A, paragraph 10(b)), and by an additional certificate in compliance with the French ministerial decree, dated 12 May 2006, 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 health certificates accompanying US exports of pet food to France. Export certificates need to be obtained prior to the shipment of the product. All certificates must be in French.

To obtain certificates in French, please contact:

Bureau Importation Pays Tiers
Mission de Coordination Sanitaire Internationale
Direction Generale de l'Alimentation
French Ministry of Agriculture
251 rue de Vaugirard
75732 Paris Cedex 15
E-mail: import.mcsi.dgal@agriculture.gouv.fr

To obtain certificates in English, please contact:

Animal Plant Health Inspection Service (APHIS)
Joyce Bowling-Heyward
Senior Staff Veterinarian
National Center for Import and Export
Veterinary Services

phone 301-734-3277
fax 301-734-8226

EU regulation 1774/2002 of the European Parliament and Council dated 3 October 2002 and EU regulation 999/2001 of the European Parliament and of the Council of 22 May 2001 provide rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies. These documents can be found in English at <http://europa.eu.int>

French ministerial decrees can be found in French at the following website: <http://www.legifrance.gouv.fr> by selecting « les autres textes législatifs et réglementaires »/type of document: « arrêté ».

The EU petfood legislation can be found at the US Mission to the European Union website: <http://www.useu.be/agri/petfood.html>

2. Laboratory Testing:

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

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 contact these laboratories directly. However, if a U.S. exporter wants to make sure that its product conforms to French regulations, it may contact a laboratory directly for product testing. The Office of Agricultural Affairs in Paris has a list of French administratively 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 in regard to sanitary or phytosanitary requirements.

For customs, the sample shipment must 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 by parcel post, the sender must specify what kinds 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 re-exported within one year if the deposit is to be recuperated. 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 re-exported within the time period allowed. Carnets may be used for commercial samples, professional equipment, and goods destined for exhibitions and fairs.

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
Website: <http://www.uscib.org>

4. 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 ingredients of animal origin must go through 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 or 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.

Transmissible Spongiform Encephalopathies (TSE) EU and French Regulations on Specified Risk Materials (SRMs):

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 10 August 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 declaration signed by the competent authority of the producing country.

All certificates must be in French. To obtain certificates in French, please contact:

Bureau Importation Pays Tiers
Mission de Coordination Sanitaire Internationale
Direction Generale de l'Alimentation
French Ministry of Agriculture
251 rue de Vaugirard
75732 Paris Cedex 15
E-mail: import.mcsi.dgal@agriculture.gouv.fr

To obtain French additional certificates in English for animal by-products not intended 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

To obtain French additional certificates in English 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

▪ 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 12 May 2006. These new requirements are applicable after July 1st, 2006.

The French ministerial decree dated 12 May 2006 (article 5) modified the list of specified risk materials (SRMs) set by the ministerial decree dated 10 August 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:

Designation of Products (*)	EU and French Regulations
Bovine, ovine and caprine fresh meat	EU Directive EC/64/433 - French ministerial decree dated 17 March 92
Meat products and processed products and other animal products	EU Directive EC/94/65 and EC/77/99 French ministerial decrees dated 29 Feb 96, 22 Dec 92, 22 Jan 93
Dairy products for human consumption containing tallow or gelatin	EU Directive EC/92/46 - French ministerial decree dated 30 Dec 93
Fishery products for human consumption containing tallow or gelatin	EU Directive EC/91/493 - French ministerial decrees dated 27, 28, 29 Dec 92
Egg products for human consumption containing tallow or gelatin	EU Directive EC/89/437 - French ministerial decrees dated 15 April 92
Snails and frogs' legs for human consumption containing tallow or gelatin	EU Directive EC/92/118
Melted animal fats	EU Directive EC/77/99 - French ministerial decrees dated 22 Dec 92
Products derived from bones for human consumption and mechanically deboned meat	EU Directive EC/77/99 and EC/64/433 French ministerial decrees dated 25 Sep 95 and 23 Feb 94
Gelatin for human consumption	EU Directive EC/92/118 - French ministerial decree dated 15 April 01
(*) 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 its does not contain all or part of the head, the certificate mentioned in article 4 and 5 is not required. For bovine not packaged as fresh meat, if physical inspection of the product can clearly show that its 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 article 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 and replaces Directive 90/667/EEC. This regulation as well as the [TSE](#) regulation was developed in response to the BSE crisis and is part of the EU's strategy to eradicate food-borne diseases. The animal by-products regulation covers all animal products not intended for human consumption, and as such covers both products for technical uses and animal by-products used in the production of feeds and pet food. This regulation requires that animal by-products used in the production of feeds and pet food be derived from the carcasses of animals declared fit for human consumption following veterinary inspection (category 3 products in the regulation). Provisions include a ban on intra-species recycling and fallen stock and restrictions on yellow grease. Certain categories of pet food have to be modified with specified substances. Pet food factories have to be dedicated to the production of products fit for human consumption.

EC regulation nr 1774/2002 of the European Parliament and Council dated 3 October 2002 can be found in English on: <http://europa.eu.int>

The EU animal by-products legislation can be found on the US Mission to the European Union website: <http://www.useu.be/agri/by-products.html>

Animal products not intended for human consumption (petfood, 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) Petfood : French ministerial decree dated 12 May 2006 modifying the ministerial decree dated August 4, 2005 relating to intra-EU exchanges, imports and exports of some animal products intended for petfood and petfood 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 12 May 2006 modifying the ministerial decree dated 20 March 2003 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 24 July 1990 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 12 May 2006 modifying the ministerial decree dated 20 March 2003 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 24 July 1990 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 12 May 2006 modifying the ministerial decree dated 20 March 2003 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 19 September 2005 suspending marketing and ordering the withdrawal of some fertilizers and crop substrates (Annex 1).

These new requirements will be applicable as of September 1st, 2006.

French ministerial decrees can be found in French on the following website: <http://www.legifrance.gouv.fr> by selecting "les autres textes législatifs et réglementaires"/type of document: "arrêté."

The EU legislation on transmissible spongiform encephalopathies (TSEs) can be found on the US Mission to the European Union website: <http://www.useu.be/agri/srm.html>. For more information, please refer to the EU-25 Trade Policy Monitoring Report 2006 (see [Gain Report E36098](#)).

Meat, Poultry, Dairy and Fish Products for Food Shows

A new French decree was finalized in early 2004, but still must 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 is approved by AFSSA.

Additional information can be obtained from:

Bureau Importation Pays Tiers
Mission de Coordination Sanitaire Internationale
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
Tel: (33-1) 49 55 58 44
Fax: (33-1) 49 55 83 14
E-mail: 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):

Food and Feed:

France has implemented the EU Novel Food/Novel Feed Regulation (1829/2003) and the EU Traceability and Labeling Regulation (1830/2003) since April 18, 2004. The allowable adventitious presence level for EU-approved varieties of GMOs is set at 0.9 percent. Above this level, all products must be labeled as containing biotech. The Fraud Control Office (DGCCRF) of the French Ministry of Economy, Finance and Industry is the French enforcing authority.

For more details on these EU regulations, see [Gain Report E36098](#), and on France's implementation, see Paris Annual Biotechnology report FR6039.

Planting Seeds:

There is a lack of EU regulation in this sector in terms of biotech traceability, labeling and thresholds. The French seed industry recommends using the same threshold as for biotech in food and feed, i.e., 0.9 percent.

DGCCRF conducts tests on planting seeds for biotech content. In 2004/05, DGCCRF tested 106 samples of rapeseed, corn and soybean planting seeds, taken from seed companies, importers, and distributors across France. The 106 samples included 82 samples of French origin and 24 samples imported into France (e.g. from the United States). DGCCRF detected GM content in 1 sample out of the 106 tested with content levels of 0.1 percent. It was a biotech variety event not authorized in the EU.

Two decrees restricting the market release of biotech rapeseed until October 2006 were published in the French Official Journal on August 21, 2004. One postpones the authorization of the herbicide tolerant spring rapeseed created by Agrevo UK Crop Protection Ltd, and the other postpones the authorization of herbicide tolerant rapeseed presented by Plant Genetic Systems. These decrees are available at:

<http://www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=AGRG0401576A>

<http://www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=AGRG0401577A>

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 calorie products, and 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, which lists nutritional substances that can be used in dietetic/health products, has been published in the French decree of June 5, 2003.

In addition to the general French labeling requirements (as per section II), 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. 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 the French decree of August 4, 1986, as modified.

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

3. Food Supplements:

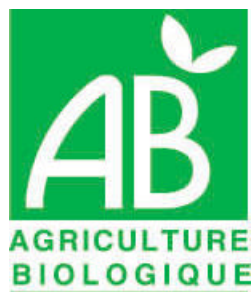
French Decree 2006-352 of March 20, 2006, transposes EU Directive 2002/46/EC of June 10, 2002, establishing harmonized rules for food supplements on labeling, vitamins and minerals, as well as EU Directive 2006/37/EC amending Annex II of Directive 2002/46/EC establishing a list of permitted vitamin and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

However, these EU Directives did not fix any maximum tolerance level or daily allowance for vitamins and minerals, which will be subject to a review later this year. In the meantime, France adopted a Decree May 9, 2006 fixing those limits for the French market.

4. 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; 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 countries into France, as well as an authorization form to market in France, can be found at the following website:

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



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. It shows consumers that the product has been grown and processed according to specific EU criteria and specifications. Both logos ("AB" and EU) are not mandatory but just an assessment for the consumers.

5. 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) 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 Office National Interprofessionnel des Vins (ONIVINS). Also, a VI.1 document is necessary, as well as an invoice. The VI. 1 document is an official document, which is required for wines entering the European Union. The document certifies that the U.S. wine exporter is approved by the Alcohol and Tobacco Tax and Trade Bureau (TTB). 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>

On March 10, 2006, the U.S. and the EU signed the US-EU Wine Trade Agreement addressing several key issues and setting a framework to facilitate future wine trade between the United States and Europe, including France. A second phase of the negotiations to address other outstanding US-EU wine trade issues is expected to begin mid-June 2006.

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: <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.

6. Animal Products

Beef Labeling:

France follows the EU requirement (See [Gain Report E36098](#)) that all beef meat sold in France must be identified by the country(ies) where the animal was born, raised, and slaughtered. Since January 1st 2003, France has required that restaurants provide the origin of meat served to its customers.

SECTION VIII. COPYRIGHT AND/OR TRADEMARK LAWS

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 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)
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>

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.

Protected Geographical Indications

France is among the first countries in the world, dating as far back as 1919, to put into place a system to protect the use of geographic indications (appellations) for food products. In 1992, it was extended at the European level (See [Gain Report E36098](#)). The EU Directives 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>) handles the PGI system.

Note that in France, no agricultural or food product is protected under the TSG system. For products with a geographic name not protected under the PGO/PGI system, including products from third countries, the French Fraud Office 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

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: Done by a person or a company able to present to 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). 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 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

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, 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 differs 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) works primarily to promote and control food and agricultural product quality, develop 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 are 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 49 55
Fax: (33-1) 49 55 48 50
Internet: <http://www.agriculture.gouv.fr>

The DGAL office providing French import requirements is:

Bureau Importation Pays Tiers
Mission de Coordination Sanitaire Internationale
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
Tel: (33-1) 49 55 81 92
Fax: (33-1) 49 55 83 14
E-mail: import.mcsi.dgal@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. 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>

3. The Association Française de Normalisation (AFNOR) is the French authority in charge of coordinating work and research relating to establishing standards in France. AFNOR prepares new and revised standards, puts 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

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

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