

**Question for written answer E-002053/2023  
to the Commission**  
Rule 138  
**Massimiliano Salini (PPE)**

**Subject:** Food packaging and infringement of EU single market principles

Concerns have been raised about the French decree that largely bans the use of plastic in the packaging of unprocessed fruits and vegetables, dated 20 June 2023 and effective from 1 July 2023, in particular with regard to its compliance with EU law and the principles of the single market.

Article 6(4) of Directive (EU) 2015/1535<sup>1</sup> requires Member States to delay adopting draft technical regulations for 12 months from the date of receipt by the Commission of the communication referred to in Article 5(1) of the directive, if, within three months of that date, the Commission identifies an overlap with a proposal that it has presented on the same subject. This decree was notified to the Commission on 14 December 2022, when the corresponding proposal on packaging and packaging waste had already been announced<sup>2</sup>. The decree's premature adoption by France infringes the principle of the free movement of goods within the EU and creates barriers in the single market.

1. Can the Commission confirm that it is following this matter with the utmost attention?
2. Does it concur that the French decree threatens the single market?
3. What kind of measures does it intend to take to ensure France's compliance with EU law?

Submitted: 28.6.2023

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<sup>1</sup> Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).

<sup>2</sup> Commission proposal of 30 November 2022 for a regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC (COM(2022)0677).