

No. 3875 rectified

NATIONAL ASSEMBLY

CONSTITUTION OF OCTOBER 4, 1958

FIFTEENTH LEGISLATURE

Registered at the Presidency of the National Assembly on February 10, 2021.

BILL _ _

combating climate change and building resilience to its effects, _ _ _ _

(Accelerated procedure)

(Referred to a special commission.)

Statement of Reasons

“..intends to reduce consumption incentives by regulating the advertising sector. It thus aims to moderate the exposure of the French to advertising and prohibits advertising for fossil fuels which are directly responsible for climate change.”

TITLE I – CONSUME

Title I ^{aims} to change consumption patterns by better informing consumers and future consumers and by supporting the development of less carbon-intensive alternatives, in order to reduce greenhouse gas emissions due

to the consumption of goods and services. high emitters, but also overconsumption.

Chapter I ^{contains} measures to better inform consumers about the consequences of their act of purchase, and aims to raise awareness of the consequences of climate change from an early age and throughout education.

Article 1 - aims to improve consumer information on the carbon footprint of products - an important element in making informed choices. It thus completes the system already provided for by law no. 2020-105 of February 10, 2020 relating to the fight against waste and the circular economy (AGEC). It adds to these provisions the imperative of clarity on the carbon impact of environmental labeling as well as the possibility of making this labeling compulsory according to the categories of goods or services determined after experimentation. This will ultimately make it possible to provide consumers with better information on the carbon impact of products and services over their entire life cycle and to direct their purchasing action towards the most virtuous products and services on an environmental.

Article 4 marks a major cultural shift. Like the Evin law, it enshrines in law the principle that it will no longer be possible to advertise fossil fuels because of their direct impact on climate change.

In addition to the advertising bans in Article 4, **Article 5** provides for the implementation of a code of good conduct which would transcribe the commitments made in a "climate contract" concluded between the media and advertisers. on the one hand and the Superior council of audio-visual, on the other hand, in order to reduce the publicity for the polluting products, by ambitious voluntary engagements. A process for monitoring these commitments has been instituted. The measure thus enshrines in law the principle of co-regulation, on the model of what was done with regard to the Food Charter, the CSA then being the guarantor of compliance with the commitments of the sectors.

Article 6 decentralizes the power to police advertising, which will now be exercised by the mayor, whether or not the municipality has local advertising regulations. To act on outdoor advertising, whether paper or digital, an aspiration expressed by the Citizen's Convention for the Climate and a growing part of society, the mayor, close to the field and to the citizens, is in fact the most capable of produce and enforce regulations adapted to its territory and its realities.

Currently, the provisions of the Environment Code regarding outdoor advertising do not apply to advertisements and signs located inside windows, even if they are visible from the outside. **Article 7** completes this system by allowing local authorities to include, in their local advertising regulations, provisions governing advertising and signs located inside the windows or bays of commercial premises when they are intended for be visible from a road open to public traffic.

Chapter I of ^{Titre} VIII of Book V of the Environmental Code is amended as follows:

② 1° Section 6 becomes section 7, and a section 6 is inserted as follows:

③ “Section 6

④ “*Advertising of products and services with an impact on excessive climate*

⑤ “ *Art. 581 - 25 - 1. – I. – As of one year following the entry into force of this law, advertising in favor of fossil fuels is prohibited. A Conseil d'Etat decree specifies the list of fossil fuels concerned and the procedures applying to renewable energies incorporated with fossil fuels.*

⑥ “II. – The decree provided for in I defines the terms of this article, taking into account in particular the requirements of good access by the public, in particular people with a modest income, to information relating to the price of the energies concerned, as well as the legal or regulatory obligations imposed on suppliers and distributors of these energies. » ;

⑦ 2° After article L. 581-35, an article L. 581-35-1 is inserted as follows:

⑧ “ *Art. L. 581-35-1 . _____ – Failure to comply with the prohibitions provided for in section 6 of this chapter is punishable by a fine of €30,000 for a natural person and €75,000 for a legal person.*

⑨ “In the event of a repeat offence, the amount of the fines provided for in the preceding paragraph may be doubled. » ;