

# U.S. Country Commercial Guides



## FRANCE Year 2020

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# Doing Business in France

## Market Overview

The U.S.-French commercial and economic alliance is one of the United States' oldest and closest. The United States and France established diplomatic relations in 1778 and the United States' first trade agreement, the Treaty of Amity and Commerce between the United States and France, was signed that year. Relations between the United States and France have remained active and friendly. Our countries share common values and have similar policies on most political, economic, and security issues.

With a GDP of approximately \$2.7 trillion in 2019 (+1.5% growth in 2019, down from 1.7% in 2018), France is the world's fifth-largest economy and Europe's third largest economy after Germany and the UK. It has substantial agricultural resources and maintains a strong manufacturing sector, despite a recent decline. A dynamic services sector now accounts for an increasingly large share of economic activity and is responsible for most job creation in recent years. France initiated the G-20, is host to the OECD, and is a member of the G-7, the European Union, and the World Trade Organization, confirming its status as a leading economic player in the world.

France has an educated population, first-rate universities, and a talented workforce. It has a modern business culture, sophisticated financial markets, strong intellectual property protections, and innovative business leaders. The country is known for its world-class infrastructure, including high-speed passenger rail, maritime ports, extensive roadway networks and public transportation, and efficient intermodal connections. In 2018, France was the ninth largest global market for foreign direct investment (FDI) inflows with a year-on-year increase of 2%. In total, there are more than 28,000 foreign-owned companies doing business in France. It is the home to 29 of the world's 500 largest companies. In 2018, the World Economic Forum ranked France 17th in terms of global competitiveness.

Trade and investment ties between the United States and France are strong. On average, over \$1 billion in commercial transactions, including sales of U.S. and French foreign affiliates, takes place every day. U.S. exports to France include industrial chemicals, aircraft and engines, electronic components, telecommunications, computer software, computers and peripherals, analytical and scientific instrumentation, medical instruments and supplies, and broadcasting equipment. The United States is the top foreign destination for French investment, France being the sixth largest FDI inflows source in 2019, and the United States is the largest foreign investor in France in terms of job creation. The United States and France have a bilateral convention on investment and a bilateral tax treaty addressing, among other things, double taxation and tax evasion.

In 2019, the United States was the leading foreign investor in France with a stock of foreign direct investment (FDI) totaling over \$87 billion. More than 4,500 U.S. firms operate in France, supporting nearly 500,000 jobs. The United States exported \$59.6 billion of goods and services to France in 2019.

Key Link: <https://www.bea.gov/international/#bop>

Following the election of French President Emmanuel Macron in May 2017, the French government implemented significant labor market and tax reforms. By relaxing the rules on companies to hire and fire employees and by offering investment incentives, Macron has buoyed ease of doing business in France. However, Macron will likely delay or abandon the second phase of his envisioned reforms for unemployment benefits and pensions due to more pressing concerns related to the COVID-19 crisis.

In 2020, the impact of the COVID-19 pandemic on France's macroeconomic outlook will be severe. GDP shrank 5.8 percent in the first quarter of 2020 compared to the previous quarter, the sharpest economic contraction since 1949. France's official statistical agency INSEE attributed this fall to the government's restrictions on economic activity due to the pandemic. However, the GDP figure incorporates only two weeks of France's confinement, which began March 17, leading economists to predict that second quarter figures will be worse. The Q1 figure marks the second consecutive quarter of economic contraction, after shrinking 0.1 percent in Q4 of 2019, meaning France has officially fallen into a technical recession. The Finance Minister announced in April 2020 that he expects economic activity to decline by 8 percent in 2020, the public deficit to increase to 9 percent of GDP, and debt to rise to 115 percent of GDP.

In response to the economic impact of the pandemic, the government launched a €410 billion (\$447 billion) emergency fiscal package in March 2020. The bulk of the package aims to support businesses through loan guarantees and deferrals on tax and social security payments. The remainder is allocated to stabilizing households and demand, largely through its €24 billion (\$26 billion) temporary unemployment scheme that allows workers to stay home while continuing to collect a portion of their wages.

Although France's emergency fund is sizeable at 16 percent of GDP, it is not sufficient to fully absorb the economic impact of the pandemic. Key issues to watch in 2020 include: 1) the degree to which COVID-19 continues to agitate the macroeconomic environment; and 2) the size and scope of recovery measures, including additional fiscal support from the government of France, a broader EU rescue package, and the monetary response from the European Central Bank.

### **Market Challenges**

Britain's exit from the European Union (Brexit) this year may pose uncertainty for French and U.S. companies as they seek to understand how the departure will ultimately affect business interests and trade. France has been moderately successful in attracting companies across multiple sectors to transfer operations from the United Kingdom to France, touting the country's central location in Europe, high quality of life, and educated labor force. Nevertheless, the uncertainty surrounding Brexit, especially the potential for trade disruptions and the movement of workers, is impacting business decision-making and may pose challenges for U.S. exporters.

U.S. firms must currently navigate national and European regulations and standards for selling products in France. The French often interpret existing EU regulations more stringently than other Member states and regulate in areas where the EU has not yet proposed legislation.

Another challenge for U.S. firms is dealing with highly concentrated retail distribution chains and networks. Many French global manufacturers and suppliers exercise strong control over these retail networks, with well-organized buying offices that have put in place very stringent selection processes for new suppliers, products and services. High retail mark-ups combined with innovative and creative marketing approaches are prerequisites to enter the French retail market.

### **Market Opportunities**

France welcomes foreign investment and has a stable business climate that attracts investors from around the world. The French government devotes significant resources to attracting foreign investment through policy incentives, marketing, overseas trade promotion offices, and investor support mechanisms. France has an educated population, well regarded universities, and a talented workforce. It has a modern business culture, sophisticated financial markets, a strong intellectual property rights regime, and innovative business leaders. The country is known for its world-class infrastructure, including high-speed passenger rail, maritime ports, extensive roadway networks, public transportation, and efficient intermodal connections. High-speed (3G/4G) telephony is nearly ubiquitous. Moreover, France is an economically developed nation with a large, diverse and sophisticated consumer base. While manufacturing has declined as a percentage of GDP, many of France's remaining industries, such as aerospace and pharmaceuticals, are still world leaders and receptive to foreign partners and suppliers. Its comparatively affluent populace is a leading consumer of services, particularly in the digital, educational and travel sectors. Opportunities for U.S. exporters with innovative products can be found in a wide range of sectors, including aerospace, food products, pharmaceuticals, microelectronics, logistics, and healthcare equipment. Call centers, biotechnology, telecommunications, information and communication technology, E-commerce, E-mobility, Advanced manufacturing, smart cities and environment are other sectors with high potential. The French market for food products is mature, sophisticated, and well served by suppliers from around the world. Younger environmentally-conscious consumers, and changing lifestyles contribute to France's import demand for American consumer and food products. A full report, prepared by the US Department

of Agriculture's (USDA) Foreign Agricultural Service for U.S. exporters of food products can be viewed at: <https://www.fas.usda.gov/regions/france>.

### **Market Entry Strategy**

In general, the commercial environment in France is favorable for sales of U.S. goods and services. Marketing products and services in France is similar to the approach in the United States, notwithstanding some significant cultural differences and certain legal and regulatory restrictions. While French buyers can be receptive to new and innovative products, there is a tendency to stick with known local suppliers. Competition can be fierce but local partners are readily available in most sectors and product lines. U.S. companies should be prepared to invest marketing resources in launching a new brand or product in France.

Like in many European countries, traditional distribution channels are being disrupted by new players in the digital and sharing economy. Many U.S. firms are doing well in this space, as well as a growing number of local competitors.

In addition to this Country Commercial Guide, the US Commercial Service office in Paris offers many services and customized solutions designed to assist you in developing your market entry strategy and to facilitate your exports to France. For a detailed description of these services please visit: [Export.gov/france/](https://www.export.gov/france/)

## Leading Sectors for U.S. Exports and Investment

### Computer Services & Computer Software (CSF, CSV)

#### Overview:

	2017	2018	2019	2020 (Estimated)
Total Market Size	79,856	86,892	85,938	89,376
Total Local Production	73,307	79,767	78,891	82,050
Total Exports	15,012	16,335	16,156	16,801
Total Imports	21,561	23,460	23,203	24,127
Imports from the US	11,658	12,686	12,546	13,051
Exchange Rate 1 Euro	USD 1.13	USD 1.18	USD 1.12	USD 1.12

*(total market size = (total local production + imports) - exports)*

*(Figures in USD millions; \* indicates unofficial estimates.*

*Year to year figures adjusted for varying exchange rate.)*

*Total Market Size = (Total Local Production + Total Imports) – (Total Exports)*

Valued at \$86 billion in 2019, France's market for computer software and services grew by 4.2% in 2019 and stands as the third largest in Europe after Germany and the U.K. Despite challenges created by the COVID-19 crisis, the market is holding up well, especially because of a corresponding increase in demand for Internet/Cloud-based solutions, as well as for more robust cyber security.

#### IT Consulting and Services:

This market is estimated at \$46 billion, and pre-COVID projections indicated a growth of 4% in 2020. Two thousand firms in this sector produce 80% of revenue. There are currently 28,000 French firms employing 474,000 employees, all focused on software and services. The market is divided among the three following activities: Consulting & Services (61%); Software publishing (21%); and Technology Consulting Services (17%). Ten information technology service firms dominate the French market: Capgemini, ATOS, IBM, Sopra Steria, Orange, Accenture, CGI, Hewlett Packard, GFI and Econocom.

#### SMACS (Social, Mobility, Analytics, Cloud & Security):

SMACS is an ever-growing market that stands for 30 % of the software and services market, with an annual growth of + 15,7 %, or a total of \$18.5 billion.

#### Software publishing:

The French market grew by 5.3% to reach \$13 billion. Top companies in the software publishing sector experienced increased diversification and decreasing revenues, down by 10% over the previous decade. The trend of decreasing company weight in terms of total market revenue is obvious throughout the Software & Services market, which has become increasingly heterogeneous, especially with the entrance of newcomers from various sectors, such as telecommunications, temp agencies, computer hardware firms, defense firms, and network integrators.

#### Cloud Market:

The French market for cloud computing solutions and related services is estimated at \$23 billion for 2020, or 19% of the overall IT software and services market in France. Even if its average annual growth is in slight contraction, it is anticipated to reach 20% per year until the end of 2021. This trend is caused by the arrival of new firms in Europe, along with the dramatic expansion of data centers. This market recently witnessed the entrance of companies such as Amazon, which recently brought its first local cloud infrastructure to France, and that of Orange, known as “Flexible Engine.” Demand for public cloud is expected to continue growing by the end of 2021, driven by large-scale markets in both private and public sectors. By the end of 2021, demand for consulting, managed and operated services will further enhance the implementation of cloud-related solutions, with increased needs in the areas of Compliance; Security and data protection reinforcing certification requirements (ISO 27018/27017, SecNumCloud, HDS, etc.); the implementation of ‘Software Defined’ and ‘Infrastructure as a Code’ (IaC) approaches to data management; Automation of public cloud replication and operation procedures; and Supervision, observability and predictability of consumption (FinOps, etc.).

#### SaaS (Software as a Service):

The implementation of software as a Service (SaaS) solution largely influenced market growth, which is expected to reach \$3.4 billion in 2020. The share of **SaaS** applications in the entire market is consolidating around 50%, with uses that now cover almost all market segments, including very specific business areas in functional processes, such as invoicing, order-to-cash, etc. The offer expands with solutions targeting more and more vertical markets (health, real estate, transport, tourism, etc.). The SaaS market is expected to continue growing around +17% per year between 2019 and 2021.

IaaS (Infrastructure as a Service): IaaS is growing at a rate close to that of SaaS, benefiting from the dynamics of digital transformation projects carried to the highest strategic level by companies, as well as from storage needs.

PaaS (Platform as a Service): PaaS will likely be extremely dynamic, with an estimated annual average growth of +23% between 2019 and 2021.

GDPR (General Data Protection Regulation): As of May 25, 2018, GDPR, which regulates the protection of EU personal data, imposed specific obligations on processors, who may be held liable in the event of data breaches. This new regulation has been implemented throughout the EU and EEA region and applies to all European Union citizens, regardless of where the business is established. The GDPR has sweeping consequences for businesses, even in the areas of marketing, and especially customer engagement. Failure to comply with new regulations can result in fines of up to 4% of a company’s global revenues or \$24,6 million, whichever option is greater. To ensure compliance to the GDRP, it is suggested that companies appoint a data protection officer (DPO) or data controller. Even smaller



businesses or those not processing large volumes of personal data, should at least appoint a primary point of contact for the protection of this data, whether that individual is internal, or the role is outsourced.

### **Leading Sub-Sectors**

- Big Data
- Cloud Computing (i.e. SaaS solutions)
- Mobility
- Cybersecurity Solutions
- E-Commerce
- Outsourcing / BPO
- Social business
- “Apps” software applications in smart phones
- Facilities management and Third-Party Maintenance of Applications (TMA)
- Facilities management of infrastructures
- Externalized R&D
- Integration of Information Processing Systems
- Integration of smart phones and tablets into the existing IT infrastructure
- Integration of social networks into the sales/marketing model
- E-health/Tele-Health
- Smart Grid/Smart Metering

### **Opportunities**

In the market as a whole, researchers expect growth in the following areas: document and process digitization; digital user services; data management and processing; information system sharing, and especially cloud computing. Increasingly widespread and affordable high-speed Internet (5G) access and wireless connectivity will maintain demand for systems integration, especially with regards to omnichannel commerce solutions and e-commerce in general, which benefits from its lower costs and increased mobile accessibility. The coming to market of 5G will further boost the development of solutions in IoT and Artificial Intelligence.

While market growth of consumer software and services hovers around 4%, the cloud market keeps on expanding at a rate of 21%. The public cloud market, one of its fastest growing subsectors, grew by 49% over the same period. The cloud (and especially the public cloud) market is becoming an increasingly attractive commercial opportunity. As a whole, high growth in the cloud market represents an opportunity for businesses investment, entry and expansion especially in France’s current market climate.

In France, the growing need for data storage and security for personal data has been further spurred by recent cybersecurity concerns and GDPR implementation. Spending in order to conform to RGDP regulation is estimated to average over \$30 million per unit among France’s 40 largest corporations. With huge disparities across sectors. For banks and insurance companies, the bill could be over \$100 million on average and \$35 million for other consumer

businesses. The suppliers of the organizations will be limited to \$11 million. While these developments present an opportunity for cloud providers to provide solutions and respond to increased demand, it is also important to keep in mind that these changes will have a large impact on the approach of cloud providers and will necessitate an updated approach by those affected by new regulations.

#### **Web Resources**

[International Data Corporation \(IDC\)](#)

[Pierre Audouin Consultants \(PAC\)](#)

[BIPE \(provider of economic analyses and consulting services\)](#)

[Syntec Numérique \(French association\)](#)

[Markess International Inc.](#)

[Médiamétrie](#)

[Journal du net](#)

[Le nouvel économiste](#)

[Truffle 100](#)

[CXP Group \(European research and advisory\)](#)

[Commission Nationale de l'Informatique et des Libertés \(CNIL. Research firm\)](#)

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## Civil Aircraft and Parts (AIR)

### Overview

	<b>2017</b> (Estimated)	<b>2018</b> (Estimated)	<b>2019</b> (Estimated)	<b>2020</b> (Estimated)
Total Market Size	31,86	29,70	30,20	n/a
Total Local Production	54,92	59,51	60,20	-50%
Total Exports	46,68	50,69	50,57	n/a
Total Imports	23,62	20,78	20,57	n/a
Imports from the US	5,23	3,58	3,85	n/a
Exchange Rate 1 Euro	USD 1.13	USD1.18	USD 1.11	USD 1.12

*(total market size = (total local production + imports) - exports)*

*Figures in USD billions. Sources: GIFAS, USDoC, French Customs. Note: French Customs figures are quoted in CIF (HS 8802 + 8803), USDoC figures are quoted in FAS. \* indicates unofficial estimates based on various industry sources. Year to year figures subject to currency fluctuations.*

Reported revenue for the French civil aerospace industry in 2018 grew to €54.24 billion (GIFAS – USD 60.2 billion), out of total non-consolidated aerospace and defense aerospace revenues of €74.3 billion. This is a 13% increase over 2018. The aerospace and defense aerospace industry exported approximately 84% of its consolidated turnover, and the civil sector represents 73% of revenues. Orders overall in 2019 were slightly up, to €61.9 billion,

However, since the Spring of 2020 there has been a very sharp downturn, which is reshaping the market. Airbus has announced it will decrease production by 40% for at least the next 2 years and has laid off 15,000 employees. This is deeply impacting all parts of the aerospace supply chain and has forced the cancellation of hundreds if not thousands of external service contracts by Airbus. MRO services and components and aerostructures are particularly affected. Air traffic is down by over 60%, and demand for aircraft with it. Despite the downturn, Airbus currently has a production backlog of 8 and a half years, but new orders are flat. The French government is doing what it can to shore up the industry and all the companies in it; about 7 billion euro has been allocated to assist the major flag carrier, Air France, and another 8 billion to the aerospace supply chain. There are monies for R&D, as well as private sector and public investment funds and special government unemployment aid. The goal is to keep R&D flowing and to save jobs, so the industry will be positioned to quickly ramp back up when recovery happens.

Five aircraft manufacturers account for the majority of the French market: Airbus (large commercial aircraft), Airbus Helicopters, Dassault Aviation (high-end business jets), ATR (passenger and cargo turboprop aircraft for regional transport, an Airbus JV with Italian firm Leonardo), and Daher (TBM and Kodiak light aircraft and business turboprops).

Because of the breadth and depth of the aerospace industry in France, U.S. manufacturers often decide to use the services of a distributor or agent to reach out to the many potential customers. It is generally considered difficult to break into the business (with some exceptions based on product type) without local representation that can interface with the various layers of engineers, purchasers and supply chain quality managers. It is a normal business practice in France for aerospace manufacturers' representatives to work on retainer only or a mixed retainer/commission fee; rarely will an agent accept a commission-only contract to develop new business. U.S. firms must be prepared to invest significantly in their business development process over extended periods before generating any orders. AS9100/ISO

9001 certification would be considered the minimum requirement for doing business in the aerospace supply chain in France.

### **Leading Sub-Sectors**

A major technology shift is taking place in aerospace in France – the current market difficulties and the resulting French Government aerospace assistance plan has accelerated it - and that is to move to producing a zero emissions aircraft by 2035, a very ambitious goal. It is usually new aircraft development, driving new design and technology requirements, which create opportunities for potential suppliers.

The best prospects for American firms in this market continues to be those associated with the manufacturing of new aircraft or engine models, or very technical products.

53% of the Airbus A350 weight is in composites, while the firm is continually looking to increase this percentage, as more potential exists for integrating composite materials into aircrafts. Combined with the important level of American supplier penetration on French platforms, increasing demand for lighter, fuel efficient aircraft, and Airbus' stated goal to increase spending across the Atlantic, experts expect the subsector of aerospace composites to continually grow.

### **Opportunities**

In general, the French aerospace market provides many opportunities (less so in the next 2-3 years but will again) and is considered extremely competitive. Potential new suppliers must target the right tier and understand clearly what their value added is compared to those already in place in the supply chain and must understand they will be competing with companies from around the world, not just in France. Many major French firms like Safran, Airbus or Dassault are all present in the US and have sourcing offices there, which may be an easier path to receiving OEM approval.

Future aircraft will increasingly include more electric systems on board and will likely move to hydrogen as a primary fuel, although there are other technologies such as hybrid electric or biofuel options on the table in the interim. The decision on the technology to pursue to achieve a narrow body carbon neutral aircraft should be made in 2025, for a launch in 2027-2028 and entry into service by 2035. Airbus is looking to field a successor to the A320 or perhaps a regional aircraft, and hydrogen fueled rotorcraft and business jets are also being considered. Other technologies of interest include Enhanced Vision Systems, other autonomous systems and specialty materials.

Airbus is also currently reviewing the approved Boeing list of suppliers in order to identify new potential suppliers. They are looking for redundancy, expecting industry consolidation to take place in the supply chain over the next 2-4 years.

It is important to keep in mind that beyond French-made aircraft, French equipment suppliers are also working globally, on Embraer, Pilatus, Comac, Mitsubishi aircraft, etc., as well as all the major U.S. aircraft manufacturers. However, entering the French market requires patience, investment, innovative products and competitive pricing.

### **Web Resources**

Aeromart Toulouse – December 2-3, 2020

Supply Chain Business to Business Meetings

<http://www.bciaerospace.com/toulouse/>

Paris Air Show – June 21-27, 2021

<http://www.paris-air-show.com/en>

French Aerospace Industries Association

<https://www.gifas.asso.fr/en/>

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[trade.gov/France](https://trade.gov/France)

## **Additive Manufacturing (AM)**

France is ranked in 4<sup>th</sup> in Europe in 2019 in the additive manufacturing sector after Germany, the U.K. and Italy. It represented a turnover of approximately 400 million Euros – 3% of the global additive manufacturing market. The average expected market growth in Europe still is 15 % per year in the coming years.

The main user industry sectors in France already engaged in additive manufacturing are as follow:

- the aerospace industry. In 2019, the turnover of the additive manufacturing in aerospace was expected to growth by 25% per year until 2024.
- The medical and dental industry, which has experienced a 35% increase in turnover in the last couple of years
- The automotive industry is using additive manufacturing technology mainly for tooling and prototyping
- The railway industry has been focusing on the development of polymer 3D printing parts

New developments are on their way in the naval, luxury goods, construction, food and energy industries.

The current sanitary crisis accelerated the need for more flexibility, and emphasized the challenges of sourcing. New trends could appear such as the conversion of production and manufacturing relocation to favor short supply chains. The need for additive manufacturing equipment will benefit from these new trends; therefore, this sector will continue to hold opportunities for cutting edge American companies.

In terms of use and applications, AM is mainly used for prototyping product development, product customization and for production flexibility. As far as raw materials are concerned, plastic is still the main raw material used in France even if metal powders are now widely used as they allow reduction of costs, small series production and complicated parts shapes.

### The French AM supply Chain:

France counts about 200 companies in the additive manufacturing field; 60 R&D centers and 40 clusters and innovation center laboratories. The majority of French companies in the manufacturing industry are small and medium sized companies. Therefore, the level of financial risk that those companies can take is low and decision making to work with new suppliers is slow and complicated. Reaching French OEMs and Tier I suppliers is very challenging. U.S. companies looking to expand in the French market in the advanced manufacturing industry where suppliers need to be close to their clients should consider working with a local partner. Other business development strategies are: opening an office in Europe, acquiring a French competitor or developing a joint-venture partnership. U.S. companies such as HP, 3D Systems and Stratasys have a significant market share in France.

The French additive manufacturing market is well structured. Through the “*Industrie du Futur*” French initiative (<http://www.industrie-dufutur.org/>) driven by the French government, companies in the advanced manufacturing field, benefit from specially adapted fiscal measures. A 51 million Euro annual budget was allocated to R&D centers to develop additive manufacturing initiatives and projects through industrial partnerships using new raw materials such as metal, ceramic, copper and multi-materials and developing new expertise in manufacturing processes such as; SLM (selective laser melting); LMD (laser metal deposition); SLA (laser based stereolithography); DLP (digital light processing); FDM (fused deposition modeling); FFF (fused filament fabrication).

### Raw Materials:

French companies play a role among the key players of polymer manufacturers and in thermoplastic powders such as [Sartoma Arkema](#) and [Exceltec](#). In the metal powder area, French companies such as [Eramet-Aubert &](#)

[Duval](#) or [Erasteel](#) also enjoy an international reputation. The French company [Armor through its Kimya brand](#) is known worldwide for its filaments.

#### Machine manufacturers:

French 3D systems manufacturers can be characterized as niche companies. Today, France has four leading manufacturers: [Prodways](#), the largest French 3D printer manufacturer, is focused on process speeds. Start-up [BeAM](#) focuses on alternative technology (laser fusion, which pulverizes metallic powder in front of a laser), [AddUp](#), a joint venture from companies Fives and Michelin, develops machines and industrial production lines, specifically with metal additive manufacturing, and [3D Ceram](#) specialized in 3D printing for ceramics.

#### Software Developers:

For the most part, 3D printer software suppliers are small publishers with specific applications and expertise. This is the case of [StratoConception with its software Top Solid](#), or [ESI Additive Manufacturing](#), or [Core Technologies](#) or [Sokaris](#). However, some developers are large, traditional software companies that develop 3DP software, such as [Dassault Systèmes](#).

#### Service Bureaus:

The number of service bureaus is notable and gives insight into the French market. The 3D printing industry in France is composed of numerous, small companies. We identified around 30 actors around France. A couple of examples are: [Spartacus 3D](#), [Cresilas](#), [Poly-Shape-AddUp](#), [Aurore Arka](#), [Fives-Michelin/AddUp](#), [GM Prod](#), [Initial -Groupe Gorgé/Prodways](#) and [Inori](#).

#### R&D Centers:

There are approximately 60 R&D centers in France. They are highly involved in additive manufacturing development and projects. Just to name a few : [CEA](#), [CETIM](#), [IRT-M2P](#), [Institut Carnot MICA](#) and [PEP-IPC](#).

#### AM Supervisory Authorities:

The AM industry is subject to various European and international standards. [AFNOR](#), the French standardization organization, and the UNM 920 committee are working together with other European and international agencies to coordinate adopting common global regulations (related to AM concepts, raw materials, quality of parts, security around manufacturing, processing and education).

The main European directives for machinery & equipment are:

[CE Machinery safety regulation](#)

[CE Low voltage regulation](#)

[CE Electromagnetic computability regulation](#)

The main European regulation for additives & chemicals is: [REACH](#) (subject to regulation for more than one metric ton per year of imported raw materials into Europe). U.S. exporters also need to be aware of the EU legislation restricting the use of hazardous substances in electrical and electronic equipment (EEE), [RoHS](#).

For more information about collaborative work in Europe and regarding supporting action for standardization in additive manufacturing, contact [SASAM](#).

Trade fairs:

[APS Meetings](#) – Advanced Prototyping Solutions Lyon, France - October 7-8, 2020

[IEC World 2021](#) Paris, France March 9-11, 2021

[Global Industrie](#) Lyon, France March 16-19, 2021

### 3DPrint - Lyon, France June 15-17, 2021

#### Associations:

- [Alliance for Industry of the Future](#)

Encourages industrial and digital technology professional organizations to form partnerships in academics, technology, and financing.

- [Cecimo \(European Committee of Industry and Machine Tools\)](#)
- European Association representing common interests of Machine Tools Industries globally and at the EU level. Assumes key role in determining the strategic direction of the European machine tool industry and promotes the development of the sector in the fields of the economy, technology and science.
- Cetim (Technical Center for Mechanical Industry)
- French association established to improve companies' competitiveness through mechanical engineering and advanced manufacturing solutions.
- [Federation of Industrial Mechanics](#)
- Aids mechanics with design, production, and sale of products in France and all international markets.
- [Symop \(Federation of Machines and Technologies for Production\)](#)
- French professional organization for creators of industrial solutions -- machine, technology, and equipment manufacturers with a focus on industrial applications.
- [French Rapid prototyping association](#)

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## Medical Devices (MED)

### Overview

	<b>2017</b> (Estimated)	<b>2018</b> (Estimated)	<b>2019</b> (Estimated)	<b>2020</b> (Estimated)
Total Market size	32,800	33,784	34,458	n/a
Total Local Production	29,700	30,591	31,202	n/a
Total Exports	8,500	8,755	8,930	n/a
Total Imports	11,600	11,948	12,186	n/a
Imports from the US	3,900	4,017	4,097	n/a
Exchange Rate 1 Euro	USD1.13	USD1.18	USD1.11	USD 1.12

*(total market size = (total local production + imports) - exports)*

*data source: SNITEM "Panorama de la Filière Industrielle des Dispositifs Médicaux en France en 2019 :*

*(Figures in USD millions; \* indicates unofficial estimates. Year to year figures adjusted for varying exchange rate.)*

The Covid 19 crisis has generated a direct and huge impact on that sector. In France, it is reported that over 700,000 surgical procedures have been postponed or cancelled. Overnight, most hospital activity has focused solely on the Covid 19 pandemic. This has generated an immediate increased demand for Covid 19 related producers of equipment and supplies but has almost stopped sales of all other medical devices. As a result, it is reported that 76 % of companies have experienced either a sharp slowdown of their sales, or even a total lack of activity. France, like many other countries, has relied on telemedicine to address social distancing requirements. In this context, market data for 2020 is unavailable. This was the market for 2019:

The medical device market in France had an estimated turnover of €31.2 billion for the year 2019. The market turnover for medical devices exported from France is estimated at €8.9 billion, which is 26% of the total market. The market is expected to see an annual growth of about 2% for the next several years.

There are over 1,300 medical device firms in France. One-third of these firms are of foreign origin. Although they only account for one-third of the number of enterprises, foreign enterprises bring in two-thirds of the total turnover. American enterprises alone account for 22% of the total market.

As opposed to other medical sectors such as pharmaceuticals where large multi-national corporations often dominate the market, the medical device industry is mostly composed of niche-market producers. Out of the 1,300 enterprises in France, 92% of them are SMEs, of which, 88% exclusively produce medical devices. The medical device sector employs approximately 85,000 people.

The best prospects for medical equipment can be found in newly developing sectors such as non-invasive surgery, orthopedics, and disposable medical equipment. Healthcare professionals in France are highly optimistic about the success of new medical technology. One example of such technology is telemedicine, which is expected to have a major impact on medical care institutions in the coming years.

There has been a steady growth of innovative medical procedures in France, such as same-day surgery. This growth is expected to benefit American medical equipment manufacturers who produce highly innovative devices, as well as those who offer products and services focused on reducing healthcare costs.

### **Best practices**

To export medical devices to France, U.S. companies should either have an agent / distributor or set up a subsidiary. For smaller and medium size companies, it is preferable to first select an agent / distributor in order to have a better sense of the market share that can be obtained in France. The creation of a fully owned subsidiary can be planned at a later stage. Medical devices in the French market, whether imported products or domestically manufactured lines, are subject to the following requirements:

- Medical devices are required to obtain the CE Mark
- Medical devices are required to have French-language directions **Leading Sub-Sectors**

### Diagnosis

The diagnostic sub-sector represents approximately 34% of the total medical device market in France. State-of-the-art diagnostic medical imaging systems are in high demand. Uses for diagnostic technology already exist for pediatrics, cardiovascular care, digestion, urology, and spinal/neurological treatment. As these devices use trusted and versatile technology, demand for diagnostic equipment will continue to grow. Health care professionals are very interested in a feature of medical imagery equipment known as "image networking". Image networking allows a healthcare professional to compare an image of a current patient to hundreds of previous cases using an image data bank.

### Rehabilitation

The rehabilitation sub-sector represents approximately 25% of the total medical device market in France. It includes all types of devices designed to help those recovering from illness or treatment. Like many European markets, France has a growing elderly population with a greater need for rehabilitation products. A large portion of this sub-sector is made up of disposable medical equipment such as incontinence products, wound care products, and items designed to prevent bed sores.

### Surgery

The surgical instrument and supplies sub-sector represent approximately 18% of the total medical device market in France. Recent innovations in the field of non-invasive surgery could potentially have a significant impact on everyday hospital practice. Non-invasive surgery devices offer superior results and present a significantly reduced risk to patients.

### Intensive care

Intensive care equipment like respiratory monitors, pumps, and incubators represent about 9% of the total medical device market. Demand from both public and private hospitals for cutting-edge intensive care equipment and supplies are increasing. U.S. suppliers of this type of equipment should benefit from the increased demand.

### Technical aids

The French market for medical prosthesis accounts for approximately 7% of the total medical device market. This market is characterized by a strong growth potential for innovative internal prostheses such as knees, hips, ligaments, and elbows. Innovative technical aids in the fields of audiology, dialysis, and respiration are also in high demand.

### Hygiene

The hygiene sub-sector represents approximately 5% of the total medical device sector in France. Patient and medical personnel safety is a growing concern to medical personnel and to the public. Best prospects in this sector will include products that make it easier to adhere to stringent personnel safety requirements. Products with a focus on protection from and preventing the spread of AIDS and other contagious diseases are in particularly high demand.

### **Opportunities**

Implementing controls on health care spending is a key objective of the French government. Decreased spending has led to a decline in the demand for traditional hospital-care equipment. At the same time, demand has grown for medical equipment that can help ensure shorter and less-frequent hospital stays. The increasing need for age-related health care equipment will continue to bring new prospects for U.S. suppliers of innovative medical devices.

Companies that specialize in healthcare IT solutions or electronic medical records are also in high demand. France has developed an electronic card (Carte Vitale) for each patient to process government reimbursement electronically. There are plans to update these cards in the future so that they carry electronic medical records in addition to payment information.

### **Web Ressources**

#### Approval and testing

G-MED (Groupement pour l'évaluation des dispositifs médicaux)

National agency for the evaluation of medical equipment

[G-MED](#)

#### Trade Association

Syndicat National de l'Industrie des Technologies Médicales - S.N.I.T.E.M.

Medical equipment trade association

[S.N.I.T.E.M.](#)

#### National Authority for Health

HAS (Haute Autorité de Santé)

National agency for the evaluation of medical equipment and medical practices

[HAS](#)

#### Safety Agency

ANSM (Agence Nationale de Sécurité du Médicament et des Produits de Santé)

National agency for the safety of pharmaceuticals and health products

[ANSM](#)

#### Pricing Committee

CEPS (Comité Economique des Produits de Santé)

Pricing committee for pharmaceuticals and medical devices

[CEPS](#)

#### Public Hospitals

FHF (Fédération Hospitalière de France)

Public Hospitals Federation

[FHF](#)

Private Hospitals

FHP (Fédération de l'Hospitalisation Privée)

Private Hospitals Federation

[FHP](#)

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## **eCommerce (COS)**

For information on eCommerce, please refer to the eCommerce section in Selling U.S. Products & Services chapter of this Country Commercial Guide.

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## Travel and Tourism (TRA)

### Overview

	<b>2017</b> (Estimated)	<b>2018</b> (Estimated)	<b>2019</b> (Estimated)	<b>2020</b> (Estimated)
Number of French travelers in the U.S.	1.70	1.80	1.84	n/a
French spending in the U.S.	\$6.10	\$6.35	\$6.46	n/a
Exchange Rate 1 Euro	USD 1.13	USD1.18	USD1.11	USD1.12

(Figures in USD millions; \* Estimated figures)

Sources: U.S. Department of Commerce, International Trade Administration, National: [Travel & Tourism Office](#)

[French government, Etudes et Statistiques](#)

The United States remains one of the top choices among long-haul destinations for French travelers. In 2019, France ranked third among European markets after the United Kingdom and Germany, and ninth in the world after Canada, Mexico, U.K., Japan, China, South Korea, Brazil & Germany, as an overseas source of income for the tourism industry in the U. S.

### Best Prospects

The French market is dynamic and stable. In 2019, more than 1. million travelers from France visited the United States. We don't have the full year for 2020 but from January to May 2020, the U.S. welcomed 280,681 French travelers (-60.6% about the same number than the German travelers).

### Opportunities

The United States is a popular destination for the French travelers, ranked number one among long-distance destinations. California, the U.S. National Parks, New York and Florida remain favorite destinations. Other regions such as the Southwest, Rocky Mountain states and Louisiana are becoming popular, particularly with second or third-time visitors. The French are highly fond of culture and history. Many French travelers choose cities renowned for their artwork or museums (New York, Washington D.C., Boston, Chicago). Additionally, images of cowboys and Native Americans surrounded by open spaces, as made popular by American TV shows and movies remain vivid in the French imagination, which explains why Western states such as Arizona, Utah, Nevada, Colorado, and New Mexico are popular in France.

The French have five weeks of paid vacation per year. The average length of stay in the United States is approximately two weeks. The French are very individualistic in their travel behavior, which explains why 70% choose "Fly and Drive" options. Nevertheless, some travelers, mainly retired people, prefer organized trips.

Ten carriers offer non-stop flights from France to the United States. The U.S. carriers are American Airlines, Delta Air Lines and United. The European carriers are Air France, Air Tahiti Nui, French Bee, Corsair, Level, La Compagnie, and Norwegian Air Shuttle.

### The impact of Covid 19

In May 2020, the **Visit USA Committee France has conducted a survey** among its B2b database (766 respondents)

to measure the impact of the pandemic in their desire to travel to the U.S. Here is the result:

- The French have still a strong desire to travel to the U.S. , 90% of the respondents are willing to travel again to the U.S., once the pandemic crisis is over.
- The French travelers are targeting the West & National Parks for their future trip (40.7%), followed by the East (29.1%), and the South (17.8%).
- One of the consequences of the pandemic crisis is that travellers seem ready to make greater use of the services of tourism professionals in the future.
- Concerning the airlines, all the carriers have reduced their transatlantic routes but they are maintaining the major destinations (JFK, LAX, ATL, BOS, CHI, SFO, Dallas).
- As per the French tour operators and receptive tour operators, they are expecting that the situation will be back to normal for spring 2021.

### The Visit USA Committee France

U.S. Commercial Service in France works closely with the Visit USA Committee, a private industry association aimed at promoting the United States as a travel and tourism destination. The Committee, with 150 members, is one of the biggest in the world.

The Visit USA Committee organizes a wide range of promotional actions: travel trade fairs, consumer fairs, workshops, and e-learning programs for travel agents, video clips, and monthly newsletters dedicated to the trade, press, and consumers. They publish travel planners, maps, and posters. They have a dynamic website, and they are in all the major social media networks, including facebook, twitter and Instagram.

Visit USA Committee France Website: [www.office-tourisme-usa.com](http://www.office-tourisme-usa.com); Contact for information and registration: Delphine Aubert, Communication & Marketing Manager, [d.aubert@office-tourisme-usa.com](mailto:d.aubert@office-tourisme-usa.com)

Facebook: <https://www.facebook.com/pages/Visit-USA-Committee-France>

Twitter: @OTdesUSA, <https://twitter.com/parisotc?lang=en>

Instagram: Office du Tourisme des USA

**Brand USA:** Established by the Travel promotion Act in 2010, Brand USA is a non-profit, private-public partnership that promotes increased inbound international travel to the United States. Brand USA is financed by a fee assessed on international visitors applying for entry into the United States under the Visa Waiver Program and matching resources provided by private sector partners. [www.thebrandusa.com](http://www.thebrandusa.com). Brand USA publishes a “Travel USA” Guide in French. The guides are distributed in all the major trade and consumer fairs organized by the Visit USA Committee in France. [www.VisitTheUSA.com](http://www.VisitTheUSA.com)

### Major travel trade fair:

IFTM (International French Travel Market)

Location: Paris – Expo Porte de Versailles

Dates: November 17-20, 2020

Number of visitors: 40,000

Show Organizer: Reed Exhibitions France

Website: [www.iftm.fr](http://www.iftm.fr)

B For will organize a USA pavilion at IFTM 2020 with the collaboration of the Visit USA Committee and the U.S. Commercial Service at the American Embassy Paris. The pavilion will host 15+ U.S. exhibitors.

For Registration: B-For / Exhibitpro, partner of Brand USA

Contact: Michael Walsh, [mwalsh@exhibitpro.com](mailto:mwalsh@exhibitpro.com)

Website: [www.exhibitpro.com](http://www.exhibitpro.com)

## Workshops

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The Visit USA Committee will organize 3 workshops for travel agencies in 2020, with the collaboration of the U.S. Commercial Service, and Brand USA.

November 24, 2020: Paris

November 26, 2020: Nice

December 1, 2020: Lille

## **Web Resources**

Visit USA Committee France: [www.office-tourisme-usa.com](http://www.office-tourisme-usa.com)

Brand USA: [www.thebrandusa.com](http://www.thebrandusa.com), [www.VisitTheUSA.com](http://www.VisitTheUSA.com)

IFTM (International French Travel Market): [www.iftm.fr](http://www.iftm.fr)

[International Trade Administration – Industry & Analysis, National Trade & Tourism Office: http://travel.trade.gov](http://travel.trade.gov)  
[U.S. travel destinations interested in more information on the above trade fairs and events or the French tourism market generally should contact:](#)

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## Education Services (EDS)

### Overview

Academic Year	2016/2017 (Estimated)	2017/2018 (Estimated)	2018/2019 (Estimated)	2019/2020 (Estimated)
Foreign Students in France	301,000	323,933	358,005	n/a
French Students in France	1,600,000	2,285,776	2.700.000	2.730.000
French Students in the World	80,000	80,500	89,379	n/a
International Students in the U.S.	1,078,822	1,094,792	1,095,299	n/a
French Students in the U.S.	8,814	8,802	716	n/a
Exchange Rate 1 Euro	USD 1.13	USD 1.18	USD 1.12	

Source: <https://www.campusfrance.org/Open%20doors> - [https://opendoorsdata.org/fact\\_sheets/france/](https://opendoorsdata.org/fact_sheets/france/)  
<https://www.enseignementsup-recherche.gouv.fr/>

From 2006, the number of French students in the U.S. maintained a slow, steady increase for 10 years; the growth rate even surpassed 5% in 2014/15 for the first time since 2010/11. This growth finally ceased for the 2017/2018 academic year, and the number of French students in the US slightly decreased for the first time in 12 years. According to the latest data released by the U.S. Department of Commerce’s Bureau of Economic Analysis, education service exports ranked fourth among service exports in 2019. During the 2018/2019 academic year the U.S. hosted over one million students, and reported \$46.54 billion in education exports, which supported over 458,290 U.S. jobs. France is the eighteenth most popular country of origin for students coming to the United States. It is also the fourth leading host country for U.S. students studying abroad. In the 2018/19 academic year, 8,716 students from France studied in the United States contributing \$373 million to the U.S. economy.

According to a survey conducted by the Institute of International Education 87% of French students believe that tuition fees at U.S. institutions of higher education are very high, particularly in comparison to the low-cost French educational system (nearly free for public universities) or ERASMUS programs in other European countries. The high comparative cost of a U.S. education explains why today more than half of the French students studying in the United States are also scholarship recipients. However, when compared to other potential study destinations, 81% of French students perceive the United States to have a superior education system.

#### The impact of Covid-19

Ministry of Foreign Affairs advised French students to cancel or postpone their stay (s) abroad. Same thing for the Erasmus+ program and Campus France, which are based on government directives.

Institutions are therefore already considering offering their students to postpone their expatriation until the second semester, from January 2021, or even at the start of the 2021 school year.

## Leading Sub-Sectors

The most popular academic fields of study for French students in higher education in the United States are: Business/Management 22.6%, Engineering 13.9%, Social Sciences 10.6%, Fine/Applied Arts 6.2%, Math/ Computer Science 6.4%, Humanities 5.5% and Physical/Life Sciences 5.7%.

Best prospects within this sector include intensive “American” English language classes, programs in business administration, one-year program for French high-school graduates (post baccalaureate) usually between graduation and entry into French university and work/study programs (internships).

## Opportunities

France is a solid market for schools interested in diversifying their international student body. France benefits from high per-capita income, strong secondary school education and substantial business ties with the United States. In addition, most French schools/universities have implemented the Bologna Process and shifted to a three-tier bachelor/master/doctorate system of education – making the comparison of educational credentials easier. American educational institutions can take advantage of the importance placed on English language abilities as well as the current state of the French labor market. The youth unemployment rate sat above 20% in the 4<sup>th</sup> quarter of 2019 and the labor ministry anticipates a 30% in the near future therefore, studying abroad has become a channel for graduates to boost their resume for future positions.

American institutions may also benefit from the following opportunities:

-*Second & Third Tier Cities*: Most U.S. colleges and universities focus their recruitment efforts in Paris. Recruitment efforts that include other cities in France in addition to Paris (particularly those with strong universities or a sister city connection) generally yield effective results.

-*Partnerships*: The U.S. and France express their support for the Transatlantic Friendship and Mobility Initiative promoting increased student and junior researcher mobility and exchanges. This initiative aims to double the number of U.S students going to France and the number of French students coming to the United States by 2025.

-*Community colleges*: French high school students show a growing interest in community colleges as they are accessible, affordable and offer the opportunity to transfer to a university after a couple of years.

-*Optional Practical Training*: This has contributed to a rise in the overall number of international students in the U.S. because it allows students in science and engineering fields to stay in the country and work for 36 months.

**Web Resources** • Education USA/Fulbright Commission <https://fulbright-france.org/en>

**Main Educational Trade Shows** • Studyrama International Studies Virtual Fair, *October 10, 2020* • L’Etudiant Study Abroad Fair in Paris: *November 27, 28 & 29 2020*, L’Etudiant Study Abroad Virtual Fair: *December 3<sup>rd</sup> to 5<sup>th</sup> 2020* and L’Etudiant Study Abroad Fair in Lille : *March 6<sup>th</sup> 2021*.

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## **Agricultural Sector (AGR)**

### **Overview**

There are significant market opportunities for consumer food/edible fishery products in a number of areas such as fruit juices and soft drinks (including flavored spring waters), dried fruits and nuts, fresh fruits and vegetables (particularly tropical and exotic), frozen foods (both ready-to-eat meals and specialty products), snack foods, tree nuts, “ethnic” products, seafood (particularly salmon and surimi), innovative dietetic and health products, organic products, soups, breakfast cereals, and pet foods. In addition, niche markets exist for candies, chocolate bars, wild rice, kosher and halal foods. Market opportunities for U.S. exporters also exist for oilseeds, protein meals and other feeds, as well as for wood products and grains.

### **Leading Sub-Sectors & Web Resources**

See the six consumer-oriented food products considered by the Office of Agricultural Affairs as representing the “best prospects” for U.S. business in France at:

[USDA France: Market information](#)

Contact: U.S. Embassy France - Foreign Agricultural Service Marketing Specialist

[Laurent.journo@fas.usda.gov](mailto:Laurent.journo@fas.usda.gov)

Tel: (+33) 1 43 12 22 45 & Cell: (+33) 6 86 20 46 52

[U.S. Department of Agriculture/ France](#)

## Customs, Regulations and Standards

### Trade Barriers

France's regulations and bureaucratic procedures can be a difficult hurdle for companies wishing to enter the French market and requires close attention by U.S. exporters. Complex safety standards, not normally discriminatory, but sometimes rigorously applied, complicate access to the market for many U.S. products. U.S. suppliers are well advised to do their homework thoroughly and make sure they know precisely which standards apply to their product and that they obtain timely testing and certification.

For information on existing trade barriers, please see the [National Trade Estimate Report on Foreign Trade Barriers](#) published by USTR.

Information on agricultural trade barriers can be found at the following website: [Foreign Agricultural Service](#)

To report existing or new trade barriers, and get assistance in removing them, contact either the [Trade Compliance Center](#) or the [U.S. Mission to the European Union](#)

## **Import Tariffs**

When products enter the EU, they need to be declared to customs according to their classification. A product's classification can be found in the Combined Nomenclature (CN) database. The CN database is updated and published every year, and the latest version can be found on the [European Commission's website](#).

U.S. exports to the European Union enjoy an average tariff of just three percent. However, U.S. exporters should still consult “The Integrated Tariff of the Community”, referred to as TARIC (Tarif Intégré de la Communauté), to identify the various rules which apply to specific products being imported into the EU. To determine if a license is required for a product, check the TARIC.

The TARIC can be searched by country of origin, Harmonized System (HS) Code, or product description on the interactive website of the Directorate-General for Taxation and the Customs Union. The online TARIC is updated daily.

Key Link: [TARIC](#)

## **Import Requirements and Documentation**

The TARIC is available to help determine if a license is required for a particular product. In addition, the European Commission maintains an export helpdesk with information on import restrictions of various products. [Import Restrictions on Agricultural Products](#)

Many EU Member States maintain their own list of goods subject to import licensing. For example, Germany's "Import List" (Einfuhrliste) includes goods for which licenses are required, their code numbers, any applicable restrictions, and the agency that will issue the relevant license. The Import List also indicates whether the license is required under German or EU law.

For information relevant to French import licenses, please search the Commerce Department's Market Research Library, available at: [Market Intelligence](#)

### Import Documentation

#### *The Single Administrative Document (SAD)*

The official model for written declarations to customs is the Single Administrative Document (SAD). The SAD describes goods and their movement around the world and is essential for trade outside the EU or trade of non-EU goods. Goods brought into the EU customs territory are, from the time of their entry, subject to customs supervision until customs formalities are completed. Goods are covered by a Summary Declaration which is filed once the items have been presented to customs officials. The customs authorities may, however, allow a period for filing the declaration which cannot be extended beyond the first working day following the day on which the goods are presented to customs.

The Summary Declaration is filed by:

- the person who brought the goods into the customs territory of the Community or by any person who assumes responsibility for carriage of the goods following such entry; or
- the person whose name is the person referred to above

The Summary Declaration can be made on a form provided by the customs authorities. However, customs authorities may also allow the use of any commercial or official document that contains the specific information required to identify the goods. The SAD serves as the EU importer's declaration. It encompasses both customs duties and VAT and is valid in all EU Member States. The declaration is made by whoever is clearing the goods, normally the importer of record or his/her agent.

European Free Trade Association (EFTA) countries including Norway, Iceland, Switzerland, and Liechtenstein also use the SAD. Information on import/export forms is contained in Council Regulation (EEC) No. 2454/93, which lays down provisions for the implementation of the Community Customs Code (Articles 205 through 221). Articles 222 through 224 provide for computerized customs declarations and Articles 225 through 229 provide for oral declarations.

More information on the SAD can be found at:

[Single Administration Document](#)

[EU Customs Code](#)

The Union Customs Code (UCC) was adopted in 2013 and its substantive provisions went into effect on 1 May 2016. It has replaced the Community Customs Code (CCC). In addition to the UCC, the European Commission published delegated and implementing regulations on the actual procedural changes.

### Economic Operator Registration and Identification (EORI)

Since July 1, 2009, all companies established outside of the EU are required to have an EORI number if they wish to lodge a customs declaration or an Entry/Exit Summary declaration. All U.S. companies should use this number for

their customs clearances. An EORI number must be formally requested from the customs authorities of the specific member state to which the company first exports. Member state customs authorities may request additional documents to be submitted alongside a formal request for an EORI number. Once a company has received an EORI number, it can use it for exports to any of the 28 EU Member States. There is no single format for the EORI number. Once an operator holds an EORI number s/he can request the Authorized Economic Operator (AEO: see below under “MRA”) status, which can give quicker access to certain simplified customs procedures.

More information about the EORI number can be found at [Economic Operator Identification and Registration](#).

Since 1997, the U.S. and the EU have agreed to the Customs Cooperation and Mutual Assistance in Customs Matters Agreement (CMAA). For additional information, please see [Agreements with the United States](#).

In 2012 the United States and the EU signed a decision recognizing the compatibility of AEO (Authorized Economic Operator) and C-TPAT (Customs-Trade Partnership Against Terrorism), thereby facilitating faster and more secure trade between the U.S. and EU. The World Customs Organization (WCO) SAFE Framework of Standards provides the global standard for AEO. AEO certification is issued by a national customs authority and is recognized by all Member States’ customs agencies. As of April 17, 2017, an AEO can consist of two different types of authorization: “customs simplification” or “security and safety.” The former allows for an AEO to benefit from simplification related to customs legislation, while the latter allows for facilitation through security and safety procedures. Shipping to a trader with AEO status could facilitate an exporter’s trade as its benefits include expedited processing of shipments, reduced theft/losses, reduced data requirements, lower inspection costs, and enhanced loyalty and recognition. Under the revised Union Customs Code, in order for an operator to make use of certain customs simplifications, the authorization of AEO becomes mandatory.

The United States and the EU recognize each other’s security certified operators and will take the respective membership status of certified trusted traders favorably into account. The favorable treatment provided by the Decision will result in lower costs, simplified procedures and greater predictability for transatlantic business activities. It officially recognizes the compatibility of AEO and C-TPAT programs, thereby facilitating faster and more secure trade between U.S. and EU operators. The Decision was originally signed in May 2012 and was implemented in two phases. The first phase commenced in July 2012 with U.S. Customs and Border Protection (CBP) placing shipments coming from EU AEO members into a lower risk category. The second phase took place in early 2013, with the EU re-classifying shipments coming from C-TPAT members into a lower risk category. CBP identification numbers for foreign manufacturers (MID) are therefore recognized by customs authorities in the EU, as per Implementing Regulation 58/2013 (which amends EU Regulation 2454/93 cited above).

### Additional Information on the Decision

#### *Introduction*

A key EU priority is to ensuring products marketed in the region are safe for the environment and human health. U.S. manufacturers exporting to the European Union need to ensure their products meet these requirements to enter the market.

#### *New Initiatives: Circular Economy & Plastics Strategy*

On 25 September 2014, the European Commission published the “Communication Towards a Circular Economy: A Zero Waste Program for Europe”. In this document, the European Commission acknowledged the intense competition for resources within Europe and the need to ensure there are market mechanisms for eliminating waste. When implementing this plan, the European Commission promotes regulatory and voluntary measures to encourage the “design out” of waste during the product development cycle. These measures include introducing mandatory recycling targets for waste, improvements to energy and resource use (e.g. water) and eliminating the use of materials in products that inhibit the collection, recycling and reuse of materials in products.

On 16 January 2018, the European Commission published what is arguably the most important measure towards implementing the circular economy. On that day, the European Commission, adopted a strategic document entitled, “A European Strategy for Plastics in a Circular Economy”. The strategy acknowledges that plastics have a negative impact on the environment and calls for voluntary and regulatory measures aimed at mitigating the environmental harm caused by plastics. These measures address marine litter caused by the shipping industry; the chemical composition of plastics to encourage recycling; potential regulation on single use plastics; and funding for the development of chemical and mechanical recycling.

### *Batteries*

The [EU Battery Directive](#) adopted in 2006 applies to all batteries and accumulators placed on the EU market. This includes automotive, industrial and portable batteries. The Directive seeks to protect the environment by restricting the sale of batteries and accumulators that contain mercury or cadmium (with an exemption for emergency and alarm systems, medical equipment and cordless power tools) and by promoting a high level of collection and recycling. The Directive places the responsibility on producers to finance the costs associated with the collection, treatment, and recycling of used batteries and accumulators. The Directive also includes provisions on the labeling of batteries and their removability from equipment. The European Commission publishes a FAQ document to assist interested parties in interpreting its provisions. For more information, see our [market research report](#).

### *Registration, Evaluation and Authorization and Restriction of Chemicals (REACH)*

REACH applies to all chemicals manufactured or imported into the EU in quantities exceeding one metric ton. The regulation entered into force in 2007 (Regulation 1907/2006) and touches virtually every industrial sector, from automobiles to textiles. REACH imposes a registration obligation on all entities affected by the one metric ton criteria by May 31, 2018. The European Chemicals Agency (ECHA) is the organization responsible for receiving and ensuring the completeness of such registrations. U.S. companies without a presence in Europe need to rely on a EU-based partner, typically either an importer or a specialized ‘Only Representative’.

In addition to the registration requirement, U.S. exporters should carefully review the REACH ‘Candidate List’ of Substances of Very High Concern (SVHCs) and the ‘Authorization List’. Under certain conditions, substances on the Candidate List are subject to communication requirements prior to their export to the EU. Companies seeking to export chemicals on the ‘Authorization List’ will require an authorization. [Candidate List](#).

### *Waste Electrical and Electronic Equipment (WEEE) Directive:*

[https://ec.europa.eu/environment/waste/weee/index\\_en.htm](https://ec.europa.eu/environment/waste/weee/index_en.htm)

EU rules on WEEE, while not requiring specific customs or import paperwork, may entail a financial obligation for U.S. exporters. The Directive requires U.S. exporters to register relevant products with a national WEEE authority or arrange for this to be done by a local partner. It also requires manufacturers to inform the consumer that their product should be recycled by including the “crossed out wheellie-bin” symbol on the product or with the packaging. (See the section entitled “Mandatory Marks and Labels” for more information.) The WEEE Directive was revised on July 4, 2012 and the scope of products covered was expanded to include all electrical and electronic equipment. U.S. exporters seeking more information on the WEEE Directive should visit:

### [Restriction on Hazardous Substances RoHS](#)

The ROHS Directive imposes restrictions on the use of certain chemicals in electronics and electrical equipment. The ROHS Directive does not require specific customs or import paperwork however, manufacturers must self-certify that their products are compliant and affix a “CE” mark. (See the section entitled “Mandatory Marks and Labels” for more information.) The 2011 revisions to the ROHS Directive significantly expanded the scope of covered products. Generally, U.S. exporters have until July 22, 2019 to bring products into compliance that were once outside the scope. U.S. exporters seeking more information on the RoHS Directive should visit: [Cosmetics Regulations](#)

The EU legislation harmonizing the regulation of cosmetic products has been in effect since July 11, 2013. The most difficult element of this regulation was the introduction of a new notification policy. Today, the European Commission



must be notified of all new cosmetic products before they enter the EU market. Only an EU-established entity may submit such a notification. Therefore, U.S. exporters must either retain a “Responsible Person” to act on their behalf, rely on the entity responsible for the import of their product into the EU, or establish a presence in an EU Member State.

### Agricultural Documentation

#### *Phytosanitary Certificates:*

Phytosanitary certificates are required for most fresh fruits, vegetables, and other plant materials.

#### *Sanitary Certificates:*

For commodities composed of animal products or by-products, EU countries require that shipments be accompanied by a certificate issued by the competent authority of the exporting country. This applies regardless of whether the product is for human consumption, for pharmaceutical use, or strictly for non-human use (e.g., veterinary biologicals, animal feeds, fertilizers, research). The vast majority of these certificates are uniform throughout the EU but the harmonization process is still ongoing. Most recently, certificates for a series of highly processed products including chondroitin sulphate, hyaluronic acid, hydrolyzed cartilage products, chitosan, glucosamine, rennet, isinglass and amino acids are being harmonized. Until harmonization is finalized, certain member state import requirements continue to apply. In addition to the legally required EU health certificates, a number of other certificates are used in international trade. These certificates, which may also be harmonized in EU legislation, certify origin for customs purposes and certain quality attributes. Up-to-date information on [Harmonized Import Requirements](#).

#### *Sanitary Certificates (Fisheries):*

In April 2006, the European Union declared the U.S. seafood inspection system to be equivalent to the European one. Consequently, a specific public health certificate must accompany U.S. seafood shipments. The U.S. fishery product sanitary certificate is a combination of Commission Decision 2006/199/EC for the public health attestation and of Regulation 1012/2012 for the general template and animal health attestation. Unlike for fishery products, the U.S. shellfish sanitation system is not equivalent to that of the EU's. The EU and the United States are currently negotiating a veterinary equivalency agreement on shellfish. In the meantime, the EU still has a ban in place (since July 1, 2010), that prohibits the import of U.S. bivalve mollusks, in whatever form, into EU territory. This ban does not apply to wild roe-off scallops.

Since June 2009, the only U.S. competent authority for issuing sanitary certificates for fishery and aquaculture products is the U.S. Department of Commerce, National Marine Fisheries Service (NOAA-NMFS).

In addition to sanitary certificates, all third countries wishing to export fishery products to the EU are requested to provide a catch certificate. This catch certificate certifies that the products in question have been caught legally.

For detailed information on import documentation for seafood, please contact the NOAA Fisheries office at the U.S. Mission to the EU. ([stephane.vrignaud@trade.gov](mailto:stephane.vrignaud@trade.gov)) or visit the following NOAA dedicated website

## **Labeling and Marking Requirements**

The use of French is compulsory in all designations, offers, presentations, user manuals, and terms of service for a product or service. In addition, all invoices and receipts must also be in French. The objective of this measure is to provide information, consumer protection, and enable the individual to buy and use a product or service while having complete knowledge of the product's nature and warranty.

The Act of August 4, 1994 and its implementing regulations have established that the use of French language is a fundamental element of the heritage of France. The purpose of the law is the protection of the French language; the obligations apply without the need to distinguish whether the buyer is an individual or a professional.

These requirements are part of the French Code of Consumption which can be accessed at: [French Code of Consumption](#). A partial list of French language requirements relevant to U.S. businesses operating in France includes:

The use of French is compulsory in trade relations and labor relations, without, however, prohibiting the use of recognized foreign words or phrases.

Contracts which are parts of legal entities under public or private persons performing a public service are written in French regardless of their purpose and form.

Job offers in the press, labor contracts, and other documents relating to social relations within the company are required to be written in French.

Labeling of food, a decree of 1 August 2002 complement Article R. 112-8 indicating that the labeling may be contained in one or more other languages, in addition to French.

Whenever mentions, ads, and inscriptions are supplemented by one or more translations, the French presentation should be as legible, audible, or intelligible as the presentation of foreign languages.

All labeling must be easily understandable, written in French with no abbreviations other than those prescribed by the regulations or international conventions. They must be listed in a conspicuous place and so as to be visible, clearly legible and indelible. They should in no way be hidden, obscured or interrupted by other written or pictorial content.

### Relevant regulations

Act No. 94-665 of 4 August 1994 on the use of the French language.

Decree No. 95-240 of 3 March 1995 taken for the implementation of Law No. 94-665 of 4 August 1994 on the use of French. Circular of 19 March 1996 concerning the application of Law No. 94-665 of 4 August 1994 on the use of French.

In regards to textile labeling, the Court of Cassation, in a ruling dated November 14, 2000, agreed that the information labels displaying pictograms, where warnings were essential for the consumer, must be written in French. However, in an attempt to not obstruct the free movement of goods, specific products can be accompanied by statements in a foreign language not translated into French as long as the drawings, symbols, pictograms, or statements are of equivalent or complementary subject and are not likely to mislead the consumer. The specific products included are items that have inscriptions, are printed or woven, in a foreign language, contain words and phrases entered in the current language, or resulted from international conventions (i.e. off / on, made in ..., copyright, etc.) which are used alongside other means of consumer information, such as symbols or icons.

### Summary

There is a broad array of EU legislation pertaining to the marking, labeling and packaging of products, with neither an "umbrella" law covering all goods nor any central directory containing information on marking, labeling and

packaging requirements. This overview is meant to provide the reader with a general introduction to the multitude of marking, labeling and packaging requirements or marketing tools to be found in the EU.

### Introduction

The first step in researching the marking, labeling and packaging legislation that might apply to a product entering the EU is to draw a distinction between what is mandatory and what is voluntary. Decisions related to mandatory marking, labeling and/or packaging requirements may sometimes be left to individual Member States. Furthermore, voluntary marks and/or labels are used as marketing tools in some EU Member States. This report is focused primarily on the mandatory marks and labels seen most often on consumer products and packaging, which are typically related to public safety, health and/or environmental concerns. It also includes a brief overview of a few mandatory packaging requirements, as well as more common voluntary marks and/or labels used in EU markets.

It is also important to distinguish between marks and labels. A mark is a symbol and/or pictogram that appears on a product or its respective packaging. These range in scope from signs of danger to indications of methods of proper recycling and disposal. The intention of such marks is to provide market surveillance authorities, importers, distributors and end-users with information concerning safety, health, energy efficiency and/or environmental issues relating to a product. Labels, on the other hand, appear in the form of written text or numerical statements, which may be required but are not necessarily universally recognizable. Labels typically indicate more specific information about a product, such as measurements, or an indication of materials that may be found in the product (such as in textiles or batteries).

### Mandatory Marks & Labels

- Textiles
- Cosmetics
- Dangerous Substances
- Explosive Atmosphere
- Electrical & Electronic Equipment
- Household Appliances
- Pricing
- Footwear
- Units of Measurement
- Automotive
- Tire labeling
- Maritime
- Materials in Contact with Food
- Noise Emissions
- Wood packaging
- Energy Efficiency
- Recycling- Separate Collection

## Voluntary Marks and Labels

- Cup/Fork Symbol (material in contact with food)
- Eco-Label
- Green Dot
- Energy Star
- 'e' Mark

## Recycling Marks

Voluntary and mandatory marks and labels apply to all Member States of the EU, countries in the European Economic Area, European Free Trade Association, as well as candidate countries seeking membership to the EU.

## CE MARKING

The CE is the most widely used and recognized marking required by the EU. Found in all “New Approach” legislation with a few exceptions, the CE marking demonstrates that a product meets all essential requirements (typically related to safety, health, energy efficiency and/or environmental concerns). CE marking is required for the following products/product families:

- Cableway installations
- Civil explosives
- Construction products
- Electrical/electronic products
- Electromagnetic compatibility
- Low voltage
- Restriction of Hazardous Substances
- Energy efficiency
- Equipment and protective systems in potentially explosive atmospheres (ATEX)
- Gas appliances
- Hot water boilers
- Lifts
- Machinery
- Medical devices (3)
- Non-automatic weighing instruments
- Personal protective equipment
- Pressure equipment
- Radio equipment
- Recreational crafts
- Refrigeration appliances
- Simple pressure vessels
- Toys

For each “New Approach” law there is a separate list of references to harmonized European standards, the use of which provides the manufacturer with the ‘presumption of conformity’ with essential requirements. While other non-EU standards may be used to demonstrate a product’s compliance with the applicable directive(s), the manufacturer will have to provide detailed information regarding the compliance process. An array of standardized safety warning symbols/pictograms may also be applicable to each of the above product categories.

In 2008, the EU adopted a package of measures known as the [New Legislative Framework](#) (NLF) which provides a regulatory ‘toolbox’ for new and revised EU product safety legislation. The framework is designed to improve market surveillance, more clearly define the responsibilities of manufacturers, importers and distributors, and clarify the meaning of CE marking across a wide range of product groups. In February 2014, to align product harmonization legislation with the provisions of the NLF (most notably Decision 768/2008), the European Union adopted an "Alignment Package" consisting of eight revised CE marking directives. These newly aligned directives are in force since 2016.

Note: The EU is currently finalizing new legislation that will impact CE marking for medical devices. The new regulations have transition period with the new measures coming into force in 2020 for medical devices and 2022 for in-vitro medical devices.

For more information:

[CE Marketing](#)

[Harmonized Standards](#)

[New Legislative Framework](#)

[CE Marking Laws Applicable](#)

#### THE WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT DIRECTIVE (WEEE)



This directive is designed to tackle the rapidly increasing waste stream of electrical equipment into landfills and waste incineration facilities. The directive increases recycling of electrical and electronic equipment, limiting the total quantity of waste going to final disposal. This directive affects the following product categories:

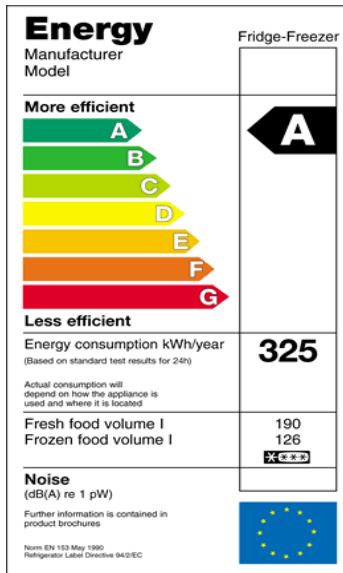
- Large and small household appliances
- Consumer equipment
- Lighting equipment
- IT and Telecommunications equipment
- Electrical and Electronic Tools
- Toys and Sports equipment
- Medical Devices
- Monitoring and control equipment
- Automatic dispensers

The symbol shown above must be displayed on all products that fall under this directive and indicates that the product is not to be discarded with normal household waste. It is a required mark on batteries. In instances where this symbol cannot be displayed on the equipment itself, it should be included on the packaging.

For more information:

[Directive 2012/19/EU](#)

#### ENERGY LABELING



Directive 2010/30/EU on “labeling and standard product information of the consumption of energy and other resources by energy-related products” sets a framework for the adoption of product-specific directives for the proper energy efficiency labeling for each concerned product. With the adoption of Regulation 2017/136 on energy labeling, which entered into force on August 1, 2017, the original directive 2010/30/EU was repealed; labeling categories were simplified; and the scope was extended.

Suppliers are to supply, free of charge, labels or product fiches containing information about consumption of electric or other energy sources to their dealers. Dealers then must display labels in a visible and legible way and make the fiche available in product brochures or other literature.

For more information:

Clearer Energy Labelling

[Energy Consumption](#)

### DEVICES FOR USE IN POTENTIALLY EXPLOSIVE ATMOSPHERE (ATEX)



In addition to applying a CE marking for products falling under the ATEX Directive (2014/34/EC), it is also necessary to display the Ex mark. The Ex mark is a specific marking designed for explosion protection. Located next to the ‘Ex’ mark will be a symbol designating the product group or category as specified in the directive.

The revised ATEX Directive (2014/34/EC) was adopted in February 2014 as part of the New Legislative Framework alignment package. It replaced the existing directive and became applicable on April 20, 2016.

For more information: [Mechanical Engineering ; Directive 2014/34/EU](#)

### NOISE EMISSION OF OUTDOOR EQUIPMENT



Machines used outdoors are subject to CE marking requirements. Noise emission levels are covered separately. The sample mandatory label shown above specifies noise emission levels.

For more information:

[Noise Emissions](#)

MARITIME



The “steering wheel” mark shown above is the equivalent of a CE marking, but for marine equipment. It applies to equipment for use on board any new EU ship, wherever the ship is situated at the time of construction. In addition, the mark also applies to equipment placed on board existing EU ships, whether for the first time or to replace equipment already carried on board. This regulation does not apply to equipment already on board on the date on which the directive entered into force in 1997. The directive applies to the following equipment categories:

- Life-saving appliances
- Marine pollution prevention
- Fire protection
- Navigation equipment
- Radio-communication equipment

A revised Marine Equipment Directive (2014/90/EC) was adopted in July 2014 and is applicable since September 18, 2016.

For more information:

[Directive 2014/90/EC](#)

TEXTILES

Textile products must be labeled or marked whenever they are put on the market for production or commercial purposes. The names, descriptions and details of a textile’s fiber content must be indicated on products available to consumers. With the exception of trademarks or the name of the undertaking, information other than that required by the directive must be listed separately. Member States may require that their national language be used on the labeling and marking required by the directive.

For more information:

[Textiles Legislation](#)

FOOTWEAR



lining & sock

Labels must convey information relating to the upper, the lining and insole sock, and the outer-sole of the footwear article. The information must be conveyed by means of approved pictograms or textual information, as defined by the directive.

The label must be legible, firmly secured and accessible. The manufacturer or the authorized agent established in the Community is responsible for supplying the label and for the accuracy of the information contained therein. Only the information provided for in the directive needs to be supplied. There are no restrictions preventing additional information from being included on the label.

For more information:

[Footwear](#)

## COSMETICS

Containers and/or packaging (in certain cases) must bear, in identifiable, easily legible and visible characters, the following:

- The name, trade name and address, or registered office, of the manufacturer or person responsible for marketing the cosmetic product within the Community
- The nominal contents at the time of packaging (by weight or volume)
- The date of minimum durability indicated by "Best before end", for products with a minimum durability of less than 30 months. In this case the following must figure on the packaging:



- The period after opening during which the product can be used without harm to the consumer, for products with a minimum durability of less than 30 months (indicated by a symbol representing an open cream jar, as shown below):



- Particular precautions for use
- The batch number or product reference, for identification
- The product's function

If it is impossible for practical reasons to print on the packaging all the conditions of use and particular warnings, an enclosed leaflet, label or tape has to be provided. In this case, the following symbol will then have to be on the packaging:



The Member States are to draw up procedures for providing the information set out above in the case of cosmetic products that have not been pre-packaged. The product function and list of ingredients also have to appear on the container or packaging. Member States may stipulate that the information on the label is provided in their national or official language(s).



### About the labeling of nanomaterials present in cosmetics:

The Cosmetics regulation indicates that from July 2013 “all ingredients present in the form of nanomaterials shall be clearly indicated in the list of ingredients” and that “the names of such ingredients shall be followed by the word ‘nano’ in brackets.”

For more information:

[Regulation 1223/2009](#)

[Market Research Report on "EU Cosmetics Legislation"](#)

### DANGEROUS SUBSTANCES

Regulation on the Classification, Labeling and Packaging of Chemicals



The labeling of dangerous substances must indicate the following:

- The name of the substance
- The origin of the substance (the name and address of the manufacturer or distributor)
- The danger symbol and an indication of danger involved in the use of the substance
- A reference to the special risks arising from such dangers.

The dimensions of the label must not be less than a standard A8 sheet (52 x 74mm), and each symbol must cover at least one-tenth of the label’s surface area. Member States may require their national language(s) to be used in the labeling of dangerous substances. Where the packaging is too small, the labeling may be affixed in some other manner. The packaging of products considered dangerous which are neither explosive nor toxic may go unlabeled if the product contains such small quantities of dangerous substances that there is no danger to users.

Symbols must be employed if the substance can be defined as any one of the following (as shown above): explosive, oxidizer, flammable, harmful, toxic irritant, corrosive, or harmful to environment. Containers of hazardous substances should include, in addition to the appropriate symbols, a raised triangle to alert the vision-impaired to their contents. Note that this directive has undergone numerous amendments relating, amongst other things, to the marking and labeling of additional substances. Accordingly, it is advisable to consult all literature.

Regulation 1272/2008 implements the classification, labeling and packaging requirements for chemicals based on the Worldwide United Nation’s Globally Harmonized System (UN GHS).

For more information: [Regulation 1272/2008/EC](#) on the classification, labeling and packaging

### Legal Metrology and Metric Units of Measurement

This legislation specifies permissible ranges of nominal quantities, container capacities and the weights or volumes of prepackaged products. Manufacturers are advised to take note that all labels require metric units, although dual labeling is also acceptable.

For more information: [Legal Metrology](#)

## PRICE DISPLAY

The directive requires an indication of the selling price, and price per unit of measurement, on all products offered to consumers. The aim is to improve the information available to the consumer and to facilitate price comparison. This information must be unambiguous, clearly legible and easily identifiable. If advertising mentions the item's selling price, it must also indicate its unit price. For products sold in bulk, the unit price is the only item whose indication on the label is mandatory. National authorities may provide alternatives for products sold by small retail business operations.

For more information:

[Directive 98/6/EC](#) on the indication of the prices of products offered to consumers.

## AUTOMOTIVE



Nearly every vehicle component must be certified for safety as specified under the various directives relating to automobiles. The number shown in the rectangle on the label indicates the particular Member State in which the approval process was conducted. A “base approval number” must also be provided adjacent to this certification. This four-digit number will correspond to the directive and type of device in question. The country-number correlation is as follows (this is not an exhaustive list):

1	Germany	6	Belgium	18	Denmark
2	France	9	Spain	21	Portugal
3	Italy	11	UK	23	Greece
4	Netherlands	13	Luxembourg	24	Ireland

For more information:

All existing directives on motor vehicles, in chronological order, available online at:

[Existing Motor Vehicles Directives](#)

## PHOTOMETRY

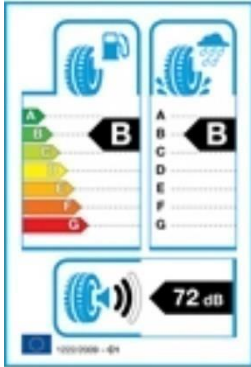


A similar marking is an ‘E’ surrounded by a circle, which applies to the testing of headlight lamps, brake light lamps and turning signal lamps of all vehicles seeking EU market entry. These include consumer vehicles, low-volume production trucks, light and heavy goods vehicles, trailers, motorcycles, cranes, agriculture and forestry tractors, and special-purpose and off-road vehicles.

For more information:

[Automotive Legislation](#)

## TIRE LABELING



Tire label legislation requires that tire manufacturers declare fuel efficiency, wet grip and external rolling noise performance of C1, C2 and C3 tires (i.e. tires mainly fitted on passenger cars, light and heavy-duty vehicles).

The objective of the regulation is better information for the consumer and a contribution to a more energy efficient transport policy.

For more information: [Energy Topics](#) ; [Directive 1222/2009/EC](#); [Directive 288/2011/EC](#)

## PACKAGING MATERIAL

The EU Packaging and Packaging Waste Directive harmonized member state legislation regarding packaging material composition and the management of packaging waste. The composition of packaging material is addressed in a series of EU-wide standards. For the management of packaging waste through recycling collection targets and recycling systems, Member States have adopted voluntary markings for products mentioned in the following pages.

For more information: [Directive 94/62/EC](#)



XX represents the ISO country code.  
000 represents the unique number assigned by the national plant protection organization.  
YY represents either HT for heat treatment or MB for methyl bromide fumigation.

## WOOD PACKAGING

Like the United States, the EU has adopted legislation to ensure pest control in wood packaging. The marking used for regulated materials is based on the International Plant Protection Convention compliance symbol shown above.

For more information: [Requirements for wood packaging and dunnage](#)

## VOLUNTARY MARKS AND LABELS

### MATERIALS IN CONTACT WITH FOOD



Manufacturers of containers, plates, cups, and other material that is intended to come into contact with food are required to check the compliance of their product with EU chemical safety requirements. Using the symbol shown above shows compliance with these requirements. It is mandatory to comply with the legislation, but the use of the symbol is voluntary.

For more information: [Legislation on Food Contact Materials](#)

#### THE e-MARK



The e-mark, shown above, acts as a metrological "passport" to facilitate the free movement of prepackaged goods. It guarantees that certain liquids and other substances have been packed by weight or volume in accordance with the directives. While compliance is not mandatory, free movement throughout the EU is guaranteed for prepackaged products that do comply with the provisions of the directive.

Containers with an e-mark also bear an indication of the weight or volume of the product, known as its "nominal" weight or volume. The packer (or importer, if the container is produced outside the EU) is responsible for ensuring that the containers meet the directive's requirements.

For more information: [Prepackaging](#)

#### THE ECO-LABEL



The European Eco-label enables European consumers, including public and private purchasers, to easily identify officially approved green products across the European Union, Norway, Liechtenstein and Iceland. Introduced in 1992, the label communicates to the customer that the marked products meet specific eco-friendly criteria that have been developed to apply to everyday consumer goods and services.

The symbol may apply to the following 27 product and services groups:

All-purpose cleaners and cleaners for sanitary facilities	Household cleaning products	Textile products
Bed mattresses	Laundry detergents	Tissue paper
Campsite Services	Light bulbs	Tourist accommodation service
Copying and graphic paper	Lubricants	Vacuum cleaners

All-purpose cleaners and cleaners for sanitary facilities	Household cleaning products	Textile products
Detergents for dishwashers	Paints and varnishes	Washing machines
Dishwashers	Personal computers	Wooden coverings
Footwear	Printed paper products	Wooden furniture
Furniture	Refrigerators	
Growing media and Soil improvers	Soaps, shampoos and hair conditioners	
Hand dishwashing detergents	Soil improvers	
Hard floor coverings	Televisions	
Heat pumps	Textile coverings	

Manufacturers should be aware that similar eco-friendly markings are often used nationally, such as the Nordic Swan or the German Blue Angel, shown below.



The Eco-label program has recently been expanded to cover fish and fishery products. This means that eco-labeled products have been produced in accordance with specific environmental standards.

Private Eco labels have been developed by the seafood industry to “influence the purchasing decision of consumers and the procurement policies of retailers selling seafood products, in order to reward producers involved in responsible fishing and aquaculture practices leading towards sustainable use of natural resources.”

There are multiple eco-label schemes, and logos, developed by a variety of operators and according to different characteristics. This confusing situation has led to a need for harmonization and coherence. In response, the UN [Food and Agriculture Organization](#) (FAO) has developed a “Guideline for the Eco-Labeling of Fish and Fishery Products from Marine Capture Fisheries.”

The U.S. government has decided not to engage in the development of such marketing tool. Instead, NOAA Fisheries has developed a comprehensive website where stakeholders, including consumers, can find facts about a specific species of fish and related fisheries. Consumers can then make their own purchasing choice: Fish

The European Commission is currently preparing, at the request of the European Parliament and the Council, a feasibility report on options for a Union-wide eco-label scheme for fishery and aquaculture products. Some EU Member States have already created their own National eco label.

For more information: [European Eco-Label website](#); [Eco-labels for Fisheries and aqua products](#)

RECYCLING



The “mobius loop” (sometimes known as the “chasing arrows”), based on an international standard, may be found on products throughout Europe. This symbol is meant to help consumers identify and participate in recycling initiatives for product packaging and materials. As well as being used on printed packaging, the chasing arrows symbol is sometimes featured in the molds of glass, metal, paper, or plastic products. Various kinds of loops indicate whether the product is recyclable, recycled or contains recycled material.

For more information: [https://ec.europa.eu/environment/waste/target\\_review.htm](https://ec.europa.eu/environment/waste/target_review.htm)

#### Plastics



The symbol above is an example of how a plastic’s type may be indicated on a product. As part of the EU voluntary identification system for plastics, the following marks are used for the most common types of plastics (Decision 97/129/EC):

EU Number	Abbreviated Description	Full Plastic Description
1	PET	Polyethylene Terephthalate
2	HDPE	High Density Polyethylene
3	PVC	Poly Vinyl Chloride
4	LDPE	Low Density Polyethylene
5	PP	Polypropylene
6	PS	Polystyrene

#### Glass



There are no EU-wide symbols used to designate the recyclable nature of glass. However, it is certainly encouraged on the national level with an array of symbols. The one shown above is just one small sample of the total existing to show recyclability.

#### GREEN DOT



The Green Dot system is a scheme in which participating organizations coordinate the collection, sorting and recovery of used packaging. This system is administered according to national packaging laws (adhered to by packaging manufacturers, fillers, retailers and importers), and it should be noted that all participating national systems operate independently. The umbrella organization, PRO-Europe, is responsible for managing the Green Dot labeling system in Europe. More than 460 billion pieces of packaging marked with the Green Dot, shown above, are distributed worldwide. Interested applicants should contact one of the national administering authorities: [Pro Europe](#)

## U.S. Export Controls

The United States imposes export controls to protect national security interests and promote foreign policy objectives related to dual-use goods through implementation of the Export Administration Regulations (EAR). The Bureau of Industry and Security (BIS) is comprised of two elements: Export Administration (EA), which is responsible for processing license applications, counseling exporters, and drafting and publishing changes to the [Export Administration Regulations](#); and Export Enforcement (EE), which is responsible for the enforcement of the EAR. BIS works closely with U.S. embassies, foreign governments, industry, and trade associations to ensure that exports from the United States are secure and comply with the EAR. BIS officials conduct site visits, known as End-Use Checks (EUCs), globally with end-users, consignees, and/or other parties to transactions involving items subject to the EAR to verify compliance.

An EUC is an on-site verification of a non-U.S. party to a transaction to determine whether the party is a reliable recipient of U.S. items. EUCs are conducted as part of BIS's licensing process, as well as its compliance program, to determine if items were exported in accordance with a valid BIS authorization or otherwise consistent with the EAR. Specifically, an EUC verifies the *bona fides* of transactions subject to the EAR, to include: confirming the legitimacy and reliability of the end-use and end-user; monitoring compliance with license conditions; and ensuring items are used, re-exported or transferred (in-country) in accordance with the EAR. These checks might be completed prior to the export of items pursuant to a BIS export license in the form of a Pre-License Check (PLC), or following an export from the U.S. during a Post-Shipment Verification (PSV).

BIS officials rely on EUCs to safeguard items subject to the EAR from diversion to unauthorized end-uses/users. The verification of a foreign party's reliability facilitates future trade, including pursuant to BIS license reviews. If BIS is unable to verify the reliability of the company or is prevented from accomplishing an EUC, the company may receive, for example, more regulatory scrutiny during license application reviews or be designated on BIS's Unverified List or Entity List, as applicable.

BIS has developed a list of "[red flags](#)", or warning signs, and compiled "[Know Your Customer](#)" guidance intended to aid exporters in identifying possible violations of the EAR. Both of these resources are publicly available, and their dissemination to industry members is highly encouraged to help promote EAR compliance.

BIS also provides a variety of training sessions to U.S. exporters throughout the year. These sessions range from one to two-day seminars that focus on the basics of exporting to coverage of more advanced, industry-specific topics. Interested parties can check [list of upcoming seminars and webinars](#) or reference BIS provided [online training](#).

BIS and the EAR regulate transactions involving the export of "dual-use" U.S. goods, services, and technologies. For advice and regulatory requirements, exporters should consult the other U.S. Government agencies which regulate more specialized items. For example, the U.S. Department of State's Directorate of Defense Trade Controls has authority over defense articles and services, or munitions. A list of other agencies involved in export control can be found on the [BIS website](#) or in Supplement No. 3 to Part 730 of the EAR.

The EAR is available on the [BIS website](#) and on the [e-CFR](#) (Electronic Code of Federal Regulations) and is updated as needed. The [Consolidated Screening List](#) (CSL) is a list of parties for which the United States Government maintains restrictions on certain exports, reexports or transfers of items. The CSL consolidates eleven export screening lists of the Departments of Commerce, State and the Treasury into a single data feed as an aid to industry in conducting electronic screens of parties to regulated transactions. Exporters are encouraged to classify their items prior to export, as well as consult the CSL to determine if any parties to the transaction may be subject to specific license requirements.

## Customs Regulations

The following provides information on major regulatory efforts of the EC Taxation and Customs Union Directorate:

The Union Customs Code (UCC) was adopted in 2013 and its substantive provisions apply from 1 May 2016. It replaces the Community Customs Code (CCC). In addition to the UCC, the European Commission has published delegated and implementing regulations on the actual procedural changes. These are included in Delegated Regulation (EU) 2015/2446, Delegated Regulation (EU) 2016/341 and the Implementing Regulation (EU) 2015/2447.



There are a number of changes in the revised customs policy which also require an integrated IT system from the customs authorities. In April 2016, the European Commission published an implementing decision (number: 2016/578) on the work program relating to the development and deployment of the electronic systems of the UCC. The EC continues to evaluate the timeline by which the EU-wide integration of the customs IT system can be implemented. The current deadline of December 2020 may be extended until 2025 ([draft proposal](#))

Key Link: [Homepage of Customs and Taxation Union Directorate \(TAXUD\) Website](#)

*Customs Valuation* – Most customs duties and value added tax (VAT) are expressed as a percentage of the value of goods being declared for importation. Thus, it is necessary to create of a standard set of rules for establishing the goods' value, which will then serve for calculating the customs duty.

Given the magnitude of EU imports every year, it is important that the value of such commerce is accurately measured for the purposes of:

- economic and commercial policy analysis;
- application of commercial policy measures;
- proper collection of import duties and taxes; and
- import and export statistics.

These objectives are met using a single instrument - the rules on customs value.

The EU applies an internationally accepted concept of '[customs value](#)'.

The value of imported goods is one of three 'elements of taxation' that provides the basis for assessment of the customs debt, which is the technical term for the amount of duty that has to be paid, the other ones being the origin of the goods and the customs tariff.

Key Links: [France - Customs Regulations “Code des Douanes”](#); [French customs regional offices for companies; Customs Procedures](#)

#### Temporary Entry

The [ATA Carnet Customs](#) procedure used for temporary importation, transit and temporary admission of goods designed for specific purposes, duty-free and tax-free (such as professional equipment for presentations or trade fairs).

For information on this topic, please consult the Commerce Department's Country Commercial Guides on EU Member States: [EU Member States' Country Commercial Guides](#)

Alternatively, you can also search the Commerce Department's Market Research Library, available from: [Market Intelligence](#) under Country and Industry Market Reports.

#### Prohibited and Restricted Imports

The Tarif Intégré de la Communauté (TARIC) is designed to show various rules applying to specific products being imported into the customs territory of the EU or, in some cases, when exported from it. To determine if a product is prohibited or subject to restriction, check the TARIC for the following codes:

*CITES Convention on International Trade of Endangered Species*

*PROHI Import Suspension*

*RSTR Import Restriction*

For information on how to access the TARIC, see the Import Requirements and Documentation Section.

Key Link: [Taxation Customs and Tariffs](#)

## Standards for Trade

### Overview

Products tested and certified in the United States to U.S. regulations and standards are likely to have to be retested and re-certified to EU requirements. This is a result of the EU's different approach to the protection of the health and safety of consumers and the environment. Where products are not regulated by specific EU technical legislation, they are always subject to the EU's General Product Safety Directive as well as to possible additional national requirements.

European Union legislation and standards created under the New Approach are harmonized across the Member States and European Economic Area countries to allow for the free flow of goods. An example of the New Approach is the CE marking.

The concept of the New Approach legislation is slowly disappearing as the New Legislative Framework (NLF), which entered into force in January 2010, was put in place to serve as a blueprint for existing and future CE marking legislation. Existing legislation has been reviewed to bring them in line with the [NLF concepts, which means that, as of 2016, new requirements are being addressed and new reference numbers are to be used on declarations of conformity](#). For more information about the [NLF](#).

While harmonization of EU legislation can facilitate access to the EU Single Market, manufacturers should be aware that regulations (mandatory) and technical standards (voluntary) might also function as barriers to trade if U.S. standards are different from those of the European Union.

For agricultural standards, the establishment of harmonized EU rules and standards in the food sector has been ongoing for several decades. In January 2002, the EU publicized a general food law establishing a few general principles of EU food law. This Regulation introduced mandatory traceability throughout the feed and food chain as of Jan 1, 2005. For specific information on agricultural standards, please refer to the [Foreign Agricultural Service's website/](#)

There are also export guides to import regulations and standards available on the Foreign Agricultural Service's website: [FAIRS Export Certificate Report](#)

### Standards

EU standards setting is a process based on consensus initiated by industry or mandated by the European Commission and carried out by independent standards bodies, acting at the national, European or international level. There is strong encouragement for non-governmental organizations, such as environmental and consumer groups, to actively participate in European standardization.

Many standards in the EU are adopted from international standards bodies such as the International Standards Organization (ISO). The drafting of specific EU standards is handled by three European standards organizations:

1. [CEN, European Committee for Standardization](#)
2. [CENELEC, European Committee for Electrotechnical Standardization](#)
3. [ETSI, European Telecommunications Standards Institute](#)

Standards are created or modified by experts in technical committees or working groups. The members of CEN and CENELEC are the national standards bodies of the Member States, which have "mirror committees" that monitor and delegate experts to participate in ongoing European standardization. CEN and CENELEC standards are sold by the individual Member States standards bodies. ETSI is different in that it allows direct participation in its technical committees from non-EU companies that have interests in Europe and provides some of its individual standards at no charge on its website. In addition to the three standards developing organizations, the European Commission plays an important role in standardization through its funding of the participation in the standardization process of small- and medium-sized companies and non-governmental organizations, such as environmental, labor and consumer

groups. The Commission also provides money to the European standards bodies when it mandates development for harmonized standards that will be linked to EU legislation. [Mandates](#)– or requests (the Commission requests CEN/CENELEC or ETSI to develop standards) for standards.

Given the EU's vigorous promotion of its regulatory and standards system, as well as its generous funding for its development, the EU's regulatory and standards system has a wide reach. The EU's regulatory and standards system extends well beyond the EU's political borders to include affiliate members (countries which are hopeful of becoming full members in the future) such as the Western Balkan countries among others. Another category, called "companion standardization body" includes the standards organization of Morocco, Israel, Kazakhstan and Australia, among others which are not likely to become a CEN member or affiliate for political and geographical reasons.

To view what CEN and CENELEC are planning for future standardization, it is best to visit their websites. Other than their respective annual work plans, CEN's "what we do" page provides an overview of standards activities by subject. Both CEN and CENELEC offer the possibility to search their respective database. [ETSI's portal](#) links to ongoing activities.

The European standardization system and strategy was reviewed in 2011 and 2012. The new standards regulation 1025, adopted in November 2012, clarifies the relationship between regulations and standards and confirms the role of the three European standards bodies in developing future harmonized standards (EN)<sup>1</sup>. There is also an emphasis on referencing international standards where possible. For information, communication and technology (ICT) products, the importance of interoperability standards has also been recognized. Through a relatively recent mechanism, a "Platform Committee", reporting to the European Commission will decide which deliverables from fora and consortia might be acceptable for public procurement specifications. The European standards bodies have been encouraged to improve efficiency in terms of delivery and to look for ways to include more societal stakeholders in European standardization. The Joint Initiative on Standardization, launched in 2016, currently has a number of planned actions to improve European standardization. The joint initiative involves a large group of key stakeholders who are committed to deliver results by 2019.

Key Links: [Standardisation Policy](#) ; [Key Links to the French Standard Organization AFNOR](#)

NIST Notify U.S. Service

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. Notify U.S. is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that may affect your access to international markets. Register online at Internet URL: [Standards Coordination Office USA WTO TBT Enquiry Point](#).

## Testing, Inspection and Certification

### *Conformity Assessment*

Conformity Assessment is a mandatory step for the manufacturer in the process of complying with specific EU harmonized legislation. The purpose of conformity assessment is to ensure consistency of compliance during all stages, from design to production, and to facilitate acceptance of the final product. EU product legislation gives manufacturers some choice regarding conformity assessment, depending on the level of risk involved in the use of their product. These range from self-certification, type examination and production quality control system, to full

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<sup>1</sup> An EN standard is a standard developed by CEN/CENELEC and ETSI at the request of the EC in order to meet the essential requirements or other provisions of relevant European Union harmonization legislation

quality assurance system. Conformity assessment bodies in individual Member States are listed in the New Approach Notification and Designated Organizations (NANDO) information system.

Key Link:

- [NANDO](#)
- [French Accreditation Web Portal](#)
- [Key Links to the French Standard Organization AFNOR Certification](#)
- [Key Links to the French Standard Organization AFNOR Certification French label NF.](#)

To promote market acceptance of the final product, there are a number of voluntary conformity assessment programs. CEN's certification system is known as the Keymark. Neither CENELEC nor ETSI offer conformity assessment services.

#### *Product Certification*

To sell products in the EU market of 28 Member States as well as in EFTA (Norway, Liechtenstein Iceland, Switzerland) and Turkey U.S. exporters are required to apply CE marking whenever their product is covered by specific product legislation. CE marking product legislation offers manufacturers a number of choices and requires decisions to determine which safety/health concerns need to be addressed, which conformity assessment module is best suited to the manufacturing process, and whether or not to use EU-wide harmonized standards. The CE marking process is very complex, and this section attempts to provide some background and clarification.

Products manufactured to standards adopted by CEN, CENELEC or ETSI, and referenced in the Official Journal as harmonized standards, are presumed to conform to the essential requirements of EU harmonized legislation. The manufacturer then applies the CE marking and issues a declaration of conformity. With these, the product will be allowed to circulate freely within the EU and EFTA. A manufacturer can choose not to use the harmonized EU standards, but then must demonstrate that the product meets the essential safety and performance requirements. Trade barriers occur when design, rather than performance, standards are developed by the relevant European standardization organization, and when U.S. companies do not have access to the standardization process through a European presence.

The CE marking addresses itself primarily to the national control authorities of the Member States, and its use simplifies the task of market surveillance of regulated products. As market surveillance was found lacking, the EU adopted the New Legislative Framework, which went into force in 2010. As mentioned before, this framework is like a blueprint for all CE marking legislation, harmonizing definitions, responsibilities, European accreditation and market surveillance.

The CE marking is not intended to include detailed technical information on the product, but there must be enough information to enable the inspector to trace the product back to the manufacturer or the local contact established in the EU. This detailed information should not appear next to the CE marking, but rather on the declaration of conformity (which the manufacturer or authorized agent must be able to provide at any time, together with the product's technical file), or the documents accompanying the product.

#### *Accreditation*

Independent test and certification laboratories, known as notified bodies, have been officially accredited by competent national authorities to test and certify to EU requirements.

["European Accreditation"](#) is an organization representing nationally recognized accreditation bodies. Membership is open to nationally recognized accreditation bodies in countries in the European geographical area that can demonstrate that they operate an accreditation system compatible to appropriate EN and ISO/IEC standards.

#### *Publication of technical regulations*

[Official Journal of the EU](#) is the official publication of the European Union. It is published daily on the internet and consists of two series covering adopted legislation, as well as, case law, studies by committees. It also lists the standards reference numbers linked to legislation ([Harmonized Standards](#)).

National technical regulations are published on the [Commission's website](#) to allow other countries and interested parties to comment.

*National Institute of Standards and Technology's (NIST) Notify U.S. Service*

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. The **Notify U.S. Service** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at Internet URL: [Notify U.S.](#)

Contact Information E.U.:

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[National Institute of Standard & Technology](#)

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100 Bureau Dr.

Mail Stop 2100

Gaithersburg, Maryland 20899

Tel: (301) 975-4000

[CEN- European Committee for Standardization](#)

Avenue Marnix 17

B – 1000 Brussels, Belgium

Tel: 32.2.550.08.11

[CENELES- European Committee for Electrotechnical Standardization](#)

Avenue Marnix 17

B – 1000 Brussels, Belgium

Tel: 32.2.519.68.71

[ETSI- European Telecommunications Standards Institute](#)

Route des Lucioles 650

Sophia Antipolis

F-06560 Valbonne France

Tel: 33.4.92.94.42.00

[SBS- Small Business Standards](#)

4, Rue Jacques de Lalaing  
B-1040 Brussels  
Tel: 32.2.285.07.27

[ANEC- European Association for the Co-ordination of Consumer Representation in Standardization](#)

Avenue de Tervuren 32, Box 27  
B – 1040 Brussels, Belgium  
Tel: 32.2.743.24.70

[ECOS- European Environmental Citizens Organization for Standardization](#)

Rue d'Edimbourg 26  
B – 1050 Brussels, Belgium  
Tel: 32.2.894.46.68

[EOTA- European Organization for Technical Assessment](#)

Avenue des Arts 40  
B – 1040 Brussels, Belgium  
Tel: 32.2.502.69.00

Key Links:

- [French Accreditation Web Portal](#)
- [Cofrac/ Accreditation](#)
- [Cofrac/ Accreditation/ Distinction](#)
- [French Standard Organization AFNOR Certification](#)
- [French National Testing Laboratories LNE](#)
- [French Ministry of Economy Web page on Labeling](#)
- [AFNOR Resources on CE labelling](#)

Contact Information *France*:

French Accreditation Agency  
COFRAC  
52 rue Jacques Hillairet  
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Tel: +33(0)1 44 68 82 20

[Sectorial Contacts](#)

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***Groupe AFNOR:***

11, rue Francis de Pressensé  
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France  
Contact: Fabienne Bonin-Bree  
Tel: +33 1 41 62 62 96  
[international-network@afnor.org](mailto:international-network@afnor.org)

Key Link: [French Standard Organization AFNOR Certification French label NF](#)

- [French Ministry of Economy Web page on Labeling](#)
- [AFNOR Resources on CE labelling](#)

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***CEN – European Committee for Standardization***

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Fax: +32.2.550.08.19

***CENELEC – European Committee for Electro technical Standardization***

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Fax: +32.2.519.69.19

*ETSI - European Telecommunications Standards Institute*

Route des Lucioles 650  
F – 06921 Sophia Antipolis Cedex, France  
Tel: +33.4.92.94.42.00  
Fax: +33.4.93.65.47.16

*SBS – Small Business Standards*

4, Rue Jacques de Lalaing  
B-1040 Brussels  
Tel: +32.2.285.07.27  
Fax : +32.2.230.78.61

*ANEC - European Association for the Co-ordination of Consumer Representation in Standardization*

Avenue de Tervuren 32, Box 27  
B – 1040 Brussels, Belgium  
Tel: +32.2.743.24.70

*ECOS – European Environmental Citizens Organization for Standardization*

Rue d'Edimbourg 26  
B – 1050 Brussels, Belgium  
Tel: +32.2.894.46.68

*EOTA – European Organization for Technical Assessment (for construction products)*

Avenue des Arts 40  
B – 1040 Brussels, Belgium  
Tel: +32.2.502.69.00



## **Trade Agreements**

For a list of trade agreements with the EU and its Member States, as well as concise explanations, please see

[EU Trade Agreements](#)

## Licensing Requirements for Professional Services

The recognition of skills and qualifications acquired by EU citizens in EU Member States, including the corresponding recognition procedures and charges are, in correspondence with article 165 of the TFEU, the responsibility of Member States. Similarly, recognition of skills and qualification earned in third countries is also a national responsibility.

However, the European Commission takes initiative to facilitate recognition procedures. For example:

- Recognition of professional qualifications obtained in one Member State for the purposes of access and pursuit of regulated professions in another Member State is subject to Directive 2005/36.
- Recognition of qualifications for academic purposes in the higher education sector, including school-leaving certificates is subject to the Lisbon Recognition Convention. The ENIC-NARIC network provides advice on (cross-border) recognition of these qualifications.

Recognition in other cases is assessed and granted (or denied) by the receiving educational provider or employer. For them to be able to recognise skills and qualifications an **understanding of the level, content and quality** is needed. The Commission currently explores the possibilities on how to better support these recognition decisions.

The “Your Europe” website maintains a webpage dedicated to help citizens identify what the regulated professions are and what document are needed for their recognition in each Member State. Please see: [Recognition of Professional Qualification](#)

Key link:

- EU Commission [Free movement of professionals](#)

The complete list of accredited regulated and non-regulated professional services in France can be found on the Website of the French federation of accredited associations:

- [Union Nationale des Associations Agréées “UNASA”](#)
- [Liste complète des professions libérales](#)
- [French Government websites regulation professional services](#)

EU websites

[TARIC](#)

[The Modernized Community Customs Code](#)

[ECHA](#)

[Taxation and Customs Union](#)

[Security and Safety Amendment to the Customs Code](#)

[Electronic Customs Initiative](#)

[Modernized Community Customs Code Regulation](#)

[Legislation related to the Electronic Customs Initiative](#)

<http://trade.ec.europa.eu/tradehelp/>

[What is Customs Valuation?](#)

[Establishing the Community Customs Code](#)

[Pre-Arrival/Pre-Departure Declarations](#)

[AEO: Authorized Economic Operator](#)

[Contact Information at National Customs Authorities](#)

[New Legislative Framework](#)

[Cenelec, European Committee for Electrotechnical Standardization](#)

[ETSI, European Telecommunications Standards Institute](#)

[CEN, European Committee for Standardization](#)

[Standardisation- Mandates](#)

[ETSI- Portal- E-Standardisation](#)

[CEN- Sector](#)

[CEN- Standard Search](#)

[NANDO \(New Approach Notified and Designated Organizations\) Information System](#)

[European Co-Operation for Accreditation](#)

[Eur-Lex- Access to European Union Law](#)

[Standards Reference Numbers](#)

[What's New?](#)

[National Technical Regulations](#)

[NIST- Notify U.S.](#)

[European Union Eco-Label Homepage](#)

#### U.S. Websites

[National Trade Estimate Report on Foreign Trade Barriers](#)

[Agricultural Trade Barriers](#)

[Trade Compliance Center](#)

[U.S. Mission to the European Union](#)

[The New EU Battery Directive](#)

[The Latest on REACH](#)

[CE Marking](#)

[WEEE and RoHS in the EU](#)

[Overview of EU Certificates \(FAS\)](#)

[Center for Food Safety and Applied Nutrition](#)

[Trade Agreements](#)

#### French Websites

[French Customs](#)

[French Tariffs nomenclature](#)

[Customs](#)

[French Accreditation Agency](#)

[French Accreditation Agency/ Contact](#)

[French Standard Organization](#)

[French label NF](#)

[French Ministry of Economy Web page on Labeling](#)

[AFNOR Resources on CE labelling](#)

# Selling US Products and Services

## Distribution & Sales Channels

### Overview

The distribution sector includes all activities supplying goods and services to consumers. This includes eCommerce, retail business, hypermarkets/supermarkets and specialty stores. With over 508,000 firms, 3.4 million employees and a consolidated turnover of over \$548 billion, retail distribution is an important, dynamic, highly sophisticated and competitive sector of activity in France with a versatile array of cutting-edge marketing and selling concepts. Retail industry interests are well represented by a federation of industry specific retail associations, “Conseil du Commerce de France”, that issues an Extensive Survey of Retail Trade in France in close cooperation with the French statistical agency INSEE every year.

One of the challenges for U.S. SMEs interested in breaking into the French market is dealing with highly concentrated retail distribution chains and networks, as well as occasional French global manufacturers/suppliers that have strong control over the retail networks they are using. In many sectors, independent wholesale/retail outlets are disappearing rapidly and being replaced by retail distribution chains and networks that have significant market shares in France, but also in the other neighboring European Union territories. Many of these large retail networks have extremely well-organized buying offices that have put very stringent selection processes in place for products and services distributed. High retail mark-up, ongoing competitive market innovation, and creativity combined with constantly changing theme designs are prerequisites to keep up with retail trends. Complete data on buying offices of French key retail networks (all sectors inclusive) can be acquired from Panorama Trade Dimensions. The American Embassy’s Paris U.S. Foreign Commercial Service Consumer Goods and Distribution Retail Trade Specialists, [Caroline.deVilloutreys@trade.gov](mailto:Caroline.deVilloutreys@trade.gov) and [Rose-Marie.Faria@trade.gov](mailto:Rose-Marie.Faria@trade.gov) can assist U.S. firms approaching the French retail market operators.

### The Retail Network Food & Non-Food

France possesses a diverse and comprehensive retail network, which increasingly resembles that of the United States, from the largest department store chains to the smallest individual proprietorships. French distribution channels are demonstrating some significant new trends that could affect how products are sold in France. Small- and medium-sized family-owned firms, which traditionally accounted for most French wholesale and retail trade, are rapidly losing ground to hypermarkets— large retail outlets carrying a wide variety of products at discounted prices. At the same time, direct marketing, Internet sales, and specialized chain stores have shown strong growth.

The food & non-food retail sector is generally defined by six types of establishments: 1) hypermarkets, 2) supermarkets, 3) hard discounters, 4) convenience, 5) gourmet centers in department stores, and 6) traditional outlets.

- **Hypermarkets (Hypermarchés):** Hypermarkets are defined as stores with a minimum selling area of 2,500 square meters. French hypermarkets offer 25,000-40,000 products for sale at competitive prices, of which 3,000-5,000 food items and 20,000-35,000 non-food articles. Generally located in suburbs, they cover a total sales area of 11.1 million square meters. As of 2018, there were 2,200 hypermarkets, employing over 330,000 people. The top five hypermarket companies are Leclerc, Carrefour, Auchan, Système U, Intermarché.
- **Supermarkets (Supermarchés):** Supermarkets are smaller versions of hypermarkets, with a selling area between 400 and 2,500 square meters. They usually carry 3,000-5,000 items, of which 500-1,500 are non-food products, and cover a total sales area of 7.4 million square meters. As of 2018, there were 5,727 supermarkets, employing over 160,000 people. The top supermarket companies are Carrefour, Intermarché, Casino and Systeme U.

- Convenience Stores (Magasins de proximité): Convenience stores are generally located in city centers of small-to-medium size towns but are now flourishing in major cities. Currently, there are more than 6,900 outlets with an average sales area of 177 square meters. Since around 2009, convenience stores have become more popular and hypermarket/supermarket chains began creating local convenience stores with their brands, such as Carrefour City, Carrefour Express, Vival, or Monop’/DailyMonop’.
- Click & Drive: Click and Drive has become popular among consumers over the past few years. Thanks to increasing internet accessibility, stores such as Le Drive Intermarché, Leclerc Drive, Carrefour Drive, Leader Drive and Auchan Drive have met the high demand for convenient shopping by offering services that allow a consumer to order groceries online that will be ready for pick-up. In 2018, there were 3,742 click and drive services. Le Drive Intermarché dominates the market with a total of 1,092 click and drive centers, followed by E. Leclerc Drive with 651. Over the past few years, the number of click and drive centers has increased tremendously and is expected to continue increasing of the coming years. Almost 90% of large hypermarkets propose a click and drive option.
- Department Stores (Grands magasins): The number of Department stores has been declining over the past few years and in 2018 there were 94 department stores employing over 20,000. Paris has the most department stores of any French city with five of the ten top-selling stores located within the city. Department stores have lost some market share in all areas except in the medium-to-high price range. A unique feature of the French department store is that many non-food products are sold by the branded-mark’s own sales staff which can account for up to 20% of the store's total sales force. Some department stores in Paris such as Galeries Lafayette, Au Printemps, and Le Bon Marché have gourmet food sections. Although they do not account significantly for total food sales in France, they set the quality standard for product presentation.
- Discounters (Magasins discount): Compared to hyper/supermarkets, hard discount stores offer a smaller range of goods for lower prices. At the end of 2018, there were 3,565 hard discount stores in France. The top four hard-discount companies are Lidl, Aldi, Leader Price (Casino). Despite the economic crisis, the hard discount stores did not gain substantive market shares and decreased in number of stores. Conventional supermarkets/hypermarkets have heavily stocked their low prices shelves in order to hinder the hard discount expansion.
- Large Specialized Stores (Grandes surfaces spécialisées) : Large specialized stores offer an extensive choice of goods in a specific category at a competitive price and with an emphasis on customer service. This dynamic sector included over 13,800 stores, including such store categories as toys, health and beauty, gardening, and media/books/music. Textiles are the most common (3,175), followed by beauty/health stores (2,513) and do-it-yourself equipment stores (2,220).
- Multi-Channel Retail Groups (Groupes de distribution multicanaux) : The distinctions made above between hypermarket chains, supermarket chains, etc., are becoming blurred. In recent years, major multi-channel retail groups owning chains of different types of stores have emerged. Pinault-Printemps and Nouvelles Galeries Réunies fall into this category, because they own chains of specialty and convenience stores.
- Traditional Retail Food Outlets (Magasins de détails traditionnels) : Traditional outlets include a broad array of establishments, from corner grocery stores, bakeries, and neighborhood butcher shops, to open air markets, to frozen and gourmet food stores. The aggressive expansion of mass distribution outlets threatens these traditional outlets, which account for some 20% of the country’s total retail food distribution. To survive, these outlets must have flexible store hours, product variety and better quality, and special services such as home delivery.
- Gas Station-Marts (Boutiques de stations d’essence) : Gasoline companies, having lost about 60% of their gas sales to hypermarkets, have equipped their gas stations with small, self-service food stores. These outlets are frequently used for stop-gap purchases and accounted for about 1% of French food sales.
- Central Buying Offices (Centrales d'achats) : In addition to contacting the largest store chains listed above, introducing products via central buying agencies is an excellent distribution method. A complete list of French central buying agencies, the Atlas de la Distribution, is from:

L.S.A - Libre-Service Actualités (Groupe GISI)

Tel: +33(0) 1.77.92.92.78

[L.S.A - Libre Service Actualités \(Groupe GISI\)](#)

Mass retail distribution Directory:

Tel: +33(0) 1.34.41.62.50

Fax: +33(0) 1.34.41.62.51

[Mass retail distribution Directory](#)

Alternatively, search the Commerce Department's Market Research Library, available from: [Market Intelligence](#) under Country and Industry Market Reports.

### Using an Agent or Distributor

U.S. firms entering into agent/distributorship/franchise agreements with French firms should ensure that the agreements they put into place are in accordance with EU and French legislation as outlined in the French Code du Commerce.

Key link: [Code du Commerce](#)

Another good source of information is the document prepared by the Business France Agency on Doing Business in France.

Information is also available from a number of business organizations such as [Business France](#), the [American Chamber of Commerce in France](#), the [European-American Chamber of Commerce in France](#), and the [French-American Chamber of Commerce in the United States](#). As a member state of the European Union, EU directives must be transposed into French legislation and implemented locally.

Companies wishing to use distribution, franchising, and agency arrangements need to ensure that the agreements they put into place are in accordance with EU and member state national laws. Council Directive 86/653/EEC establishes certain minimum standards of protection for self-employed commercial agents who sell or purchase goods on behalf of their principals. The Directive establishes the rights and obligations of the principal and its agents, the agent's remuneration, and the conclusion and termination of an agency contract. It also establishes the notice to be given and indemnity or compensation to be paid to the agent. U.S. companies should be particularly aware that according to the Directive, parties may not derogate from certain requirements. Accordingly, the inclusion of a clause specifying an alternate body of law to be applied in the event of a dispute will likely be ruled invalid by European courts.

Key Link: [Council Directive](#)

The European Commission's Directorate General for Competition enforces legislation concerned with the effects on competition in the internal market of "vertical agreements." U.S. small- and medium-sized companies (SMEs) are exempt from these regulations because their agreements likely would qualify as "agreements of minor importance," meaning they are considered incapable of impacting competition at the EU level but useful for cooperation between SMEs. Generally speaking, companies with fewer than 250 employees and an annual turnover of less than €50 million are considered small- and medium-sized. The EU has additionally indicated that agreements that affect less than 10% of a particular market are generally exempted (Commission Notice 2014/C 291/01).

Key Link: [Commission Notice 2014/C 291/01](#)

The EU also looks to combat payment delays. The new Directive 2011/7/EU, which replaced the current law in March 2013, covers all commercial transactions, both in the public and private sector within the EU, primarily dealing with the consequences of late payment. Transactions with consumers, however, do not fall within the scope of this Directive. Directive 2011/7/EU entitles a seller who does not receive payment for goods and/or services within 30 days of the payment deadline to collect interest (at a rate of 8% above the European Central Bank rate) as well as €40 as compensation for recovery of costs. For business-to-business transactions, a 60-day period may be negotiated

subject to conditions. The seller may also retain the title to goods until payment is completed and may claim full compensation for all recovery costs.

Key Link: [Directive 2011/7/EU](#)

Companies' agents and distributors can take advantage of the European Ombudsman when victim of inefficient management by an EU institution or body. Complaints can be made to the European Ombudsman only by businesses and other bodies with registered offices in the EU. The Ombudsman can act upon these complaints by investigating cases in which EU institutions fail to act in accordance with the law, fail to respect the principles of good administration, or violate fundamental rights. In addition, SOLVIT, a network of national centers, offers online assistance to citizens and businesses who encounter problems with transactions within the borders of the single market.

Key Links: [European Ombudsman](#) ; [SOLVIT](#)

### Establishing an Office

Establishing a subsidiary/branch office in France is advisable for some industries. The French government encourages the formation of new enterprises. In conjunction with the Paris Chamber of Commerce, chambers throughout the country and business incubators, the French government offers extensive counseling and assistance in setting up an office in France. Detailed "how to" guides are available from the various chambers of commerce and numerous American consulting firms present in France.

Key Links: [Doing-Business in France](#)

<https://www.businessfrance.fr/en/discover-France-France-s-key-strengths-talents>

[Chambers of Commerce and Industries](#) ; (Local Centers for Setting-up a Company)

[Formalites-de-Creation](#)

### Franchising

U.S. businesses looking to franchise within the European Union will likely find that the market is quite robust and friendly to franchise systems in general. There are a number of laws that govern the operation of franchises within the EU, but these laws are fairly broad and generally do not constrain the competitive position of U.S. businesses. The potential franchisor should look not only at the EU regulations, but also at the local laws concerning franchising. The US franchisor should increase vigilance in the drafting of franchise agreements, in particular by avoiding provisions which arguably "have an effect on the organization of work and working conditions" such as fixed working day and week schedules or common uniforms for all franchisees' employees, and thus could potentially trigger a request for establishment of a social dialogue body.

#### *Legal Issues in Franchising*

France is the first country outside of the United States of America and Canada to regulate franchising, with the adoption of the so-called "Loi Doubin" (Law Number 89-1008 of 31 December 1989). Loi Doubin is a general disclosure law that applies to franchising, stipulating that a disclosure needs to be provided at least 20 days before signing an agreement or paying any money. Although the law has fewer specific disclosure requirements than other disclosure laws, the general obligations also include a requirement to provide a franchisee with a description of the general and local market conditions for all franchised products and services as well as the outlook for development of the market, which is a singular requirement of France. In addition to the enumerated disclosures, the Loi Doubin requires the disclosure of all information necessary to assess the business experience of the franchisor and its management.



The franchise agreement is more specific than the Franchise Disclosure Document about the terms of the relationship between the franchisor and franchisee. The franchise agreement includes information about the franchise system, such as the use of trademarks and products, territory, rights and obligations of the parties: standards, procedures, term (duration) of the franchise, payments made by the franchisee to the franchisor, termination and/or the right to transfer the franchise, training, assistance, and advertising. The franchise agreement is the legal, written document that governs the relationship and specifies the terms of the franchise purchase. A prospective franchisee should closely review the franchise agreement and consult with a professional advisor, such as an attorney or an accountant, before making a final decision.

#### *Opportunities for U.S. companies*

A wide variety of American franchises such as McDonald's, Starbucks and Five Guys are enjoying success in France, which proves that the French market is open to foreign franchises. More information on specific legislation can be found on the website of the [European Franchise Federation](#)

The French franchise sector ranks first in Europe in terms of sales and has doubled over the last ten years. Although very competitive with 2,049 franchisors and 78,218 franchisees, the French market offers many opportunities for innovative U.S. franchises. In 2019 the French franchise market employed over 757,000 people (direct and indirect jobs). 7% of franchises operating in France are foreign, of which 22% are American. In 2019, total franchising sales were estimated at \$79.58 billion (€67,80 billion). The potential remains for U.S. franchisors to explore additional sectors, such as gourmet fast-food, personal service, automotive/car, hair salon/beauty services. However, it is important to note that for the past 30 years, direct investment or area development expansion methods have proven more successful in France than the traditional Master Franchise model. France is also:

- A large market: the 7th largest economy in the world, the 2nd largest economy in the European Union after Germany. the third largest income in the world from tourism and the most visited country in the world. America is the first country of foreign origin for franchises that have been established in France
- A convenient central location in Europe
- Known for its high-quality workforce

#### *Challenges*

Beyond regulations, there are several things a company should consider before entering the French market:

- Some American concepts are sometimes not suitable to the French market. They need to adapt to local tastes and cultural norms. Also, high European rents and labor costs can hurt the business. For example, a food franchise often closes between 2:00-7:00pm to avoid the high labor costs and low food traffic.
- The language barriers, as documents provided by the franchisors are very often in English, while the DIP and contract must be written in French.

Some Americans are more interested in master franchises, which can be complicated in France. While master franchising typically allows the franchisor to shift a significant portion of the foreign development costs onto the shoulders of the master franchisee, if the franchisor is not prepared or able to invest sufficiently in the expansion, disaster is around the corner.

#### *Trade event*

The most important franchise trade show takes place each year in March in Paris:

Franchise Expo Paris is the international hub connecting investors from 83 countries with the most renowned franchisors looking to expand their concept worldwide.

<https://www.reedexpo.fr/en/events/29853598-franchise-expo-paris/>

72% of the visitors state they are there to learn how to establish a business and become a franchisee.

Key Links:

[French Federation of Franchise Membership list](#)

[French Federation of Franchise References](#)

[French Federation of Franchise Useful Links](#)

## eCommerce

### Overview

French B2C commerce of products and services is one of the largest markets in the world, ranking second in Europe and fifth in the world in terms of online consumption in 2019. The market grew by 11.6 % between 2018 and 2019 representing a good opportunity for U.S. retailers that have unique products and services to offer. U.S. firms tend to do well selling products and services to the French via eCommerce.

The U.S. Commercial Service sees the French eCommerce market as a sizable opportunity for U.S. retailers in virtually every category. The French are fond of American culture and tend to enjoy our brands. Many firms begin by testing the market directly from their U.S. site, or using Amazon or a similar French marketplace to gauge interest. Online marketplaces are beginning to disrupt industries where traditionally starting with a distributor or sales agent would have been advisable.

For U.S. SMEs operating without a presence in Europe, it is important to understand the basic rules and regulations for selling to consumers in the market. While we expect that the Digital Single Market strategy (see below) will assist U.S. firms in adhering to one single set of rules and regulations across Europe, U.S. firms currently must navigate national and European regulations and standards for selling products online. The French tend to interpret existing EU regulations stringently or tend to regulate in areas where the EU has not yet proposed legislation. For example, several recent online players, both U.S. and European, have been fined in France for violating rules such as the protection of consumer's data privacy or advertising "online sales" outside of permitted holiday periods.

When approaching the EU market, U.S. Commercial Service recommends starting small and selecting the markets that show the most potential. France may be attractive not only because of the size of the market, but the effect that Brexit may have on currency fluctuations and shipping costs from the UK to the rest of the continent. If a firm determines that the French market represents a good opportunity, seek out local service providers and experts that can help with a digital marketing strategy. The U.S. Commercial Service in Paris can be a good starting point.

### Assessment of Current Buyer Behavior in Market

Some trends are becoming more important in the B2C eCommerce, including m-commerce (smartphones and tablets), the "click-and-collect" or "click-and-reserve" options, the multichannel approach (web-to-store or store-to-web), the CtoC, the social commerce, and finally the sustainable and local e-commerce.

The "click-and-collect" option for general products and grocery stores in particular has grown significantly in the past years and food grocers for example are implementing more sites offering this purchasing option. The "premium" delivery subscription, just like Amazon Premium, is also developing at a fast pace. The "click-and-reserve" option is well received and already widely used in the fashion sector.

The sharing economy and its platforms are also trending in France with 60% of internet users using it for renting homes, car sharing, and grouping purchases from producers (i.e. vegetables), with popular global brands such as Airbnb and local players such as BlaBla Car.

Another growing trend for e-merchants is the use of marketplaces; 35% sell on marketplaces and 23% operate their own marketplace. With an annual growth of 14%, sales on marketplaces account for over 30% of total e-commerce sales.

The shared economy has not bypassed France, with 60% buying or selling products directly with each other on websites such as Le Bon Coin.

### Domestic eCommerce (B2C)

In 2019, 37.5 million French people shopped online, which represents over 80% of internet users. The average online transaction in 2019 was around \$66 (€59) and online shoppers tend to shop more frequently, approximately 28 times a year, for a total amount spent of around \$2,886 (€2,577) in 2019. Online shoppers purchase mainly clothing (51%), cultural products (41%), toys and games (38%), travel packages (37%), and shoes (36%). Most of the sales volume, however, occurs in tourism (46%), high tech appliances (25.9%), home equipment (20.4%) and clothing (14.7%).

### *Cross-Border eCommerce*

B2C shopping abroad is also becoming more popular; there is a growing share of cross-border online purchases taking place. French e-buyers are proportionally more likely to buy abroad than the average European e-buyer. In 2019, 36 % of French online shoppers bought from foreign e-merchants and 62% of e-merchants established in France received orders from customers abroad.

### *B2B eCommerce*

With a growth rate of around 15% a year over the past three years, sales to professionals (B2B) via websites (not including EDI) represent an average of 4% of total company turnover. This market was estimated at \$168 billion in 2019 and is expected to grow significantly in the next coming years. Most of the transactions were made in travel and transportation purchases (53%), followed by a few sectors such as office supplies (33%), computer supplies (30%), medical supplies (25%).

### *eCommerce Intellectual Property Rights*

France is a strong defender of intellectual property rights. US firms should refer to this Country Commercial Guide's [Intellectual Property section](#) and the local Code of Intellectual Property for further information:

Key Link: [Legifrance/Traductions](#)

### *Popular eCommerce Sites*

Popular eCommerce sites in France include Amazon, Fnac, Cdiscount, Booking, Oui SNCF (travel and train tickets), Veepee, etc. Additional sources : [Top 15 de l'eCommerce Français en Audience](#)

### [Top 100 French eCommerce websites:](#)

### *Mobile eCommerce*

In 2019, 16.3 million people made a purchase through their mobile phone. Sales on mobile phones and tablets continue to grow very fast and they already account for close to 40% of total eCommerce sales on leading sites.

### *Payments*

In France, 85% of online purchases are paid using debit cards tied to their bank account. The French are not accustomed to using credit cards to pay with credit. The French use other means of online payments which include electronic wallets (9%), check (1%), gift vouchers, installment payments, direct debit authorization (1%), private cards and other means of payment (3%). Note when shopping outside of the EU, French consumers must pay an import fee for any goods purchased with the price above 22 Euros.

### *Major Buying Holidays*

The major holidays driving purchases in France include Christmas, Mother's Day (last Sunday of May), Father's Day (second to last Sunday in June), and Valentine's Day. In addition, seasonal sales ("les soldes") run for six weeks in early January and again in the summer from late June. The dates for sales moreover, whether online or in stores, are determined by French Trade Law.

## *Social Media*

Social media is becoming significantly relevant for French users. The trend for firms is to present products on various social media platforms, and to continue being active with content and recommendations. Facebook is still the premier choice for e-merchants followed by Instagram and Twitter. In France, the number of monthly visitors in 2019 to the following sites are:

- Facebook 46.9 million,
- You Tube 45.3 million,
- Instagram 28 million,
- WhatsApp 24.4 million.
- Snapchat 19.3 million
- LinkedIn 16.8 million,
- Twitter 16.7 million,

## *Local eCommerce Sales Rules & Regulations / The European Union's Digital Single Market Initiative*

Creating a Digital Single Market (DSM) is one of the ten priorities of the European Commission (EC). The overall objective is to bring down barriers, regulatory or otherwise, and to unlock online opportunities in Europe, from eCommerce to e-government. By doing so, the EU hopes to do away with the current fragmented national markets and create one borderless market with harmonized legislation and rules for the benefit of businesses and consumers throughout Europe.

The EC set out its vision in its May 6, 2015 DSM Strategy which has been followed by a number of concrete legislative proposals and policy actions. They are broad reaching and include reforming eCommerce sector, VAT, copyright, audio-visual media services, consumer protection, and telecommunications laws. New legislation has already been finalized on portability of online content and geo-blocking.

Many DSM proposals are still going through the legislative process. DSM-related legislation will have a broad impact on U.S. companies doing business in Europe.

In addition, a new data protection legislation, the General Data Protection Regulation (GDPR) enters into force on 25 May 2018 (see separate section in this report).

The three main pillars of the strategy are:

Pillar I: Better access for consumers and businesses to digital goods and services across Europe

- Better access for consumers and businesses to online goods and services across Europe
- Remove key differences between the online and offline worlds to break down barriers to cross-border online activity.

Pillar II: Shaping the right environment for digital networks and services to flourish

- Achieve high-speed, secure and trustworthy infrastructures and content services
- Set the right regulatory conditions for innovation, investment, fair competition and a level playing field

Pillar III: Creating a European Digital Economy and society with growth potential

- Invest in technologies such as cloud computing and Big Data, and in research and innovation to boost industrial competitiveness and skills
- Increase interoperability and standardization

For more information: [Digital Single Market](#)

### [DSM Strategy](#)

The Electronic Commerce Directive (2000/31/EC) provides rules for online services in the EU. It requires providers to abide by rules in the country where they are established (country of origin). Online providers must respect consumer

protection rules such as indicating contact details on their website, clearly identifying advertising and protecting against spam. The Directive also grants exemptions to liability for intermediaries that transmit illegal content by third parties and for unknowingly hosting content. Comprehensive Market Research on eCommerce in the EU is available upon request. For information on this topic please consult the Commerce Department's Country Commercial Guides on EU Member States: [EU Member States' Country Commercial Guides](#) . Alternatively, search the Commerce Department's Market Research Library, available from: [Market Intelligence](#)

### Direct Marketing

The EU has yet to adopt legislation harmonizing the direct selling of consumer products. However, there is a wide range of EU legislation that impacts the direct marketing sector. Compliance requirements are stringent for marketing and sales to private consumers. Companies need to focus, in particular, on the clarity and completeness of the information they provide to consumers prior to purchase and on their approaches to collecting and using customer data. The following gives a brief overview of the most important provisions flowing from EU-wide rules on distance-selling and on-line commerce. In addition, it is important for exporters relying on a direct-selling business model to ensure they comply with member state requirements

### Processing Customer Data

The EU has strict laws governing the protection of personal data, including the use of such data in the context of direct marketing activities. For more information on these rules, please see the Data Privacy section above.

### Distance Selling Rules

In 2011, the EU overhauled its consumer protection legislation and merged several existing rules into a single rulebook - "the Consumer Rights Directive." The provisions of this Directive have been enforced since June 13, 2014. The Directive contains provisions on core information to be provided by traders prior to the conclusion of consumer contracts. It also regulates the right of withdrawal, includes rules on the costs for the use of means of payment and bans pre-ticked boxes.

### Alternative Dispute Resolution

In 2013, the EU adopted rules on Alternative Dispute Resolution which provide consumers the right to turn to quality alternative dispute resolution entities for all types of contractual disputes including purchases made online or offline, domestically or across borders. A specific Online Dispute Resolution Regulation, operational in January 2016, sets up an EU-wide online platform to handle consumer disputes that arise from online transactions.

### New Legislation

In December 2015, the European Commission released a package of two draft Directives respectively on "contracts for the supply of digital content" and another on "contracts for the online and other distance sales of goods." This package addresses the legal fragmentation and lack of clear contractual rights for faulty digital content and distance selling across the EU. The package would only address B2C contracts, although its draft scope uses a very broad definition of both digital content (including music, movies, apps, games, films, social media, cloud storage services, broadcasts of sport events, visual modeling files for 3D printing) and distance selling goods so as to cover Internet of Things (such as connected households' appliances and toys). It could also apply to transactions whether in the context of a monetary transaction or in exchange of (personal) consumer data. Healthcare, gambling and financial services are excluded from the proposal.

Key Links:

[Consumer Affairs Homepage](#)

[Consumer Rights](#)

#### Distance Selling of Financial Services

Financial services are the subject of a separate directive that came into force in June 2002 (2002/65/EC). This piece of legislation amended three prior existing Directives and is designed to ensure that consumers are appropriately protected with respect to financial transactions taking place where the consumer and the provider are not face-to-face. In addition to prohibiting certain abusive marketing practices, the Directive establishes criteria for the presentation of contract information. Given the special nature of financial markets, specifics are also laid out for contractual withdrawal. Key Link: [Distance Marketing](#)

#### Direct Marketing over the Internet

The eCommerce Directive (2000/31/EC) imposes certain specific requirements connected to the direct marketing business. Promotional offers must not mislead customers and the terms that must be met to qualify for them have to be clear and easily accessible. The Directive stipulates that marketing e-mails must be identified as such to the recipient and requires that companies targeting customers on-line must regularly consult national opt-out registers where they exist. When an order is placed, the service provider must acknowledge receipt quickly and by electronic means, although the Directive does not attribute any legal effect to the placing of an order or its acknowledgment: this is a matter for national law. Vendors of electronically supplied services (such as software, which the EU considers a service and not a good) must also collect value added tax (see Electronic Commerce section below). The European Commission has performed a stakeholder's consultation and is currently assessing the opportunity to propose a revision of the eCommerce Directive. See Data Privacy Section above.

#### Data Privacy and Protection

As of 25 May 2018, the General Data Protection Regulation (GDPR) applies in the EU. The GDPR is a horizontal privacy legislation that applies across sector and to companies of all sizes. It replaces the previous data protection Directive 1995/46. The overall objectives and underlying principles of the legislation remain the same. Businesses must inform consumers that they are collecting personal data, have a legal basis to process and retain the data.

However, there are significant differences in definitions of key terminology. The GDPR creates a number of new requirements for organizations that process EU individuals' personal data. Companies have an obligation to demonstrate their compliance, in part through a number of documentation obligations. Data subjects have a number of rights which include access, correct, erasure of their personal data.

The GDPR has extra-territorial reach, which means that it might be applicable to U.S. entities even if they do not have physical presence in Europe. In that case, such organizations need to have a representative based in Europe, or in certain cases need to appoint a Data Protection Officer.

Fines in case of non-compliance can reach up to 4% of the annual worldwide revenue or 20 million euros – whichever is higher. Companies of all sizes and sectors should consider GDPR as part of their overall compliance effort with assistance of legal counsel.

The European Commission and Data Protection Authorities are releasing official guidelines to help companies with their compliance process (see resources below).

Note: the EU is currently updating its e-privacy legislation governing confidentiality of communications. This legislative instrument once enacted will add a number of requirements in addition to the GDPR. We encourage U.S. exporters to monitor this situation as it evolves through the EU legislative process.

On May 14, 2018, French Parliament adopted changes to France's existing Data Protection Act of 1978 in line with the EU's General Data Protection Regulation (GDPR). The implementing legislation can be found in French at: <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000037085952&dateTexte=&categorieLien=id>

The French Data Protection Agency CNIL (Commission Informatique et Libertés) has also published a set of guidelines for GDPR compliance (<https://www.cnil.fr/en/home>). For more information: [Full GDPR text](#)

#### [Official Press Release](#)

European Commission guidance: [http://ec.europa.eu/justice/smedataprotect/index\\_en.htm](http://ec.europa.eu/justice/smedataprotect/index_en.htm)

[https://ec.europa.eu/commission/priorities/justice-and-fundamental-rights/data-protection/2018-reform-eu-data-protection-rules\\_en](https://ec.europa.eu/commission/priorities/justice-and-fundamental-rights/data-protection/2018-reform-eu-data-protection-rules_en)

#### Transferring Customer Data to Countries outside the EU

The General Data Protection Regulation (GDPR) provides for the free flow of personal data within the EU but also offers protection when it leaves the region's borders.

The GDPR (Chapter 5 - Article 44 onwards) sets out obligations on data controllers (those in charge of deciding what personal data is collected and how/why it is processed), on data processors (those who act on behalf of the controller) and gives rights to data subjects (the individuals to whom the data relates). These rules were designed to provide a high level of privacy protection for personal data, and were complemented by **measures to ensure the protection is maintained when data leaves the region**, whether it is transferred to controllers, processors or to third parties (e.g. subcontractors). EU legislators put restrictions on transfers of personal data outside of the EU, specifying that such data could only be exported if "adequate protection" is provided.

The European Commission (EC) is responsible for assessing whether a country outside the EU has a legal framework that provides sufficient protection for it to issue an "adequacy finding" to that country. The U.S. has never sought to be found adequate by the EC. This means that U.S. companies can only receive personal data from the EU if they:

- Join the EU-U.S. Privacy Shield program, or
- Provide appropriate safeguards (e.g. contractual clauses, binding corporate rules), or
- Refer to one of the GDPR's derogations,

European Commission's webpage on transfers outside the EU and all mechanisms outlined below: [Data Transfers Outside of EU](#)

#### *Important note:*

The legal environment for data transfers to the United States continues to evolve. Companies that transfer EU citizen data to the United States as part of a commercial transaction should consult with an attorney who specializes in EU data privacy law, to determine what options may be available for a particular transaction.

#### *About the EU-U.S. Privacy Shield*

The EU-U.S. Privacy Shield Framework was designed by the U.S. Department of Commerce and the European Commission to provide companies on both sides of the Atlantic with a mechanism to comply with data protection requirements when transferring personal data from the European Union to the United States in support of transatlantic commerce.



However, on July 16, 2020, the Court of Justice of the European Union issued a judgment declaring as “invalid” the European Commission’s Decision (EU) 2016/1250 of 12 July 2016 on the adequacy of the protection provided by the EU-U.S. Privacy Shield. As a result of that decision, the EU-U.S. Privacy Shield Framework is no longer a valid mechanism to comply with EU data protection requirements when transferring personal data from the European Union to the United States. This decision does not relieve participants in the EU-U.S. Privacy Shield of their obligations under the EU-U.S. Privacy Shield Framework.

The U.S. Department of Commerce will continue to administer the Privacy Shield program, including processing submissions for self-certification and re-certification to the Privacy Shield Frameworks and maintaining the Privacy Shield List. If you have questions, please contact the European Commission, the appropriate European national data protection authority or legal counsel. For updated information on the [EU-U.S. Privacy Shield](#)

For more information about other mechanisms of transfer, please refer to: [Transferring Personal Data from EU to U.S.](#)

### *Cyber-Security*

The European Network and Information Systems (NIS) Security Directive sets a minimum baseline of requirements to ensure better protection of critical infrastructures in Europe. The legislation targets three groups of stakeholders: 1. it sets basic principles for Member States for common minimum capacity building and strategic cooperation; 2. it directs operators of essential services (OES) and digital service providers (DSP) to ensure they apply basic common security requirements.

DSPs are broadly defined to include online/eCommerce marketplace (including app stores); online search engine (with the exclusion of search function limited to a specific website); and Cloud computing services. NIS systems are considered the e-communications network, connected devices and digital data.

A DSP and an OES are expected to ensure “the ability of NIS to resist any action that could compromise the availability, authenticity, integrity or confidentiality of stored or transmitted or processed data or the related services offered by, or accessible via, those systems.” Member states must identify OES and establish security and notification requirements for OES and for DSP. The level of security expected from OES should be higher than the level expected from DSP, because of the degree of risk posed to their infrastructure. Among obligations for both OES and DSP are to take technical and organizational measures to NIS risk management; to prevent and minimize the impact of NIS security incidents; to notify, without undue delay, incidents having a significant impact on the continuity of the essential services they provide.

This Directive has been adopted by the EU in July 2016. Member States have until May 2018 to transpose the Directive into their national legal framework.

### *Express Delivery*

Express Delivery Service is a highly developed industry within the French economy. There are several companies, operating both domestically and internationally, that have been established in this industry since the growth of express delivery services. These include the following: DHL, FedEx, UPS Express, TNT Express, Chronopost, and La Poste. These companies ship packages domestically and internationally, provide a wide range of delivery options and prices, and have grown significantly because of the rise in eCommerce. In France, e-consumers buy around 13.5 parcels per year for a total of over 400 million parcels. Across France, the road express delivery market is valued at over 43 billion Euros.

### Sources

[Transport et logistique de France](#)

Alternatively, search the Commerce Department’s Market Research Library, available from:

[Market Intelligence](#)

Key Links:

[The European-American Chamber of Commerce in France](#)

[The French-American Chamber of Commerce in the United-States](#)

## **Selling Factors & Techniques**

### Overview

Selling your product or service in France is similar to selling it in the United States. Buying decisions are made based on quality, price, and after-sales service, however in France, language should be noted. Since August 1994, the "Loi Toubon" requires that all advertising, labeling, instructions, and promotional programs be in French, so we strongly recommend close contact with the Commercial and Agricultural sections in the Embassy, as well as arranging for local legal representation.

Key link: [French legislation: Commercial Code](#)

Alternatively, search the Commerce Department's Market Research Library, available from:

[Market Intelligence](#) under Country and Industry Market Reports.

### Trade Promotion & Advertising

#### *General Legislation*

Laws against misleading advertisements differ widely from member state to member state within the EU. To respond to this issue in the internal market, the Commission adopted a directive, in force since October 1986, to establish minimum and objective criteria regarding truth in advertising. The Directive was amended in October 1997 to include comparative advertising. Under the Directive, misleading advertising is defined as any "advertising which in any way, including its presentation, deceives or is likely to deceive the persons to whom it is addressed or whom it reaches and which, by reason of its deceptive nature, is likely to affect their economic behavior or which for those reasons, injures or is likely to injure a competitor." Member States can authorize even more extensive protection under their national laws.

Comparative advertising, subject to certain conditions, is defined as "advertising which explicitly or by implication identifies a competitor or goods or services of a competitor." Member States can, and in some cases have, restricted misleading or comparative advertising.

The EU's Audiovisual Media Services Directive (AMSD) lays down legislation on broadcasting activities allowed within the EU. Since 2009, the rules allowing for U.S.-style product placement on television and the three-hour/day maximum of advertising has been lifted. However, a 12-minute/hour maximum remains. The AMSD is currently under revision. The European Commission is aiming to extend the scope of the Directive to video-sharing platforms which tag and organize the content. The Commission is also aiming to provide more flexibility about the 12-minute/hour maximum restriction. Children's programming is subject to a code of conduct that includes a limit on junk food advertising to children. Following the adoption of the 1999 Council Directive on the Sale of Consumer Goods and Associated Guarantees, product specifications, as laid down in advertising, are considered as legally binding on the seller.

The EU adopted Directive 2005/29/EC concerning fair business practices in a further attempt to tighten consumer protection rules. These rules outlaw several aggressive or deceptive marketing practices such as pyramid schemes, "liquidation sales" when a shop is not closing down, and artificially high prices as the basis for discounts in addition to other potentially misleading advertising practices. Certain rules on advertising to children are also set out.

Key Links: [Misleading Advertising](#) ; [Unfair Commercial Practices Directive](#) ; [Audio video Media Services](#)

#### *Medicines*

The advertising of medicinal products for human use is regulated by Council Directive 2001/83/EC, as amended by Directive 2004/27/EC. Generally speaking, the advertising of medicinal products is forbidden if market authorization has not yet been granted or if the product in question is a prescription drug. Mentioning therapeutic indications where self-medication is not suitable is not permitted, nor is the distribution of free samples to the general public. The text of the advertisement should be compatible with the characteristics listed on the product label and should encourage rational use of the product. The advertising of medicinal products destined for professionals should contain essential characteristics of the product as well as its classification. Inducements to prescribe or supply a medicinal product are prohibited and the supply of free samples is restricted.

Key Link: [Health and Medicine](#)

#### *Nutrition & Health Claims*

On July 1, 2007, a regulation on nutrition and health claims entered into force. Regulation 1924/2006 sets EU-wide conditions for the use of nutrition claims such as “low fat” or “high in vitamin C” and health claims such as “helps lower cholesterol.” The regulation applies to any food or drink product produced for human consumption that is marketed in the EU. Only foods that fit a certain nutrient profile (below certain salt, sugar and/or fat levels) are allowed to carry claims. Nutrition and health claims are only allowed on food labels if they are included in one of the EU’s positive lists. Food products carrying claims must comply with the provisions of nutritional labeling Directive 90/496/EC and its amended version Directive 1169/2011.

In December 2012, a list of approved functional health claims went into effect. The list includes generic claims for substances other than botanicals which will be evaluated at a later date. Disease risk reduction claims and claims referring to the health and development of children require an authorization on a case-by-case basis, following the submission of a scientific dossier to the European Food Safety Authority (EFSA). Health claims based on new scientific data will have to be submitted to EFSA for evaluation, but a more simplified authorization procedure has been established.

The development of nutrient profiles, originally scheduled for January 2009, has been delayed. The original proposal has been withdrawn. In October 2015, the European Commission released a new roadmap on the potential development of nutrient profiles and botanicals. To obtain stakeholders’ inputs, two consultations and an external study was launched in mid-2017. The European Commission is now assessing the opportunity to proceed with a proposal and then potentially draft it. Nutrition claims, in place since 2006, can fail one criterion, i.e. if only one nutrient (salt, sugar or fat) exceeds the limit of the profile, a claim can still be made provided the high level of that particular nutrient is clearly marked on the label. For example, a yogurt can make a low-fat claim even if it has high sugar content but only if the label clearly states “high sugar content.” A European Union Register of nutrition claims has been established and is updated regularly. Health claims cannot fail any criteria.

Detailed information on the EU’s Nutrition and Health Claims policy can be found on the USEU/FAS website at [USEU/FAS website](#) and in the [USDA Food and Agricultural Import Regulations and Standards EU 28 2017](#)

Key Link: [EU Register of Nutrition and Health Claims](#)

#### *Food Information to Consumers*

In 2015, the EU adopted a new regulation on novel foods ([2015/2283](#)) amending the provision of food information to consumers ([1169/2011](#)). Novel foods and food ingredients must not present a danger for the consumer or mislead him and should not differ from the ingredients that they are intended to replace to such an extent that normal consumption would represent a nutritional disadvantage for the consumer. It is important to mention that the European Commission may decide, on its own initiative or upon a request by a Member State, by means of implementing acts (a sort of decree), whether or not a particular food falls within the definition of novel food. More information can be found on the Commission's website. Most provisions of this new Novel Foods Regulation become applicable on January 1, 2018.

Detailed information on the EU's new food labeling rules can be found on the USEU/FAS website at [EU Labelling Requirements](#) and in the [USDA Food and Agricultural Import Regulations and Standards EU 28 2017](#)

Key link: [Provision on Food Information](#)

#### *Food Supplements*

[Directive 2002/46/EC](#) harmonizes the rules on labeling of food supplements and introduces specific rules on vitamins and minerals in food supplements. Ingredients other than vitamins and minerals are still regulated by Member States.

Regulation 1925/2006, applicable as of July 1, 2007, harmonizes rules on the addition of vitamins and minerals to foods. The regulation lists the vitamins and minerals that may be added to foods. This list was most recently revised in 2014. A positive list of substances other than vitamins and minerals has not been established yet, although it is being developed. Until then, member state laws will govern the use of these substances.

Key Link: [Labelling Nutrition Supplements](#)

#### *Tobacco*

The EU Tobacco Advertising Directive bans tobacco advertising in printed media, radio, and internet as well as the sponsorship of cross-border events or activities. Advertising in cinemas and on billboards or merchandising is allowed, though these are banned in many Member States. Tobacco advertising on television has been banned in the EU since the early 1990s and is governed by the Audiovisual Media Services Directive. A 2016 revision to the legislation includes the requirement for bigger, double-sided health pictorial warnings on cigarette packages and possibility for plain packaging along with health warnings, tracking systems.

Key link: [Tobacco Products](#)

#### *Pricing*

France is a highly competitive market in which the French importer is looking for the best quality at the lowest price. American products and technology are highly regarded but do not command higher prices than comparable products. It is important to remember that while France is a significant market in its own right, it is also one of the ports of entry to the European Union and associate country-members for many imports with final destinations all throughout Europe and other overseas markets. This characteristic gives local buyers access to a wide range of products at competitive prices.

U.S. companies are advised to quote prices on a Cost Insurance Freight (CIF) basis, surface or airfreight. This is standard practice for most exporters since it facilitates price comparison between EU suppliers. Import duties are usually quoted on a delivered to warehouse basis.

#### *Value Added Tax (VAT)*

The EU's VAT system is semi-harmonized. While the guidelines are set out at the EU level, the implementation of VAT policy is the prerogative of Member States. The EU VAT Directive allows Member States to apply a minimum 15% VAT rate, however, they may apply reduced rates for specific goods and services or temporary derogations. Therefore, the examination of VAT rates by Member State is strongly recommended. These and other rules are laid out in the [VAT Directive](#).

The EU applies Value Added Tax (VAT) to sales by non-EU based companies of Electronically Supplied Services (ESS) to EU-based non-business customers. U.S. companies that are covered by the rule must collect and submit VAT to EU tax authorities. From January 1, 2015, all supplies of telecommunications, broadcasting and electronic services are taxable at the place where the customer resides. In the case of businesses, this means either the country where it is registered or the country where it has fixed premises receiving the service. In the case of consumers, it is where they are registered, have their permanent address, or usually live.

As part of the legislative changes of 2015, the Commission launched the Mini One Stop Shop (MOSS) scheme, the use of which is optional. It is meant to facilitate the sales of ESS from taxable to non-taxable persons (B2C) located in Member States in which the sellers do not have an establishment to account for the VAT.

This plan allows taxable persons (sellers) to avoid registering in each Member State of consumption. A taxable person who is registered for the Mini One Stop Shop in a Member State (the Member State of Identification) can electronically submit quarterly Mini One Stop Shop VAT returns detailing supplies of ESS to non-taxable persons in other Member States (the Member State(s) of consumption), along with the VAT due.

The Commission has received numerous complaints in relation to the new rules on ESS and is in the process of revising them ([draft proposal](#)).

The most important pieces of legislation on VAT are the [EU VAT Directive 2006/112/EC](#) and its [Implementing Regulation 282/2011](#).

Further information relating to VAT on ESS:

[http://ec.europa.eu/taxation\\_customs/taxation/vat/how\\_vat\\_works/telecom/index\\_en.htm#onestopshop](http://ec.europa.eu/taxation_customs/taxation/vat/how_vat_works/telecom/index_en.htm#onestopshop)

Key links to French VAT: [Value Added Tax Rates in France – French Ministry of economy](#)  
[French VAT System & Revenu Efficiency \(EU Economic Brief July 2016\).pdf](#)

### Sales Service/Customer Support

Conscious of the discrepancies among Member States in product labeling, language use, legal guarantee and liability, the redress of which inevitably frustrates consumers in cross-border shopping, the EU institutions have launched several initiatives aimed at harmonizing national legislation. Suppliers within and outside the EU should be aware of existing and upcoming legislation affecting sales, service and customer support.

#### *Product Liability*

Under the 1985 Directive on Liability of Defective Products, amended in 1999, the producer is liable for damage caused by a defect in his product. The victim must prove the existence of the defect and a causal link between defect and injury (bodily as well as material). A reduction of liability of the manufacturer is granted in cases of negligence on the part of the victim. The first step in the review process of this law was launched at the end of 2016.

Key link: [Liability of Defective Products](#)

#### *Product Safety*

The 1992 General Product Safety Directive introduced a general safety requirement at the EU level to ensure that manufacturers only place safe products on the market. It was revised in 2001 to include an obligation on the producer and distributor to notify the Commission in case of a problem with a given product, provisions for its recall, the creation of a European Product Safety Network, and a ban on exports of products to third countries that are not deemed safe in the EU. The legislation is still undergoing review.

Key link: [Product Safety Legislation](#)

#### *Legal Warranties and After-sales Service*

Under the 1999 Directive on the Sale of Consumer Goods and Associated Guarantees, professional sellers are required to provide a minimum two-year warranty on all consumer goods sold to consumers (natural persons acting for purposes outside their trade, businesses or professions), as defined by the Directive. The remedies available to consumers in case of non-compliance are:

- Repair of the good(s);

- Replacement of the good(s);
- A price reduction; or
- Rescission of the sales contract.

Other issues pertaining to consumers' rights and protection, such as the New Approach Directives, CE marking, quality control and data protection are dealt with in the Trade Regulations section of this report.

Key link: [Sales and Guarantees](#)

## **Trade Financing**

### Methods of Payment

For U.S. exporters, financing export sales is the same as financing domestic sales. Prompt payment for the goods/ or services delivered is always a concern.

France's modern banking system offers a full range of payment methods including:

Commercial letters of credit such as: sight and time drafts, bank transfers, certified checks, and electronic payments including electronic payment orders, pre-formatted inter-bank payment orders, electronic commercial trade bills, and electronically processed promissory notes for use in the Single Euro Payments Area (SEPA).

Cross-border payment services are becoming faster, cheaper and safer in Europe. As of January 28, 2008, businesses are able to make faster euro credit transfers. Since November 1, 2010, payments with direct debit are available, and businesses are able to set up cross-border direct debits in euros between two SEPA countries. On February 14, 2012 the European Parliament set February 1, 2014 as the deadline for banks to ensure that their payment schemes comply with the SEPA Regulation. The EU commission did not change the formal deadline for migration, but extended the SEPA changeover by six months. This provides German banks more time to transfer to the SEPA payment system and ensure minimal disruption for consumers and businesses. The deadline will be October 31, 2016 for banks established in non-Eurozone Member States.

Alternatively, the Commerce Department's Market Research Library is available under Country and Industry Market Reports: [Market Intelligence](#)

### Banking Systems

The French banking system underwent a fundamental structural reform in 1984, which removed most of the distinction between commercial banks and merchant banks and grouped most financial institutions under a single supervisory system. The largest commercial banks, such as Crédit Agricole - LCL, BPCE (Banque Populaire Caisse d'Épargne), Société Générale, BNP Paribas, Natixis, Crédit Mutuel - CIC group, and HSBC France rank among the largest banks in the world. These commercial banks offer all classic financing instruments, including short, medium, and long-term loans, short-and medium-term credit facilities, and secured and non-secured overdrafts. Commercial banks also assist in public offerings of shares and corporate debt, as well as mergers, acquisitions and takeovers. Banks offer hedging against interest rate and currency fluctuations. France also has 132 foreign banks; some with sizeable branch networks.

The Bank of France (Banque de France) is a member of the European Central Bank (ECB) system and the Banque de France's governor sits on the executive board of the European Central Bank. The Banque de France introduced Euro-denominated banknotes and coins in January 2002, completing the transition to the Euro and eliminating the French franc.

The Banque de France participates in the regulation and supervision of the French banking and financial system. Its governor is also president of the Prudential Control Authority, which grants or withdraws banking licenses, ensures that banks adhere to banking regulations, and supervises insurance companies. In July 2013, France passed a reform of the banking law which separates customer services from the proprietary trading activities in order to reduce the risks incurred by the depositors. The Prudential Control Authority was renamed the Prudential Supervisory and Resolution Authority as it is supervising the preparation and implementation of measures to prevent and resolve bank crises.

The French government has sold the majority of its equity stakes in major banks and insurance companies. However, it retains ownership of the "Caisse des Dépôts et Consignations" and minority stakes in several major financial institutions. The French postal service, La Poste, an independent public entity, holds 10% of the French financial



services market. La Poste has created its own bank, “La Banque Postale”, which acquired the status of a regular bank in 2006.

Alternatively, the Commerce Department’s Market Research Library is available under Country and Industry Market Reports: [Market Intelligence](#)

### Foreign Exchange Controls

As part of the international effort to combat money laundering and the financing of terrorism, France's banking regulations have undergone several changes as recommended by the Financial Action Task Force (<http://www.fatf-gafi.org>) that affect the handling of checks. New policy steps aim to reduce anonymity in financial transactions and reinforce the oversight mechanisms required of the financial community. In addition to implementing EU Common Positions regarding terrorists or arms proliferators, France can use its powers under national law to execute asset freeze orders against terrorists. In general, all inward and outward payments must be made through approved banking intermediaries by bank transfers.

### Repatriation of Capital and Earnings

There is no restriction on repatriation of capital provided that the investment is authorized and is carried out through an approved bank. Similarly, there is no restriction on transfers of profits, interest, royalties, or service fees, provided the investment is authorized and made through approved banks.

### Businesses

Foreign-controlled French businesses are required to have a resident French bank account and are subject to the same regulations as other French legal entities. The use of foreign bank accounts by residents is permitted.

### Individuals

France has few controls on the use of foreign exchange. For exchange control purposes, foreigners are residents from the time they arrive in France. French and foreign citizens are subject to the same rules. Residents are entitled to an account in a foreign currency with a bank established in France. They are also able to establish accounts abroad.

### US Banks & Local Correspondent Banks

All large French banks have corresponding U.S. banking arrangements.

Many French banks also have subsidiaries or branch offices in the United States; the following non-exhaustive list is based on information from individual banks and from the Federal Reserve.

BNP Paribas: Bank of the West (Bank of the West and First Hawaiian Bank in twenty West and Mid-west States); BNP Paribas (Addison, Chicago, Dallas, New York, Houston, King of Prussia, Miami, San Francisco); Banque Privée Miami; Cardif Etats-Unis; CIB États-Unis; Investment partners; Securities services; Real Estate; Fischer Francis Trees & Watts; L’Atelier; PRH Arval ; [BNP Paribas](#) ; Société Générale: Société Générale (Chicago, Dallas, Houston and New York); SG Equipment (Jersey City); SG CIB (New York); CGI North America (Baltimore); TCW (New York); Société Générale Private Banking (New York and Miami); Amundi (Chicago) [Societe Generale](#); Crédit Industriel et Commercial: CIC (New York) [CIC](#); [Banque Transatlantique \(New York\)](#) ; [NATIXIS \(Houston, New York\)](#); Crédit Agricole: Calyon (Chicago, Houston, New York); Credit Agricole Private Banking (Miami) [Credit Agricole cib](#); [Dexia Credit Local \(New York\)](#)

Major American banks and financial institutions present in Paris:

- [American Express Cartes France](#) -

- [Bank of America Merrill Lynch -](#)
- [The Bank of New York Mellon \(representative office\)](#)
- [Banque AIG \(subsidiary\) -](#)
- [Goldman Sachs \(subsidiary\)](#)
- [Citigroup Global Markets Limited](#)
- [JP Morgan Chase Bank \(subsidiary\) -](#)
- [Banque Lazard -](#)

### Project Financing

EU financial assistance programs provide a wide array of grants, loans, loan guarantees and co-financing for feasibility studies and projects in several key sectors (e.g., environmental, transportation, energy, telecommunications, tourism, public health). Several centralized financing programs are also generating procurement and other opportunities directly with EU institutions.

The EU supports economic development projects within its Member States, as well as EU-wide "economic integration" projects that cross both internal and external EU borders. In addition, the EU provides assistance to candidate and neighbor countries.

The EU provides project financing through grants from the EU budget and loans from the European Investment Bank. Grants from the EU Structural and Investment Funds program are distributed through the Member States' national and regional authorities. Projects in non-EU countries are managed through the Directorate-Generals Enlargement, Development and Cooperation (EuropeAid), Humanitarian Aid and Civil Protection (ECHO).

### EU Structural and Investment Funds (ESIF)

EU Structural Funds, including the European Regional Development and the European Social Fund, were created in 1975 with the aim to mitigate economic and social differences between the regions of the European Union. New budgets are approved every seven years for all Member States. The budgets and the allocation of funding between the different priorities (social, economic or environmental) are based on the conclusions of the "Partnership Agreements" (PAs) which are negotiated between the European Commission and the member state national authorities. For the period of 2014 – 2020, the EU has earmarked 352 billion euros for regional development and cohesion policy projects. For information on [approved programs](#) that will result in future project proposals please consult this link.

For projects financed through ESIF, member state regional managing authorities are the key decision-makers. They assess the needs of their country, investigate projects, evaluate bids, and award contracts. To become familiar with available financial support programs in the Member States, contractors should develop a sound understanding of the country's cohesion policy indicators.

Tenders issued by Member States' public contracting authorities for projects supported by EU grants are subject to EU public procurement legislation. All ESIF projects are co-financed by national authorities and many may also qualify for a loan from the European Investment Bank and EU research funds under Horizon 2020, in addition to private sector contribution. For more information on these programs, please see the market research section on the website of the U.S. Mission to the EU: [Market Intelligence](#).

### The Cohesion Fund

The Cohesion Fund is another instrument of the EU's regional policy. Its 63 billion-euro (2014-2020) budget is used to finance projects in two areas:

Trans-European transport projects including transport infrastructure, and the environment, including areas related to sustainable development and energy for projects with environmental benefits.

The fund supports projects in Member States whose Gross National Income (GNI) per inhabitant is less than 90 % of the EU average, such as Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia, and Slovenia.

These projects are, in principle, co-financed by national authorities, the European Investment Bank, and the private sector:

Key Link: [The Cohesion Fund](#)

#### Other EU Grants for Member States

Other sets of sector-specific grants such as Horizon 2020 offer assistance to EU Member States in the fields of science, technology, communications, energy, security, environmental protection, education, training and research. Tenders related to these grants are posted on the websites of the European Commission and the relevant Member State authorities. Participation is usually restricted to EU-based firms or tied to EU content. Information pertaining to each of these programs can be found at: [EU Funding and Tenders](#)

#### *External Assistance Grants*

“Development and Cooperation – EuropeAid” is the Directorate-General (DG) responsible for implementing EU development policies through programs and projects across the world. Its website offers extensive information on the range of grant programs, the type of eligible projects, as well as manuals to help interested parties understand the relevant contract law. However, participation in these calls for tender is reserved for enterprises located in the EU Member States or in the beneficiary countries and requires that the products used to respond to these projects are manufactured in the EU or in the aid recipient country. Consultants of U.S. nationality employed by a European firm are allowed to participate. European subsidiaries of U.S. firms are also eligible to participate in these calls for tender.

For more information: [International Cooperation and Development](#)

The European Neighborhood Instrument (ENI) provides assistance to countries that are the Southern Mediterranean and Eastern neighbors of the EU. ENI is the follow-up to the European Neighborhood Policy program (ENPI) covering the countries of Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the occupied Palestinian territory, Syria, Tunisia and Ukraine. The ENI budget is 15.4 billion euros for 2014-2020. Additional information can be found at: [EU External Action](#)

Instrument for Pre-accession Assistance II (IPA II) is an EU program for pre-accession countries that provides support for political and economic reforms, preparing the beneficiaries for the rights and obligations that come with EU membership that are linked to the adoption of the *acquis Communautaire* (the body of European Union law that must be adopted by candidate countries as a precondition to accession). These programs are intended to help build up the administrative and institutional capacities of these countries and to finance investments designed to aid them in complying with EU law. IPA II runs from 2014 to 2020 and finances projects in: Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo, Montenegro, Serbia, and Turkey. The budget of IPA II for 2014-2020 is 11.7 billion euros.

For more information, see:

[http://ec.europa.eu/enlargement/instruments/overview/index\\_en.htm#ipa2](http://ec.europa.eu/enlargement/instruments/overview/index_en.htm#ipa2)

The **Connecting Europe Facility (CEF)** is an EU financing mechanism that uses the EC budget as well as the Cohesion Funds to finance projects in three key areas: energy, transport and telecommunication. It was created by [Regulation 1316/2013](#) on December 11, 2013.

Along with the [European Fund for Strategic Investments \(EFSI\)](#), CEF is expected to play a role in bridging the investment gap in Europe, which is one of the Commission's top priorities. In all three main categories the focus is on

creating better conditions for growth and jobs. [Annual and multi-annual work programs](#) specify the priorities and the total amount of financial support allocated for these priorities in a given year.

Only actions contributing to projects of common interest in accordance with [Regulations 1315/2013](#), No 347/2013 and a regulation on guidelines for trans-European networks in the area of telecommunications infrastructure and program support actions are eligible for support.

Projects supported through the CEF mechanism focus on the following:

- cleaner transport modes,
- high speed broadband connections, and
- the use of renewable energy (in line with the Europe 2020 Strategy), integration of the internal energy market, reduction of the EU's energy dependency and ensuring security of supply.

The total budget of the CEF for the period 2014 to 2020 is set at €30.44 billion. This amount is distributed between the main priority areas as follows:

- a) transport sector: €24.05 billion
- b) telecommunications sector: €1 billion
- c) energy sector: €5.35 billion

Please see: [Connecting European Facility](#)

Loans from the European Investment Bank

Headquartered in Luxembourg, the European Investment Bank (EIB) is the financing arm of the European Union. Since its creation in 1958, the EIB has been a key player in building Europe. As a non-profit banking institution, the EIB assesses reviews and monitors projects, and offers cost-competitive, long-term lending. Best known for its project financial and economic analysis, the EIB makes loans to both private and public borrowers for projects supporting four key areas: innovation and skills, access to finance for smaller businesses, climate and environment, and infrastructure.

While the EIB mostly funds projects within the EU, it lends outside the EU as well (e.g., in Southeastern Europe, Africa, Latin America, and Pacific and Caribbean states). In 2016, the EIB loaned 76 billion euros for projects. The EIB also plays a key role in supporting EU enlargement with loans used to finance improvements in infrastructure, research, and industrial manufacturing to help those countries prepare for eventual EU membership.

The EIB presents attractive financing options for projects that contribute to the European objectives cited above, as EIB lending rates are lower than most other commercial rates.

Projects financed by the EIB must contribute to the socio-economic objectives set out by the EU, such as fostering the development of less favored regions, improving European transport and environment infrastructure, supporting the activities of SMEs, assisting urban renewal and the development of a low-carbon economy, and generally promoting growth and competitiveness in the EU. The [European Investment Bank website](#) displays lists of projects to be considered for approval.

### Multilateral Development Banks

#### *World Bank*

With 189 member countries, the World Bank is an international financial institution that provides loans to countries of the world for capital programs.

#### *European Bank for Reconstruction and Development (EBRD)*

The European Bank for Reconstruction and Development (EBRD) was founded in 1991 to create a new post-Cold War era in central and eastern Europe, furthering progress towards ‘market-oriented economies and the promotion of private and entrepreneurial initiative’.

*U.S. Commercial Service Liaison Offices at the Multilateral Development Banks (European Bank for Reconstruction and Development, World Bank)*

The Commercial Service maintains Commercial Liaison Offices in each of the main Multilateral Development Banks, including the European Bank for Reconstruction and Development and the World Bank. These institutions lend billions of dollars in developing countries on projects aimed at accelerating economic growth and social development by reducing poverty and inequality, improving health and education, and advancing infrastructure development. The Commercial Liaison Offices help American businesses learn about getting involved in bank-funded projects, and advocate on behalf of American bidders. Learn more by contacting the Commercial Liaison Offices to the [European Bank for Reconstruction and Development](#) and the [World Bank](#).

#### Web Resources

##### *EU websites*

[The EU regional policies, the EU Structural and Cohesion Funds](#)

[EU Funding and Tenders](#)

[EuropeAid Co-operation Office](#)

[EU Tenders Database](#)

[The European Investment Bank](#)

[EIB-financed projects](#)

##### *U.S. websites*

[Market research section on the website of the U.S. Mission to the EU](#)

[Export-Import Bank of the United States](#)

[Country Limitation Schedule](#)

[DFC](#)

[Trade and Development Agency](#)

[SBA's Office of International Trade](#)

[U.S. Agency for International Development](#)

## Protecting Intellectual Property

### Protecting Your Intellectual Property in the EU:

Several general principles are important for effective management of intellectual property (“IP”) rights in the EU. First, it is important to have an overall strategy to protect your IP. Second, IP may be protected differently in the EU than in the United States. Third, rights must be registered and enforced in the EU under local laws. For example, your U.S. trademark and patent registrations will not protect you in the EU. There is no such thing as an “international copyright” that will automatically protect an author’s writings throughout the entire world. Protection against unauthorized use in a particular country depends on the national laws of that country. However, most countries do offer copyright protection to foreign works in accordance with international agreements.

Granting patents registrations generally is based on a first-to-file (or first-to-invent, depending on the country) basis. Similarly, registering trademarks is based on a first-to-file (or first-to-use, depending on the country), so you should consider how to obtain patent and trademark protection before introducing your products or services to the EU market. It is vital that companies understand that intellectual property is primarily a private right and that the U.S. government cannot enforce rights for private individuals in the EU. It is the responsibility of the rights holders to register, protect, and enforce their rights where relevant, retaining their own counsel and advisors. Companies may wish to seek advice from local attorneys or IP consultants who are experts in EU law. The U.S. Commercial Service can provide a list of local lawyers upon request.

While the U.S. government stands ready to assist, there is little we can do if the rights holders have not taken these fundamental steps necessary to securing and enforcing their IP in a timely fashion. Moreover, in many countries, rights holders who delay enforcing their rights on a mistaken belief that the U.S. government can provide a political resolution to a legal problem may find that their rights have been eroded or abrogated due to legal doctrines such as statutes of limitations, laches, estoppel, or unreasonable delay in prosecuting a law suit. In no instance should U.S. government advice be seen as a substitute for the responsibility of a rights holder to promptly pursue its case.

It is always advisable to conduct due diligence on potential partners. A good partner is an important ally in protecting IP rights. Consider carefully, however, whether to permit your partner to register your IP rights on your behalf. Doing so may create a risk that your partner will list itself as the IP owner and fail to transfer the rights should the partnership end. Keep an eye on your cost structure and reduce the margins (and the incentive) of would-be bad actors. Projects and sales in the EU require constant attention. Work with legal counsel familiar with the EU laws to create a solid contract that includes non-compete clauses, and confidentiality/non-disclosure provisions.

It is also recommended that small- and medium-size companies understand the importance of working together with trade associations and organizations to support efforts to protect IP and stop counterfeiting. There are a number of these organizations, both EU or U.S.-based. These include:

- The U.S. Chamber and local American Chambers of Commerce
- National Association of Manufacturers (NAM)
- International Intellectual Property Alliance (IIPA)
- International Trademark Association (INTA)
- The Coalition Against Counterfeiting and Piracy
- International Anti-Counterfeiting Coalition (IACC)
- Pharmaceutical Research and Manufacturers of America (PhRMA)
- Biotechnology Industry Organization (BIO)

### IP Resources:

A wealth of information on protecting IP is freely available to U.S. rights holders. Some excellent resources for companies regarding intellectual property include the following:

- For information about patent, trademark, or copyright issues -- including enforcement issues in the United States and other countries -- call the STOP! Hotline: **1-866-999-HALT** or visit [STOP Fakes](#)
- For more information about registering trademarks and patents (both in the United States as well as in foreign countries), contact the [U.S. Patent and Trademark Office](#) (USPTO) at: **1-800-786-9199**
- For more information about registering for copyright protection in the United States, contact the [U.S. Copyright Office](#) at: **1-202-707-5959**.
- For more information about how to evaluate, protect, and enforce intellectual property rights and how these rights may be important for businesses, please visit the “Resources” section of the [STOPfakes website](#).
- For information on obtaining and enforcing intellectual property rights and market-specific IP Toolkits visit: [STOPfakes Business tools](#). The toolkits contain detailed information on protecting and enforcing IP in specific markets and also contain contact information for local IPR offices abroad and U.S. government officials available to assist SMEs.

In any foreign market companies should consider several general principles for effective protection of their intellectual property. For background, please link to our article on [Protecting Intellectual Property \(at <https://www.uscib.org/register-and-apply-ud-859/>\)](#) and [Stopfakes.gov](#) for more resources).

### **Intellectual Property Attaché**

U.S. Mission to the European Union  
Brussels, Belgium

<https://www.uspto.gov/ip-policy/ip-attache-program/regions/europe>

For more information, contact ITA’s Office of Intellectual Property Rights Director, Stevan Mitchell at [Stevan.Mitchell@trade.gov](mailto:Stevan.Mitchell@trade.gov).

### Due Diligence

Product safety testing and certification is mandatory for the EU market. U.S. manufacturers and sellers of goods must perform due diligence in accordance with mandatory EU legislation prior to exporting.

### Local Professional Services

Local service providers focusing on EU law, consulting, and business development can be viewed on the website maintained by the Commercial Service at the [U.S. Mission to the European Union](#).

For information on professional services located within each of the EU Member States, please see EU member state Country Commercial Guides which can be found at the following website [EU Member States' Country Commercial Guides](#)

## **Industry Associations & Government Agencies**

Organizations in Brussels focused on representing U.S. business interests and engaging with EU institutions including the European Commission, European Parliament and the Council include: [AmChamEU](#).

### *Principle Business Associations in France*

[AMERICAN CHAMBER OF COMMERCE IN FRANCE](#)

[VISIT USA COMMITTEE FRANCE](#)

[EUROPEAN-AMERICAN CHAMBER OF COMMERCE IN FRANCE](#)

[NETWORK OF FRENCH CHAMBERS OF COMMERCE IN FRANCE](#)

[IMPORTERS' ASSOCIATION FOR MECHANICS AND ELECTRONICS](#)

[FRENCH EMPLOYERS' ASSOCIATION](#)

[FRENCH FEDERATION OF SMALL AND MEDIUM SIZED FIRMS](#)

[FRENCH ASSOCIATION OF FAST GROWING CORPORATIONS - CROISSANCE PLUS](#)

[FRENCH DIGITAL CONSULTING INDUSTRY ASSOCIATION - SYNTEC Numérique](#)

[FRENCH ENGINEERING INDUSTRY ASSOCIATION - SYNTEC Ingénierie](#)

[FRENCH MANAGEMENT CONSULTING ASSOCIATION](#)

[FRENCH POOLS & MARKET SURVEY INDUSTRY ASSOCIATION - SYNTEC Etudes Marketing et](#)

### Opinion

[FRENCH PUBLIC RELATIONS INDUSTRY ASSOCIATION - SYNTEC Conseil en Relations Publics](#)

[FRENCH HIRING CONSULTING INDUSTRY ASSOCIATION - SYNTEC Conseil en Recrutement](#)

[FRENCH CAREER DEVELOPMENT CONSULTING INDUSTRY ASSOCIATION - SYNTEC Conseil en Évolution Professionnelle](#)

[FRENCH PROFESSIONAL TRAINING ASSOCIATION - FFP](#)

[FRENCH EVENT ORGANIZERS INDUSTRY ASSOCIATION UNIMEV](#)

[APPLIANCE MANUFACTURERS' ASSOCIATION](#)

[AUTOMOTIVE EQUIPMENT INDUSTRY ASSOCIATION - FIEV](#)

[BAKERY EQUIPMENT INDUSTRY ASSOCIATION](#)

[CHEMICAL INDUSTRY ASSOCIATION](#)

[FEDERATION OF ELECTRIC AND ELECTRONIC INDUSTRY - FIEE](#)

[FEDERATION OF JEWELRY GIFTS, DIAMONDS, GEMS, PEARLS & RELATED ACTIVITIES](#)

[FRENCH TOY INDUSTRY](#)

[FRENCH INTERNATIONAL TRADE ASSOCIATION](#)

[FRENCH AERONAUTICS AND SPACE INDUSTRY ASSOCIATION](#)

[FRENCH AUTOMOBILE MANUFACTURERS' ASSOCIATION](#)

[GAS AND PETROLEUM INDUSTRY ASSOCIATION](#)

[LABORATORY EQUIPMENT INDUSTRY ASSOCIATION](#)

[MEASURING AND CONTROL EQUIPMENT INDUSTRY ASSOCIATION](#)

[MECHANICAL ENGINEERING INDUSTRY ASSOCIATION](#)

[MEDICAL INDUSTRY ASSOCIATION](#)



[NATIONAL FRENCH ASSOCIATION OF ADVERTISING ITEMS](#)  
[NATIONAL FRENCH BUILDING FEDERATION](#)  
[NATIONAL FRENCH FEDERATION OF PUBLIC WORKS](#)  
[NATIONAL CONFEDERATION OF WOOD INDUSTRYFOR CONSTRUCTION](#)  
[FRENCH INTERNATIONAL ASSOCIATION OF D.I.Y. PRODUCERS](#)  
[FRENCH ASSOCIATION OF FURNITURE INDUSTRY UNIFA](#)  
[NATIONAL WOOD INDUSTRY FEDERATION](#)  
[FRENCH NAUTICAL INDUSTRY ASSOCIATION](#)  
[FRENCH OPTICAL INDUSTRY ASSOCIATION](#)  
[FRENCH PAINTS & INKS INDUSTRY ASSOCIATION](#)  
[PAPER, CARDBOARD, CELLULOSE INDUSTRY ASSOCIATION](#)  
[PERFUME, BEAUTY, AND TOILETERY INDUSTRY ASSOCIATION - FEBEA](#)  
[FRENCH PHARMACEUTICAL INDUSTRY ASSOCIATION](#)  
[NATIONAL UNION OF PRINTING & COMMUNICATION - UNIC](#)  
[FRENCH PLASTIC MANUFACTURERS' ASSOCIATION](#)  
[RAILROAD INDUSTRY FEDERATION](#)  
[NAVAL CONSTRUCTION INDUSTRY GROUP - GICAN](#)  
[FRENCH SPORTING GOOD INDUSTRY ASSOCIATION - .filieresport](#)  
[FRENCH TELECOMMUNICATION INDUSTRY ASSOCIATION](#)  
[FRENCH TEXTILE INDUSTRY ASSOCIATION](#)  
[UNION OF PLASTIC & RUBBER INDUSTRY DISTRIBUTORS](#)  
[FRENCH VETERINARIAN DRUG INDUSTRY ASSOCIATION](#)

*Market Research Firms in France*

[DIRECTORY MARKET RESEARCH FIRMS](#)

*U.S. Banks in France*

[AMERICAN EXPRESS INTERNATIONAL BANKING CORPORATION](#)

[BANK OF AMERICA](#)

[BANK OF NEW YORK](#)

[CITIBANK](#)

[JP MORGAN](#)

*French Banks*

[FEDERATION BANQUAIRE FRANCAISE](#)

[SOCIETE GENERALE](#)

[BNP-PARIBAS](#)

[CREDIT AGRICOLE](#)

[CREDIT INDUSTRIEL ET COMMERCIAL](#)

[CREDIT LYONNAIS](#)

[NATIXIS](#)

*Logistics and Transportation Services in France*

[FEDERATION DES ENTREPRISES DE TRANSPORT ET DE LOGISTIQUE DE FRANCE](#)

[ASSOCIATION FRANCAISE DU TRANSPORT ROUTIER INTERNATIONAL](#)

*Providers*

[AIR FRANCE CARGO](#)

[BRITISH AIRWAYS WORLD CARGO](#)

[DHL INTERNATIONAL](#)

[EXPEDITORS INTERNATIONAL FRANCE SA](#)

[FEDEX](#)

[PROLOGIS-GARONOR](#)

[GEODIS](#)

[REGUS](#)

[SNCF FRET](#)

[UPS](#)

*Country Government Agencies*

[PRESIDENT OF FRANCE](#)

[FRENCH GOVERNMENT](#)

*Other Country Government Sub-Agencies*

[BUSINESS FRANCE TRADE & INVESTMENT PROMOTION AGENCY](#)

[FRENCH GOVERNMENT INVESTMENT BANK](#)

[FRENCH STATISTICAL INSTITUTE](#)

[FRENCH CUSTOMS](#)

[FRENCH TESTING LABORATORY - LABORATOIRE NATIONAL D'ESSAI - L.N.E.](#)

[OFFICIAL GAZETTE / JOURNAL OFFICIEL](#)

[NATIONAL FRENCH STANDARDS ASSOCIATION/ASSOCIATION FRANCAISE DE NORMALISATION – AFNOR](#)

[NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY / INSTITUT NATIONAL DE LA PROPRIETE INDUSTRIELLE – INPI](#)

[FRENCH ACCREDITATION AGENCY COFRAC](#)

[FRENCH LABEL NF](#)

[FRENCH MINISTRY OF ECONOMY WEB ON CE MARKING](#)

[AFNOR RESSOURCES ON CE MARKING](#)

[FOOD PRODUCTS USDA/FAS REPORTS FRANCE](#)

[USDA/FAS XPORTERS'GUIDE FRANCE](#)

EU websites:

[Coordination of the laws of the Member States relating to self-employed commercial agents \(Council Directive 86/653/EEC\)](#)

[Agreements of Minor importance which do not appreciably restrict Competition under Article 101\(1\) of the Treaty establishing the European Community](#)

[Directive on Late Payment](#)

[European Ombudsman](#)

[EU's Data Protection Directive \(95/46/EC\)](#)

[EU's General Data Protection Regulation \(GDPR\)\(2016/676/EC\)](#)

[Information on contracts for transferring data outside the EU](#)

[EU-U.S. Privacy Shield](#)

[EU Data Protection Home page](#)

[Consumer Rights Directive](#)

[Distance Selling of Financial Services](#)

[ec.europa digital-single-market](#)

[EU VAT Directive 2006/112/EC and its Implementing Regulation 282/2011](#)

[The Unfair Commercial Practices Directive /](#)

[Nutrition and Health claims made on foods- Regulation 1924/2006](#)

[Regulation on Food Information to Consumers](#)

[EU-28 FAIRS EU Country Report on Food and Labeling requirements](#)

[Health & Nutrition Claims](#)

[Tobacco Policy](#)

[Product Liability](#)

[Product Safety](#)

[Legal Warranties and After-Sales Service](#)

[Copyright](#)

[European Patent Office \(EPO\)](#)

[EU Intellectual Property Office \(EUIPO\)](#)

[World Intellectual Property Organization \(WIPO\) Madrid](#)

U.S. websites:

[IPR Toolkit](#)

[EU Public Procurement](#)

[Local Professional Services](#)

## Selling to the Public Sector

The French Government generally follows EU procurement regulations that are adopted into French regulations: The French Government Portal for French Government tenders, “La PLACE” is the platform for the French public administrations’ procurement procedures. It enables companies to view and respond to consultations issued by French governmental agencies and sub-agencies in the central administration and decentralized services. This includes public institutions, as well as Chambers of Commerce and Industry and the Union of public purchasing groups, “UGAP.”

Key link: [La PLACE](#).

French government uses Tenders Gazette and Boamp.fr to disseminate French public tenders launched by the government, the military, regions, departments, municipalities and institutions in France. It enables tracking and access to business opportunities for companies. It offers practical tools to understand the rules of public orders in France:

Key links:

[Boamp.fr](#)

[boamp.fr/Espace-entreprises](#)

[2016 updated French Legislative Code of Public Tenders](#)

[Key link to the Public procurement Legal department of the French Ministry of Economy](#)

Government procurement in Europe is governed by both international obligations under the WTO Government Procurement Agreement (GPA) and EU-wide legislation under the EU Public Procurement Directives. U.S.-based companies are allowed to bid on public tenders covered by the GPA, while European subsidiaries of U.S. companies may bid on all public procurement contracts covered by the EU Directives in the European Union.

The EU directives on public procurement have recently been revised and new legislation on concession has also been adopted. Member States were required to transpose the provisions of the new directives by April 16, 2016. The four relevant directives are:

- [Directive 2014/24/EU](#) (replacing Directive 2004/18/EC) on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts applies to the general sector;
- [Directive 2014/25/EU](#) (replacing Directive 2004/17/EC) coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors;
- [Directive 2009/81/EC on defense and sensitive security procurement](#). This Directive sets Community rules for the procurement of arms, munitions and war material (plus related works and services) for defense purposes, but also for the procurement of sensitive supplies, works and services for non-military security purposes;
- [Directive 2014/23/EU](#) on the award of concession contracts. A concession contract (either for the delivery of works or services) is conducted between a public authority and a private enterprise that gives the right to the company to build infrastructure and operate businesses that would normally fall within the jurisdiction of the public authority (e.g. highways).

The EU has three remedy directives imposing common standards for all member states to abide by in case bidders identify discriminatory public procurement practices.

Electronic versions of the procurement documentation must be available through an internet URL immediately on publication of the Official Journal of the European Union (OJEU) contract notice. Full electronic communication

(with some exceptions) will become mandatory for all public contracts from October 2018. Central purchasing bodies are required to publish their contracts and requests for tenders since April 2017.

Electronic invoicing (e-invoicing) will be introduced beginning the 3<sup>rd</sup> quarter of 2018, based on the requirement set forth in [Directive 2014/55/EU](#). The Directive makes the receipt and processing of electronic invoices in public procurement obligatory. Standards for e-invoicing are being developed by the European Committee for Standardization (CEN).

There are restrictions for U.S. suppliers in the EU utilities sector, both in the EU Utilities Directive and in EU coverage of the GPA. Article 85 of Directive 2014/25 allows EU contracting authorities to either reject non-EU bids where the proportion of goods originating in non-EU countries exceeds 50% or give preference to the EU bid if prices are equivalent (meaning within a three % margin). Moreover, the Directive allows EU contracting authorities to retain the right to suspend or restrict the award of service contract to undertaking in third countries where no reciprocal access is granted.

There are also restrictions in the EU coverage of the GPA that apply specifically to U.S.-based companies. U.S. companies are not allowed to bid on works and services contracts procured by sub-central public contracting authorities in the following sectors:

- Water sector
- Airport services
- Urban transport sector as described above, and railways in general
- Dredging services and procurement related to shipbuilding

## **Business Travel**

### Business Customs

The most important characteristic of French business behavior is its emphasis on courtesy and a certain formality. Appointment schedules and hierarchical titles are to be respected and correspondence, whether by mail or by fax, should be acknowledged promptly. A handshake is customary upon initiating and closing a business meeting, accompanied by an appropriate greeting. Professional attire is expected. Today, many French executives put less emphasis on long, heavy business lunches for reasons of health and time. Nevertheless, informal business discussions in restaurants where everyone appreciates a good meal are one of the best ways to promote good working relations.

### Travel Advisory

Since November 2018, France has suffered from significant public demonstrations from the Yellow Vest protesters that has affected travelers plans, primarily over the weekend. In Paris, these demonstrations have affected metro lines, suburban commuter lines and has led to street closures where protesters congregate. Travellers should visit the [State Department Travel Website for the latest information.](#)

### Visa Requirements

U.S. Companies that require travel of foreign businesspersons to the United States should be advised that security evaluations are handled via an interagency process. Visa applicants should go to the following links.

- [State Department Visa Website](#)
- [Consular Section of the U.S. Embassy Paris](#)
- [Currency used in France is the Euro](#)

### Currency

[https://europa.eu/european-union/about-eu/euro\\_en](https://europa.eu/european-union/about-eu/euro_en)

### Telecommunications

Telecommunications to and from Paris compare favorably with those of any large U.S. city. A direct-dial telephone system links France to the United States and most of the world. Calls to the United States may be charged to international telephone cards such as AT&T, MCI and Sprint. The contact for AT&T Direct U.S. operator is: +33 1 41 88 46 00

### Transportation

Frequent direct air service is available to many U.S. and French cities. The two airports serving Paris, Charles De Gaulle Roissy and Orly, are easily accessible by excellent bus (Air France) and rail service. The French railway system is among the best in the world; its efficient network ties in conveniently with public transportation in most French cities.

Buses and the Metro (subway) may be crowded during rush hours, but they provide fast and efficient service; however, a word to the wise: as in many large cities worldwide, one should be alert to the dangers of pickpockets while in public places.

### Language

While French is the official language in France, many businesspeople speak English. Product literature, correspondence and negotiations in the French language provide a distinct advantage over competitors who use only English. It should be noted that other EU suppliers are accustomed to dealing in the French language.

### *Health*

American Hospital in Paris

63, boulevard Victor Hugo

92200 Neuilly sur Seine

Tel: +33 1.46.41.25.25

[American Hospital in Paris](#)

(24-hour English-speaking medical and dental emergency service; credit cards accepted.)

Emergency Medical Team and Ambulance (SAMU)

Tel: 15 or +33 1.45.67.50.50

### Local Time, Business Hours and Holidays

The working days abutting the French holidays and vacation periods are not prime time for business meetings; this includes the month of August and the several vacation periods between Christmas and Easter. Business hours in France are generally 9:00 AM to 6:00 PM (banking hours 9:00- 5:00) Monday through Friday, while stores are generally open 10:00 AM to 7:00 PM, Monday through Saturday. To ensure availability, advance appointments are recommended.

### Holidays 2020:

January 1, 2020	New Year's Day
April 13, 2020	Easter Monday
May 1, 2020	Labor Day
May 8, 2020	Veterans' Day (WWII)
May 21, 2020	Ascension Day
June 1, 2020	Whit Monday
July 14, 2020	French National Day
August 15, 2020	Assumption Day
November 1, 2020	All Saints' Day
November 11, 2020	Veterans' Day (WWI)
December 25, 2020	Christmas

### Holidays 2021:

January 1, 2021	New Year's Day
April 5, 2021	Easter Monday
May 1, 2021	Labor Day
May 8, 2021	Veterans' Day (WWII)
May 24, 2021	Ascension Day
June 1, 2021	Whit Monday
July 14, 2021	French National Day
August 15, 2021	Assumption Day
November 1, 2021	All Saints' Day
November 11, 2021	Veterans' Day (WWI)
December 25, 2021	Christmas

#### Temporary Entry of Materials or Personal Belongings

Every U.S. citizen entering France must present a valid American passport; for stays of less than three months there is no requirement for visas, entry permits or health certificates.

Bona fide personal effects in a visitor's luggage (or hand-carried) are not normally subject to customs duties. Items to be declared, however, include those intended to be left in France, goods for professional/commercial use as well as any prohibited items. Goods imported for exhibition may enter under bond, deposit or an ATA carnet.

Professional equipment may be temporarily imported into France free of duty and tax under the Customs Convention on Temporary Importation of Professional Equipment; the appropriate carnet may be obtained from the U.S. Council of the International Chamber of Commerce.

#### Web Resources

[State Department Travel Website](#)

[State Department Visa Website](#)

[Consular Section of the U.S. Embassy Paris](#)

[Commercial Service of the U.S. Embassy Paris](#)



## Investment Climate Statement (ICS)

The U.S. Department of State Investment Climate Statements provide information on the business climates of more than 170 economies and are prepared by economic officers stationed in embassies and posts around the world. They analyze a variety of economies that are or could be markets for U.S. businesses.

Topics include Openness to Investment, Legal and Regulatory systems, Dispute Resolution, Intellectual Property Rights, Transparency, Performance Requirements, State-Owned Enterprises, Responsible Business Conduct, and Corruption.

These statements highlight persistent barriers to further U.S. investment. Addressing these barriers would expand high-quality, private sector-led investment in infrastructure, further women's economic empowerment, and facilitate a healthy business environment for the digital economy. To access the ICS, visit the U.S. Department of State [Investment Climate Statement](#) website.

### Executive Summary

France welcomes foreign investment and has a stable business climate that attracts investors from around the world. The French government devotes significant resources to attracting foreign investment through policy incentives, marketing, overseas trade promotion offices, and investor support mechanisms. France has an educated population, first-rate universities, and a talented workforce. It has a modern business culture, sophisticated financial markets, a strong intellectual property rights regime, and innovative business leaders. The country is known for its world-class infrastructure, including high-speed passenger rail, maritime ports, extensive roadway networks, public transportation, and efficient intermodal connections. High-speed (3G/4G) telephony is nearly ubiquitous.

In 2019, the United States was the leading foreign investor in France with a stock of foreign direct investment (FDI) totaling over \$87 billion. More than 4,500 U.S. firms operate in France, supporting nearly 500,000 jobs. The United States exported \$59.6 billion of goods and services to France in 2019.

Following the election of French President Emmanuel Macron in May 2017, the French government implemented significant labor market and tax reforms. By relaxing the rules on companies to hire and fire employees and by offering investment incentives, Macron has buoyed ease of doing business in France. However, Macron will likely delay or abandon the second phase of his envisioned reforms for unemployment benefits and pensions due to more pressing concerns related to the COVID-19 crisis.

Business France, the government investment promotion agency, recently unveiled a website in English to help prospective businesses that are considering investments in the French market (<https://www.businessfrance.fr/en/invest-in-France>).

Recent reforms have extended the investigative and decision-making powers of France's Competition Authority. France implemented the European Competition Network or ECN Directive on April 11, 2019, allowing the French Competition Authority to impose heftier fines (above €3 million / \$3.3 million) and temporary measures to prevent an infringement that may cause harm.

On December 31, 2019 the government issued a national security decree that lowered the threshold for State vetting of foreign investment from outside Europe from 33 to 25 percent and enhanced government-imposed conditions and penalties in cases of non-compliance. The decree further introduced a mechanism to coordinate the national security review of foreign direct investments with the European Union (EU Regulation 2019/452). The new rules entered into force on April 1, 2020. The list of strategic sectors was also expanded to include the following activities listed in the EU Regulation 2019/452: agricultural products, when such products contribute to national food supply security; the editing, printing, or distribution of press publications related to politics or general matters; and R&D activities relating to quantum technologies and energy storage technologies.

Economy and Finance Minister Bruno Le Maire announced on April 29, 2020 that France would further reinforce its control over foreign investments by including biotechnologies in the strategic sectors subject to FDI screening,

effective on May 1, 2020 and through the end of the year. This includes lowering from 25 to 10 percent the threshold for government approval of non-European investment in French companies, which was implemented in response to the COVID-19 crisis to limit predatory acquisitions of distressed assets and is valid at least until the end of 2020.

In 2019 France passed a digital services tax. The 2019 tax law reduces corporate tax on profits over €500,000 (\$550,000) to 31 percent for 2019, 28 percent in 2020, 26.5 percent in 2021 and 25 percent in 2022.

In 2020, the impact of the COVID-19 pandemic on France's macroeconomic outlook will be severe. GDP shrank 5.8 percent in the first quarter of 2020 compared to the previous quarter, the sharpest economic contraction since 1949. France's official statistical agency INSEE attributed this fall to the government's restrictions on economic activity due to the pandemic. However, the GDP figure incorporates only two weeks of France's confinement, which began March 17, leading economists to predict that second quarter figures will be significantly worse. The Q1 figure marks the second consecutive quarter of economic contraction, after shrinking 0.1 percent in Q4 of 2019, meaning France has officially fallen into a technical recession. Finance Minister Bruno Le Maire announced in April 2020 that he expects economic activity to decline by 8 percent in 2020, the public deficit to increase to 9 percent of GDP, and debt to rise to 115 percent of GDP.

In response to the economic impact of the pandemic, the government launched a €410 billion (\$447 billion) emergency fiscal package in March 2020. The bulk of the package aims to support businesses through loan guarantees and deferrals on tax and social security payments. The remainder is allocated to stabilizing households and demand, largely through its €24 billion (\$26 billion) temporary unemployment scheme that allows workers to stay home while continuing to collect a portion of their wages.

Although France's emergency fund is sizeable at 16 percent of GDP, it is not sufficient to fully absorb the economic impact of the pandemic. Key issues to watch in 2020 include: 1) the degree to which COVID-19 continues to agitate the macroeconomic environment; and 2) the size and scope of recovery measures, including additional fiscal support from the government of France, a broader EU rescue package, and the monetary response from the European Central Bank.

## **Political and Economic Environment**

For background information on the political and economic environment of France, please read [U.S. Department of State Background Notes](#) and [Political Environment in France](#).