

Path:**Law n ° 2016-1087 of August 8th, 2016 for the reconquest of the biodiversity, the nature and the landscapes (1)**

- ▶ Title VI: NATURAL SPACES AND SPECIES PROTECTION
- ▶ Chapter V: Pollution control

Article 124ELI: https://www.legifrance.gouv.fr/eli/loi/2016/8/8/DEVL1400720L/jo/article_124Aliases: https://www.legifrance.gouv.fr/eli/loi/2016/8/8/2016-1087/jo/article_124

I.-The III of the article L. 541-10-5 of the code of the environment is thus modified:

1 ° After the first paragraph, are inserted two paragraphs thus written:

"As of January 1, 2020, the setting in the market for household sticks for sticks whose plastic stem is prohibited. This prohibition does not apply to the devices defined in Articles L. 5211-1 and L. 5221-1 of the Public Health Code.

'No later than 1 January 2018, the placing on the market of rinsed cosmetic products for exfoliation or cleaning purposes involving solid plastic particles, with the exception of particles of natural origin which are unlikely to subsist in the media, to propagate chemical or biological active principles or to affect animal trophic chains. "

2 ° In the second paragraph, the reference: "of the first paragraph" is deleted.

II.-Article L. 541-10 of the same code is amended as follows:

1 ° III is repealed;

2 ° In XII, the reference: "to III and" is suppressed.

III.-Section 2 of Chapter I of Title IV of Book V of the same Code is supplemented by an article L. 541-10-11 as follows:

"Art. L. 541-10-11.-In the event of non-observance of a requirement defined by this section or the regulatory texts adopted for its application, the Minister in charge of the environment shall notify the person concerned of the acts with which he is accused and the penalty it incurs. The interested person is put in a position to submit his observations, whether written or oral, within one month, if necessary, assisted by counsel or represented by a representative of his choice.

"At the end of this procedure, the Minister of the Environment may, by a reasoned decision which indicates the ways and time limits for appealing, to impose an administrative fine the amount of which takes into account the gravity of the breaches found and the benefits which are due to them. removed. This amount may not exceed, per unit or per tonne of product concerned, € 1,500 for a natural person and € 7,500 for a legal person. The decision mentions the deadline and the terms of payment of the fine.

"The administrative penalties referred to in this article are recovered as foreign claims to the tax and the estate. "

Links to this article

Quoted by:

Decree No. 2017-291 of March 6, 2017 (V)

Decree No. 2017-291 of March 6, 2017, c. init.