

SYDEREP - FAQ REGISTRATION - UNIQUE REGISTRATION CODE - MARKETPLACES

V 1.0 update on 01/13/2022

REGISTRATION – UNIQUE REGISTRATION CODE (URC)

1. Why is a Unique Registration Code (URC) needed and when does it come into force?
2. To whom the Unique Registration Code is delivered?
3. How is the URC delivered and what is the timeline?
4. How many URCs does a producer have?
5. What information is needed to be registered in SYDEREP?
6. How is the URC communicated?
7. As a producer, what are my URC communication obligations?
8. Under which motives the URC can be deleted?
9. What are the sanctions for a producer without an URC?

<p>1. Why is a Unique Registration Code (URC) needed and when does it come into force</p>	<p>The Unique Registration Code (URC) is a record indicating that a producer has been registered correctly for the product categories falling under the Extended Producer Responsibility scheme, as required by French law.</p> <p>The Agency for Ecological Transition (ADEME) will use this code to follow and control that producers of products falling under an Extended Producer Responsibility scheme, comply with their obligations. This code also enables the Agency to identify which producers have an approved individual system and which have of them are members of a PRO, and therefore have to pay an annual fee to the Agency.</p> <p>This measure, issued from the French act of law Against Waste and for a Circular Economy (most commonly called in French « Loi AGECE »), has come into force on January 1st, 2022 for the following product categories covered by an EPR scheme : Electrical and Electronic Equipements, Recreational Boats, Medical Devices, Furnishing Packaging, Medication, Batteries, Cardboard and Paper, Chemical Products, Tires, Apparel, Linen and Footwear and Vehicles.</p>
---	--

	<p>From this date onwards, any producer under an EPR scheme must communicate their URC to buyers who request it. The registration of producers for Electrical and Electronic Equipements, Furnishing, Batteries, Tires and Vehicles takes place on the platform called SYDEREP V1. The registration of producers for Recreational Boats, Chemical products, Medical products, Packaging, Cardboard and Paper, Apparel, Linen and Footwear takes places on the platform called SYDEREP V2.</p>
<p>2. To whom the Unique Registration Code is delivered?</p>	<p>The URC is delivered to the « producer » of any product category, which falls under an EPR scheme on the French market, whether the producer has their own approved individual system or whether they belong to a Producer Responsibility Organization (PRO). To understand who is considered a producer by French law, please refer to the definition of the R part of the French Environmental Code (each product category has its own definition of « producers »).</p> <p>The specific case of marketplaces* :</p> <p>A marketplace is considered to be a « producer »:</p> <ul style="list-style-type: none"> • If the marketplace sells products under its own brand ; • For the quantities it has placed on the market on behalf of third parties, EXCEPT if the marketplace has proof that such third parties are already compliant with their obligations meaning that they already have URCs for all the product categories falling under an EPR scheme in France. <p><i>* The definition of marketplace can be found in the article L.541-10-9 of the French Environmental Code</i></p>
<p>3. How is the URC delivered and what is the timeline?</p>	<p>The URC is automatically generated after each producer completes the registration on the platform SYDEREP.</p> <p>For a producer under an individual system approved by the Ministry of the Ecological Transition: the URC is communicated on the SYDEREP platform. Therefore, the URC is accessible to the producer or their representative, if the producer’s EPR obligations have been transferred to a representative.</p> <p>For a producer under a collective system (registered at a PRO), there is no need to connect to SYDEREP. Its URC will be communicated to the producer directly by the PRO(s).</p> <p>The generation of the URC will start on January 3rd, 2022 and will concern all producers which have been registered in the SYDEREP platform before December 15th, 2021. From January 3rd 2022 onwards, the URC will be automatically generated within 48 hours after the registration of a new producer in the SYDEREP platform.</p> <p>Only the individual systems approved by the Ministry of the Ecological Transition will have a URC starting January 2022.</p> <p>For producers who are members of a PRO, your registration in SYDEREP will only be conducted by the PRO if your membership to the PRO is up-to-date. Each PRO sets its own conditions to take on the producer’s EPR obligation.</p>

	<p>Note : Between January 15th and January 31st of each year, the SYDEREP platform will be updated and will therefore be unavailable. Starting February 1st, SYDEREP will become available again and reporting campaigns will be open. The producer’s URC will be automatically generated within 48 hours after the registration of the producer.</p>
<p>4. How many URCs does a producer have?</p>	<p>A producer has as many URCs as product categories for which they are registered to in SYDEREP.</p> <p>This is valid for marketplaces as well, which have one URC per product category.</p>
<p>5. What information is needed to be registered in SYDEREP?</p>	<p>The following information is necessary to be registered in SYDEREP:</p> <ul style="list-style-type: none"> • Company name • For French companies: legal code, SIRET number, and NAF code • For foreign companies: their VAT identification number or, if the producer doesn’t have one, the identity numbers defined by the Article R. 123-221 of the French Commerce Code, or for residential companies, the producer’s identification number from the tax authorities of its residence country • Complete mailing address (number, street, town, zip code, and country), Phone number and website (when available). • When the producer has an approved individual system, the contact information of the person responsible for SYDEREP declarations (civil status, name, surname, function, phone number and email address) • Product category(-ies)/ Organization: approved individual system or collective system (in such case, the PRO proceeds to the registration of its members in SYDEREP) • Equipment Type (specific per product category): household or professional – mobile/vehicle/industrial <p>A producer can choose to:</p> <ul style="list-style-type: none"> • Have their PRO membership handled by a facilitator • Transfer their EPR obligations to a representative (according to the Article R 541-173 of the French Environmental Code). <p>To be registered in SYDEREP, the producer shall communicate the above listed information to its facilitator or representative.</p>
<p>6. How is the URC communicated?</p>	<p>The URC is communicated to a producer:</p> <ul style="list-style-type: none"> • By the user account of the SYDEREP platform, if the producer has an individual system • By its PRO if the producer is a PRO member <p>SYDEREP public search tool only displays producers with a URC and will only allow searching for producers by its URC.</p> <p>The specific case of marketplaces* :</p> <p>The marketplace must have an up to date record of all URCs of third parties selling via its platform (please refer to L.541-10-9 of the French Environmental Code).</p>

	<p>As a marketplace, you have two options to access the producers' list and their associated URCS:</p> <ul style="list-style-type: none"> • Through the PRO, by requesting the list of producers; • Through SYDEREP. The marketplace accesses the URCS list and their associated producers for each product category. <p>* The definition of marketplace can be found in the article L.541-10-9 of the French Environmental Code.</p>
<p>7. As a producer, what are my URC communication obligations?</p>	<p>Each producer complying with its EPR obligations must indicate their URC in their contract terms and conditions, or if not existent, in any other contractual document communicated to the buyer (please refer to Article R. 541-173 of the Environmental Code).</p> <p>A producer with a website communicates their URC in the same conditions stated in the Article 19 of the Law n° 2004-575 of June 21st, 2004 for trust in the digital economy.</p> <p>The seller of a product under an EPR scheme must communicate to their buyer, when requested, the URC of the producer complying with its EPR obligations for such product (please refer to Article L.541-10-10 of the Environmental Code).</p>
<p>8. Under which motives the URC can be deleted?</p>	<p>. Under an approved individual system, if the producer stops their business activity and does not place any products in the French market, it should be indicated in SYDEREP for its URC to be deleted.</p> <p>. For producers members of a PRO, the URC will only be deleted by the PRO. The removal of URC will be effective once the membership date has been filled in and only if the producer is not member of another PRO or does not have an approved individual system.</p> <p>Impacts: the URC will be removed from the producers' public search. The producer company name can remain within the search results if it is registered to another product category within SYDEREP.</p> <p>IMPORTANT: the PRO still HAS TO declare the products quantities placed on the market during the year N-1 of producers which are no longer members of the PRO in the year N.</p>
<p>9. What are the sanctions for a producer without an URC?</p>	<p>Sanctions for producers which do not comply with their regulatory obligations are outlined in the Article L.541-9-5.</p>

MARKETPLACES

1. How is a marketplace defined?
2. Which regulations do marketplaces have to comply with?
3. When will EPR regulations for marketplace come into force?
4. Which regulations do third party sellers through marketplaces have to comply with?

5. How does a marketplace have access to the list of Unique Registration Codes (URCs) of its third party sellers?
6. What are the reporting obligations for third party sellers and marketplaces?
7. How to log in to SYDEREP after being registered by its PRO?

<p>1. How is a marketplace defined?</p>	<p>Marketplaces are defined in the article L.541-10-9 of the French Environmental Code.</p>
<p>2. Which regulations do marketplaces have to comply with?</p>	<p>A marketplace shall ensure or contribute to ensure waste prevention and waste management excepted from third party companies (selling products via the marketplace) who are already compliant with French EPR regulations. A marketplace is considered to be a « producer »:</p> <ul style="list-style-type: none"> • If the marketplace sells products under its own brand ; • For the quantities it has placed on the market on behalf of third parties, EXCEPT IF the marketplace has proof that such third parties are already compliant with their obligations, meaning that they already have URCs for all the product categories falling under an EPR scheme in France. <p>The marketplace must have an up to date record of all URCs of third parties for which selling via its platform (please refer to L.541-10-9 of the French Environmental Code).</p> <p>Decree 2020-1455 of November 27th, 2020 on the EPR reform</p> <p>« Cf. Art. R. 541-167. Le registre mentionné à l'article L. 541-10-9 doit contenir les informations suivantes relatives au tiers qui propose le produit à la vente : raison sociale, nom et identifiant tels que communiqués sur l'interface électronique, lieu d'établissement, numéro de taxe sur la valeur ajoutée intracommunautaire ou autres numéros d'identité ; identifiant unique ; quantités de produits relevant de la REP, par catégories, vendues par le tiers par l'intermédiaire de l'interface électronique ; modalités de reprise des produits usagés mises en place par le tiers (cf. art. L. 541-10-8).</p> <p>Cf. Art. R. 541-168. La place de marché communique à tout éco-organisme qui le lui demande, les informations dont elle dispose et qui sont consignées dans son registre. Cette disposition permet à un éco-organisme de vérifier la cohérence des données déclarées par ces mêmes tiers adhérents chez lui avec les données de la place de marché.</p> <p>Cf. Art. R. 541-169. Toute obligation de reprise doit être délivrée à l'acheteur, avant la vente, par le tiers ou la place de marché si le tiers ne propose pas cette reprise. »</p>
<p>3. When will EPR regulations for marketplace come into force?</p>	<p>Marketplaces are considered responsible under an EPR scheme starting in 2022.</p> <ul style="list-style-type: none"> • From 01/01/2022 onwards, the marketplace maintains an up-to-date record of all URCs for producers selling products via the marketplace. • From 01/01/2023 onwards, the marketplace declares the quantity of products sold during the year 2022 on behalf of third party companies.

<p>4. Which regulations do third party sellers through marketplaces have to comply with?</p>	<p>Third party sellers placing products on the French territory via a marketplace are considered « producers », even though they sell exclusively through marketplaces.</p>
<p>5. How does a marketplace have access to the list of Unique Registration Codes (URCs) of its third party sellers?</p>	<p>As a marketplace, you have two options to access the producers' list and their associated URCs:</p> <ul style="list-style-type: none"> • Through the PRO, by requesting the list of producers; • Through SYDEREP. The marketplace accesses the URCs list and their associated producers for each product category.
<p>6. What are the reporting obligations for third party sellers and marketplaces?</p>	<p>Third party sellers selling their products through marketplaces must report products quantities to their Producer Responsibility Organization (PRO).</p> <p>The marketplace must report to its PRO:</p> <ul style="list-style-type: none"> • The quantity of products sold under its own brands; • The accumulated quantity of products sold by third party sellers through the marketplace, per product category. This accumulated tonnage does not account for products sold by third party sellers, which already have a URC. <p>Reporting schedule:</p> <ul style="list-style-type: none"> • For any new producer, the quantity to be declared in year N concerns products placed on the market during the year N-1. • For a producer which complying with EPR regulations in year N, the quantity to be declared in year N concerns products placed on the market in the year N-1 and possibly the years before, if any retroactivity is required by the PRO (according to each PRO's specific terms and conditions). <p>Note: there is no retroactivity for marketplaces as their Extended Producer Responsibility come into effect in 2022, excepted for the tonnages placed on the French market under their own brands.</p>
<p>7. How to log in to SYDEREP after being registered by its PRO?</p>	<p>IMPORTANT: SYDEREP is currently being redesigned. Until early 2023, two versions of SYDEREP will co-exist: the old version (SYDEREP V1) and the new version (SYDEREP V2).</p> <p>Transition period:</p> <p>For product categories already registered in SYDEREP V1 (Electrical and Electronic Equipments, Furnishing, Batteries and Tires):</p> <ul style="list-style-type: none"> • PROs can register a contact for each member producer in SYDEREP. It is, then, the responsibility of such contact to register additional contact information if needed. The registered contact can do so directly in its SYDEREP account. <p>For product categories registered in SYDEREP V2 (Recreational Boats, Medical Devices, Packaging, Medication, Batteries, Cardboard and Paper, Chemical</p>

	<p>Products, Apparel, Linen and Footwear) and by 2023 onwards, all product categories.</p> <p>The contact information of a member producer is not required when a PRO is registering such member producer into SYDEREP. If needed to access to their personal and confidential account, the member producer can register its own contact details.</p> <p>In the transition period of 2022, marketplaces wishing to log in to SYDEREP will have to request it by writing to the following email: idunique.dsrep@ademe.fr. Such request will be handled by an administrator.</p>
--	---