



CEREC's General Terms and Conditions of Assessment

IN ADDITION TO THE APPLICANT, THE FOLLOWING ARE ALSO PARTY HERETO:

Citeo, a public limited company, with a share capital of € 499,444.50, registered in the Paris Trade and Companies Register under number 388 380 073, with its head office at 50 Boulevard Haussmann, 75009 Paris, France, represented by Mr Jean Hornain, Managing Director,

Hereinafter referred to as Citeo;

AND,

REVIPAC, a non-profit organisation, registered under SIRET number 390 766 343 000 45, with its head office at 23-25 rue d'Aumale, 75009 Paris, France, represented by Mr Jan Le Moux, Managing Director,

Hereinafter referred to as REVIPAC.

Hereinafter jointly referred to as "CEREC Members".

Citeo and REVIPAC created CEREC (Committee for Assessing the Recycling of Paper and Cardboard Packaging) in 2016. The committee's mission is to help make packaging more suitable for recycling, with a focus on optimising economic and environmental recovery of paper/cardboard packaging waste and promoting the integration of new household packaging waste into the recycling chain.

Adelphe, a public limited company with a Board of Directors, registered in the Paris Trade and Companies Register under number 390 913 010, with its head office at 93 rue de Provence, 75009 Paris, France, is also a member of CEREC. Citeo is acting in the name and on behalf of Adelphe for the purposes of this Agreement.

CEREC offers Brand Owners and Distributors (see definition hereafter) who place paper and cardboard packaging on the market, otherwise known as "producers" under the Extended Producer Responsibility (ERP) scheme, and packaging manufacturers technical support to:

- assist Applicants (see definition hereafter) in assessing the recyclability of the household paper and cardboard packaging they use or plan to use.
- promote the controlled integration of new packaging into the French recycling system, while maintaining the current infrastructure for local and regional authorities.

The Applicant may call on CEREC to obtain a notice on the compatibility of a packaging item or its constituents with appropriate recycling technologies that are known and industrially available in Europe,

and be informed of the material category to which the packaging belongs and thereby the recycling stream towards which it needs to be channelled

Furthermore, REVIPAC has assured Citeo of the guarantee that household paper and cardboard packaging covered by the standards set out in the EPR specifications will be bought up and recycled, for any French local authorities interested. Paper and cardboard packaging which is deemed unsuitable for recycling by CEREC is excluded from the guarantee provided by REVIPAC.

CEREC is therefore able to provide the Applicant with support in assessing the recyclability of its packaging or packaging constituent within the French legal and organisational framework, based on the relevant recycling options that are known and industrially available in France at the time of the request, REVIPAC's aforementioned commitment, and the notices already issued by CEREC.

CEREC's area of expertise is the recyclability of paper and cardboard household packaging. It will therefore NOT emit an opinion on whether packaging can be effectively collected nationwide or sorted according to the criteria laid down in decree **no. 2022-748 of 29 April 2022**, also known as the QCE Decree ¹

The purpose of these General Terms and Conditions of Assessment (GTCA) is to set out and formalise the terms and conditions under which CEREC will provide support and perform the Services it offers.

The Applicant acknowledges that they have read and unreservedly accepted these GTCA and undertakes to comply with them.

ARTICLE 1 - PURPOSE

The purpose of these GTCA is to define the terms and conditions according to which CEREC shall perform the Service contracted by the Applicant.

The Service shall be governed by the GTCA and its appendices, the Application and any other document relating to the Applicant's request for a Technical Notice.

ARTICLE 2 – DEFINITIONS

In this Agreement, the following terms shall have the following meaning:

Notice: refers to the notices issued by CEREC, further defined hereafter under General Notice and Technical Notice.

General Notice: refers to the notice issued by CEREC concerning the extent to which a design choice made for a Paper and Cardboard packaging item impacts its suitability for recycling, and the extent to which the elements associated with the packaging are compatible with the paper and cardboard stream.

Technical Notice: refers to the notice issued by CEREC, after assessment, in response to the Applicant's request concerning the compatibility of their packaging with recycling technologies and the Paper and Cardboard packaging industry's commitment to recover and recycle, carried by REVIPAC. If necessary, CEREC will issue recommendations to improve the recyclability of the packaging concerned.

¹ [Decree No.2022-748 of 29 April 2022 concerning consumer information on the environmental qualities and characteristics of products generating waste](#)

A Technical Notice provides the Applicant with:

- a document prepared by an expert committee stating the recyclability of the Packaging relative to the essential requirements set out below;
- the rationale for compliance with the essential requirements for recyclability set out in legislation.
- appraise the recyclability of paper and cardboard household packaging items in relation to the French separate waste-collection system

Technical Notice refers to notices issued following either a Comprehensive or Simplified Procedure. A notice is issued in two (2) versions (PDF): a “B2B” version delivered to the Applicant, and a publicly available “B2C” version, which will be published on CEREC’s website (<https://www.cerrec-emballages.fr/>). Sample Notices can be found in Appendix 4. Where applicable, this Technical Notice shall take into account any technical modifications made to the Packaging by the Applicant during the process of examining the Technical Notice application.

GTCA: these General Terms and Conditions of Assessment. GTACs are available in English and French. In the event of any contradiction between the French and English versions, the French version shall prevail.

Charter: CEREC’s founding charter signed between Citeo and REVIPAC.

Operating Committee: operating committee founded by CEREC Members and whose mission is to receive and examine Applications.

Agreement: the Agreement comprises these GTCA and the Application signed by the Applicant and submitted to CEREC, along with any other document relating to the Applicant’s Technical Notice request.

By submitting the signed Application, the Applicant expressly consents to these GTCA. It signals that the Applicant unreservedly accepts these GTCA and officially undertakes to comply with them.

CEREC may decide to offer manufacturers, as and when needed, access to an online account through which they can submit Applications. By submitting an Application through their online account, the Applicant signals that they consent to and accept the GTCA, as described above.

However, the Agreement shall only officially come into force once the Applicant receives confirmation from CEREC that their Application meets the acceptance criteria set out here below, and will therefore be examined.

Packer: refers to any company which packs products from Brand Owners and Distributors.

Application: application file submitted by the Applicant to request a CEREC assessment. By submitting it, Applicants signal acceptance of the GTCA, as described above. **It is expressly stipulated that only one (1) Application should be submitted for each Packaging. However, CEREC reserves the right to issue a Notice which covers several Applications submitted by the same Applicant if the different Packaging items concerned have similar characteristics.**

Applicant: person requesting a CEREC assessment and having submitted an Application. It is assumed that the Applicant will have read and agreed to the GTCA, and undertakes to comply with them.

File: refers to all the elements required for the Application to be accepted and examined by CEREC Members. They are described in Article 4 herein. This File may be incomplete when an Application is submitted, but must be completed subsequently as described in Article 4 below.

Packaging: refers to any household Paper and Cardboard packaging or packaging constituent for which an Applicant has requested that a Technical Notice be issued by CEREC Members.

Packaging Element: refers to a packaging component that can be separated from the other components when it is consumed or sorted by the household.

Paper and Cardboard Packaging Material: refers to any material made mostly of Paper and Cardboard which will be used to manufacture a packaging item. If the Technical Notice only concerns the material, it will only be applicable to that material. However, it is worth noting that using the said material to produce a packaging item does not automatically make that packaging suitable for recycling.

Methodology for Assessing Recyclability: it helps determine whether a packaging item is suitable for recycling and assess its level of recyclability.

Brand Owner or Distributor: refers to manufacturers of products that generate household packaging waste, otherwise known as “Producers” under the Extended Producer Responsibility (ERP) scheme for household packaging.

Paper and Cardboard: refers to a material containing natural cellulose fibres and fillers. See Appendix 5 for a full description.

Party or Parties: refers to the Applicant and CEREC Members individually or collectively.

Service: refers to the issuance of a Technical Notice on the potential recyclability of a packaging item, element or material made of Paper/Cardboard.

Simplified Procedure: refers to the procedure established to deal with a known Packaging issue, or a Packaging issue that has already been analysed and published by CEREC. In that case, CEREC shall not conduct any specific test on the Packaging.

Comprehensive Procedure: in contrast to the Simplified Procedure, this term refers to the procedure implemented when there is a specific Packaging issue that cannot be addressed using the information available and/or already submitted to CEREC. In that case, additional tests can be requested by CEREC to provide the experts with enough elements to reach a conclusion on the recyclability of the packaging item submitted (hereinafter referred to as “Specific Tests”).

Packaging Manufacturer(s): refers to any manufacturer who offers packaging solutions to Packers, Brand Owners or Distributors to pack products that generate household packaging waste.

Confidential Information: refers to information of any type, including technical, industrial, financial, marketing, sales or any other information belonging to or held by the Applicant, other than general or publicly available information, which is disclosed to CEREC within the framework of the Agreement, or to which CEREC may have access visually, orally, in writing, via electronic means or via a tangible medium, such as products or packaging, during the performance of the Agreement, and particularly information required for examining the application and preparing the Technical Notices. To be deemed Confidential, tangible information must be marked “confidential”, and other information must be described as “confidential” on submission of the application file and on disclosure of the said information by the Applicant to CEREC.

CEREC thus undertakes to guarantee the confidentiality of the information in accordance with the provisions in Article 7 herein.

Specific Tests: refers to a recyclability test conducted on the Packaging or Packaging Material submitted by the Applicant. The test is carried out in a laboratory commissioned by CEREC.

ARTICLE 3 - OPERATING COMMITTEE

The Operating Committee is responsible for examining applications for Technical Notices submitted by the Applicant, to determine their acceptability and for classifying them by type of Technical Notice applied for if accepted.

The Operating Committee is comprised as follows:

For Citeo and Adelphe:

Florence Veille, in her capacity as Eco-design Engineer (e-mail: florence.veille@citeo.com)

Orianne Broussard, in her capacity as Flexible and Paper Packaging R&D Manager (e-mail: orienne.broussard@citeo.com)

For REVIPAC:

Stéphane Roussel, in his capacity as Administrative Director – Operations Coordinator (e-mail: sr@revipac.com or revipac@revipac.fr).

ARTICLE 4 – PROCEDURE FOR PREPARING A TECHNICAL NOTICE

Applicants shall send requests for Technical Notices to the relevant CEREC Member as described below:

- If the Applicant is a Packer or a Brand Owner and Distributor, they shall submit their Application to Citeo or Adelphe.
- If the Applicant is a Packaging Manufacturer, they shall submit their Application to REVIPAC.

As part of their Application, the Applicant shall provide CEREC with a File including the following elements:

- A completed technical data sheet per Packaging item: see Appendix 1.
- Samples to be sent as follows (addresses are provided in Appendix 2):

7 samples including:

- 5 samples whose total weight exceeds 600 g, or 600 g of packaging, sent to REVIPAC;
- 2 samples whose total weight exceeds 100 g, or 100 g of packaging, sent to Citeo;

Each sample shall be a labelled with:

- the name of the item to be assessed;
- the company name of the Applicant;
- the shipping date.

- One or more photos of the element to be assessed, attached to the technical data sheet.

The Applicant must ensure that the quality of the photos is good enough to be used for the Notice published on CEREC's website. Photos of the Packaging should be taken from different angles if necessary, especially if certain features are not openly visible (e.g. window, closure system, etc.).

- Optionally, any available recycling impact assessments, carried out either by the Applicant, raw materials suppliers or process owners.

The assessments will only be accepted if they have been carried out by recognised laboratories and the methodology used are very similar to that used by CEREC. CEREC will decide at its own discretion of the validity of the elements provided. Please note that CEREC can only accept tests carried out by laboratories recognised for their expertise at a European level.

It is clearly stipulated that any incomplete Application that has not been completed within six (6) weeks of its initial submission date shall be declared invalid, unless assessment has begun or a positive reply has been given by CEREC within or after this period.

The application for a Technical Notice for the Packaging shall be deemed as having never existed and the Agreement shall be automatically terminated.

CEREC shall issue its decision on the type of procedure (Simplified or Comprehensive) to follow within fifteen (15) days approximately of receiving the File fully completed by the Applicant.

The Applicant shall be notified of CEREC's decision by email sent to the address provided, if the Operating Committee deems it necessary.

CEREC will only issue a positive reply to the request if the Application falls within its scope of expertise.

The admissibility of the Application will be examined with the following criteria in mind:

- ✓ The Application should concern the analysis of a Paper and Cardboard household packaging item, or be relevant somewhat to the household packaging EPR scheme;
- ✓ The Applicant should be a "Producer", as defined under the EPR scheme for household packaging, or be a household packaging manufacturer;
- ✓ The information provided by the Applicant should be as exhaustive as possible;
- ✓ The Application should not raise any legal or regulatory obstruction or uncertainty for CEREC (e.g. uncertainty about the legal nature of the Packaging).

Where the Operating Committee examining the file deems it necessary to apply the Comprehensive Procedure that includes a laboratory test, Specific Tests can be commissioned for the Packaging should a specific issue be raised during the initial lab test, to further assess the Packaging.

The protocol for these Specific Tests is found in Appendix 6 herein.

When the Application is under examination, CEREC reserves the right to modify the initial procedure, by switching from the Simplified to the Comprehensive Procedure or vice versa. In that case, CEREC shall inform the Applicant of the decision.

CEREC shall call on specialised service providers to carry out any Specific Tests required in view of the information available to CEREC's Operating Committee.

Only CEREC will have access to the Specific Test reports, to be able to issue the Notice requested.

In light of the initial conclusions, and if these show that the particular Packaging under review creates difficulties in the recycling process, the Applicant has the option of changing the design of the Packaging to resolve any problems found, in accordance with the observations and comments made by the Operating Committee.

The Applicant may then submit a new Application for the modified Packaging to the Operating Committee, to obtain a new Technical Notice.

The deadlines for issuing Technical Notices are given in Appendix 3 herein. These deadlines are given purely for information and shall under no circumstances be binding on CEREC Members, nor shall they provide entitlement to claim damages.

CEREC will assess the recyclability of the Applicant's Packaging or Packaging Element based on the Methodology for Assessing the Recyclability of Household Packaging, and CEREC's expertise on the compatibility of Paper and Cardboard household packaging with the recycling process.

It is expressly stipulated that the Notices issued by CEREC shall only be valid for the Packaging as submitted to CEREC. Notices refer to the packaging's suitability for recycling only and do not mention whether packaging can be effectively collected nationwide or easily sorted. The Applicant shall therefore not be able to rely on the Notice alone to claim that it meets the requirements of Decree no. 2022-748 of 29 April 2022 concerning consumer information on the environmental qualities and characteristics of products generating waste.

ARTICLE 5 - FORMAT AND CONTENT OF THE TECHNICAL NOTICE

The Technical Notice shall not disclose confidential data and will only contain the technical data required to identify the Packaging concerned. Furthermore, it will only state whether the packaging is recyclable or not, nothing more.

It may also provide some general recommendations on improving the recyclability of the Packaging and providing relevant information to consumers.

Sample Notices are appended to these GTCA, in Appendix 4.

ARTICLE 6 – PUBLISHING RULES

As a rule, to encourage Packers, Brand Owners, Distributors and Packaging Manufacturers to anticipate the impact of household packaging from the design stage, the Notices issued by CEREC are published on CEREC's website (<https://www.cerrec-emballages.fr/>).

If the Packaging described in the Notice has not yet been placed on the market on France's national territory, the Notice shall only be published six (6) months after the Packaging has been placed on the market, unless otherwise stipulated by the Applicant.

It is expressly stipulated that a so-called “B2B” Notice will be issued to the Applicant but that only a simplified “B2C” Notice (which is less detailed and aimed at the general public) will be published on CEREC’s website.

Where the Notice issued is negative:

- if the Packaging or Packaging Element is already on the market, CEREC shall publish the Simplified Notice on its website;
- if the Packaging or Packaging Element is still under development, the Notice shall only be published six (6) months after the Packaging has been placed in the market, unless otherwise stipulated by the Applicant.

Raising an objection to the publication of a Notice:

If the Applicant objects to the publication of their Technical Notice on CEREC’s website, CEREC reserves the right to use the findings in the Technical Notice to draw up a General Notice. The General Notice shall not contain any information provided by the Applicant, to protect the privacy of the Applicant and the confidentiality of the data that is specific to the Packaging or Packaging Element concerned.

ARTICLE 7 – COMPENSATION AND COSTS

It is agreed between the Parties that CEREC shall receive no compensation for the Technical Notices it issues.

The cost of the Specific Tests carried out at the request of the CEREC Operating Committee and with the Applicant’s agreement, in accordance with Article 4 above, shall be paid by CITEO.

If the Applicant requires the Technical Notice in English, the translation costs shall be paid by Applicant; however, the French version shall prevail in matters of interpretation or dispute.

If the Applicant retracts their Application when assessment is in progress, CEREC reserves the right to invoice (via Citeo or REVIPAC) the File processing costs already incurred by CEREC, including any laboratory test costs.

ARTICLE 8 – CONFIDENTIALITY

The detailed report of the tests provided by the technical centre designated by CEREC Members may not be disclosed to the Applicant.

CEREC undertakes to maintain the confidentiality of Information designated as Confidential when disclosed by the Applicant, as well as the information in the File, and in particular:

- to refrain from disclosing, distributing, reproducing or publishing it or communicating it to third parties, either partially or wholly, directly or indirectly, in any form whatsoever;
- to provide access only to persons requiring such access for the purposes of issuing a Technical Notice, namely the members of the Steering Committee, the members of the Operating

Committee, the experts and advisers assisting CEREC, who will have signed a confidentiality agreement ahead of time;

and any specialised service providers who may be asked to carry out tests and who will have signed a confidentiality agreement ahead of time, with CEREC guaranteeing that these confidentiality agreements are upheld by the aforementioned persons who need to access Confidential Information for the purpose of issuing a Technical Notice;

- to use Confidential Information solely for the purposes of the Services provided, excluding any other direct or indirect use, except with the prior written agreement of the Applicant;
- to refrain from claiming and to prevent any other person from claiming any right whatsoever, inter alia an intellectual property right, based wholly or partially on Confidential Information, except with the prior written agreement of the Applicant.

However, the following shall not be deemed Confidential Information:

- information already within the public domain at the time it is communicated by the Applicant, or which subsequently enters the public domain without fault on the part of CEREC;
- information already held by CEREC at the time it is communicated to CEREC by the Applicant;
- information supplied legitimately to CEREC by a third party;
- information for which the Applicant has expressly agreed in writing that it may be disclosed by CEREC.

CEREC acknowledges that Confidential Information communicated to it is the exclusive property of the Applicant.

This obligation of confidentiality shall be observed:

1/ For an unlimited period, where information required for examining the application and included in the technical data sheet sent by the Applicant is concerned, except for:

- the Applicant's name,
- the Packaging reference covered by a Technical Notice, or the general composition of the aforementioned Packaging,

all of which may be disclosed by CEREC in accordance with the conditions set out below.

2/ Until publication of the Technical Notice, where the Applicant's name, the Packaging reference covered by a Technical Notice, and the general composition of the aforementioned packaging for the Technical Notices are concerned.

ARTICLE 9 – INTELLECTUAL PROPERTY

CEREC acknowledges that it has no licence rights or usage rights, either implicitly or explicitly, regarding Confidential Information, patents or any other industrial property title belonging to the Applicant.

ARTICLE 10 – TERMS OF USE FOR THE NOTICE AND THE RESPONSIBILITY OF THE APPLICANT

Under no circumstances may the Applicant refer to the Technical Notice issued by CEREC without reproducing the text of the Technical Notice in full or providing the address of CEREC's website, where the Technical Notice can be viewed.

The Technical Notice only covers the Packaging, Packaging Element or Paper and Cardboard Packaging Material submitted for assessment and may in no way apply to any Packaging, Packaging Element or Paper and Cardboard Packaging Material modified at a later date, or any packaging that may have come into contact with products that are prohibited in the recycling stream, such as hazardous substances.

Furthermore, it is strictly prohibited for Applicants to mention the Technical Notice or Citeo and REVIPAC by name when communicating about the Services provided, except with the prior written agreement of Citeo and/or REVIPAC. In that case, the Applicant shall forward the communication project (inserts, social media posts, publication on a website, article, etc.) to Citeo and/or REVIPAC, depending on the planned publication.

ARTICLE 11 – EFFECTIVE DATE AND TERM OF THE CONTRACT

The Agreement shall come into effect on the date CEREC gives a positive reply to the Applicant's request for a Technical Notice.

It shall remain in effect until the final Technical Notice is delivered, notwithstanding Articles 8 and 10 herein, which have their own term.

ARTICLE 12 – TERM OF VALIDITY OF THE NOTICE

If the packaging recyclability assessment criteria or the methodology are modified during the course of the assessment undertaken by CEREC, the GTCA acceptance date holds for the criteria applicable at the time of acceptance.

CEREC shall not examine the File based on new criteria or a new Methodology for Assessing Recyclability without seeking prior agreement from the Applicant, in the knowledge that the File will be closed if no agreement is reached.

Such a revision may lead to the revision of the Notices, to ensure the latter are compatible with the new assessment benchmarks or a modification of the guaranteed standards. In the event of incompatibility, the previous Notices shall become null and void and be automatically removed from CEREC's website. The Applicant may submit a new Application following the publication of the new criteria or new Methodology for Assessing Recyclability.

The Notices issued previously will not necessarily give rise to new Notices.

ARTICLE 13 - FORCE MAJEURE

No failure or omission by one or other of the Parties in the execution of its obligations in respect of the Agreement shall be deemed to constitute a breach of its obligations if such failure or omission is the result of force majeure.

Force majeure is understood to mean any unforeseen external and unstoppable event for the Party that is subjected to this event, including, but not limited to, social unrest, war, uprisings, embargoes, government or military interventions and any restrictions arising from legislation or regulations.

Any interruption in the execution of its obligations in respect of the Agreement resulting from force majeure should be limited to the effective duration of the obstruction in question, without this compromising the performance of the contractual obligation.

However, in the event that the incidence of force majeure continues for more than sixty (60) working days, the Party that is not victim to this event may terminate the Agreement without notice or compensation, via registered letter with recorded delivery.

ARTICLE 14 – CEREC MEMBERS' RESPONSIBILITY

Within the framework of the performance the Agreement, CEREC Members are only obliged to exercise due care.

Accordingly, CEREC Members may only be asked to take reasonable measures to provide the Service.

CEREC Members may not be held responsible under any circumstances in the event the Applicant is in breach of any of the provisions of this Agreement.

In any event, the Applicant may not hold the CEREC Members liable for direct or indirect losses or damages of any type whatsoever (including but not limited to financial loss, loss of contracts or business, loss of equipment or documents, or any other form of loss whatsoever), arising from any fault or error in the provision of the Service.

More generally, the Applicant waives the right to any legal action against CEREC, except in the event of gross negligence or malicious intent to cause harm on the part of CEREC.

It should be noted that the purpose of CEREC's assessment is to issue a Technical Notice on the recyclability of a Packaging or Packaging Element in light of the regulatory and organisational context of the household packaging EPR scheme and the potential recyclability of a given material.

CEREC shall provide the Services based on the information provided by the Applicant, the latest developments, best practices and the general scientific and technical knowledge available on the date the Service is provided, as well as the regulatory and organisational context, including EPR standards specifically.

The Service provided does not constitute the delivery of a certification, patent or label.

Consequently, CEREC does not guarantee the absolute and complete applicability (especially on industrial and technical scales) of the eco-design conclusions and recommendations contained in its Notice.

The Applicant remains fully liable for any use it makes of the Notice, and any use made shall comply with the conditions set out in the Agreement (Article 10 herein).

ARTICLE 15 - COMMUNICATION BETWEEN THE PARTIES

The Applicant shall communicate with the COTREP contact named in Article 3 herein.

Unless otherwise stipulated, any communication between the Parties, including notifications, shall take place in order of priority:

1. via the email addresses of the members of the Operating Committee, provided in Article 3 herein, and via the email address of the Applicant named in the Application;
2. or via letter, using the following postal addresses:
 - the head office addresses of CEREC Members, provided in Appendix 2 herein;
 - the address of the Applicant named in the Application.

All deadlines start on the day of receipt of the Application.

ARTICLE 16 – INDEPENDENCE OF THE PARTIES

The relationship between the Parties in respect of the Agreement is one of independent contractors. No Party may act in the name or on behalf of the other, unless expressly authorised to do so by the latter.

Each Party shall bear all costs and expenses relating to its activity or to the fulfilment of its obligations in respect of the Agreement and within the framework of the framework agreement entered into with Citeo. Neither Party shall be liable for the debts or obligations of the other.

ARTICLE 17 – ENTIRETY OF THE AGREEMENT

The Appendices form an integral part of the Agreement.

The Agreement and the aforementioned documents shall prevail over any oral or written communication relating to the purpose of the Agreement that may have taken place before the date of effect of the Agreement.

ARTICLE 18 – APPLICABLE LAW AND JURISDICTION

The Agreement is governed exclusively by French law.

Any dispute between the Parties relating to the existence, validity, interpretation or execution of the Agreement (or of any of its stipulations) that the Parties are unable to resolve amicably within one (1) month following receipt of a written request from the first of the Parties to take action shall be brought before the competent courts of Paris.

ARTICLE 19 – GENERAL PROVISIONS

Any change to the Agreement must be made by a written amendment signed by all the Parties.

All clauses in the Agreement are separate and severable from each other. If a condition or clause of the Agreement becomes invalid, unlawful or unenforceable, for any reason whatsoever, this invalidity, unlawfulness or unenforceability shall not affect the other clauses of the Agreement, and the Agreement shall be interpreted as though the condition or clause had never formed part of the Agreement, unless such invalidity, unlawfulness or unenforceability affects the essence of the Agreement or profoundly alters the intent thereof.

Within the limits of the legal provisions, an agreement reflecting the original intention of the Parties shall, wherever possible, be substituted for clauses that become invalid, unlawful or unenforceable.

Failure by one or other of the Parties to enforce the perfect execution by the other Party of any of its obligations shall not in any way affect the right to demand this execution at a later date, and may not

therefore be deemed to be a renunciation of rights accruing from the aforementioned obligations, or to constitute any acquired right whatsoever. In order to be valid, any renunciation of any provision whatsoever in the Agreement should be made in writing and signed by all the Parties.

Neither Party may assign, transfer, pledge as security or dispose of in any other way its rights and obligations accruing from the Agreement, wholly or partially, without the prior written agreement of the other Party.

Signed electronically.

On behalf of Citeo

Jean Hornain
Managing Director

JEAN HORNAIN

07-oct.-24 | 08:03 CEST

On behalf of REVIPAC

Jan Le Moux
Managing Director

Jan Le Moux

27-sept.-24 | 09:19 CEST

CEREC's General Terms and Conditions of Assessment

Done at:

On

Applicant: (*Company name*)

Name and position of the authorised representative:

APPENDICES

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APPENDIX 1 – TECHNICAL DATA SHEET

		Document modifié par : _____ le : _____	
Fiche TECHNIQUE pour Dossier Complet selon CGI			
DOCUMENT CONFIDENTIEL - LIMITE A LA STRICTE UTILISATION DU CEREK OU DE SES PRESTATAIRES POUR RENDRE L'AVIS			
légende	Informations obligatoires	calculs automatiques - ne pas modifier	
Société :			
Nom de l'Emballage / Marque Commerciale :		PHOTO A INSERER	
Date prévue de mise sur le marché :			
Marché visé (catégorie de produits) :			
Estimation Volume annuel (unités d'emballage)			
Forme :			
Contenance (kg, g, L, mL) :			
Poids de l'emballage vide (g) :			
Taux de liquide résiduel :			
Composition de l'emballage : élément principal et éléments associés* (étiquette, bouchon, opercule...)			
<small>*Les éléments associés sont les éléments d'emballage liés à l'élément principal qui ne sont pas systématiquement séparés de l'élément principal lors de la consommation du produit et/ou au moment du tir par le consommateur.</small>			
=> indiquer le poids pour un emballage complet en grammes			
Papier-Carton	g	#DIV/0!	%
Plastique	g	#DIV/0!	%
Aluminium	g	#DIV/0!	%
Autres (adhésifs,...)	g	#DIV/0!	%
TOTAL	0.00g	g	%
Commentaires			
Si Etudes de recyclabilité déjà menées,			
Organisme ou laboratoire ayant réalisé l'étude : _____			
Personnes à contacter : _____			
Corps de l'emballage (élément principal : bouteille, barquette, sachet, etui, ...)			
Poids des éléments constitutifs	Papier-Carton	0.00g	g
	Plastique	g	#DIV/0!
	Aluminium	g	#DIV/0!
	Autres	g	#DIV/0!
	Total	0.00g	g
Détail de la composition EXT // (exemple : PE 12 µm / ALU 3 µm / PAPIER en g.m ⁻² ...) // INTERIEUR			
POUR LE PAPIER CARTON			
Monomatériau <input type="checkbox"/> OUI			
- présence de fibres synthétiques ou fibres naturelles spécifiques dans la masse ? <input type="checkbox"/> OUI Si Oui, précisez le type de fibres et % en masse _____ %			
- taux de charges minérales dans la masse du papier carton ? _____ %			
- Autre traitement dans la masse ? <input type="checkbox"/> OUI description _____			
Multimatériaux <input type="checkbox"/> OUI			
Avec éléments d'emballages séparables ? <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Traitement de surface ? <input type="checkbox"/> OUI description _____			
Le papier-carton a-t-il reçu un traitement pour résister à l'humidité (REH) ? <input type="checkbox"/> OUI <input type="checkbox"/> NON			
ex : résines de type PAE - Si oui : _____ Traitement de masse : <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Traitement de surface : <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Le papier-carton a-t-il reçu un traitement hydrophobe ? (ex : AKD) <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Quel est le type de couchage / enduction / ... ? _____			
Dans le cas d'un emballage complexe, le papier-carton est-il enserré entre d'autres matériaux <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Citer un ou plusieurs fournisseur(s) de l'emballage <input type="checkbox"/> OUI <input type="checkbox"/> NON			
L'emballage nécessite-t-il l'utilisation d'adhésifs ou d'agrafes <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Commentaires :			
Système de fermeture (bouchon, opercule, bande,...)			
Type de système de fermeture _____ (bouchon, opercule, zip, bande adhésive,...)			
Poids du système de fermeture _____ grammes			
Nombre de pièces / éléments ? _____ matériau ? _____			
description : _____ si multi-composants, merci de détailler le poids de chaque élément			
Le système de fermeture reste-t-il attaché après utilisation ? <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Citer un ou plusieurs fournisseur(s) : _____			
Etiquette			
Présence d'une étiquette : <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Etiquette papier ? composition _____ poids (g) _____			
- préciser si traitement REH de l'étiquette ou présence de fibres synthétiques REH, fibres ? <input type="checkbox"/> Traitement REH _____ type de fibres _____			
Etiquette plastique ? poids (g) _____ quelle résine ? _____			
Film, sleeve, manchon ? poids (g) _____ quel matériau ? _____			
Citer un ou plusieurs fournisseur(s) : _____			
Description du composant : _____			
Autre composant 1 (exemple : élément associé additionnel, caille, cuillère,...)			
Description du composant : _____			
Le composant 1 reste-t-il attaché après utilisation ? <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Poids des éléments constitutifs (grammes)			
	Papier-Carton	g	g
	Plastique	g	g
	Aluminium	g	g
	Autres	g	g
	Total	0.00g	g
Citer un ou plusieurs fournisseur(s) : _____			
Commentaires :			
Autre composant 2 (exemple : film, étiquette, cale, cuillère,...)			
Description du composant : _____			
Le composant 2 reste-t-il attaché après utilisation ? <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Poids des éléments constitutifs			
	Papier-Carton	g	g
	Plastique	g	g
	Aluminium	g	g
	Autres	g	g
	Total	0.00g	g
Citer un ou plusieurs fournisseur(s) : _____			
Commentaires :			
Encres et vernis			
Apposées sur quel matériau / élément d'emballage : _____			
Type d'impression _____ offset/hélio/flexo/numérique			
Type d'encre _____ acrylique/ UV/ ... Encre à base d'huiles minérales ? <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Type de vernis _____ acrylique/ UV/ ... Malus CITEO si encres > 1% MOSH- MOA			
Autres ? _____			
Commentaires :			
Colle / adhésif			
Poids de la colle/adhésif : _____ grammes % de colle par rapport au poids du corps de l'emballage : #DIV/0!			
Zone de collage (points/ligne/surface) _____			
Nature de la colle (hotmelt...) : _____ adhésif contenant des d'huiles minérales ? <input type="checkbox"/> OUI <input type="checkbox"/> NON			
Citer un ou plusieurs fournisseur(s) : _____			
Commentaires :			
Evolution, modification envisagée de l'emballage			
Autres commentaires :			

APPENDIX 2 – CONTACT DETAILS FOR SUBMITTING ALL THE ELEMENTS OF THE FILE

BY EMAIL:

- Technical Data Sheet (see Appendix 1)
- Photos of the Packaging submitted: the quality should be good enough to be used for the Notice published on CEREC's website, and the Packaging should be photographed from different angles if necessary, to show any hidden features (e.g. window, closure system, etc.).
- Any other available recyclability or recycling suitability test reports issued by laboratories, which CEREC could take into account.

For packaging manufacturers: Send your application to REVIPAC:

To Stéphane Roussel, in his capacity as Administrative Director – Operations Coordinator
revipac@revipac.fr

For brand owners or distributors: Send your application to CITEO and ADELPHE:

To Florence Veille, in her capacity as Eco-design Engineer (e-mail: florence.veille@citeo.com)

BY POST:

Samples

Prepare 7 samples of the Packaging to be submitted to CEREC, including:

- 5 samples whose total weight exceeds 600 g, or 600 g of packaging, sent to **REVIPAC**;
- 2 samples whose total weight exceeds 100 g, or 100 g of packaging, sent to **Citeo**.

Each sample shall be a labelled with:

- the name of the item to be assessed;
- the company name of the Applicant;
- the shipping date.

REVIPAC

ATTN: Stéphane Roussel

23/25 rue d'Aumale, 75009 Paris, France

CITEO

ATTN: Florence Veille

Eco-design Department

50 boulevard Haussmann, 75009 Paris,
France

The samples will not be returned to the Applicant at the end of the assessment. CEREC reserves the right to keep a sample.

APPENDIX 3 – APPLICATION FLOWCHART

Procédure de demande d'AVIS CEREC

Demande via « CONTACT » sur le Site CEREC

- ⇒ Vous êtes **metteur sur le marché**
d'un produit destiné au consommateur : contact **CITEO**
- ⇒ Vous êtes **fabricant d'emballage**,
vente d'un produit à destination d'un metteur sur le marché : contact **REVIPAC**

Dossier complet transmis au CEREC :

- CGI signées
- Fiches Techniques complétées avec photos
- Échantillons prêts



Le CEREC vous confirme la prise en compte de la demande sur la base des éléments fournis, sous un délai de 15 jours environ. Vous avez 6 semaines pour fournir les documents manquants afin de pouvoir statuer sur le type de procédure à lancer (Avis Technique Simplifié ou non).



Échantillons à envoyer (adresses et quantités indiquées dans les CGI)
+ infos complémentaires éventuelles

CAS 1	CAS 2	CAS 3
DEMANDE NON ADAPTÉE AU CEREC Réponse simple du CEREC au cas par cas. Exemple : L'emballage à évaluer n'est pas un emballage ménager en papier-carton. Délai indicatif : 15 jours	PROCÉDURE SIMPLIFIÉE Évaluation du dossier sur la base de l'expertise du CEREC et des Avis antérieurs. ⇒ Remise d'un Avis Technique Simplifié (ATS) ⇒ Publication sur le site* Délai indicatif : 2 mois	PROCÉDURE COMPLÈTE Envoi d'échantillons au laboratoire mandaté par le CEREC pour test laboratoire complémentaire. ⇒ Remise d'un Avis Technique (AT) ⇒ Publication sur le site* Délai indicatif : 3 mois

Certains cas spécifiques peuvent nécessiter une expertise juridique ou technique complémentaire qui entraînent des délais de traitements plus long, et pour lesquels le CEREC ne peut s'engager sur un délai de traitement. Dans tous les cas, le CEREC ne s'engage pas sur un délai ferme, ceux-ci étant donné à titre purement indicatif.

*sauf cas particulier à valider lors de la signature des CGI.

APPENDIX 4 – SAMPLE TECHNICAL NOTICES

- Sample “B2B” Notice delivered exclusively to the Applicant



☐ Laminated paper/cardboard standard

☐ Non-laminated paper or cardboard standard

PHOTO of the packaging

CEREC Technical Notice

Recyclability of

GENERAL INFORMATION	
Applicant	
Application date	
Name of Packaging	
Market	
Type of packaged product	
DESCRIPTION OF PACKAGING	
Form	Tube / Film / Dispenser bottle / Bottle / Pot...;
Capacity	
Tare weight	
COMPONENTS	
Packaging body	
Closure system	
Type of ink/varnish	-
Type of glue	
SUPPORTING NOTICES IF APPLYING THE SIMPLIFIED PROCEDURE	
Technical Notices nos. ...	

COMPOSITION OF THE ELEMENT	X	Y	Z	Whole packaging
% Paper/cardboard				
% Plastics				
% Aluminium				
% Steel				
% Other				
WS treatment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REQUIREMENTS

- The packaging contains more than 50% paper and cardboard (in weight). It therefore comes under the "Paper and cardboard" stream.
- In accordance with the general notice on the impact of packaging having contained food on paper and cardboard recycling (AG no. 2), in order to be included in the "Paper and cardboard" stream this packaging must be free from food waste.
- This notice concerns recyclability in terms of the final recycling process only. It does not take the sorting stage into account.

ASSESSMENT OF THE OF PAPER AND CARDBOARD PACKAGING'S RECYCLING YIELD

- ☐ Low: $\geq 50\%$ and $< 65\%$
- ☐ Medium: $\geq 65\%$ and $< 85\%$
- ☐ High: $\geq 85\%$

CONCLUSIONS OF CEREC

In view of the supporting technical notices referred to above, the packaging will easily disintegrate during the pulping stage.

In this context, CEREC has issued a favourable opinion regarding its recyclability in relation to the standard. *Type to be entered.*

This technical notice only applies to the packaging as submitted to CEREC.

RECOMMENDATIONS OF CEREC

ECO-DESIGN: SUGGESTIONS FOR IMPROVING THE PACKAGING

Beyond the recyclability of the packaging within the reprocessing conditions in place, some aspects could be improved and others clarified, notably:

ADDITIONAL RECOMMENDATIONS

If ever the packaging undergoes additional changes, CEREC recommends the following:

- etc.

APPROVAL



Orianne BROUSSARD



Christian PICARD

- Sample “B2C” Notice which is to be published online on CEREC’s website once the Applicant has received their version of the Notice



☐ Laminated paper/cardboard standard

☐ Non-laminated paper or cardboard standard

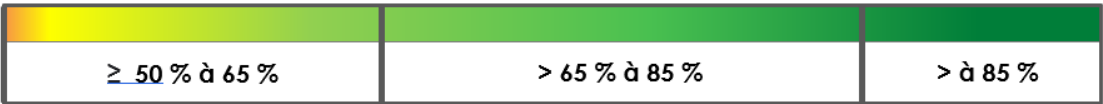
PHOTO of the packaging

CEREC Technical Notice

Recyclability of

GENERAL INFORMATION	
Applicant	
Application date	
Name of Packaging	
Market	
Type of packaged product	
DESCRIPTION OF PACKAGING	
Form	Tube / Film / Dispenser bottle / Bottle / Pot...;
Closure system or other element	
Capacity	
Tare weight	
SUPPORTING NOTICES IF APPLYING THE SIMPLIFIED PROCEDURE	
Technical Notices nos. ...	

Paper and cardboard material yield



REQUIREMENTS

- The packaging contains more than 50% paper and cardboard (in weight). It therefore comes under the “Paper and cardboard” stream.
- In accordance with the general notice on the impact of packaging having contained food on paper and cardboard recycling (AG no. 2), in order to be

included in the "Paper and cardboard" stream this packaging must be free from food waste.

- This notice concerns recyclability in terms of the final recycling process only. It does not take the sorting stage into account.

CONCLUSIONS OF CEREC

In view of the supporting technical notices referred to above, the packaging will easily disintegrate during the pulping stage.

In this context, CEREC has issued a favourable opinion regarding its recyclability in relation to the standard. *Type to be entered.*

This technical notice only applies to the packaging as submitted to CEREC.

RECOMMENDATIONS OF CEREC

ECO-DESIGN: SUGGESTIONS FOR IMPROVING THE PACKAGING

Beyond the recyclability of the packaging within the reprocessing conditions in place, some aspects could be improved and others clarified, notably:

- etc.

ADDITIONAL RECOMMENDATIONS

If ever the packaging undergoes additional changes, CEREC recommends the following:

- etc.

APPROVAL



Orianne BROUSSARD



Christian PICARD

APPENDIX 5 – RECYCLABILITY DECISION-MAKING PROCESS AND RECYCLABILITY CRITERIA FOR THE PAPER AND CARDBOARD STREAM.

Methodology

Several assessment stages are required to be able to draw conclusions on the recyclability of a Paper and Cardboard packaging item.

The collection and sorting stages are NOT taken into account.

1- CHECK THE CHARACTERISTICS OF THE ELEMENT TO BE ASSESSED

Recyclability is assessed with respect to the Paper and Cardboard packaging “as sorted by consumers”, which consists of **all household packaging elements potentially remaining attached during sorting** after the product has been consumed.

2- IDENTIFY TO WHICH FAMILY OF MATERIALS THE HOUSEHOLD PACKAGING TO BE ASSESSED BELONGS

A packaging item belongs to the Paper and Cardboard (PC) family if the proportion of PC* in the element under assessment {main element + associated elements} is greater than 50% of the weight of said packaging.

****Reminder of the definition of paper/cardboard as a material:***

A material which contains natural cellulose fibres, fillers and possibly other fibres, including synthetic ones, as long as:

- the proportion of natural cellulose fibres is equal to or greater than 50% of the overall weight of the material concerned.
- the other fibres behave similarly to the natural cellulose fibres during the recycling process.

If they fail to do so, such fibres will not be considered as part of Paper/Cardboard as a material, and the mass of material to be taken into account to calculate the proportion of such fibres in the packaging being assessed, to class it in the Packaging and Cardboard packaging family, will be the combined mass of the natural fibres and the fillers it contains.¹

¹ *Fillers added to the surface of the material are not counted as part of the material. By default, we can consider that mineral fillers will be processed and recycled with the natural fibres. They will be added to the numerator when calculating the recyclability rate, unless the fillers are recognised as being part of the rejected materials.*

3- CHECK WHETHER AN INDUSTRIAL RECYCLING STREAM IS AVAILABLE

Recycling streams for household packaging are available for Paper and Cardboard packaging, given that the sector has guaranteed that sorted packaging meeting packaging standards will be bought up and recycled.

4- CONFIRM THE COMPATIBILITY OF THE PACKAGING WITH THE STREAM AND ASSESS ITS RECYCLABILITY

CEREC has drawn up a table to identify the extent to which Paper and Cardboard elements may disrupt the recycling process. It can be consulted on CEREC's website (<https://www.cerrec-emballages.fr/>)

If packaging has a Paper/Cardboard content near the 50% mark, a recyclability test should be carried out according to the methodology applied by CEREC, to check that **the rejected material rate is lower than 50% during packaging recycling, thereby ensuring the packaging will be considered as recyclable by CEREC.**

5 - RECYCLABILITY ASSESSMENT AND RECOMMENDATIONS ON HOW TO IMPROVE RECYCLABILITY

CEREC assesses the recyclability of the submitted Packaging or Packaging Element, based on its wealth of experience, its methodology and any additional tests it carries out.

CEREC's final decision on the possibility of obtaining a marketable material under normal/standard recycling conditions is taken by the experts, who use the recyclability test, their practical experience and previous assessments to help them.

APPENDIX 6 – TEST PROCEDURE

The reports produced by the laboratories commissioned by Citeo belong to CEREC and are only disclosed to the experts to provide them with information in addition to that provided by the Applicant, helping them issue the required Notice.

CEREC's final decision on the possibility of obtaining a marketable material under normal/standard recycling conditions is taken by the experts, who use the recyclability test, their practical experience and previous assessments to help them.

As a result, a test protocol has been drawn up with specialised laboratories to simulate French industrial recycling conditions, including the steps described below:

1. Sizing the element to be tested

According to the sizing scale of the test pulper, (and ensuring the density is representative of the densities at industrial facilities).

2. Pulping or wet disintegration (standard ISO 5263-1*): three sequences of 15 minutes at 40°C in neutral conditions (no chemical agents added), i.e. 45 minutes overall, which simulates an industrial pulping time of 8-10 minutes.

The pulping operation involves separating the cellulose fibres and is a first step towards removing other materials.

*Exemption: a temperature of 40°C is used to simulate the temperatures in industrial recycling processes

Visual examination

After 15 minutes of disintegration, the disintegrated raw material (called pulp or fibrous suspension) is visually inspected to check two things:

- The breakdown of fibres into individual strands which indicates effective defibration and a long enough pulping time.

If the level of disintegration is too low, the pulping time can be extended by 15 or 30 minutes at most. If disintegration has not taken place within 45 minutes, the product will be considered non-recyclable by the papermaking sector.

- The colour of the pulping water to check whether packaging has bled (dye, ink and/or colouring)

3. Screening and elimination of unwanted non-fibrous materials (standard TAPPI-ANSI T275 sp-18)

The pulp produced by the disintegration of the sample to be tested is retrieved and passed through three Somerville-type laboratory screening devices one after the other. The first has a screen with 5 mm holes, the second a screen with 15/100 mm slots and the third a control screen with 10/100 mm slots (to check the removal efficiency at 15/100 mm). The accepted pulp passes through the screen slots, whereas the unwanted elements remain on the screen.

Once the pulp has been screened, the rejected material rates are calculated for each stage.

4. Hydrocycloning – if necessary

On exiting the screening stage, some metallic particles, glues and so on may still be present in the pulp. A centrifugal purification stage for removing heavy particles (found in virtually all packaging recycling chains) should eliminate any remaining particles.

The purification stage takes place at industrial facilities with low rejection volume rates to keep fibre loss to a minimum. In fact, although hydrocyclones can be effective, they are rarely selective: rejected materials include unwanted particles, but also cellulose fibres.

5. Handsheet formed after the pulping (if successful) and screening stages for quality purposes

After the pulping stages (if successful), the 10/100 mm screening stage (pulp accepted) and the centrifugal purification stage (if included), laboratory sheets (also called handsheets) are produced using the Rapid-Köthen method. The handsheets are inspected to check the aspect of the recycled material. [Standard ISO 5269-2: 2004 Pulp – Preparation of laboratory sheets]