



## HEADLINE - PADS: THREATENING OUR HEALTH?

This Tuesday, April 25, 2017, the report "Pad, our intimate enemy" was broadcast on France 5 and raised a problem: are the pads really dangerous for health? Pads may cause a toxic shock in some women, which can manifest in different forms, such as fever, or vomiting. The effects of toxic shock can be severe: hair loss, heart problems, even leg amputation (as in the case of a young American). Beyond possible toxic shocks, pads would be made up of toxic chemicals, including the presence of endocrine disruptors. These harmful products can accumulate in the body as time progresses. Despite this, however, the European Commission responded negatively to the request for transparency and labeling on the composition of hygiene products on 29 February 2016. No study on the components is made. Manufacturers are not obliged to indicate the complete composition of the product in Europe. The only solution according to MEP Michèle Rivasi would be to boycott the pads so that their full composition is indicated, as in the United States.



## ENERGY - THE DECISION ON THE APPLICATION OF ELECTRICITY SELF-CONSUMPTION

This decree (n° 2017-676) is in line with the ordinance of July 27, 2016 (n° 2016-1019) on the self-consumption of electricity, ratified by the law of February 24, 2017 (n° 2017-227). It was published in the Official Gazette on 30 April 2017 and amends certain articles of the Energy Code. Unlike individual self-consumption, which allows an individual to produce and consume his own electricity, collective self-consumption allows for local sharing, that is, to supply several consumers. The decree has three main purposes. It gives the principles of distribution of the volume of electricity produced between the different participants in the operation of collective self-consumption. This distribution of electricity is made using a distribution coefficient and as a function of the total quantity that has been produced by all the installations participating in this energy operation. The decree specifies the contractual relationships between the electricity distribution system operators and the legal entities responsible for collective self-consumption operations. It also sets at 3kW the maximum installed capacity of installations that can inject their surplus electricity into the network. In spite of all these details, the legal framework of collective self-consumption is not completely completed; some texts applicable to its regime are still awaited.



## WILDLIFE - WWF RELEASES "NOT FOR SALE" REPORT ON TRAFFICKING OF WILD SPECIES

WWF's "not for sale" report of 18 April 2017 makes an edifying observation: "Nearly 30% of World Heritage sites are threatened by poaching, logging and illegal fishing". Several points emerge from this report: Initially, some rare wildlife species are present only on classified sites: they no longer have other habitats. Poaching on classified sites would imminently lead to their disappearance. Moreover, the illegal trade in rare species is detrimental to the local economy. According to the report, *more than 90% of these sites provide work through tourism, and this depends on the presence on the sites of CITES-listed species (Convention on International Trade in Endangered Species of Wild Fauna and Flora). 'extinction!'* For example, the illegal trade in rare wild species is a real threat to local communities and to the preservation of biodiversity. The illegal trade must absolutely be controlled. According to WWF International's Director General, Marco Lambertini, there is a need for better collaboration between the governance bodies of CITES, the World Heritage Convention and the authorities. Several ways to implement this collaboration are proposed by the "not for sale" report as the full implementation of CITES, and the optimal protection of all its sites.



## LEGISLATION - THE REFORM OF ENVIRONMENTAL DEMOCRACY

Environmental participation has constitutional value. This principle is enshrined in Article 7 of the Environment Charter. Following the death of a protester at the Sivens dam project in 2014, a reform of the environmental dialogue is underway. Decree No. 2017-626, published in the Official Gazette on 27 April 2017, applies the Ordinance of 3 August 2016 (No. 2016-1060) on environmental dialogue. This text was first submitted for public consultation. It lists national plans and programs falling within the scope of the National Commission of Public Debate (CNDP) as the national waste plan. It provides that any new plan or program instituted after 1 January 2017 falls within the competence of the CNDP when it is applied in at least three French regions. The public notice has the obligation to list the municipalities that would be potentially affected by the project. The modalities of the prior consultation procedure for projects, plans and programs subject to environmental assessment but located outside the CNDP are also defined. Finally, the decree specifies the modalities of the right of initiative and which projects, plans and programs are subject to a declaration of intent.



## JURISPRUDENCE

### CE, 31 March 2017, ecological harm and waste

By a decision of 31 March 2017, the Conseil d'Etat ruled that the urgency of suspending a prefectural order refusing registration of an inert waste storage facility was demonstrated, in particular with regard to the risk of ecological harm. In this case, a company was requesting the registration of an inert waste storage facility on the site of a former quarry. The Prefect objected, and pronounced at the same time, the definitive stop of this operation with restoration of the site. The Administrative Court hearing the application for interim relief suspended against the order of the Prefect, rejected his request. The company appealed to the Conseil d'Etat, which censured the decision of the first judge. In the first place, the Conseil d'Etat takes account of the "financial impact" and the "employment consequences" of the decision whose suspension is requested. Secondly, the Conseil d'Etat takes account of "the public interest linked to the inadequacy in the region concerned of inert waste storage sites".

### Prohibition of certain plants harmful to human health

A decree of 26 April 2017, adopted in accordance with Article L. 1338-1 of the Public Health Code, establishes a list of plant species whose proliferation is harmful to human health: ragweed with mug wort leaves, with smooth spikes and trifid ambrosia. Indeed, the pollen of these plants causes severe allergic symptoms and can cause the onset or worsening of asthma.

The Decree sets out measures that can be taken at the local and national levels to prevent their occurrence, such as the surveillance of these species and public information, or to combat their proliferation, Ambrosia or the management of spaces designed to greatly limit their capacity for installation. It also states that non-compliance with the measures prescribed by the order made pursuant to Article L. 1338-2 of the Public Health Code constitutes an offense punishable by the fine provided for contraventions of the fourth class.

Pursuant to Article 57 of the Law of 26 January 2016 on the modernization of our healthcare system, the Decree supplements the Public Health Code with a chapter "Combating plant and animal species harmful to human health" and as well in the Code of Criminal Procedure.



## WASTE - WASTE MANAGEMENT PERSPECTIVE RESIDUAL HOUSEHOLDERS

On April 13th, ADEME, through a press release, delivered its analysis on the future of residual household waste in France. These are garbage which can not be sorted and which are thus oriented in landfills or incinerators, with all the environmental problems that result (air pollution in particular). Thus, ADEME estimates that the volume of this waste per inhabitant is expected to decrease significantly by 2025 (17.7 Mt in 2013 - 14.7 Mt in 2025), since the Energy Transition Law includes a reduction of 10 million Tons of household waste and landfills in 2025. At the time of the regional waste prevention and management plans, these perspectives constitute an important information and testify to the ambition to achieve the objectives of change in household behaviors as well as circular economy. Echoing the moratorium on the freeze on the construction of incinerators carried out by the European Commission last January, ADEME does not advise increasing the storage and treatment capacity of residual household waste. It thus encourages the promotion of the recovery of this waste. Keep in mind, however, that waste reduction at source is the priority. Then come the opportunities for re-use, recycling and lastly valorisation.



## WASTE - CLEAN CITY OPERATION IN CAIRO

Cairo residents will be able to return their waste to recycling kiosks managed by NGOs. The city aims to reduce the quantity and proliferation of waste in the public space. The inauguration took place on 11 March 2017.

In order to induce the inhabitants of the city to deposit their household waste, the recovery will be made for remuneration. Thanks to this method of remuneration, the government wants to make the inhabitants responsible. Residents can sell their household scraps, such as plastic, metal, glass or paper with prices that are set per kilo. The success is important and the city wants to open other kiosks soon. The government considers that buying waste for recycling is an ambitious project, which will help to aerate the public space and contribute to the beautification of this historic city. And already the generalization of the project at the national level is not excluded.

The merits of sorting are manifold, apart from job creation, Egypt will embark on the development of a green economy, which will have a direct growth on the country's economy.



## BIODIVERSITY - PLASTIC EATING TRACKS

A beekeeper was the first to create an astonishing discovery concerning the false wax moth. Indeed, if this caterpillar feeds exclusively on the beeswax bees and constitutes a scourge for the profession, the larva, with the aid of an enzyme, is also capable of eating the polyethylene present in the plastic waste. Largely pollutes nature. However, this new discovery of an optimistic nature raises several legal issues. First of all, with regard to the patentability of living organisms. If it is interesting to learn more about the enzyme behind this advance, even to seek to isolate it, some effects would be deplorable if the species was instrumentalized for the purpose of cleaning the nature of plastic waste. Indeed, if artificially spread in all natural environments, the species could create ecological imbalances as an invasive and non-endemic species. In addition, the cardinal principle of waste law is that of reduction at source and not disposal, which is the last step in the chain. Although this biological discovery is praiseworthy, it should not be considered as a blank to the uncontrolled production of plastic waste.