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**French court identifies unjustified restriction of trade with French BPA ban –  
A first step towards a removal of the law**

Today, the highest constitutional authority in France, the French Constitutional Council, stated that the French law of 24 December 2012 suspending the use of Bisphenol A (BPA) unjustifiably restricts trade.

The Council ruled that it was unconstitutional that France banned the manufacture and export of BPA-based food contact materials out of France. Consequently, the part of the current law concerning production and export of these products has been abrogated with immediate effect.

At the same time, whilst stating that it did not have the competence to assess the scientific merits of the law itself, the Council ruled that the remainder of the law was not unconstitutional.

French companies are thus allowed to produce BPA-based materials for export, but inside France the existing restriction on BPA-based food contact materials remains valid.

*“Given that the French court has repealed the ban on exports from France, and yet maintained the ban within France, necessitates immediate action at European level to resolve this very arbitrary situation,”* says Jasmin Bird from the PC/BPA-group of PlasticsEurope. *“The fact remains that leading independent scientific authorities worldwide such as the European Food Safety Authority (EFSA) have concluded that BPA-based food contact materials pose no risk to consumers.”*

The Council did not assess the compatibility of the French law with existing European Union law. PlasticsEurope will therefore continue its legal proceedings at the French Council of State and at European level to argue that the French law should now be removed in its entirety.

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