

# DEPLASTIFY NOW

→ Formal Notice

September 28, 2022

→ Summons

January 9, 2023

## ISSUES

On the 28th of September 2022, three NGOs put nine major 'Big Food' corporations on notice for alleged inadequate acknowledgement and management of plastic pollution stemming from their business models. The French 'Duty of Vigilance' law demands that companies assess and mitigate the impacts their operations have on the environment and human rights, via a 'vigilance plan'. According to Surfrider Europe, Zero Waste France and ClientEarth's analysis, these companies' approach to plastic pollution means they are failing to live up to their duties under the law. In their vigilance plans, some of the companies referred to incomplete or unsatisfactory measures on plastic; some omitted to mention plastic completely; and some have failed to publish a plan at all.

## ACTORS

ClientEarth, Surfrider Foundation Europe et Zero Waste France have put nine major 'Big Food' corporations on notice for alleged inadequate acknowledgement and management of plastic pollution stemming from their business models: Danone, Auchan, Carrefour, Casino, Lactalis, Les Mousquetaires, Picard Surgelés, Nestlé France and McDonald's France.



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To go further



<https://get.surfrider.eu/deplastifynow>

[https://surfrider.eu/img/presse/2022/cp\\_en.pdf](https://surfrider.eu/img/presse/2022/cp_en.pdf)

**ClientEarth**



# CASE DESCRIPTION

The companies put on notice are food and drink manufacturers, supermarket groups and a fast-food chain – all responsible for vast quantities of plastics entering the market and subsequently the environment. The use of these plastics can be obvious, including packaging, but they are also present in the production, distribution and promotion areas of the business. According to the NGOs, several of the companies named are some of the world's top plastic polluters.

Nestlé France, Danone, McDonald's France, Carrefour, Groupe Casino, Les Mousquetaires, Auchan, Lactalis and Picard have been put on notice because according to the NGOs, their Vigilance Plans were unsatisfactory.

They now have three months to provide an adequate response, addressing their plastic impacts across the full value chain – or they could face legal action. Coalition spokesperson Antidia Citores said: "How can it be that in 2022, despite a clear legal obligation, these companies are not providing comprehensive reporting on their use of plastic and the inherent associated risks for the environment and human rights? In fact, some fail to provide any vigilance plan at all". "Recycling is not a catch-all solution – far from it. These companies need to elevate the reduction of plastic use to top priority."

ClientEarth lawyer Rosa Pritchard said: "Companies who are not turning their attention to the global risks associated with plastics have their heads in the sand. This law requires companies to report environmental and human rights impacts of business activities, and mitigation plans must be in place. Unfortunately, these market-leading corporations seem to have a major blind spot in plastics.

"By now, we are all familiar with the disastrous effects of plastic litter. But plastic's harm goes beyond the end-of-life impact. From carbon emissions to the chemical compounds from which plastics are made, plastic also impacts our health and the environment when it's being produced and used. The fact that these companies are not addressing these harms adequately as part of their reporting under this law is a serious oversight and one we will not hesitate to challenge."

Surfrider, Zero Waste France and ClientEarth are asking each company the following actions:

1. Produce a complete assessment of its use of plastic, encompassing all its activities throughout the value chain
2. On the basis of this assessment, put together a 'deplastification' plan with quantified and dated objectives and act on it.

