

LAW OR REGULATION

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1. MOBILITY MESSAGES

[Law No. 2019-1428 of 24 December 2019 on guidance relating to mobility](#) (FR); article 75 amends Book 3 of the Highway Code – ‘Code de la route’ – requiring that car advertising must carry promotional messages encouraging ‘active mobility’ and shared and public transport.

[Decree No. 2021-1841 of December 28, 2021](#) (FR) on the promotion of active or shared means of mobility, or public transport, in advertising for motor vehicles. Relates to the law above and sets out the scope, i.e. the vehicles concerned - essentially all passenger cars and motorbikes - and the media affected: all print, outdoor, cinema, broadcast TV and radio and online. ‘Communications carried out within the framework of sponsorship’ are exempt, as are financial and recruitment and ‘institutional’ communications.

[Order of December 28, 2021](#) (FR) issued for the application of article D. 328-3 of the Highway Code. Sets out the specific messages and the way in which they must be presented in different media. For our purposes, this is the key decree related to mobility messages.

2. CO2 LABEL

The requirement to include this label is established by Article 7 of Law No. 2021-1104 of August 22, 2021 (FR), known as the ‘Climate and resilience law’, and codified in [Article L.229-64 of the Environmental Code](#) (FR).

[Decree No. 2021-1840 of December 28, 2021](#) (FR) relating to advertising for motor vehicles. This sets out the scope of regulation, i.e. the vehicles and media to which it applies, the latter being: TV and cinema, online consumer communication services, and any printed matter referenced in article 5 of Decree No. 2002-1508 of December 23, 2002 (FR) - all printed matter used for the marketing, advertising and promotion of vehicles, including technical manuals.

[Order of December 28, 2021](#) (FR) issued for the application of article R.229-105 of the Environmental Code. This sets out the way in which the label must be presented and by channel. The order carries an annex with detailed formatting requirements for the label, extracted [here](#) (FR).

Translation of articles below is unofficial and non-binding.

The ARPP press release provides full context and requirements [here](#) (FR).

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1. MOBILITY MESSAGES CLAUSES

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These are statements to appear in Car advertising (as defined) for different forms of mobility and shared or public transport. Messages and their presentation by medium are from the [Order of December 28, 2021](#) (FR) issued for the application of Article D. 328-3 of the Highway Code, article 1:

*‘Pour les trajets courts, privilégiez la marche ou le vélo’*

For short trips, favour walking or cycling

*‘Pensez à covoiturer’*

Think about car-pooling

*‘Au quotidien, prenez les transports en commun’.*

On a daily basis, take public transport.

At the end of the message is the sign-off #SeDéplacerMoinsPolluer (radio exempt)

- Messages will be presented so as to be easily readable or audible, clearly distinguishable from the
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advertising message and any other mandatory information (Art. 2)

- Messages are to be deployed within each advertising campaign in such a way as to ensure, by advertising medium, the rotation of each to an equal quantity, with a tolerance of plus or minus 10% (Art. 2)

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#### Formatting by channel/ medium

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- For advertising disseminated in television and in the cinema, the message should be placed in a fixed horizontal space that is easily identifiable and distinct from any other mandatory information, and maintained for a period allowing it to be read in full (Art. 3)
- Its presentation must comply with industry rules and good practice and in particular the rules decreed by ARPP (Their Notes and Overlays Code [FR](#) / [EN](#)). The message is completed, at the end of its presentation, by the sign-off #SeDéplacerMoinsPolluer (Art. 3)
- For broadcast advertising, the message is articulated immediately after the commercial (Art. 4)
- For advertising disseminated in the form of a static image in a print medium or on a digital advertising screen, the message is placed in a horizontal space reserved for the text and occupying at least 7% of the advertising surface, distinct from any other mandatory information and easily identifiable. The message is completed by reference to the sign-off #SeDéplacerMoinsPolluer (Art. 5)
- Its presentation will be in line with industry rules and good practice, and in particular the rules decreed by ARPP (Their Notes and Overlays Code [FR](#) / [EN](#)). (Art. 5)
- In the event that several advertisements appear on the same page, the message including the sign-off #SeDéplacerMoinsPolluer may be stated only once, in a banner occupying at least 7% of the page (Art. 5)
- If advertising or promotional documents are produced by a single advertiser, one only of the messages may be included together with the sign-off #SeDéplacerMoinsPolluer for the entire document. The message and sign-off must appear on the first or last page of the document and should be placed in a banner occupying at least 7% of the page (Art. 5)
- For advertising disseminated via public online communication services, the message must be accessible when looking at the advertisement. Its presentation must comply with the provisions of Article 3, 4 or 5 (above) depending on the format used for the advertising, and in any case is in line with industry rules and good practice, and in particular the rules decreed by ARPP ([FR](#) / [EN](#)). The message appears with the sign-off #SeDéplacerMoinsPolluer (Art. 6)
- On radio, the message must be articulated immediately after the advertising. The sign-off #SeDéplacerMoinsPolluer does not have to be included (Art. 4)

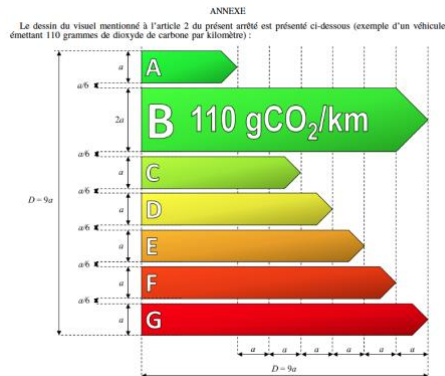
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## 2. CO2 LABEL CLAUSES

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This is a specially formatted label that states the CO2 emissions of the advertised car. The [Order of December 28, 2021](#) (FR) sets out the specific way in which the label itself must be formatted and the way in which that formatted label should be presented by channel. The order carries an annex with detailed label formatting requirements, extracted [here](#) (FR). In summary:

- Set out in a square whose sides are equal to D; D being equal to  $(L+H)/18$ ;
  - Use the set of 7 coloured arrows corresponding to the 7 classes of CO2 emissions;
  - Insert the CO2 emission rate in the relevant arrow, which must be twice as high as the other arrows and as long as the longest one (arrow G).
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The CO2 number must be written:

- In white;
- In a sans serif font;
- In bold;
- In a size that complies with the rules and good industry practice, in particular the rules decreed by ARPP ( 'Notes and Overlays Code' [FR](#) / [EN](#))

#### Formatting by channel/ medium

- The class of carbon dioxide emissions referenced in article 1 of this order must be displayed in a such a way that it is easily readable and clearly distinct from any other mandatory information, using a visual whose characteristics are defined in the appendix to this order (Art. 2)
- For advertising disseminated on television, in the cinema, or via online public communication services, the visual referenced in Article 2 (visual shown above) is kept up for a period that allows it to be read in full, in line with industry rules and good practice, and in particular the rules decreed by ARPP (Notes and Overlays Code, as above) (Art. 3)
- For advertising disseminated in the form of a static image on printed material referenced in article 8 of the Decree of April 10, 2003 ([FR](#); trans: all the printed matter used for the advertising and promotion of vehicles with a view to their marketing to the general public referenced in article 5 of the Decree of 23 December 2002 includes technical manuals, brochures, advertising in newspapers, magazines and trade journals and posters), in the event that several vehicles appear on the same page, the visual mentioned in article 2 of this decree of the class of carbon dioxide emissions must be displayed for each vehicle. Each visual is positioned in such a way that it can only be associated with the single vehicle it represents (Art. 4)

