

Press release

PRESS DISTRIBUTION

Arcep publishes its opinion on the amendment to the interprofessional agreement on assortment and copy cap rules for non-political or general news “CPPAP” titles

Paris, 22 March 2023

The “Bichet Act” entrusts the print media industry’s interprofessional organisation with the task of establishing rules governing press title assortment, and determining the quantities displayed at points of sale (PoS) for non-political or general news publications registered with and recognised by France’s Joint Commission for Press Publications and Agencies (CPPAP). Industry stakeholders signed an agreement in July 2021, on which Arcep issued an opinion on 7 December 2021¹, assessing its compliance with the principles set forth in the Bichet Act. In late September 2022, stakeholders submitted an amendment to that agreement to Arcep, bringing changes to the rules used to determine quantities shipped to points of sale, which Arcep submitted to a public consultation that ran from 20 October to 18 November 2022, to obtain feedback from the sector.

Today, Arcep is publishing its opinion on that contractual amendment, along with stakeholders’ contributions to the public consultation.

The amendment complies with the principles of the Bichet Act, subject to several stipulations set out in the Arcep opinion.

The new rules submitted to Arcep marks a step forward that is likely to limit the number of unsold copies for newsagents’ best-selling titles, and so contribute to restoring the attractiveness of that profession. Arcep nevertheless regrets stakeholders’ decision to increase the number of copies of the titles with the weakest sales that are likely to be supplied to newsagents².

With a view to improving the sector’s efficiency, Arcep:

- Recommends that publishers assess the situation of each point of sale in terms of its actual sales potential, to then make adjustments accordingly, rather than systematically using the maximum as the number of copies to supply;
- Ask stakeholders to customise the issue cap parameters for each point of sale.

Arcep concluded that, as they stand, some of the amendment’s provisions fail to make the sector accountable and invites the signatories to submit adjustments.

This includes:

- **Criteria for qualifying a title as “new formula” and the associated rule of suspending the zeroing out of stock³.** As set forth in the amendment, these provisions could indeed make it possible for any title, once qualified as being “new formula”, to be exempt from the rules that determine the number of copies to be distributed to points of sale. Arcep thus requests that only those titles that have undergone significant changes be eligible to be qualified “new formula” and thus enjoy exemption from distribution caps for 12 months. Regarding those titles to which zero-copy distribution

¹ [Arcep Opinion No. 2021-2554 of 7 December 2021 on the interprofessional agreement mentioned in para. 2 of Article 5 of Act No. 47-585](#)

² Titles whose average sales are below 1.5 copies per issue

³ A non-political or general “CPPAP” title that has been removed from a point of sale’s assortment because it is considered to be a “non-seller” could, if qualified as being new formula, be reincorporated into that PoS’s assortment without a cap, without the newsagents having given their prior agreement.

has been applied, the rule in the amendment requiring a newsagent's prior consent before their being returned to the mix of shipped titles must apply, including for titles qualified as being "new formula".

- **Arrangements for participating in the three exceptional capping schemes at the publisher's initiative** (special event issue, regional thematic issues and new formulas) whereby the newsagent has only two options: participate in all three schemes or none at all. Arcep requests that newsagents be given the ability to make an independent choice between the three exceptional capping schemes.

For the remaining provisions, Arcep wants to implement an amendment for all newsagents as quickly as possible.

It invites stakeholders to submit an annual account during the Press distribution cooperation committee that it hosts every year.

Associated documents:

- [Arcep Opinion No. 2023-0649 of 21 March 2023 on the interprofessional agreement referred to in Para. 2 of Article 5 of Act No. 47-585](#)

- ["Amendment to the interprofessional agreement on assortment and copy cap rules of 1 July 2021" – Arcep press release](#)

- [Contributions to the public consultation on the interprofessional agreement on assortment and copy cap rules for the quantities displayed at points of sale for non-political and general news "CPPAP" publications \(zip – 1.04 Mb\)](#)

Arcep at a glance

The Regulatory Authority for Electronic Communications, Postal Affairs and Print Media Distribution (Arcep), a neutral and expert arbitrator with the status of independent administrative authority (IAA), is the architect and guardian of internet, fixed and mobile communications and postal networks in France.

Press liaison

Anne-Lise Lucas

anne-lise.LUCAS@arcep.fr

Tel.: 01 40 47 71 37

Follow ARCEP

 www.arcep.fr

 [@ARCEP](https://twitter.com/ARCEP)  Facebook

 [LinkedIn](#)  Dailymotion

Subscribe

RSS feed

e-Newsletter

Mailing lists