

Press release

PRINT MEDIA DISTRIBUTION

Arcep publishes its Opinion on the "inter-professional agreement on assortment and copy cap" rules" for non-political or general news "CPPAP" titles

Paris, 9 December 2021

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 (CPPAP¹). To this end, in early July 2021 stakeholders submitted a copy of their agreement to Arcep, which Arcep then published for public consultation. The consultation that ran from 26 July to 30 September 2021 sought to obtain the sector's feedback on the matter.

Today Arcep is publishing its Opinion on the submitted agreement's compliance with the principles set forth in the Bichet Act, along with the contributions received to the public consultation.

The submitted agreement constitutes a real step forward for the print media sector

Arcep has concluded that the submitted agreement on assortment and copy cap rules for the quantities of non-political or general news "CPPAP" titles displayed at points of sale complies with the stipulations of Para. 2 of Article 5 of the Bichet Act, subject to the provisos set forth in its Opinion.

Arcep welcomes the agreement reached by the stakeholders, which was one of its goals for the year. This agreement constitutes a step forward for newsagents in particular, giving them the ability to regain control over a portion of the selection of titles available in points of sale, in accordance with the aims of the Bichet Act reforms in October 2019.

It nevertheless regrets that the method chosen in the agreement, namely a system of rankings, could make the process of renewing the assorted selection more complex, and that it provides an only partial solution to a great many newsagents' dissatisfaction over the lack of consistency between the quantities received and the actual number of PoS sales.

Arcep concludes that some of the agreement's provisions are not binding on the sector

Under the terms of this agreement, the following provisions are thus unenforceable:

- **The submitted agreement's stipulations regarding non-political or general news "CPPAP" publications and even non-press products².** Arcep delivers a reminder that the only rules, set out in this agreement, likely to be applicable to the sector³ are those pertaining to non-political or general news "CPPAP" titles.
- **Article 36 regarding the initial set-up proposal**, in that it introduces an obligation for newsagents to accept non-political or general news CPPAP publications that are offered to them as part of an initial set-up proposal. Arcep recalls that Article 5 of the Bichet Act stipulates that a newsagent "*is free to accept or refuse this distribution proposal*".

Assortment rules applicable to all newsagents to come into effect by 1 October 2022

¹ CPPAP: *Commission Paritaire des Publications et des Agences de Presse*

² Notably from the 2nd to the 7th sentence of the 4th paragraph of the preamble, Para 2 of Article 3, Article 8, Para 3 of Article 9, Articles 11, 12, 13 and 14, the last sentence of Article 41 and Articles 42 and 49, as well as the "Copy caps" section in Annex 2

³ Without prejudging their enforceability, pursuant to other provisions or stipulations

Arcep considers that the elements submitted by the signatories make it possible to plan on an implementation applicable to all newsagents starting on 1 October 2022, after which time **a newsagent will have the ability to refuse delivery of any non-political or general news CPPAP publication codification for which they have not received prior notification of the titles' inclusion in the Basic Assortment and, if applicable, it cannot be proven that it complies with the assortment rules set forth in this interprofessional agreement.**

Newsagents may henceforth refuse surplus deliveries of non-political or general news CPPAP titles

Arcep acknowledges the immediate entry into force of the rules determining the quantities displayed at points of sale and reiterates that, as a result, from hereon in newsagents that ascertain the delivery of an excess quantity of non-political or general news CPPAP publications can refuse said surplus, and request that the distributor in question retrieve it, in accordance with the contractual provisions.

To introduce these provisions as soon as possible and thereby satisfy newsagents' expectations, Arcep is calling on the sector's stakeholders to begin developing the necessary IT tools immediately.

Associated documents:

- [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](#)
- ["Inter-professional agreement on assortment and copy cap rules" submitted to Arcep](#)
- [Annotated version of the agreement, reflecting Arcep's Opinion](#)
- [Contributions](#) to the public consultation on the agreement on assortment and copy cap rules for the quantities displayed at points of sale for non-political or general news "CPPAP" publications






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.

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