

HEADLINE– FOUR ASSOCIATIONS FILE A COMPLAINT FOR TRITIUM LEAKS AT THE BUGEY PLANT

On March 7, four associations of the network « Sortir du nucléaire » filed a complaint against EDF in the district court of Bourg en Bresse. These associations mobilized after a radioactive leak was detected on December 20 at the Bugey plant. This tritium leak is the third detected in six years, said the associations for whom this malfunction is not an « isolated incident ». The associations also call for « the immediate shutdown of the plant ».

On December 20, EDF detected an « abnormal concentration of tritium » (670 Becquerels per liter) in a tube allowing access to the water table, on the site of the plant. The following days, larger peaks (up to 1,600 Bq) were noted elsewhere on the site.

The leak was caused by « a valve locked in the open position in a sump and two lift pumps that did not work ». The inspection report drawn up by the Nuclear Safety Authority (ASN) blames this pollution for a succession of malfunctions. One of the pumps had been unavailable since 2016 and its valve had not been serviced since 1992.

BIOECONOMY – HOW DOES FRANCE INTEND TO DEVELOP ITS BIOECONOMY?

The government has presented an action plan for the bio-economy with a timetable of measures for the next three years. The goal is to bring out an economy based on plant resources rather than fossils. What is the connection between a tennis racket with a linen frame, a corn starch coffee capsule, and a gas cylinder partially filled with bio-isobutene made from beet sugar? These are all products from the bioeconomy. France wants to make it known and develop it. On the occasion of the agriculture fair, the government presented its action plan for the non-food areas of the bioeconomy for the next three years.

The first year of the action plan will be dedicated to setting up business agreements between organic producers and manufacturers.

BIODIVERSITY – GLOBAL WARMING IS SERIOUSLY THREATENING THE KING PENGUIN !



Today, more than 70% of the world population of king penguins are threatened with extinction before the end of the century because they are victims of global warming.

French researchers from the French National Center for Scientific Research (CNRS) published on February 26 the results of nine years of work on royal penguin colonies in the review PNAS. The report is alarming: « exile to the south or extinction, these are the choices

offered to the king penguins given climate change » alert researchers.

Due to warming waters and overfishing, king penguins still have to move farther in search of food, leaving their offspring longer defenseless and exposed to hunger. Not to mention the excessively long and rough supply distances in the winter which causes the death of penguin adults.

The king penguins will then have no other choice than to move to more southern islands to survive, few of which, however, are able to shelter the « gigantic colonies » that form these animals, alert scientists.

AGRO ECOLOGY – DECREASE OF PHYTO PRODUCTS : 23 NEW DEPHY EXPERIMENTAL PROJECTS SELECTED

Twenty projects having expired at the end of 2017, a new call for projects called « DEPHY EXPE - Experimentation of agro-ecological systems for pesticide use as a last resort » was launched in 2017 to select new experimental projects.

The DEPHY EXPE network aims to scientifically test and validate changes in practices, by understanding and explaining all the constraints and criteria that underpin farmers' decisions.

Twenty-three experimental projects have been selected from the 55 candidate projects, and will be able to start their work in the second quarter of 2018 for a period of four to six years, these projects will be financed of up to 1.8 M € by the French Agency of biodiversity (AFB).

French Supreme Court, Civ. 1re, Feb. 8 2018, FS-P+B+I, n° 17-10.516

French Supreme Court, Civ. 1re, Feb. 8 2018, FS-P+B+I, n° 16-26.198

On February 8, 2018, the first civil chamber rendered two judgments about the conditions of exemption of the carrier, guardian of a thing partly instrument of the damage. It sheds light on how the actions of the third party can be a cause of total exemption.

In the first case, after being assaulted on the subway, a man chased his attacker onto the platform, which pushed him onto the track as the subway restarted. The collision against the wagon killed him instantly. In the second case, a schizophrenic man girded another man on a platform and threw himself on the rails with him. Both were hit and killed by the passing RER. To obtain reimbursement of the sums paid, the Compulsory Damage Insurance Fund (FGTI) compensated each of the victims' families and, through an action in contribution, turned against RATP in the first case, against the SNCF in the second, both guardians of the thing instrument of the damage, at least partly.

In the first case, without saying that the force majeure is not characterized, the French Supreme Court criticizes the Court of Appeal for not having sufficiently motivated its refusal to hold the responsibility of the RATP. The absence or presence of unpredictable or irresistible characters must be made explicit in light of the facts of the case and the precise circumstances in which the damage occurred. In doing so, the Supreme Court confirms and adopts a casuistic approach.

In the second case, precisely in the light of the circumstances in which the damage occurred, the actions of the third party were very unpredictable and irresistible for the SNCF, which was not able to prevent the accident or to foresee it. The occurrence of the actions of the thing is only in the actions of the third party and not in the behavior of the guardian.



According to the ADEME, farmers have many difficulties in reducing their atmospheric emissions, yet some farms are still profitable, the environment and energy management agency considers they do not know them not enough to carry out a GHG assessment. Responsible for 20% of greenhouse gas emissions, agriculture is part of the equation of the fight against climate change. But the latest results of the French low-carbon strategy are not rosy: in 2016, the sector is 3% higher than the annual target for CO2 emissions. Yet many solutions are known: optimization of nitrogen fertilization, reduction of energy consumption of livestock buildings, introduction of legumes in rotations, development of agroforestry, use of anaerobic digestion ... A field study has found three types of brake to know: lack of skills, investment not doable, and the fear of taking risks.

CLIMATE – PROPOSAL TO INCLUDE THE FIGHT AGAINST CLIMATE CHANGE IN THE CONSTITUTION



On March 4, Emmanuel Macron said that he wants to include the fight against climate change in the Constitution, the supreme legal standard that imposes itself on the law. Indeed, he wants to take advantage of the next constitutional reform to insert this question of climate change into the French constitution, in accordance with the objectives of the Paris agreement on climate. It will be included in section 34 of the Constitution, which deals with the relationship between the legislative and the executive.

The prime minister, Edouard Philippe, has also started to consult, for a dozen days, the parliamentary groups to present the workings of the reform that the executive wants to register in the Council of Ministers at best mid-April after passage in Council of State.

FOOD SAFETY – NEW ORGANIC FIGURES ARE SATISFACTORY



The organic agency releases the new barometer of organic and all signals are green about the development of agriculture and organic food in France both on the side of professionals and consumers.

There are 36,664 organic producers in France in 2017 and 73% of French people say they consume an organic product at least once a month. There was a 13.6% increase in conversions in 2017 compared to 2016 and the agricultural area allocated to organic is 6.5%. As for distribution, 4752 distributors are in 2017, 18% more than in 2016.

The French consume more and more organic at home but would also like more availability of organic products out of home (restaurant, retirement home, canteens, fast food ...). It is even 90% of parents who would like to see the supply of organic products grow in canteens.

Preservation of health, environment and biodiversity, important economic issues and better income for farmers: organic has all the necessary assets to develop it widely on the territory.

So, it is necessary that the decision makers take real measures of accompaniment, training and support to organic production in the ongoing draft law on food and agriculture.