Sustainability: the Autorité de la concurrence publishes informal guidance on the creation of a platform for collecting and sharing data on suppliers' carbon footprints in the French retail sector

Published on October 30, 2025

Background

The *Autorité de la concurrence* has today published informal guidance in the area of sustainability, provided under the notice adopted on 27 May 2024.

Two professional retail organisations asked the General Rapporteur for informal guidance on the creation of a platform for collecting and sharing data on suppliers' carbon footprints in the French retail sector.

The General Rapporteur found the request to be admissible and that informal guidance could be provided.

In his letter to the requesters, the General Rapporteur recalled that products' carbon footprint can be a competitive parameter and considered that the Low Emission Sustainable Sourcing (LESS) project could be analysed as an agreement creating a collective database unlikely to raise competition concerns. The following factors were taken into consideration: the absence of exchanges of sensitive information between competitors; the open, voluntary and non-exclusive nature of the platform; the absence of any collective commitment regarding commercial behaviour; and the absence of any ranking of suppliers according to the carbon footprint reported.

However, the General Rapporteur drew the requesters' attention to the need to:

- provide easy access to the platform for all suppliers;

- ensure the quality of the information provided, preserve competitionbetween existing tools and maintain the possibility for players to compete on the carbon footprint parameter;
- refrain from any exchange of sensitive information and, in particular, any coordination between competitors, including on decarbonisation strategies and communication on carbon impact or decarbonisation;
- take account of competition law when discussing and determining the conditions under which suppliers may make their decarbonisation commitments public, as such discussion and publication could be seen as exchanges of information.

Origin and content of the request

- **The project leaders**

The request was submitted by the two professional organisations behind the Low Emission Sustainable Sourcing (LESS) project: the Fédération du commerce et de la distribution (FCD), which represents the interests of France's main food and non-food retailers, and Perifem, which describes itself as the French retail and distribution sector technical association.

- **The LESS project**

The LESS project involves the creation of a platform for centralising data on retailers' indirect upstream emissions (i.e. Scope 3 emissions).

In concrete terms:

- suppliers that choose to join the platform will be able to enter their data, providing several types of information such as their CO_2 emissions (Scopes 1, 2 and 3 emissions) for each banner and how emissions are allocated between banners (monetary share, physical share, etc.), their CO_2 emissions reduction commitments (including trajectories and targets), the results

associated with those commitments, and CO_2 data at product or product family level. Alongside their data, suppliers will be able to provide information on the methodology used;
- OpenClimat, an operator specialising in CO_2 data collection, in particular in the supplier-retailer relationship, will manage the platform and, in particular, check and validate the information entered;
- retailers will have access to a dashboard showing their own suppliers' data and will be able to export that data for their own needs. Additional optional modules may be developed.

Suppliers will also be invited to publish their voluntary CO_2 emissions reduction commitments, if they so wish, independently of their figures.

The General Rapporteur considers that the project can be regarded as an agreement unlikely to restrict competition

In his letter to the requesters, after indicating that the project would not be examined with regard to its competitive impact on the markets for carbon footprint measurement platforms and tools, the General Rapporteur recalled that products' carbon footprint can be a competitive parameter.

He noted sharing carbon footprint data under the project is a source of efficiency and has no anticompetitive purpose in itself and avoids suppliers receiving multiple requests for data, increases the incentive for suppliers to share their data with retailers and to commit to decarbonisation strategies, and gives retailers access to suppliers' data and commitments through a single tool.

Insofar as the LESS project does not involve the exchange of sensitive information between competitors, is open, voluntary and non-exclusive, does not contain any collective commitment regarding commercial behaviour and does not rank suppliers according to the carbon footprint reported, it can be considered as unlikely to present competition risks within the meaning of chapter 9 of the EU Commission guidelines on horizontal agreements[1].

The General Rapporteur calls for vigilance in the implementation of the project

However, the General Rapporteur drew the requesters' attention to four watch points.

Firstly, the conditions for accessing the platform must be objective, transparent and non-discriminatory, in order not to constitute unjustified obstacles for smaller suppliers.

Secondly, giving suppliers the option to use the carbon footprint calculation method and data sources of their choice may foster their participation in the initiative by limiting constraints and also help to preserve competition between tools. However, such option must not result in players collectively using tools that are not scientifically robust or retailers being unable to request the use of tools offering data comparability. The General Rapporteur therefore calls on players to be vigilant regarding the quality of information provided, competition between existing tools and the possibility for players to compete on the carbon footprint parameter.

Thirdly, in the context of their participation in the different groups and committees dedicated to the operation of the project, players must refrain from any exchange of sensitive information and any coordination between competitors, including on decarbonisation strategies and communication on carbon impact or decarbonisation.

Fourthly, as the request mentioned the option of inviting suppliers to make their decarbonisation commitments public as part of the LESS project, the informal guidance letter stresses that discussions on such option, like the publication itself, could be considered as exchanges of information whose commercially sensitive nature and potentially restrictive effect on competition should be carefully assessed, in particular to preserve the incentive for suppliers to compete on their decarbonisation commitments.

[1] Commission, above-mentioned Guidelines, paragraph 530.

Information for undertakings

Since 2020, the *Autorité* has been committed to an "open door" policy. Players wanting to develop virtuous projects, but for which the analysis in terms of competition rules is particularly complex, can ask the *Autorité* for guidance in order to better self-assess the compatibility of their projects with competition rules.

In order to better support undertakings in their efforts, the *Autorité* published a notice on 27 May 2024, following a large public consultation. The notice is based on the chapter of the new European Commission horizontal guidelines dedicated to sustainability agreements, while taking a broader scope that covers all competition-related matters, with the exception of mergers.

Informal guidance 25-DD-02 of 23 October 2025
on the creation of a platform for collecting and sharing data on suppliers' carbon footprints in the French retail sector (in French)

Contact(s)

Nicola Crawford
Communications Officer
+33155040151
Contact us by e-mail