[FR] Inapplicability of the Evin Law to Foreign Publications Sold in France

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The judgement handed down by the commercial court of Paris on 8 June 1995 stated that the urgent action sought in the court by the magazines Le Nouvel Observateur, VSD and l'Evènement du Jeudi against certain German and American publications for unfair competition, was rejected and that the magazines would have to pay damages to the defendants. The three weeklies had argued that foreign publications could be sold in France, while they were in breach of the Evin law forbidding any advertising for tobacco and alcohol. The court did not deny that the foreign press was in breach of the law, but stated that the magazines did not have the capacity to act. The ruling went on to say that "in a recent official diplomatic agreement, the French Ministry of Justice had assured German publishers that they would not be prosecuted".

Jugement du tribunal de commerce de Paris du 8 juin 1995.

Judgement of the Paris commercial court (Tribunal de commerce) of 8 June 1995.

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