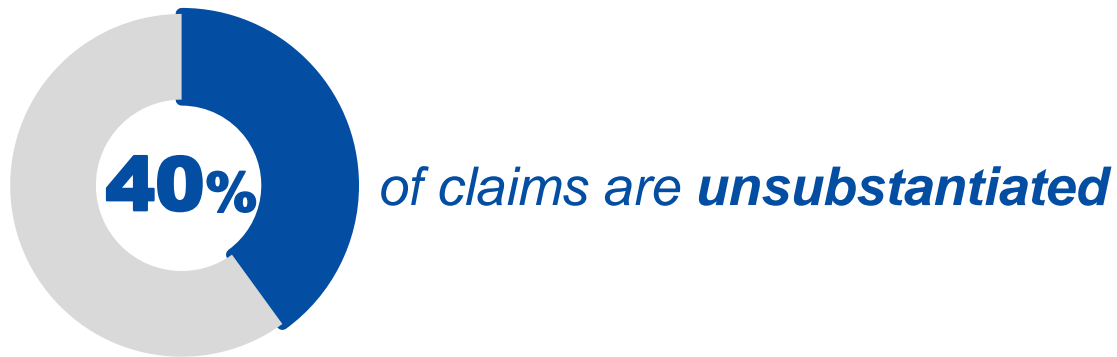


Green Claims Directive

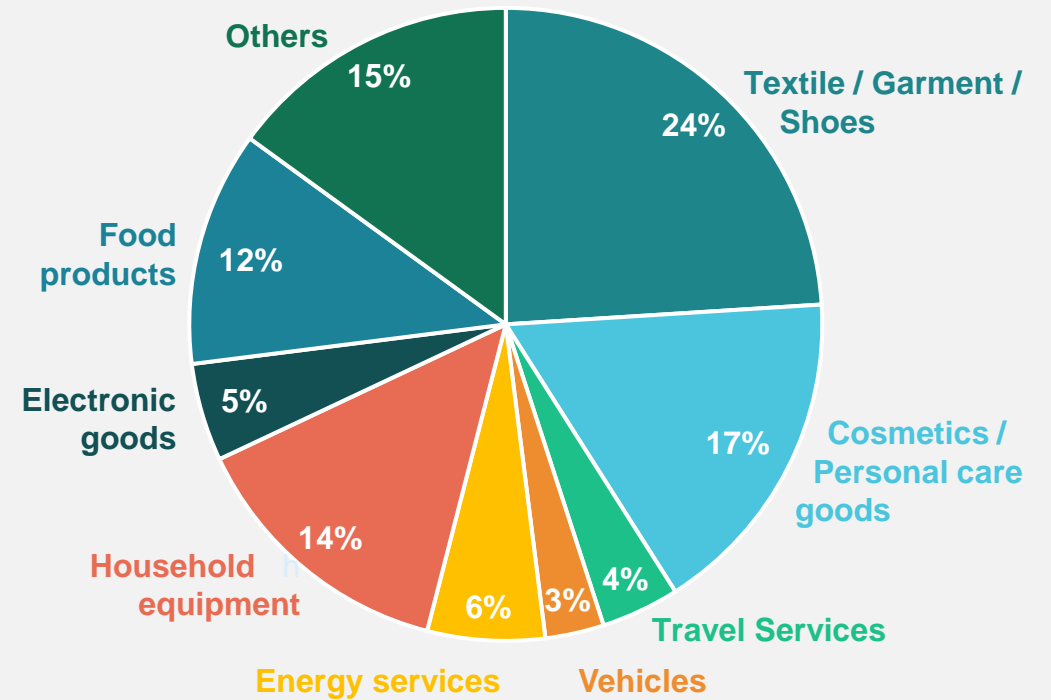
Małgorzata Gołębiowska, DG Environment
ENV.B1 Circular Economy, sustainable production & consumption

Credibility of environmental claims today

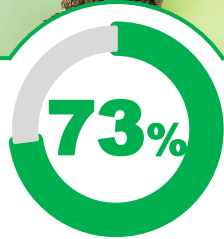


2020 inventory on sustainability claims

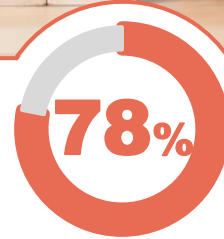
2020 sweep on misleading sustainability claims



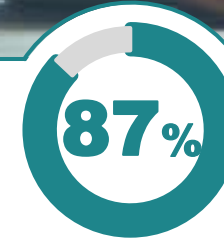
What do EU citizens say about green claims?



“The impact of the product on the **environment is important** when making a purchasing decision.”



“Companies often make **misleading environmental claims**, leading customers to believe that their product or service is environmentally friendly.”



“To be credible, an environmental label needs to be **verified by an independent organization.**”

Unfair Commercial Practices Directive

► Amended in 2024:



***Bans
generic environmental
claims***

*e.g. 'sustainable'
'ecological'
'climate neutral'*

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***Bans
environmental labels
not based on
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**Requires future
performance claims
to be based on
implementation plan
with targets, allocation of
resources & regularly
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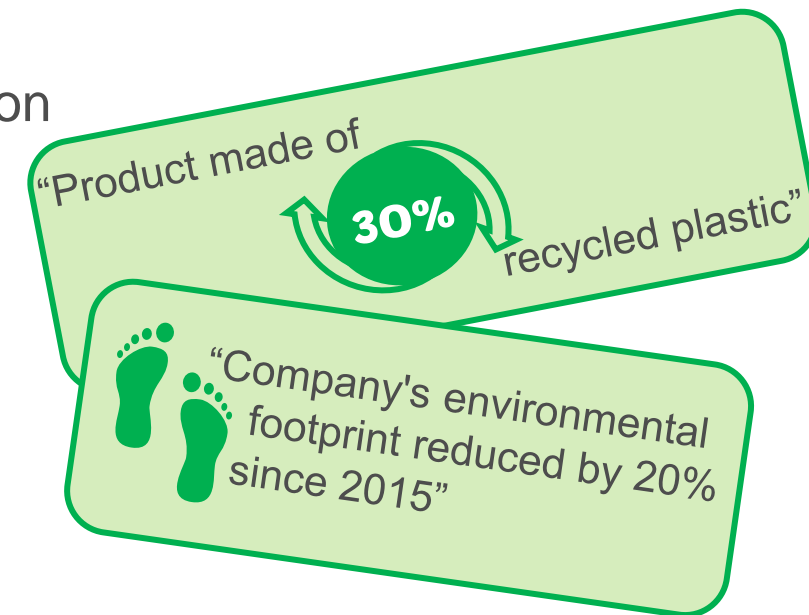
**Bans claiming that
products have neutral,
reduced or positive
impacts if based on
GHG emissions
offsetting**

Scope of the proposal

- **Green Claims Directive** – *complementary to Unfair Commercial Practices Directive* (amended)
 - ✓ how companies should back **environmental claims**
 - ✓ **business-to-consumer** commercial communication
 - ✗ does not apply to environmental claims regulated by **other EU rules** (*e.g. organic label*)

Scope of the proposal

- **Green Claims Directive** – *complementary to Unfair Commercial Practices Directive* (amended)
 - ✓ how companies should back **environmental claims**
 - ✓ **business-to-consumer** commercial communication
 - ✗ does not apply to environmental claims regulated by **other EU rules** (e.g. *organic label*)
- **Definition of an ‘environmental claim’**
 - ▶ Not mandatory- i.e. only **voluntary and explicit**
 - ▶ Any message or representation in a commercial communication text, pictorial, graphic, symbolic representation
 - ▶ **states or implies** positive or no impact on the environment; less damaging to the environment than others; or improved impact over time.





Substantiation of environmental claims

▶ Rules on substantiation of claims:

- ▶ widely recognised **scientific evidence** / relevant **international standards**
- ▶ demonstrates **significance of the claim** from a life-cycle perspective
- ▶ identifies **trade-offs between impacts**





Substantiation of environmental claims

▶ Rules on substantiation of claims:

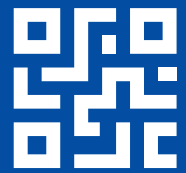
- ▶ widely recognised **scientific evidence** / relevant **international standards**
- ▶ demonstrates **significance of the claim** from a life-cycle perspective
- ▶ identifies **trade-offs between impacts**
- ▶ transparent on **GHG offsets**: high integrity & correct accounting of climate impacts
 - secondary legislation to set further rules taking account of other legislation

NB. Climate neutrality claims on products based on offsetting banned under Unfair Commercial Practices Directive

Exemption for microenterprises from substantiation requirements on claims unless they chose to opt in

Communication of environmental claims

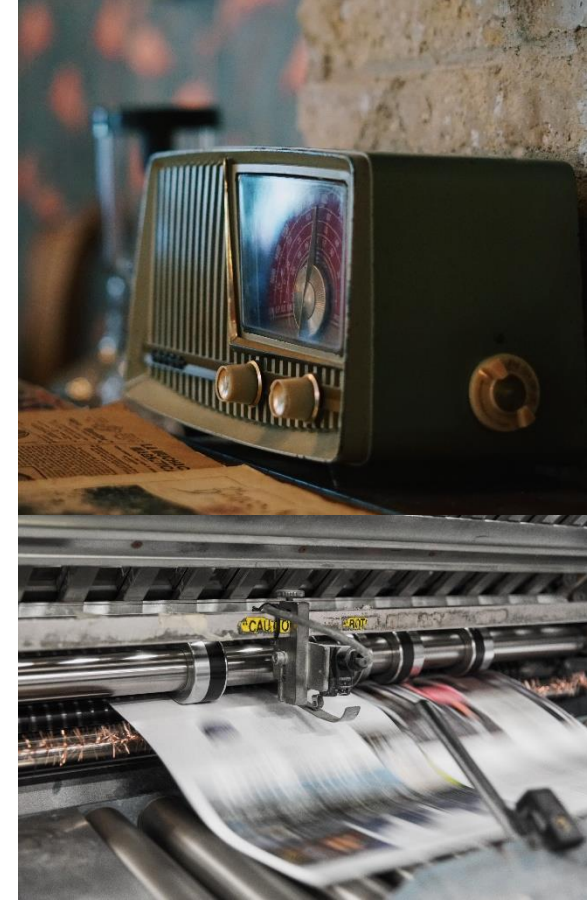
- ▶ Rules are complementary to consumer protection framework
- ▶ Communicate only on what has been substantiated



Information on substantiation to be made available to consumers on product / weblink / QR code



Exemption for microenterprises from communication requirements on claims unless they chose to opt in



Regime for environmental labelling

- ▶ **Avoid the proliferation of schemes & reinforce the trust in existing ones**
 - ▶ All labels to be based on certification schemes with independent & transparent governance
 - ▶ Labels presenting **aggregated scoring** of overall impact – allowed if developed under EU law



**New public schemes
allowed in the EU**
if set up at EU level



**New private schemes
allowed**
*only if added value can be
demonstrated
to national authorities*



**New 3rd country schemes
(public or private) allowed**
*if added value can be
demonstrated to EU or
national authorities*

Verification of environmental claims & labels

- ▶ **Ex-ante verification** by independent & accredited verifiers competent to certify that substantiation & labelling schemes meet the requirements
 - ▶ Certificate of conformity recognised across the EU
 - ▶ Microenterprises can opt-in for verification of claims

Support to SMEs

- ▶ **EU** - flanking measures & acquisition of high-quality data sets (useful to assess value chains)
- ▶ **Member States:**
 - raising awareness of ways to comply
 - financial support
 - access to finance
 - technical assistance



Green Claims Directive – State of play

Adoption by the Commission – March 2023

Proposal in co-decision with European Parliament & Council

- ▶ European Parliament first reading position in March 2024
- ▶ Council general approach adopted in June 2024

Adoption of the Directive by the European Parliament & Council – expected 2025

Transposition of the Directive by Member States– 18 months after adoption*

Application of the Directive – 24 months after adoption*

**subject to outcome of co-decision*

Thank You



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