**Update of progress of the Green Claims Directive from EASA newsletter February 2024 issued February 21, 2024**

**Green Claims Directive: one step closer to the EP position**

The parliamentary committees IMCO and ENVI have adopted on 14th February their position on the text of the Green Claims Directive. Significant changes have been brought to the initial proposal.

As regards claims’ substantiation and communication, any claim on future performance would have to be backed by an implementation plan with verifiable targets. Furthermore, the IMCO-ENVI text heavily increases the granularity of the rules about claims relying on carbon credits and it adds an obligation for highly-polluting industries to make their green claims in relative terms.

The ex-ante verification and certification of explicit green claims would remain compulsory, and all delivered certificates of conformity would be listed in a searchable database. However, in line with EASA’s asks, a simplified verification procedure would be established by the European Commission by delegated act. This simplified procedure would apply to four types of claims: the most common claims as identified by the Commission, claims that do not require a life-cycle analysis, claims conforming to methods and standards listed by the Commission, and to claims based on product specific and sectoral category rules. This simplified procedure may include a form of presumption of conformity for certain cases.

The parliamentary committees strengthened the requirements for resource and expertise of the verifiers, which would also have to maintain a complaint and dispute resolution mechanism.

Additionally, the lawmakers tried to address other shortcomings of the ex-ante verification system identified by stakeholders. The verification – and delivery of the corresponding certificate – should not last longer than 30 days, plus an additional 30 days in duly justified cases. The cost of verification would have to take into account the complexity of substantiation and the size and turnover of the trader. Claims pertaining to environmental aspects already covered by a verified label would be considered exempted from any further verification.

18 months after entry into force, the Commission would publish a report on the use of green claims on products containing substances classified under EU law as toxic, hazardous to the environment, carcinogenic, etc, possibly paving the way for restrictions or prohibitions.

Other new provisions comprise the creation of a “green claims consultation forum” open to Member States authorities and other interested parties, which the European Commission would have to consult for the drafting of delegated acts and for certain other implementation-related actions.

On the Council’s side, Member States seem to be taking a similar approach to the ex-ante verification (still to be confirmed). A general approach is expected by this Summer.

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