

Full title SPF Economy Environmental Claims Guidelines. 14 June 2022. This is an unofficial non-binding translation of Section 5 of the original document linked immediately below.

<https://economie.fgov.be/sites/default/files/Files/Entreprises/Guide-pratique-Bonnes-pratiques-en-matiere-d-Allegations-environnementales.pdf>

Relevant section Section 5. How to avoid Greenwashing

Introduction to section Every product has an impact on the environment, however small. For certain product categories, this impact can be measured using the PEF (Product Environmental Footprint)⁵ method. This is a multi-criterion method harmonised at European level, which assesses the environmental impact of products by taking into account those impacts at all stages of the product life cycle. Criteria such as use of resource, climate impact, ecotoxicity, and use of land are part of this assessment. A similar method has also been developed to measure the environmental performance of a company (OEF - Organisation Environmental Footprint)⁶

In its new circular economy action plan of March 2020, the Commission encourages companies to substantiate their environmental claims using the new environmental footprint methods.⁷

Here are some best practices to avoid greenwashing.

1.Vocabulary

1.Vocabulary Apart from official expressions/ terms defined by legislation or regulations, use clear, precise and explicit vocabulary: that which means the consumer can understand the message without ambiguity, possible confusion with something else (another benefit /another measure) and without requiring special knowledge. The presented ecological benefit must be real and cannot be confused with any other. Vocabulary that allows for several interpretations, or that is vague, risks giving the impression of another ecological benefit than the one referenced or one of much greater upside.

Specifically:

- Do not use general terms such as "ecological", "sustainable", "respects the environment", "non-polluting", etc. No product is ever totally ecological or sustainable because it always retains impacts at certain stages of its life cycle. Be cautious and add an explanatory statement or note to absolute claims;
- Do not use subjective terms such as "the greenest", "the cleanest" because they can give an overly positive image of the ecological performance of the product/ service or the organisation;
- Do not use the prefix "eco" without specifying its meaning. Indeed, the prefix "eco" can mean "ecological" or "economical" or both at the same time. This is a source of confusion for the consumer;
- Be careful when using the terms "natural" or "100% natural"; the products referenced may contain substances that are harmful to the environment.

2. Information

2. Information Give the consumer accurate and complete information, which is easily accessible, on the ecological characteristics of the product that you are promoting or on the efforts made by the company to strive for greater sustainability. It must be clear and understandable in order to allow the consumer easily to assess the environmental benefit of the product or the specific initiatives taken by a company to achieve greater sustainability.

If there is a danger of consumer misunderstanding, the environmental claim must specify:

⁵ https://ec.europa.eu/environment/eussd/smgp/ef_pilots.htm

⁶ https://ec.europa.eu/environment/eussd/smgp/ef_pilots.htm#oef

⁷ https://environment.ec.europa.eu/strategy/circular-economy-action-plan_en

-
- If it applies to the entire product or only to one of its components, e.g. if the term "recyclable" is used, specify whether it only applies to the packaging and not the content or a part of the packaging if it is only partially recyclable;
 - If it does not cover the entire life cycle of the product, what stage of the latter or what characteristics of the product are specifically identified: manufacture, transport, use or disposal;
 - If it applies to one of the company's activities, which activity in particular (extraction of raw materials, processing, transport, etc.);
 - Under what conditions of use of the product its environmental impacts can be reduced;
 - In the case of a comparative environmental claim⁸, the basis of the comparison (compared to the previous process or product of the same company, to the process or product of another company or to the market standard). To facilitate the comparison of competing products, it should be based on absolute values such as percentages or standard units that consumers easily understand. The comparison must relate to products belonging to the same category.
-

3. Proportionality

3. Proportionality

Convey a message that relates to reality. The promise cannot be excessive or make the consumer believe that the product is more ecological than it actually is, or even that it no longer has any environmental impact.

Specifically

- Avoid presenting a product as "green", "natural", etc. when it contains, for example, toxic preservatives, ingredients harmful to nature or pollutants or when it only contains, in its composition, just one green or natural ingredient;
 - Do not use expressions such as "without" such and such a component on a product if to do so conceals other even more toxic chemicals.
-

4. General presentation

4. General presentation

Use a logo or a visual or even an unambiguous presentation for the consumer, which cannot make him/ her believe that the product is more ecological than is actually the case, or that it has environmental qualities that it doesn't have.

Use a visual proportionate to the ecological claim that is being made.

Specifically:

- Avoid using overly redolent visuals/ presentation that have a link to ecology (for example, nature's elements, wind turbine), but which have no direct link between the product and the claimed benefit;
 - Avoid using a visual representation (drawing, image, logo, distinctive sign, etc.) that would create confusion with other products, registered brands, trade names or other distinctive signs of a competitor;
 - Give preference to the use of labels/ symbols created by certified independent bodies rather than pseudo-labels created by companies that are not subject to any form of control.
-

5. Pertinence

5. Pertinence

Avoid:

- The use of claims which highlight characteristics which are in fact imposed by the
-

⁸ Any comparative environmental claim must comply with the conditions of lawfulness set out in Directive 2006/114/EC on misleading advertising and comparative advertising and transposed in Article VI.17, CDE: <https://economie.fgov.be/en/topics/sales/advertising/comparative-advertising>

regulations and therefore common to all products in the same category or which reference widespread practices in the relevant market. The consumer could believe that the product has characteristics that are distinct from similar products when this is not the case;

- The use of claims that are out of context and inappropriate for the product concerned, with “results” obtained under conditions of use that have nothing to do with reality;
 - The use of claims that are not updated or re-evaluated based on changes in technology, the appearance of comparable products or the occurrence of other circumstances that could change the claim’s accuracy.
-

6. Proof

6. Proof

Provide proof of the truthfulness of the environmental claim. Such proof must be adequate and appropriate and demonstrate the performance of the product by means of expert evaluations, scientifically recognised tests or methods, analysis of the product's life cycle...

Specifically:

- Provide documentary evidence based on factual information, duly referenced, generally scientifically accepted, current, and updated as applicable;
 - Make available to regulatory services and to the general public a file containing all the evidence of the claim deployed, before its publication.
-

.....