

NOTE

This is an extract from EASA's policy newsletter of January 2023

Substantiating Green Claims

Based on the new list of items on European Commissioners agenda, the legislative initiative on substantiating green claims is expected to be tabled on 22 March by DG Environment (tbc).

This initiative, delayed several times last year, applies to environmental claims made by traders in business-to-consumer commercial practices, and therefore to advertising as well.

Our preliminary analysis of a leaked draft is that the option selected by the Commission is to incentivise companies to make use of the PEF/OEF methodologies* to substantiate their claims, rather than making it mandatory. Another striking feature of this draft is that it contains several overlaps with the Empowering Consumers for the Green Transition proposal, tabled last year by DG Just and now in the hands of the co-legislators (on the information that must accompany a claim, the possibility to provide via a QR code or a link, but also on comparative claims, on labels, inter alia). Ensuring the coherence with the latter will therefore be particularly challenging for the policymakers.

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* Product Environmental Footprint and Organisation Environmental Footprint methods; explanation here: https://ec.europa.eu/environment/eusds/smgp/pdf/EF%20simple%20guide_v7_clen.pdf