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RETHINK PLASTICS

Updated
Version as of
March 2024

EU GREEN CLAIMS DIRECTIVE

DIRECTIVE OF THE EUROPEAN
PARLIAMENT AND COUNCIL
amending the consumer protection
Regulations 2005/29/EC and 2011/83/EU

Key Data ...on the new EU Directive

The new regulation determines how environmental claims are handled. As part of the EU Green Deal, the EU Commission has presented a catalog of measures with concrete proposals and bans. Following the latest EU Parliament decisions of March 2024, implementation of the Green Claims Regulation will already begin over the course of 2024 (for more details, please see page 10).

WE HAVE SUMMARIZED THE

MOST IMPORTANT POINTS FOR YOU!



It's all about Statements like these:

In the **EU Commission's latest study** on greenwashing, 150 environmental claims for various products were evaluated.

The result: **53.3 percent** of the claims contained vague, misleading or unfounded information about the environmental properties of the products - both in advertising and on the product itself.



German Federal Environment Minister Steffi Lemke on the EU Green Claims Directive



Bündnis 90/Die Grünen Bundestagsfraktion/Stefan Kaminski



"Advertising with 'climate neutral', 'climate positive', 'green' or similar terms is often misleading and deceives consumers. It is good that the European Commission has now launched a regulation for the European Single Market: With the so-called 'Green Claims Initiative', there will be binding methodological requirements for the use of claims with environmental references in the future. The initiative presented today is a further building block for creating clarity among the many labels. We will bring the interests of consumers into the process. It is important that claims are reliable and that scientific methods form the basis."*

German Federal Environment Minister Steffi Lemke

The small difference...



GREEN CLAIMING

Environmental claims, also called "green claims", are statements made by companies about the environmentally friendly qualities or characteristics of their goods and services. They may relate to the way in which products are manufactured, packaged, distributed, used, consumed and disposed of.



GREENWASHING

Misleading or unsubstantiated communication of "green" corporate activities that serve to increase the positive external image of the company and/or the products and/or services it offers, although there are hardly any actual actions behind these proclamations.

What does the EU intend to do about it?

1.

In the future, companies may only make environmental statements if they contain clear, objective and verifiable obligations and targets and have an independent monitoring system in place

2.

Prohibition of the use of sustainability labels that are not based on a certification system or have not been specified by government agencies

3.

Prohibition of general environmental claims used in marketing where the outstanding environmental performance of the product or company cannot be demonstrated

4.

Prohibition of environmental claims about the entire product if they actually relate only to a specific aspect of that product

What will be banned in the future?



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SELF-DECLARATIONS & FAKE TRUSTMARKS:

Affixing a sustainability label that is not based on a certification system or has not been introduced by public authorities.

GROUNDLESS AND VAGUE CLAIMS:

Making a general environmental statement without being able to provide evidence: "environmentally friendly", "green", "ecological", "environmentally sound".

PARS PRO TOTO:

Making an environmental claim about the entire product even though it only relates to a specific aspect of the product: a shampoo bottle is advertised as "made from recycled material" even though only the lid is made from recyclates.





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What will be banned in the future?

SELLING STANDARDS AS A SPECIAL FEATURE:

Presentation of the legally prescribed requirements for all products of the relevant product category on the Union market as a distinguishing feature of the trader's offer. Legal standards, such as the minimum use of recyclates is advertised as an outstanding environmental performance, thus creating the impression of committed environmental protection.

CHANGE OF THE PACKAGING MATERIAL:

Example: Instead of the previous plastic monomaterial, glass packaging is used. However, the transport massively increases the CO₂ balance. This does not make the product more sustainable.

ROTTEN COMPROMISES:

Environmental statement refers to a positive impact of a product, but conceals the fact that this results in a negative impact elsewhere.





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What will be banned in the future?

USE OF SUGGESTIVE IMAGES:

The imagery and overall presentation of the product, including the layout, choice of colors, images, pictures, sounds, symbols or labels included in the environmental claim, should truthfully and accurately represent the extent of environmental benefits achieved and should not overstate the environmental benefits achieved.

MILK CARTON EXAMPLE:

The packaging depicts a cow on a green meadow under a bright blue sky. The sun is shining, the cow is happy. Reality: Stabling.





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Current State of Affairs - What Comes Next?

On 12 March 2024, the EU Parliament in Strasbourg adopted the **Green Claims Directive (GCD)**, after its civil/competition law counterpart, the

Empowering Consumers for the Green Transition Directive (ECGT), went through the EU Parliament. The two directives work hand in hand and are part of a wider EU package of measures aimed at promoting transparency and safe environmental claims. The main goal is to enable informed consumer choices by requiring environmental claims on products and packaging to be supported by recognised third-party certifications or government requirements.

Following the Council's approval, which is considered a mere formality and is expected to be completed before the EU elections in June, EU member states will have **a maximum of two years** to react and transpose the directive into national law. Pioneering countries such as Germany and the Netherlands have already announced that they will react **much faster**.

Until then, existing regulations, such as the German Act against Unfair Competition (UWG), which prohibits misleading advertising, will remain in force. Manufacturers, retailers and brands are urged to immediately adapt their environmental marketing to the new rules, as greenwashing is increasingly under scrutiny by watchdogs, NGOs and the media.

PREPARE FOR IT NOW!



flustix Certifications

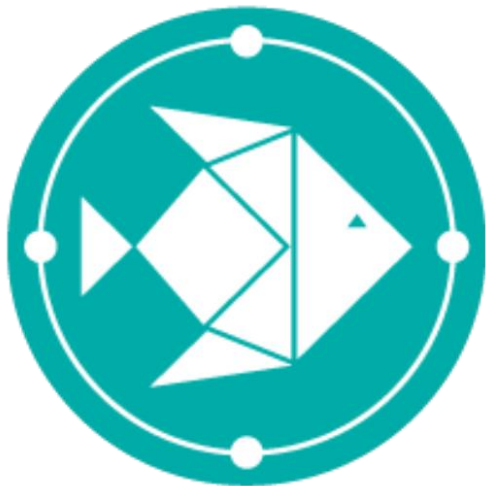
independent. secure. transparent.



About flustix | Rethink Plastics:

Together with our partners DIN CERTCO (TÜV Rheinland), Intertek (Switzerland) AG and our accredited partner laboratories, the flustix Initiative certifies the use of less plastics in progressive products and packaging, microplastic-free product content, as well as the use of recycled materials & recyclability for packaging-related products. The six distinctive and well-memorable flustix trustmarks are valid and recognized worldwide.

GET INFORMED NOW!



CONTACT

Team flustix

flustix GmbH
Kronprinzendamm 20
10711 Berlin

contact@flustix.com
+49 (0) 30 398206962

**WE ARE HAPPY TO ASSIST AND
GUIDE YOU THROUGH.**