



## INDUSTRY STATEMENT

**Industry calls on the Council of the European Union to carefully consider the options for the establishment of a certain and practical framework under the Green Claims Directive**

8 May 2024

**Industry urges the Council to carefully consider the architecture of the proposed “simplified procedure” to guarantee clarity, predictability and legal certainty for all interested parties while simplifying and reducing the burden for traders. This should be achieved by:**

- **Including an immediate application of the simplified procedure** for those claims that do not require to be substantiated through a full lifecycle assessment, as is the case for claims related to **environmental aspects**, and those claims whose assessment is based on methodologies that are widely recognised (e.g., **ISO, OECD, PEF, EU Ecolabel**).
- **Avoiding mandating the European Commission to adopt secondary legislation** specifying substantiation and communication requirements **for each type of environmental claim**. This would stretch Commission resources (with increased risk of delays) and result in a **positive list**, with negative consequences on new claims reflecting innovation.
- **Avoiding the duplication of the documentation requirements** for environmental claims whose substantiation is based on rules established by other EU legislation or for environmental claims based on awarded labels - ensuring that pre-existing well-recognised labels can receive speedier compliance recognition in relation to the requirements of the Directive.

**An agile framework is essential to support the necessary industry investments to reach the ambitious EU climate and environmental goals, as well as ensure the prompt information of the consumer for more sustainable choices.**

Our associations remain fully committed to providing pertinent and trustworthy sustainability information to consumers. **Informing consumers of a business's or product's sustainability profile is a considerable incentive** for traders to pursue more sustainable solutions. **It is a catalyst for driving innovation and investments, fostering the industry's competitiveness in sustainability.** We therefore support the goal of the Green Claims Directive, which will be key in setting clear rules for environmental claims, creating a level playing field among traders.

The ex-ante verification and certification process established in the proposal raises concerns among the industry. With the risk of creating 27 different approval systems and the high number of environmental claims and labels that will need to be pre-verified, this would hamper the EU internal market, increasing the **burden and costs for traders**, and consequently **delaying the provision of the information to the consumer**. This is ultimately **contrary to the objectives of fostering the competitiveness of the European industry in the green transition.**

To mitigate the challenges for all interested parties (from traders to national authorities and verifiers), **the framework established in the Directive should be simplified**. The Council's recent position marks progress in addressing identified flaws in the proposed ex-ante verification framework. Notably, **we support the intention behind the introduction of the simplified procedure to reduce the burden of the substantiation and ex-ante verification requirements for specific environmental claims**.

Nonetheless, we are concerned about the Council's proposed means to simplify the framework, as they may create **unintended additional burden**, duplicating in some cases the documentation to be provided, and further complicating the simplified procedure by mandating the adoption of detailed rules from the European Commission. Additionally, the discussions in the Council do not seem to properly address the challenges in the full ex-ante verification and certification process, due to the lack of deadlines for the completion of the process by verifiers.

**We therefore call for the immediate application of the simplified procedure (including simplified substantiation requirements) for those claims that do not require a full lifecycle assessment (LCA), as is the case of claims related to environmental aspects, and for those claims whose assessment is based on methodologies that are widely recognised at the EU and international level (e.g., ISO and OECD standards, PEF, EU Ecolabel).**

We need a well-designed and implementable green claims framework that will enable the achievement of EU climate and environment objectives and empower consumers to make more sustainable choices.

We would welcome the opportunity of an open and transparent dialogue to ensure a future-proof practical and workable framework, for both traders and verification authorities.

**List of signatories:**



ACE, The Alliance for Beverage Cartons and the Environment



AIM, European Brands Association



A.I.S.E., International Association for Soaps, Detergents and Maintenance Products



AmCham EU, American Chamber of Commerce to the EU



BusinessEurope



CEPI, Confederation of European Paper Industries



Cosmetics Europe



EUROPEN, The European Organisation for Packaging and the Environment



FESI, Federation of the European Sporting Goods Industry



FoodDrinkEurope



NATRUE, the International Natural and Organic Cosmetic Association



TIE, Toy Industries of Europe



WFA, World Federation of Advertisers