



*Raising standards for consumers*

POSITION PAPER

## ANEC contribution to the EC IIA Roadmap for a Legislative Proposal on Substantiating Green Claims



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ANEC is supported financially  
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## INTRODUCTION - SUITABILITY OF THE METHOD

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The intention set in the Green Deal to tackle misleading green claims is laudable. So too is the recognition that consumers need reliable, comparable and verifiable information on the environmental performance of products and services. We disagree, however, that the substantiation of claims should be done using the PEF/OEF method. We urge a different approach is taken, with a regulation that could specify conditions of use of certain claims in light of following arguments:

- typical green claims on consumer products take many forms e.g. “reusable”, “renewable”, “biodegradable”, “made of recyclable content”, “free of”, “does not contain” which are not based on lifecycle considerations (i.e. have nothing to do with LCA/PEF);
- as regards methods to assess reliability of environmental declarations, no one method is able to characterise the environmental performance of activities. Different methods have strengths and weaknesses which must be analysed and combined in a meaningful and cost-efficient manner;
- our studies have highlighted the methodological constraints of the LCA approach such as lack of precision, limited comparability, difficulty in identifying superior products, or in identifying relevant environmental aspects (e.g. when impacts are dependent on space, time and background levels). Environmental Product Declarations (EPDs) based on LCA indicators are used for advertising, but do not necessarily provide sound information to help consumers choose an environmentally friendly product;
- the EC PEF pilots confirmed the PEF methodology is even a “disimprovement” of the constrained LCA methodology;
- during the pilot phase, LCA practitioners also had a critical stance on PEF/OEF which is seen as a step backwards for its inclusion of problematic methodological choices (e.g. on toxicity impact categories);
- suitable LCA methodology (not PEF) could be an instrument to be used in environmental assessments for some environmental aspects e.g. in identifying relevant stages in the life cycle or certain relevant emissions (to identify suitable non-LCA indicators).

## 1 | ALTERNATIVE PROPOSED TO SUBSTANTIATE GREEN CLAIMS

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We believe it would be more appropriate to develop a Regulation to specify in detail the conditions and binding requirements for use of specific terms, based on the principles of ISO 14021 'Environmental labels and declarations — Self-declared environmental claims (Type II environmental labelling). This would also include requirements for evaluation of environmental claims.

Any verification would be based on a relevant test procedure (e.g. chemical analysis) or other appropriate conformity assessment procedure (e.g. to trace origin of bio products). The rules can take inspiration from earlier guidelines developed by the EC in the context of fighting greenwashing.

Such a regulation would need to be developed in synergy with other initiatives under the upcoming EU sustainable product policy, especially the extension of the Ecodesign criteria to other non-energy related products, and enhanced promotion of the Ecolabel as a label of environmental excellence which could serve as benchmark for other product policies and inspire improvements to products on the market.

## 2 | COMMUNICATION TO CONSUMERS

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The sub-options on potential communication to consumers based on PEF go beyond the substantiation of green claims. We strongly oppose the development of such a format in light of the limits noted above and because it would risk jeopardising the Ecolabel.

The poor precision of the method does not allow consumers to have clear understanding of a superior product. Moreover, such information must not overburden the consumer with the responsibility to identify sustainable choices.

## 3 | COMMENTS SPECIFIC TO THE PEF/OEF METHOD AND ALTERNATIVES

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[In the ANEC position paper annexed](#), we put forward an alternative approach to Product Environmental Footprinting, also proposing a framework for the selection of environmental indicators.



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ANEC is funded by the European Union and EFTA, with national consumer organisations contributing in kind. Its Secretariat is based in Brussels.

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Identification number 507800799-30  
BCE 0457.696.181

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