



# Proposal for a Directive on Empowering consumers for the green transition

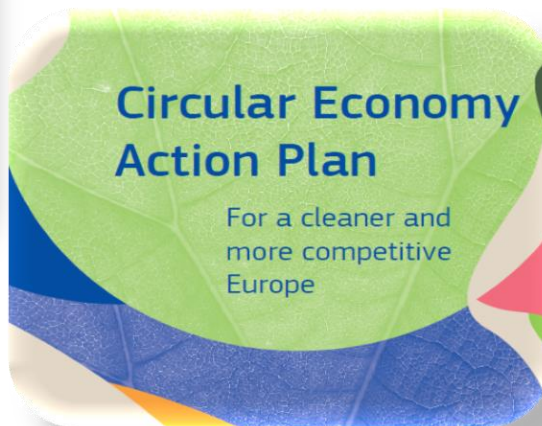
**Market Advisory Council, 23 May 2022**

DG Justice and Consumers  
Directorate JUST.E - Consumers  
JUST E1 – Consumer Policy Unit

# Empowering the consumer for the green transition - Context



**December 2019**



**March 2020**



**November 2020**

# Problem statement

## Problem 1

Lack of reliable and relevant information at the point of sale

Durability  
information

Repair  
information

## Problem 2

Certain commercial practices leading to consumer mistrust and confusion

Early obsolescence of  
products

Greenwashing

# Objectives

Unlock opportunities for the circular and green economy by empowering consumers

Better consumer protection against commercial practices not compatible with Green Deal objectives

Ensure consumers can make informed choices via better information

More effective enforcement of consumer law provisions on the green transition

# How will this be achieved?

- Legislative proposal adopted on 30 March 2022
- Via **targeted amendments** of Consumer Rights Directive (CRD) and Unfair Commercial Practices Directive (UCPD)
- Ensuring a **horizontal “safety net” approach** (*lex generalis*), versus other more detailed product specific or technical rules (*lex specialis*), such as the Sustainable Products Initiative.



# Targeted amendments in UCPD in relation to greenwashing

**Amending Article 6(1)** of UCPD by expanding the list of main product characteristics about which a trader is not to mislead a consumer to include: environmental or social impact, reparability, durability

**Amending Article 6(2) of UCPD** to ensure the following practices can be considered misleading after a case-by-case assessment:

- making an environmental claim related to future environmental performance without clear commitments and a monitoring system
- advertising benefits for consumers that are considered as a common practice in the relevant market

**Amending Article 7 of UCPD** to ensure the following practice can be considered misleading after a case-by-case assessment:

- Providing a product comparison service, including digitally, without informing the consumer about the method used for comparison

# Targeted amendments in UCPD in relation to greenwashing

**New items in UCPD Annex I** blacklist of misleading commercial practices:

- Displaying a sustainability label not based on third-party certification or established by public authorities
- Making generic environmental claims without recognised excellent environmental performance, established in accordance with EU law
- Making environmental claims which seem to concern the entire product when they actually concern only a specific aspect, such as packaging
- Presenting requirements imposed by law as a distinctive feature of the trader's offer

## Links with other initiatives

- **Proposal for Ecodesign Regulation for Sustainable Products** (DG ENV, GROW, ENER, adopted 30 March 2022)
  - introduce more detailed performance and information requirements for certain product categories through future delegated acts.
- **The Right to Repair initiative** (DG JUST, Q3 2022):
  - focus on encouraging repair of goods after purchase
- **The Green Claims initiative** (DG ENV, Q3 2022)
  - more detailed technical requirement to substantiate environmental claims (linked to environmental life-cycle assessments of products)
- **The Sustainable Consumption pledge** (DG JUST, ongoing non-legislative initiative - pilot phase in 2021 – new call published in 2022)
  - Opportunity for companies taking a voluntary pledge to support sustainable consumption, beyond what is required by law.



## More information:

- Legislative proposal on empowering consumers for the green transition:  
[https://ec.europa.eu/info/live-work-travel-eu/consumers/sustainable-consumption\\_en](https://ec.europa.eu/info/live-work-travel-eu/consumers/sustainable-consumption_en)
- Sustainable consumption pledge (non-legislative initiative):  
[https://ec.europa.eu/info/policies/consumers/consumer-protection-policy/sustainable-consumption-pledge\\_en](https://ec.europa.eu/info/policies/consumers/consumer-protection-policy/sustainable-consumption-pledge_en)

## DG JUST's team:

[Jana.HOSKOVA@ec.europa.eu](mailto:Jana.HOSKOVA@ec.europa.eu)

[Jeroen.VAN-LAER@ec.europa.eu](mailto:Jeroen.VAN-LAER@ec.europa.eu)

[Kilian.MCDONAGH-DIT@ec.europa.eu](mailto:Kilian.MCDONAGH-DIT@ec.europa.eu)

[Martins.PRIEDITIS@ec.europa.eu](mailto:Martins.PRIEDITIS@ec.europa.eu)

[Elvina.MORKYTE@ec.europa.eu](mailto:Elvina.MORKYTE@ec.europa.eu)

[Anne.SEEKINGS-LE-QUEMENT@ec.europa.eu](mailto:Anne.SEEKINGS-LE-QUEMENT@ec.europa.eu)

## Thank you!