



*Committee on the Environment, Public Health and Food Safety
Committee on the Internal Market and Consumer Protection*

2023/0085(COD)

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AMENDMENTS

57 - 357

Draft report

Cyrus Engerer, Andrus Ansip
(PE753.670v01-00)

Substantiation and communication of explicit environmental claims (Green Claims Directive)

Proposal for a directive
(COM(2023)0166 – C9-0116/2023 – 2023/0085(COD))

Amendment 57
Michal Wiezik, Karen Melchior

Proposal for a directive
Recital 1

Text proposed by the Commission

(1) Claiming to be “green” and sustainable has become a competitiveness factor, with green products registering greater growth than *standard* products. If goods and services offered and purchased on the internal market are not as environmentally friendly as presented, this would mislead the consumers, hamper the green transition and prevent the reduction of negative environmental impacts. The potential of green markets is not fully realised. Different requirements imposed by national legislation or private initiatives regulating environmental claims create a burden for companies in cross-border trade, as they need to comply with different requirements in each Member State. This affects their capacity to operate in and take advantage of the internal market. At the same time, market participants have difficulties with identifying reliable environmental claims and making optimal purchasing decisions on the internal market. With a proliferation of different labels and calculation methods on the market, it is difficult for consumers, businesses, investors and stakeholders to establish if claims are trustworthy.

Amendment

(1) Claiming to be “green” and sustainable has become a competitiveness factor, with green products registering greater growth than products *not making green claims*. If goods and services offered and purchased on the internal market are not as environmentally friendly as presented, this would mislead the consumers, hamper the green transition, *including of whole sectors* and prevent the reduction of negative environmental impacts. *Anticompetitive harm and environmental damage may align in creation of greenwashing cartels, whereby companies may collectively overcharge consumers under the excuse of environmental protection, or in cases where companies together soften or eliminate competition on the parameter of product differentiation that is the one of sustainable quality^{1a}*. The potential of green markets is not fully realised. Different requirements imposed by national legislation or private initiatives regulating environmental claims create a burden for companies in cross-border trade, as they need to comply with different requirements in each Member State. This affects their capacity to operate in and take advantage of the internal market. At the same time, market participants have difficulties with identifying reliable environmental claims and making optimal purchasing decisions on the internal market. With a proliferation of different labels and calculation methods on the market, *and questions around the transparency of the origin, production process and the life-cycle of a product*, it is difficult for consumers, businesses, investors and stakeholders to establish if

claims are trustworthy.

1^a OECD 2021: Background Paper by the Secretariat: Environmental Considerations in Competition Enforcement

Or. en

Amendment 58 **Stanislav Polčák**

Proposal for a directive **Recital 1**

Text proposed by the Commission

(1) Claiming to be “green” and sustainable has become a competitiveness factor, with green products registering greater growth than standard products. If goods and services offered and purchased on the internal market are not as environmentally friendly as presented, this would mislead the consumers, hamper the green transition and prevent the reduction of negative environmental impacts. The potential of green markets is not fully realised. Different requirements imposed by national legislation or private initiatives regulating environmental claims create a burden for companies in cross-border trade, as they need to comply with different requirements in each Member State. This affects their capacity to operate in and take advantage of the internal market. At the same time, market participants have difficulties with identifying reliable environmental claims and making optimal purchasing decisions on the internal market. With a proliferation of different labels and calculation methods on the market, it is difficult for consumers, businesses, investors and stakeholders to establish if claims are trustworthy.

Amendment

(1) Claiming to be “green” and sustainable has become a competitiveness factor, with green products registering greater growth than standard products ***as consumer interest grows, particularly in the younger generation.*** If goods and services offered and purchased on the internal market are not as environmentally friendly as presented, this would mislead the consumers, hamper the green transition and prevent the reduction of negative environmental impacts. The potential of green markets is not fully realised. Different requirements imposed by national legislation or private initiatives regulating environmental claims create a burden for companies in cross-border trade, as they need to comply with different requirements in each Member State. This affects their capacity to operate in and take advantage of the internal market. At the same time, market participants have difficulties with identifying reliable environmental claims and making optimal purchasing decisions on the internal market. With a proliferation of different labels and calculation methods on the market, it is difficult for consumers, businesses, investors and stakeholders to establish if claims are trustworthy.

Amendment 59

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive Recital 5

Text proposed by the Commission

(5) Detailed Union rules on substantiation of explicit environmental claims, applicable to companies operating on the Union market in business to consumer communication, will contribute to the green transition towards a circular, climate-neutral and clean economy in the Union by enabling consumers to take informed purchasing decisions, and will help create a level-playing field for market operators making such claims.

Amendment

(5) Detailed Union rules on substantiation of explicit environmental claims, applicable to companies operating on the Union market in business to consumer communication, will contribute to the green transition towards a circular, climate-neutral and clean economy in the Union, ***that respects the planetary boundaries***, by enabling consumers to take informed purchasing decisions, and will help create a level-playing field for market operators making such claims ***while promoting sustainable consumption***.

Or. en

Amendment 60

Arba Kokalari, Pernille Weiss

Proposal for a directive Recital 6

Text proposed by the Commission

(6) A regulatory framework for environmental claims is one of the actions proposed by the Commission to implement the European Green Deal⁶⁹, which recognises that reliable, comparable and verifiable information plays an important part in enabling buyers to make more sustainable decisions and reduces the risk of ‘greenwashing’, and includes commitments to step up regulatory and non-regulatory efforts to tackle false

Amendment

(6) A regulatory framework for environmental claims is one of the actions proposed by the Commission to implement the European Green Deal⁶⁹, which recognises that reliable, comparable and verifiable information plays an important part in enabling buyers to make more sustainable decisions and reduces the risk of ‘greenwashing’, and includes commitments to step up regulatory and non-regulatory efforts to tackle false

environmental claims. Together with other applicable Union regulatory frameworks, including the proposal for a Directive on empowering consumers for the green transition⁷⁰, amending Directive 2005/29/EC of the European Parliament and of the Council⁷¹ that this proposal aims at complementing, they establish a clear regime for environmental claims, including environmental labels.

⁶⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: The European Green Deal, COM/2019/640 final

⁷⁰ Proposal for a Directive of the European Parliament and of the Council amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and better information, COM(2022) 143 final

⁷¹ Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (Unfair Commercial Practices Directive) (OJ L 149, 11.6.2005, p. 22).

environmental claims. Together with other applicable Union regulatory frameworks, including the proposal for a Directive on empowering consumers for the green transition⁷⁰, amending Directive 2005/29/EC of the European Parliament and of the Council⁷¹ that this proposal aims at complementing *as lex specialis*, they establish a clear regime for environmental claims, including environmental labels.

⁶⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: The European Green Deal, COM/2019/640 final

⁷⁰ Proposal for a Directive of the European Parliament and of the Council amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and better information, COM(2022) 143 final

⁷¹ Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (Unfair Commercial Practices Directive) (OJ L 149, 11.6.2005, p. 22).

Or. en

Amendment 61

Michał Wiezik, Karen Melchior

Proposal for a directive

Recital 7

(7) This Directive is part of a set of interrelated initiatives to establish a strong and coherent product policy framework that will make environmentally sustainable products and business models the norm, and not the exception, and to transform consumption patterns so that no waste is produced in the first place. The Directive is complemented, amongst others, by interventions on the circular design of products, on fostering new business models and setting minimum requirements to prevent that environmentally harmful products are placed on the EU market through the proposal for an Eco-design for Sustainable Products Regulation⁷².

(7) This Directive is part of a set of interrelated initiatives to establish a strong and coherent product policy framework that will make environmentally sustainable products and business models the norm, and not the exception, and ***on the other hand will ensure that a norm which does not really differ from a common practice cannot be communicated to customers as a sustainable product, and as a result hindering progress towards true sustainability. In order*** to transform consumption patterns so that no waste is produced in the first place, the Directive is complemented, amongst others, by interventions on the circular design of products, on fostering new business models and setting minimum requirements to prevent that environmentally harmful products are placed on the EU market through the proposal for an Eco-design for Sustainable Products Regulation⁷².

⁷² Proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC, COM(2022) 132 final

⁷² Proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC, COM(2022) 132 final

Or. en

Amendment 62

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 8**

(8) The specific needs of individual economic sectors should be recognised and this Directive should therefore apply to voluntary explicit environmental claims

(8) The specific needs of individual economic sectors should be recognised and this Directive should therefore apply to voluntary explicit environmental claims

and environmental labelling schemes that are not regulated by any other Union act as regards their substantiation or communication, or verification. This Directive should therefore not apply to explicit environmental claims for which the Union legislation lays down specific rules, including on methodological frameworks, assessment or accounting rules related to measuring and calculating environmental impacts, environmental aspects or environmental performance of products or traders, or providing mandatory and non-mandatory information to consumers on the environmental performance of products and traders or sustainability information involving messages or representations that may be either mandatory or voluntary pursuant to the Union rules.

and environmental labelling schemes that are not regulated by any other Union act as regards their substantiation or communication, or verification. This Directive should therefore not apply to explicit environmental claims for which the Union legislation lays down specific ***and at least as strict*** rules, including on methodological frameworks, assessment or accounting rules related to measuring and calculating environmental impacts, environmental aspects or environmental performance of products or traders, or providing mandatory and non-mandatory information to consumers on the environmental performance of products and traders or sustainability information involving messages or representations that may be either mandatory or voluntary pursuant to the Union rules. ***Where Union legislation does not provide an equivalent level of protection with respect to the substantiation, communication, and verification of explicit environmental claims, this Directive should apply.***

Or. en

Amendment 63
Arba Kokalari, Pernille Weiss

Proposal for a directive
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8 a) This directive should not apply to national or regional EN ISO 14024 Type I ecolabelling schemes officially recognised in the Member States or to environmental labelling schemes as laid down in Regulation (EC) No 66/2010 and as recognised in the Directive EU (.../...) on Empowering Consumers for the Green Transition as a tool to show excellent environmental performance.

Or. en

Amendment 64

Michal Wiezik

Proposal for a directive

Recital 9

Text proposed by the Commission

(9) Within the context of the European Green Deal, the Farm to Fork Strategy and the Biodiversity Strategy, and in accordance with the target of achieving 25% of EU agricultural land under organic farming by 2030 and a significant increase in organic aquaculture and with the Action Plan on the Development of Organic Production (COM(2021) 141), organic farming and organic production need to be developed further. As regards Regulation (EU) 2018/848 of the European Parliament and of the Council⁷³, this Directive should not apply to environmental claims on organically certified products substantiated on the basis of that Regulation, related, for instance, to the use of pesticides, fertilisers and anti-microbials or, for instance, to positive impacts of organic farming on biodiversity, soil or water⁷⁴. It also has a positive impact *on biodiversity*, it creates jobs and attracts young farmers. Consumers recognise its value. In accordance with Regulation (EU) 2018/848, the terms “bio” and “eco” and their derivatives, whether alone or in combination, are only to be used in the Union for products, their ingredients or feed materials that fall under the scope of *that Regulation* where they have been produced in accordance with *Regulation (EU) 2018/848*. For instance, in order to call the cotton “eco”, it has to be certified as organic, as it falls within the scope of Regulation (EU) 2018/848. On the contrary, if the dishwasher detergent is called “eco”, this does not fall within the scope of Regulation (EU) 2018/848, and is instead regulated by the provisions of Directive 2005/29/EC.

Amendment

(9) Within the context of the European Green Deal, the Farm to Fork Strategy and the Biodiversity Strategy, and in accordance with the target of achieving 25% of EU agricultural land under organic farming by 2030 and a significant increase in organic aquaculture and with the Action Plan on the Development of Organic Production (COM(2021) 141), organic farming and organic production need to be developed further. As regards Regulation (EU) 2018/848 of the European Parliament and of the Council⁷³, this Directive should not apply to environmental claims on organically certified products substantiated on the basis of that Regulation, related, for instance, to the use of pesticides, fertilisers and anti-microbials or, for instance, to positive impacts of organic farming on biodiversity, soil or water⁷⁴. It also has a positive *social* impact, it creates jobs and attracts young farmers. Consumers recognise its value. In accordance with Regulation (EU) 2018/848 *and Regulation [Proposal for Regulation of the European Parliament and of the Council on the labelling of organic pet food]*, the terms “bio” and “eco” and their derivatives, whether alone or in combination, are only to be used in the Union for products, their ingredients or feed materials that fall under the scope of *those Regulations* where they have been produced in accordance with *the rules set therein*. For instance, in order to call the cotton “eco”, it has to be certified as organic, as it falls within the scope of Regulation (EU) 2018/848. On the contrary, if the dishwasher detergent is called “eco”, this does not fall within the scope of Regulation (EU) 2018/848, and is

instead regulated by the provisions of Directive 2005/29/EC.

⁷³ Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).

⁷⁴
https://agriculture.ec.europa.eu/system/files/2023-01/agri-market-brief-20-organic-farming-eu_en_1.pdf

⁷³ Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).

⁷⁴
https://agriculture.ec.europa.eu/system/files/2023-01/agri-market-brief-20-organic-farming-eu_en_1.pdf

Or. en

Justification

Biodiversity was mentioned twice. the Regulation on organic pet food is added as it will be a separate regulation although governed by basically the rules set in R 2018/848.

Amendment 65
Carlo Fidanza, Pietro Fiocchi

Proposal for a directive
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) Within the context of the European Green Deal, the European Chemicals Strategy for Sustainability (COM/2020/667), the EU Action Plan Towards Zero Pollution for Air, Water and Soil (COM/2021/400) and European Union Strategic Approach to Pharmaceuticals in the Environment (COM/2019/128), the healthcare sector plays a relevant role in addressing the issue of environmental pollution reduction. In this perspective, establishing a proper regulatory framework for using claims relating to sustainability, circularity and origin of the product's components both for medicinal products (according to Directive 2001/83) and medical devices (according to Regulations

2017/745), would be crucial for healthcare professionals and beneficial for patients enabling use these terms those company that may demonstrate their fairness.

Or. en

Justification

The link between environment and health is now recognised and acknowledged. The risk assessment linked to the use of medicinal products and medical devices must include the adverse effects that these have on the environment, in a logic inspired by the principles of "One Health". In order to support the transition to a more sustainable therapeutical approach, it is crucial that companies can disclose their claims if they can substantiate them according to this Directive and without any detriment for the product's efficacy.

Amendment 66

Beatrice Covassi, Achille Variati

Proposal for a directive

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) Within the context of the European Green Deal, the EU Action Plan Towards Zero Pollution for Air, Water and Soil (COM 2021/400, the European Chemicals Strategy for Sustainability (COM/2020/667) and the European Union Strategic Approach to Pharmaceuticals in the Environment (COM/2019/128), the healthcare sector plays a relevant role for environmental pollution reduction. In this perspective, establishing a proper regulatory framework for using green claims relating to sustainability, biodegradability, circularity and origin of the product's components both for medicinal products (according to Directive 2001/83) and medical devices (according to Regulations 2017/745), would be crucial to encourage companies contribution to environmental objectives and guarantee reliable communication to consumers.

Amendment 67

Annalisa Tardino, Isabella Tovaglieri, Silvia Sardone, Antonio Maria Rinaldi, Gianantonio Da Re, Alessandra Basso, Rosanna Conte, Matteo Adinolfi, Gianna Gancia, Marco Campomenosi, Maria Veronica Rossi, Danilo Oscar Lancini

Proposal for a directive

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) Within the same context, the healthcare sector should be recognized as a relevant player in reducing the environmental pollution. It would therefore be essential for companies and healthcare professionals and beneficial for patients to establish a proper regulatory framework for using claims relating to biodegradability, sustainability, circularity and origin of the product's components, both for medicinal products (according to Directive 2001/83) and medical devices (according to Regulations 2017/745).

Or. en

Amendment 68

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10 a) This proposal does not address business-to-business environmental claims or sustainability reporting.

Or. en

Amendment 69

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 13

Text proposed by the Commission

Amendment

(13) In case future Union legislation *deleted*
lays down rules on environmental claims,
environmental labels, or on the
assessment or communication of
environmental impacts, environmental
aspects or environmental performance of
certain products or traders in specific
sectors, for example the announced
“Count Emissions EU”, the forthcoming
Commission proposal on a legislative
framework for a Union sustainable food
system, the Eco-design for Sustainable
Products Regulation⁷⁷ or Regulation (EU)
No 1007/2011 of the European
Parliament and of the Council⁷⁸ , those
rules should be applied to the explicit
environmental claims in question instead
of the rules set out in this Directive.

⁷⁷ COM(2022) 132 final

⁷⁸ Regulation (EU) No 1007/2011 of the European Parliament and of the Council of 27 September 2011 on textile fibre names and related labelling and marking of the fibre composition of textile products and repealing Council Directive 73/44/EEC and Directives 96/73/EC and 2008/121/EC of the European Parliament and of the Council (OJ L 272, 18.10.2011, p. 1).

Or. en

Amendment 70
Michał Wiezik, Karen Melchior

Proposal for a directive
Recital 14

(14) The proposal for a Directive on empowering consumers for the green transition which amends Directive 2005/29/EC, sets out a number of specific requirements on environmental claims and prohibits generic environmental claims which are not based on recognised excellent environmental performance relevant to the claim. Examples of such generic environmental claims are ‘eco-friendly’, ‘eco’, ‘green’, ‘nature’s friend’, ‘ecological’ and ‘environmentally correct’. This Directive should complement the requirements set out in that proposal by addressing specific aspects and requirements for explicit environmental claims as regards their substantiation, communication and verification. The requirements set out in this Directive should apply to specific aspects of explicit environmental claims and will prevail over the requirements set out in Directive 2005/29/EC with regard to those aspects in case of conflict, pursuant to Article 3(4) of that Directive.

(14) The proposal for a Directive on empowering consumers for the green transition which amends Directive 2005/29/EC, sets out a number of specific requirements on environmental claims and prohibits generic environmental claims which are not based on recognised excellent environmental performance relevant to the claim. Examples of such generic environmental claims are ‘eco-friendly’, ‘eco’, ‘green’, ‘**sustainable**’, ‘nature’s friend’, ‘ecological’, and ‘environmentally correct’. This Directive should complement the requirements set out in that proposal by addressing specific aspects and requirements for explicit environmental claims, **including both on- and off-product claims, including taglines**, as regards their substantiation, communication and verification. The requirements set out in this Directive should apply to specific aspects of explicit environmental claims and will prevail over the requirements set out in Directive 2005/29/EC with regard to those aspects in case of conflict, pursuant to Article 3(4) of that Directive.

Or. en

Amendment 71

Arba Kokalari, Pernille Weiss

Proposal for a directive

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14 a) Recognizing the importance of precision and transparency in environmental claims. Member states should provide practical guidance for the interpretation of the definitions in this Directive. Claims that do not directly and primarily address the environmental impact of a product should not be

categorised as explicit environmental claims. Claims solely related to product features should be distinguished from those that genuinely convey environmental benefits, ensuring that consumers are not misinformed and the integrity of environmental marketing remains intact.

Or. en

Amendment 72
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14 a) Recognizing the importance of precision and transparency in environmental claims. Member states shall provide practical guidance for the interpretation of the definitions in this Directive. Claims that do not directly and primarily address the environmental impact of a product should not be categorised as explicit environmental claims. Claims solely related to product features should be distinguished from those that genuinely convey environmental benefits, ensuring that consumers are not misinformed and that the integrity of environmental marketing remains intact.

Or. en

Amendment 73
Edina Tóth

Proposal for a directive
Recital 15

Text proposed by the Commission

Amendment

(15) In order to ensure that consumers are provided with reliable, comparable and verifiable information which enables them to make more environmentally sustainable decisions and to reduce the risk of ‘greenwashing, it is necessary to establish requirements for substantiation of explicit environmental claims. Such substantiation should take into account internationally recognised scientific approaches to identifying and measuring environmental impacts, environmental aspects and environmental performance of products or traders, **and it should result in reliable, transparent, comparable and verifiable information to the consumer.**

(15) In order to ensure that consumers are provided with reliable, comparable and verifiable information which enables them to make more environmentally sustainable decisions and to reduce the risk of ‘greenwashing, it is necessary to establish requirements for substantiation of explicit environmental claims. ***The substantiation should be based on widely recognised scientific evidence understood as that based on sound methodologies, approaches or studies that (i) have been developed in line with best practices in terms of transparency, stakeholder consultation, involvement of scientific community, industry and civil society; and (ii) have been independently peer reviewed by qualified experts in the field and published in internationally recognised scientific literature. In addition,*** such substantiation should take into account internationally recognised scientific approaches to identifying and measuring environmental impacts, environmental aspects and environmental performance of products or traders ***including relevant standards developed by standardisation bodies.***

Or. en

Amendment 74 Petros Kokkalis

Proposal for a directive Recital 15

Text proposed by the Commission

(15) In order to ensure that consumers are provided with reliable, comparable and verifiable information which enables them to make more environmentally sustainable decisions and to reduce the risk of ‘greenwashing, it is necessary to establish requirements for substantiation of explicit environmental claims. ***Such*** substantiation should ***take into account*** internationally

Amendment

(15) In order to ensure that consumers are provided with reliable, comparable and verifiable information which enables them to make more environmentally sustainable decisions and to reduce the risk of ‘greenwashing, it is necessary to establish requirements for substantiation of explicit environmental claims. ***The*** substantiation should ***be based on widely recognised***

recognised scientific *approaches to identifying and measuring environmental impacts, environmental aspects and environmental performance of products or traders, and it should result in reliable, transparent, comparable and verifiable information to the consumer.*

scientific evidence understood as that based on sound methodologies, approaches or studies that (i) have been developed in line with best practices in terms of transparency, stakeholder consultation, involvement of scientific community, industry and civil society; and (ii) have been independently peer reviewed by qualified experts in the field and published in internationally recognised scientific literature.

Or. en

Amendment 75

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 15

Text proposed by the Commission

(15) In order to ensure that consumers are provided with reliable, comparable and verifiable information which enables them to make more environmentally sustainable decisions and to reduce the risk of ‘greenwashing, it is necessary to establish requirements for substantiation of explicit environmental claims. Such substantiation should take into account internationally recognised scientific approaches to identifying and measuring environmental impacts, environmental aspects and environmental performance of products or traders, and it should result in reliable, transparent, comparable and verifiable information to the consumer.

Amendment

(15) In order to ensure that consumers are provided with reliable, comparable and verifiable information which enables them to make more environmentally sustainable decisions and to reduce the risk of ‘greenwashing, it is necessary to establish requirements for substantiation of explicit environmental claims. Such substantiation should take into account ***robust and independent*** internationally recognised scientific approaches to identifying and measuring environmental impacts, environmental aspects and environmental performance of products or traders, and it should result in reliable, transparent, comparable and verifiable information to the consumer.

Or. en

Amendment 76

Stanislav Polčák

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) In order to ensure that consumers are provided with reliable, comparable and verifiable information which enables them to make more environmentally sustainable decisions and to reduce the risk of ‘greenwashing, it is necessary to establish requirements for substantiation of explicit environmental claims. Such substantiation should take into account internationally recognised scientific approaches to identifying and measuring environmental impacts, environmental aspects and environmental performance of products or traders, and it should result in reliable, transparent, comparable and verifiable information to the consumer.

Amendment

(15) In order to ensure that consumers are provided with reliable, comparable and verifiable information which enables them to make more environmentally sustainable decisions and to reduce the risk of ‘greenwashing, it is necessary to establish requirements for substantiation of explicit environmental claims. Such substantiation should take into account internationally recognised **and up-to-date** scientific approaches to identifying and measuring environmental impacts, environmental aspects and environmental performance of products or traders, and it should result in reliable, transparent, comparable and verifiable information to the consumer.

Or. cs

Amendment 77
Arba Kokalari, Pernille Weiss

Proposal for a directive
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15 a) It should be possible for traders to base their environmental claims on an environmental labelling schemes without further documentation or control, when the claim is based on specific requirements in the criteria and the trader has been certified to display or use such an environmental labelling scheme. Since the environmental labelling scheme will ensure independent third-party control already, there is no need for additional control of that specific green claims.

Or. en

Amendment 78
Sirpa Pietikäinen

Proposal for a directive
Recital 16

Text proposed by the Commission

(16) The assessment made to substantiate explicit environmental claims needs to consider the life-cycle of the product or of the overall activities of the trader and should not omit any relevant environmental aspects or environmental impacts. The benefits claimed should not result in an unjustified transfer of negative impacts to other stages of the life cycle of a product or trader, or to the creation or increase of other negative environmental impacts.

Amendment

(16) The assessment made to substantiate explicit ***and implicit*** environmental claims needs to consider the life-cycle of the product or of the overall activities of the trader and should not omit any relevant environmental aspects or environmental impacts. The benefits claimed should not result in an unjustified transfer of negative impacts to other stages of the life cycle of a product or trader, or to the creation or increase of other negative environmental impacts. ***Therefore, explicit or implicit environmental claims cannot be made if the product or trader causes significant harm in any aspect of environmental sustainability. The product's or trader's negative environmental impacts shall be disclosed and communicated together with the claims. These requirements shall apply to both explicit and implicit claims such as visualization.***

Or. en

Amendment 79
Erik Poulsen, Morten Løkkegaard, Asger Christensen, Andrus Ansip, Karen Melchior

Proposal for a directive
Recital 16

Text proposed by the Commission

(16) The assessment made to substantiate explicit environmental claims needs to consider the life-cycle of the product or of the overall activities of the trader and should not omit any relevant environmental aspects or environmental impacts. The benefits claimed should not

Amendment

(16) The assessment made to substantiate explicit environmental claims needs to consider the life-cycle of the product or of the overall activities of the trader and should not omit any relevant environmental aspects or environmental impacts. The benefits claimed should not

result in an unjustified transfer of negative impacts to other stages of the life cycle of a product or trader, or to the creation or increase of other negative environmental impacts.

result in an unjustified transfer of negative impacts to other stages of the life cycle of a product or trader, or to the creation or increase of other negative environmental impacts ***and should be done in an EU harmonized and standardized way in order to minimize the risk of greenwashing, and to create predictability and a cost-efficient structure for the companies producing the products and traders.***

Or. en

Amendment 80

Virginie Joron, Markus Buchheit, Jean-Lin Lacapelle, Aurélia Beigneux, Tom Vandendriessche, Catherine Griset, Mathilde Androuët

Proposal for a directive

Recital 16

Text proposed by the Commission

(16) The assessment made to substantiate explicit environmental claims needs to consider the life-cycle of the product or of the overall activities of the trader and should not omit any relevant environmental aspects or environmental impacts. The benefits claimed should not result in an unjustified transfer of negative impacts to other stages of the life cycle of a product or trader, or to the creation or increase of other negative environmental impacts.

Amendment

(16) The assessment made to substantiate explicit environmental claims needs to consider the life-cycle of the product or of the overall activities of the trader and should not omit any relevant environmental aspects or environmental impacts, ***such as the environmental impact of a product imported from a third country.*** The benefits claimed should not result in an unjustified transfer of negative impacts to other stages of the life cycle of a product or trader, or to the creation or increase of other negative environmental impacts.

Or. fr

Amendment 81

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 16

(16) The assessment made to substantiate explicit environmental claims needs to consider the life-cycle of the product or of the overall activities of the trader and should not omit any relevant environmental aspects or environmental impacts. The benefits claimed should not result in **an unjustified** transfer of negative impacts to other stages of the life cycle of a product or trader, or to the creation or increase of other negative environmental impacts.

(16) The assessment made to substantiate explicit environmental claims needs to consider the life-cycle of the product or of the overall activities of the trader and should **consider multiple environmental impacts and should** not omit any relevant environmental aspects or environmental impacts. The benefits claimed should not result in **a** transfer of negative impacts to other stages of the life cycle of a product or trader, or to the creation or increase of other negative environmental impacts.

Or. en

Amendment 82

Kim Van Sparrentak, Malte Gällée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 17**

(17) The assessment substantiating the explicit environmental claim should make it possible to **identify** the environmental impacts and environmental aspects for the product or trader that jointly contribute **significantly** to the overall environmental performance of the product or trader ('relevant environmental impacts' and 'relevant environmental aspects'). Indications for the relevance of the environmental impacts and environmental aspects can stem from assessments taking into account the life-cycle, including from the studies based on Environmental Footprint (EF) methods, provided that these are complete on the impacts relevant to the product category and do not omit any important environmental impacts. For example, in the Commission Recommendation on the use of

(17) The assessment substantiating the explicit environmental claim should make it possible to **demonstrate** the environmental impacts and environmental aspects for the product or trader that jointly contribute to the overall environmental performance of the product or trader ('relevant environmental impacts' and 'relevant environmental aspects'). Indications for the relevance of the environmental impacts and environmental aspects can stem from assessments taking into account the life-cycle, including from the studies based on Environmental Footprint (EF) methods, provided that these are complete on the impacts relevant to the product category and do not omit any important environmental impacts. For example, in the Commission Recommendation on the use of

Environmental Footprint methods⁷⁹ the most relevant impact categories identified should together contribute to at least 80% of the single overall score. These indications for the relevance of the environmental impacts or environmental aspects can also result from the criteria set in various ecolabels type I, as for instance the EU Ecolabel, or in Union criteria for green public procurement, from requirements set by the Taxonomy Regulation⁸⁰, from product specific rules adopted under the Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products⁸¹ or from other relevant Union rules.

⁷⁹ Commission Recommendation (EU) 2021/2279 of 15 December 2021 on the use of the Environmental Footprint methods to measure and communicate the life cycle environmental performance of products and organisations, OJ L 471, 30.12.2021, p. 1.

⁸⁰ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

⁸¹ [...]

Environmental Footprint methods⁷⁹ the most relevant impact categories identified should together contribute to at least 80% of the single overall score. These indications for the relevance of the environmental impacts or environmental aspects can also result from the criteria set in various ecolabels type I, as for instance the EU Ecolabel, or in Union criteria for green public procurement, from requirements set by the Taxonomy Regulation⁸⁰, from product specific rules adopted under the Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products⁸¹ or from other relevant Union rules.

⁷⁹ Commission Recommendation (EU) 2021/2279 of 15 December 2021 on the use of the Environmental Footprint methods to measure and communicate the life cycle environmental performance of products and organisations, OJ L 471, 30.12.2021, p. 1.

⁸⁰ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

⁸¹ [...]

Or. en

Amendment 83

Michał Wiezik, Karen Melchior

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) In line with Directive 2005/29/EC as amended by the proposal for a Directive

Amendment

(18) In line with Directive 2005/29/EC as amended by the proposal for a Directive

on empowering consumers for the green transition, the trader should not present requirements imposed by law on products within a given product category as a distinctive feature of the trader's offer or advertise benefits for consumers that are considered as common practice in the relevant market. The information used to substantiate explicit environmental claims should **therefore** make it possible to identify the product's or trader's environmental performance in comparison to the common practice for products in the respective product group, such as food, or in the respective sector. This is necessary to underpin the assessment whether the explicit environmental claims can be made with regard to a given product or trader in line with the function of an environmental claim, which is to demonstrate that a product or trader has a positive impact or no impact on the environment, or that a product or a trader is less damaging to the environment than other products or traders. The common practice could be equivalent to the minimum legal requirements that are applicable to the specific environmental aspect or environmental performance, for example as regards product composition, mandatory recycled content or end-of-life treatment. However, in case majority of products within the product group or majority of traders within the sector perform better than those legal requirements, the minimum legal requirements should not be considered as common practice.

on empowering consumers for the green transition, the trader should not present requirements imposed by law on products within a given product category as a distinctive feature of the trader's offer or advertise benefits for consumers that are considered as common practice in the relevant market. ***Also, existing certification schemes and their trademarks, such as certification schemes characterised by chain of custody certification which are open to fraud or which cannot reliably guarantee legality of the production for given eco-labelled products, should in case used in business-to-consumer commercial practice be verified for full compliance with requirements under the Directive so as to ensure that the consumers are not misled.*** The information used to substantiate explicit environmental claims should make it possible to identify the product's or trader's environmental performance in comparison to the common practice for products in the respective product group, such as food, or in the respective sector. This is necessary to underpin the assessment whether the explicit environmental claims can be made with regard to a given product or trader in line with the function of an environmental claim, which is to demonstrate that a product or trader has a positive impact or no impact on the environment, or that a product or a trader is less damaging to the environment than other products or traders. The common practice could be equivalent to the minimum legal requirements that are applicable to the specific environmental aspect or environmental performance, for example as regards product composition, mandatory recycled content or end-of-life treatment. However, in case majority of products within the product group, ***majority of production processes used for production of the product group***, or majority of traders within the sector perform better than those legal requirements, the minimum legal requirements should not be considered as

common practice.

Or. en

Amendment 84

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 18**

Text proposed by the Commission

(18) In line with Directive 2005/29/EC as amended by the proposal for a Directive on empowering consumers for the green transition, the trader should not present requirements imposed by law on products within a given product category as a distinctive feature of the trader's offer or advertise benefits for consumers that are considered as common practice in the relevant market. The information used to substantiate explicit environmental claims should therefore make it possible to identify the product's or trader's environmental performance in comparison to the common practice for products in the respective product group, such as food, or in the respective sector. This is necessary to underpin the assessment whether the explicit environmental claims can be made with regard to a given product or trader in line with the function of an environmental claim, which is to demonstrate that a product or trader has a positive impact or no impact on the environment, or that a product or a trader is less damaging to the environment than other products or traders. The common practice could be equivalent to the minimum legal requirements that are applicable to the specific environmental aspect or environmental performance, for example as regards product composition, mandatory recycled content or end-of-life treatment. ***However, in case majority of products within the product group or majority of traders within the sector***

Amendment

(18) In line with Directive 2005/29/EC as amended by the proposal for a Directive on empowering consumers for the green transition, the trader should not present requirements imposed by law on products within a given product category as a distinctive feature of the trader's offer or advertise benefits for consumers that are considered as common practice in the relevant market. The information used to substantiate explicit environmental claims should therefore make it possible to identify the product's or trader's environmental performance in comparison to the common practice for products in the respective product group, such as food, or in the respective sector. This is necessary to underpin the assessment whether the explicit environmental claims can be made with regard to a given product or trader in line with the function of an environmental claim, which is to demonstrate that a product or trader has a positive impact or no impact on the environment, or that a product or a trader is less damaging to the environment than other products or traders. The common practice could be equivalent to the minimum legal requirements that are applicable to the specific environmental aspect or environmental performance, for example as regards product composition, mandatory recycled content or end-of-life treatment.

perform better than those legal requirements, the minimum legal requirements should not be considered as common practice.

Or. en

Amendment 85
Stanislav Polčák

Proposal for a directive
Recital 18

Text proposed by the Commission

(18) In line with Directive 2005/29/EC as amended by the proposal for a Directive on empowering consumers for the green transition, the trader should not present requirements imposed by law on products within a given product category as a distinctive feature of the trader's offer or advertise benefits for consumers that are considered as common practice in the relevant market. The information used to substantiate explicit environmental claims should therefore make it possible to identify the product's or trader's environmental performance in comparison to the common practice for products in the respective product group, such as food, or in the respective sector. This is necessary to underpin the assessment whether the explicit environmental claims can be made with regard to a given product or trader in line with the function of an environmental claim, which is to demonstrate that a product or trader has a positive impact or no impact on the environment, or that a product or a trader is less damaging to the environment than other products or traders. The common practice could be equivalent to the minimum legal requirements that are applicable to the specific environmental aspect or environmental performance, for example as regards product composition, mandatory recycled content or end-of-life treatment. *However, in case majority of*

Amendment

(18) In line with Directive 2005/29/EC as amended by the proposal for a Directive on empowering consumers for the green transition, the trader should not present requirements imposed by law on products within a given product category as a distinctive feature of the trader's offer or advertise benefits for consumers that are considered as common practice in the relevant market. The information used to substantiate explicit environmental claims should therefore make it possible to identify the product's or trader's environmental performance in comparison to the common practice for products in the respective product group, such as food, or in the respective sector. This is necessary to underpin the assessment whether the explicit environmental claims can be made with regard to a given product or trader in line with the function of an environmental claim, which is to demonstrate that a product or trader has a positive impact or no impact on the environment, or that a product or a trader is less damaging to the environment than other products or traders. The common practice could be equivalent to the minimum legal requirements that are applicable to the specific environmental aspect or environmental performance, for example as regards product composition, mandatory recycled content or end-of-life

products within the product group or majority of traders within the sector perform better than those legal requirements, the minimum legal requirements should not be considered as common practice.

treatment.

Or. cs

Amendment 86
Arba Kokalari, Pernille Weiss

Proposal for a directive
Recital 19

Text proposed by the Commission

(19) It would be misleading to consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit environmental claims should identify if improvements on environmental impacts or environmental aspects lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if savings in water consumption lead to a notable increase in greenhouse gas emissions, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase. *For example, a claim on positive impacts from efficient*

Amendment

(19) It would be misleading to consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit environmental claims should identify if improvements on environmental impacts or environmental aspects lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if savings in water consumption lead to a notable increase in greenhouse gas emissions, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase.

use of resources in intensive agricultural practices may mislead consumers due to trade-offs linked to impacts on biodiversity, ecosystems or animal welfare. An environmental claim on textiles containing plastic polymer from recycled PET bottles may also mislead consumers as to the environmental benefit of that aspect if the use of this recycled polymer competes with the closed-loop recycling system for food contact materials which is considered more beneficial from the perspective of circularity.

Or. en

Amendment 87
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Recital 19

Text proposed by the Commission

(19) It would be misleading to consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit environmental claims should identify if improvements on environmental impacts or environmental aspects lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if savings in water

Amendment

(19) It would be misleading to consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit environmental claims should identify if improvements on environmental impacts or environmental aspects lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if savings in water

consumption lead to a notable increase in greenhouse gas emissions, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase. For example, a claim on positive impacts from efficient use of resources in intensive agricultural practices may mislead consumers due to trade-offs linked to impacts on biodiversity, ecosystems or animal welfare.

An environmental claim on textiles containing plastic polymer from recycled PET bottles may also mislead consumers as to the environmental benefit of that aspect if the use of this recycled polymer competes with the closed-loop recycling system for food contact materials which is considered more beneficial from the perspective of circularity.

consumption lead to a notable increase in greenhouse gas emissions, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase. For example, a claim on positive impacts from efficient use of resources in intensive agricultural practices may mislead consumers due to trade-offs linked to impacts on biodiversity, ecosystems or animal welfare.

Or. en

Amendment 88
Michal Wiezik, Karen Melchior

Proposal for a directive
Recital 19

Text proposed by the Commission

(19) It would be misleading to consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit

Amendment

(19) It would be misleading to consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit

environmental claims should identify if improvements on environmental impacts or environmental aspects lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if savings *in water consumption* lead to a notable increase in *greenhouse gas emissions*, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase. For example, a claim on positive impacts from efficient use of resources in intensive agricultural practices may mislead consumers due to trade-offs linked to impacts on biodiversity, ecosystems or animal welfare. An environmental claim on textiles containing plastic polymer from recycled PET bottles may also mislead consumers as to the environmental benefit of that aspect if the use of this recycled polymer competes with the closed-loop recycling system for food contact materials which is considered more beneficial from the perspective of circularity.

environmental claims should identify if improvements on environmental impacts or environmental aspects lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if *greenhouse gas* savings lead to a notable increase in *water use or to negative impacts on high-biodiverse ecosystems*, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase. For example, a claim on positive impacts from efficient use of resources in intensive agricultural practices may mislead consumers due to trade-offs linked to impacts on biodiversity, ecosystems or animal welfare. An environmental claim on *green energy may mislead consumers if the green source is biomass coming from forests from another country or another continent and may slow down progress in development of local green energy sources and contribution to energy sovereignty*, or textiles containing plastic polymer from recycled PET bottles may also mislead consumers as to the environmental benefit of that aspect if the use of this recycled polymer competes with the closed-loop recycling system for food contact materials which is considered more beneficial from the perspective of circularity.

Or. en

Amendment 89

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 19

Text proposed by the Commission

(19) It would be misleading to

Amendment

(19) It would be misleading to

consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit environmental claims should **identify if** improvements on environmental impacts or environmental aspects lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if savings in water consumption lead to a notable increase in greenhouse gas emissions, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase. For example, a claim on positive impacts from efficient use of resources in intensive agricultural practices may mislead consumers due to trade-offs linked to impacts on biodiversity, ecosystems or animal welfare. An environmental claim on textiles containing plastic polymer from recycled PET bottles may also mislead consumers as to the environmental benefit of that aspect if the use of this recycled polymer competes with the closed-loop recycling system for food contact materials which is considered more beneficial from the perspective of circularity.

consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit environmental claims should **demonstrate that** improvements on environmental impacts or environmental aspects **do not** lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if savings in water consumption lead to a notable increase in greenhouse gas emissions, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase. For example, a claim on positive impacts from efficient use of resources in intensive agricultural practices may mislead consumers due to trade-offs linked to impacts on biodiversity, ecosystems or animal welfare. An environmental claim on textiles containing plastic polymer from recycled PET bottles may also mislead consumers as to the environmental benefit of that aspect if the use of this recycled polymer competes with the closed-loop recycling system for food contact materials which is considered more beneficial from the perspective of circularity.

Or. en

Amendment 90
Dolors Montserrat

Proposal for a directive
Recital 19

Text proposed by the Commission

(19) It would be misleading to consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit environmental claims should identify if improvements on environmental impacts or environmental aspects lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if savings in water consumption lead to a notable increase in greenhouse gas emissions, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase. For example, a claim on positive impacts from efficient use of resources in intensive agricultural practices may mislead consumers due to trade-offs linked to impacts on biodiversity, ecosystems **or animal welfare**. An environmental claim on textiles containing plastic polymer from recycled PET bottles may also mislead consumers as to the environmental benefit of that aspect if the use of this recycled polymer competes with the closed-loop recycling system for food contact materials which is considered more beneficial from the perspective of circularity.

Amendment

(19) It would be misleading to consumers if an explicit environmental claim pointed to the benefits in terms of environmental impacts or environmental aspects while omitting that the achievement of those benefits leads to negative trade-offs on other environmental impacts or environmental aspects. To this end the information used to substantiate explicit environmental claims should ensure that the interlinkages between the relevant environmental impacts and between environmental aspects and environmental impacts can be identified along with potential trade-offs. The assessment used to substantiate explicit environmental claims should identify if improvements on environmental impacts or environmental aspects lead to the kind of trade-offs that significantly worsen the performance as regards other environmental impacts or environmental aspects, for example if savings in water consumption lead to a notable increase in greenhouse gas emissions, or in the same environmental impact in another life-cycle stage of the product, for example CO₂ savings in the stage of manufacturing leading to a notable increase of CO₂ emissions in the use phase. For example, a claim on positive impacts from efficient use of resources in intensive agricultural practices may mislead consumers due to trade-offs linked to impacts on biodiversity **or** ecosystems. An environmental claim on textiles containing plastic polymer from recycled PET bottles may also mislead consumers as to the environmental benefit of that aspect if the use of this recycled polymer competes with the closed-loop recycling system for food contact materials which is considered more beneficial from the perspective of circularity.

Amendment 91
Marian-Jean Marinescu

Proposal for a directive
Recital 20

Text proposed by the Commission

(20) In order for the environmental claim to be considered robust, it should reflect as accurately as possible the environmental performance of the specific product or trader. The information used to substantiate explicit environmental claims therefore needs to include primary, company-specific data for relevant aspects contributing significantly to the environmental performance of the product or trader referred to in the claim. It is necessary to strike the right balance between ensuring relevant and robust information for substantiating environmental claims and the efforts needed to gather primary information. The requirement to use primary information should be considered in the light of the influence the trader making the claim has over the respective process and of the availability of primary information. If the process is not run by the trader making the claim and primary information is not available, accurate secondary information should be able to be used even for processes that contribute significantly to the environmental performance of the product or trader. This is especially relevant to not disadvantage SMEs and to keep the efforts needed to acquire primary data at a proportionate level. ***Moreover, the relevant environmental aspects are different for each type of environmental claim. For instance, for claims on recycled or bio-based content, the composition of the product should be covered by primary data. For claims on being environmentally less polluting in a***

Amendment

(20) In order for the environmental claim to be considered robust, it should reflect as accurately as possible the environmental performance of the specific product or trader. The information used to substantiate explicit environmental claims therefore needs to include primary, company-specific data for relevant aspects contributing significantly to the environmental performance of the product or trader referred to in the claim. It is necessary to strike the right balance between ensuring relevant and robust information for substantiating environmental claims, ***the intellectual property rights, trade secrets and private business information of the trader***, and the efforts needed to gather primary information. The requirement to use primary information should be considered in the light of the influence the trader making the claim has over the respective process and of the availability of primary information. If the process is not run by the trader making the claim and primary information is not available, accurate secondary information should be able to be used even for processes that contribute significantly to the environmental performance of the product or trader. This is especially relevant to not disadvantage SMEs and to keep the efforts needed to acquire primary data at a proportionate level. Both primary data and secondary data, i.e. average data, should show a high level of quality and accuracy.

certain life cycle stage, information on emissions and environmental impacts related to that life cycle stage should include primary data as well. Both primary data and secondary data, i.e. average data, should show a high level of quality and accuracy.

Or. en

Amendment 92
Arba Kokalari, Pernille Weiss

Proposal for a directive
Recital 20

Text proposed by the Commission

(20) In order for the environmental claim to be considered robust, it should reflect as accurately as possible the environmental performance of the specific product or trader. The information used to substantiate explicit environmental claims therefore needs to include primary, company-specific data for relevant aspects contributing significantly to the environmental performance of the product or trader referred to in the claim. It is necessary to strike the right balance between ensuring relevant and robust information for substantiating environmental claims and the efforts needed to gather primary information. The requirement to use primary information should be considered in the light of the influence the trader making the claim has over the respective process and of the availability of primary information. If the process is not run by the trader making the claim and primary information is not available, accurate secondary information should be able to be used even for processes that contribute significantly to the environmental performance of the product or trader. This is especially relevant to not disadvantage SMEs and to keep the efforts needed to acquire primary

Amendment

(20) In order for the environmental claim to be considered robust, it should reflect as accurately as possible the environmental performance of the specific product or trader. The information used to substantiate explicit environmental claims therefore needs to include primary, ***company-specific*** data for relevant aspects contributing significantly to the environmental performance of the product or trader referred to in the claim. It is necessary to strike the right balance between ensuring relevant and robust information for substantiating environmental claims, ***the intellectual property right and sensitive business information of the trader***, and the efforts needed to gather primary information. The requirement to use primary information should be considered in the light of the influence the trader making the claim has over the respective process and of the availability of primary information. If the process is not run by the trader making the claim and primary information is not available, accurate secondary information should be able to be used even for processes that contribute significantly to the environmental performance of the product or trader. This is especially

data at a proportionate level. *Moreover, the relevant environmental aspects are different for each type of environmental claim. For instance, for claims on recycled or bio-based content, the composition of the product should be covered by primary data. For claims on being environmentally less polluting in a certain life cycle stage, information on emissions and environmental impacts related to that life cycle stage should include primary data as well.* Both primary data and secondary data, i.e. average data, should show a high level of quality and accuracy.

relevant to not disadvantage SMEs and to keep the efforts needed to acquire primary data at a proportionate level. Both primary data and secondary data, i.e. average data, should show a high level of quality and accuracy.

Or. en

Amendment 93

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 20**

Text proposed by the Commission

(20) In order for the environmental claim to be considered robust, it should reflect as accurately as possible the environmental performance of the specific product or trader. The information used to substantiate explicit environmental claims therefore needs to include primary, company-specific data for relevant aspects contributing significantly to the environmental performance of the product or trader referred to in the claim. It is necessary to strike the right balance between ensuring relevant and robust information for substantiating environmental claims and the efforts needed to gather primary information. The requirement to use primary information should be considered in the light of the influence the trader making the claim has over the respective process and *of the availability of primary information. If the*

Amendment

(20) In order for the environmental claim to be considered robust, it should reflect as accurately as possible the environmental performance of the specific product or trader. The information used to substantiate explicit environmental claims therefore needs to include primary, company-specific data for relevant aspects contributing significantly to the environmental performance of the product or trader referred to in the claim. It is necessary to strike the right balance between ensuring relevant and robust information for substantiating environmental claims and the efforts needed to gather primary information. The requirement to use primary information should be considered in the light of the influence the trader making the claim has over the respective process and *be complemented, where necessary, by*

process is not run by the trader making the claim and primary information is not available, accurate secondary information ***should be able to be used even for processes that contribute significantly to the environmental performance of the product or trader***. This is especially relevant to not disadvantage SMEs and to keep the efforts needed to acquire primary data at a proportionate level. Moreover, the relevant environmental aspects are different for each type of environmental claim. For instance, for claims on recycled or bio-based content, the composition of the product should be covered by primary data. For claims on being environmentally less polluting in a certain life cycle stage, information on emissions and environmental impacts related to that life cycle stage should include primary data as well. Both primary data and secondary data, i.e. average data, should show a high level of quality and accuracy.

additional accurate secondary information. This is especially relevant to not disadvantage SMEs and to keep the efforts needed to acquire primary data at a proportionate level. Moreover, the relevant environmental aspects are different for each type of environmental claim. For instance, for claims on recycled or bio-based content, the composition of the product should be covered by primary data. For claims on being environmentally less polluting in a certain life cycle stage, information on emissions and environmental impacts related to that life cycle stage should include primary data as well. Both primary data and secondary data, i.e. average data, should show a high level of quality and accuracy.

Or. en

Amendment 94

Emma Wiesner, Ulrike Müller, Erik Poulsen, Morten Løkkegaard, Asger Christensen, Karen Melchior

Proposal for a directive

Recital 21

Text proposed by the Commission

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. ***Such statements are often based on “offsetting” of greenhouse gas emissions through “carbon credits” generated outside the company’s value chain, for example from forestry or***

Amendment

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers, ***as addressed in the proposal for a Directive on empowering consumers for the green transition***. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. In order to adequately contribute to global climate change mitigation targets, traders should

renewable energy projects. The methodologies underpinning offsets vary widely and are not always transparent, accurate, or consistent. This leads to significant risks of overestimations and double counting of avoided or reduced emissions, due to a lack of additionality, permanence, ambitious and dynamic crediting baselines that depart from business as usual, and accurate accounting. These factors result in offset credits of low environmental integrity and credibility that mislead consumers when they are relied upon in explicit environmental claims. Offsetting can also deter traders from emissions reductions in their own operations and value chains. In order to adequately contribute to global climate change mitigation targets, traders should prioritise effective reductions of emissions across their own operations and value chains *instead of relying on offsets.* Any resulting residual emissions will vary by sector-specific pathway in line with the global climate targets and will have to be addressed through removals enhancements. *When offsets are used nonetheless,* it is deemed appropriate to address climate-related claims, including claims on future environmental performance, *based on offsets* in a transparent manner. Therefore, the substantiation of climate-related claims should consider any greenhouse gas emissions offsets used by the traders separately from the trader's or the product's greenhouse gas emissions. In addition, this information should *also specify the share of total emissions that are addressed through offsetting, whether these offsets relate to emission reductions or removals enhancement, and the methodology applied. The climate-related claims that include the use of offsets have to be substantiated by methodologies that ensure the integrity and correct accounting of these offsets and thus reflect coherently and transparently the resulting impact on the climate.*

prioritise effective reductions of emissions across their own operations and value chains. Any resulting residual emissions will vary by sector-specific pathway in line with the global climate targets and will have to be addressed through removals enhancements, *and via the use of carbon removal technologies and carbon farming solutions.* It is deemed appropriate to address climate-related claims, including claims on future environmental performance in a transparent manner. Therefore, the substantiation of climate-related claims should consider any greenhouse gas emissions offsets used by the traders separately from the trader's or the product's greenhouse gas emissions. In addition, this information should *always contain certificate of carbon removal credits or carbon farming credits, proving in compliance with the Carbon Removal Certification Framework (2022/0394).*

Amendment 95

Cyrus Engerer

Proposal for a directive

Recital 21

Text proposed by the Commission

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. Such statements are often based on “offsetting” of greenhouse gas emissions through “carbon credits” generated outside the company’s value chain, for example from forestry or renewable energy projects. The methodologies underpinning offsets vary widely and are not always transparent, accurate, or consistent. This leads to significant risks of overestimations and double counting of avoided or reduced emissions, due to a lack of additionality, permanence, ambitious and dynamic crediting baselines that depart from business as usual, and accurate accounting. These factors result in offset credits of low environmental integrity and credibility that mislead consumers when they are relied upon in explicit environmental claims. Offsetting can also deter traders from emissions reductions in their own operations and value chains. In order to adequately contribute to global climate change mitigation targets, traders should prioritise effective reductions of emissions across their own operations and value chains instead of relying on offsets. ***Any resulting residual emissions will vary by sector-specific pathway in line with the global climate targets and will have to be addressed through removals***

Amendment

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. Such statements are often based on “offsetting” of greenhouse gas emissions through “carbon credits” generated outside the company’s value chain, for example from forestry or renewable energy projects. The methodologies underpinning offsets vary widely and are not always transparent, accurate, or consistent. This leads to significant risks of overestimations and double counting of avoided or reduced emissions, due to a lack of additionality, permanence, ambitious and dynamic crediting baselines that depart from business as usual, and accurate accounting. These factors result in offset credits of low environmental integrity and credibility that mislead consumers when they are relied upon in explicit environmental claims. Offsetting can also deter traders from emissions reductions in their own operations and value chains. In order to adequately contribute to global climate change mitigation targets, traders should prioritise effective reductions of emissions across their own operations and value chains instead of relying on offsets. Therefore, the substantiation of climate-related claims should ***not be based on*** greenhouse gas emissions offsets.

enhancements. When offsets are used nonetheless, it is deemed appropriate to address climate-related claims, including claims on future environmental performance, based on offsets in a transparent manner. Therefore, the substantiation of climate-related claims should *consider any* greenhouse gas emissions offsets *used by the traders separately from the trader's or the product's greenhouse gas emissions.* In addition, this information should also specify the share of total emissions that are addressed through offsetting, whether these offsets relate to emission reductions or removals enhancement, and the methodology applied. The climate-related claims that include the use of offsets have to be substantiated by methodologies that ensure the integrity and correct accounting of these offsets and thus reflect coherently and transparently the resulting impact on the climate.

Or. en

Amendment 96 Petros Kokkalis

Proposal for a directive Recital 21

Text proposed by the Commission

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. Such statements are often based on “offsetting” of greenhouse gas emissions through “carbon credits” generated *outside the company's value chain, for example* from forestry *or* renewable energy projects. The methodologies underpinning *offsets*

Amendment

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. Such statements are often based on “offsetting” of greenhouse gas emissions through “carbon credits” generated *through emission reduction or emission avoidance projects (e.g., from forestry renewable energy projects, REDD+*

vary widely and are not always transparent, accurate, or consistent. This leads to significant risks of overestimations and double counting of avoided or reduced emissions, due to a lack of additionality, permanence, ambitious and dynamic crediting baselines that depart from business as usual, and accurate accounting. These factors result in **offset** credits of low environmental integrity and credibility that mislead consumers when they are relied upon in explicit environmental claims. Offsetting can also deter traders from emissions reductions in their own operations and value chains. In order to adequately contribute to global climate change mitigation targets, traders should prioritise effective reductions of emissions across their own operations and value chains instead of relying on **offsets**. Any resulting residual emissions will vary by sector-specific pathway in line with the global climate targets and will have to be **addressed** through removals **enhancements**. **When offsets are** used nonetheless, it is deemed appropriate to address climate-related claims, including claims on future environmental performance, based on **offsets** in a transparent manner. Therefore, the substantiation of climate-related claims should consider any greenhouse gas emissions **offsets** used by the traders separately from the trader's or the product's greenhouse gas emissions. In addition, this information should also specify the share of total emissions that are **addressed through offsetting, whether** these **offsets** relate to **emission reductions or** removals **enhancement**, and the methodology applied. The climate-related claims that include the use of **offsets** have to be substantiated by methodologies that ensure the integrity and correct accounting of these **offsets** and thus reflect coherently and transparently the resulting impact on the climate.

forestry projects, etc), which should not be used to substantiate net zero claims. The methodologies underpinning **such offsetting carbon credits** vary widely and are not always transparent, accurate, or consistent. This leads to significant risks of overestimations and double counting of avoided or reduced emissions, due to a lack of additionality, permanence, ambitious and dynamic crediting baselines that depart from business as usual, and accurate accounting. These factors result in **offsetting** credits of low environmental integrity and credibility that mislead consumers when they are relied upon in explicit environmental claims. **Such** offsetting can also deter traders from emissions reductions in their own operations and value chains. In order to adequately contribute to global climate change mitigation targets, traders should prioritise effective reductions of emissions across their own operations and value chains instead of relying on **such offsetting**. Any resulting residual emissions will vary by sector-specific pathway in line with the global climate targets and will have to be **balanced** through **high-durability carbon** removals. **Such balancing should not be considered as offsetting. Moreover, claiming to balance fossil emissions with carbon removal storing carbon into the biosphere (terrestrial and maritime biogenic carbon sinks such as soils, forests, and blue carbon), without respecting the like-for-like principle, should be prohibited, because the biosphere has a finite capacity to store additional carbon and it is exposed to the timescales and reversal risks of the short carbon cycle. When offsetting is** used nonetheless, it is deemed appropriate to address climate-related claims, including claims on future environmental performance, based on **offsetting** in a transparent **and rigorous** manner. Therefore, the substantiation of climate-related claims should consider any greenhouse gas emissions **offsetting credits** used by the traders separately from the

trader's or the product's greenhouse gas emissions. In addition, this information should also specify the share of total emissions that are ***balanced with carbon removal credits, making sure*** these relate to ***carbon*** removals ***respecting the like-for-like principle***, and the methodology applied. The climate-related claims that include the use of ***offsetting*** have to be substantiated ***in a transparent manner*** by methodologies that ensure the integrity and correct accounting of these ***offsetting credits*** and thus reflect coherently and transparently the resulting impact on the climate, ***such as the methodologies to be developed under the Carbon Removal Certification Framework***.

Or. en

Amendment 97

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive Recital 21

Text proposed by the Commission

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. Such statements ***are often*** based on “offsetting” of greenhouse gas emissions through “carbon credits” generated outside the company's value chain, for example from forestry or renewable energy projects. The methodologies underpinning offsets vary widely and are not always transparent, accurate, or consistent. This leads to significant risks of overestimations and double counting of avoided or reduced emissions, due to a lack of additionality,

Amendment

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers, ***amounting to greenwashing and making them believe that the product or an activity has a reduced or no impact in terms of carbon footprint while this is not the case***. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. Such statements, ***which try to apply global carbon neutrality at a company or product level, are scientifically invalid when they are*** based on “offsetting” of greenhouse gas emissions through “carbon credits” generated outside the company's value

permanence, ambitious and dynamic crediting baselines that depart from business as usual, and accurate accounting. These factors result in **offset credits** of low environmental integrity and credibility that mislead consumers when they are relied upon in explicit environmental claims. Offsetting can also deter traders from emissions reductions in their own operations and value chains. In order to adequately contribute to global climate change mitigation targets, traders should **prioritise** effective reductions of emissions across their own operations and value chains instead of relying on **offsets**. Any resulting residual emissions will vary by sector-specific pathway in line with the global climate targets and will have to be addressed through removals **enhancements**. **When offsets are used nonetheless, it is deemed appropriate to address climate-related claims, including claims on future environmental performance, based on offsets in a transparent manner.** Therefore, the substantiation of climate-related claims should **consider** any greenhouse gas emissions **offsets** used by the traders separately **from the trader's or the product's greenhouse gas emissions**. In addition, this information should also specify **the share of total emissions that are addressed through offsetting**, whether **these offsets** relate to emission reductions or removals **enhancement**, and the methodology applied. The **climate-related** claims that **include the use of offsets** have to be substantiated by methodologies that ensure the integrity and correct accounting of these **offsets** and thus reflect coherently and transparently the resulting impact on the climate.

chain, for example from forestry or renewable energy projects. The methodologies underpinning offsets vary widely and are not always transparent, accurate, or consistent. This leads to significant risks of overestimations and double counting of avoided or reduced emissions, due to a lack of additionality, permanence, ambitious and dynamic crediting baselines that depart from business as usual, and accurate accounting. These factors result in **offsets** of low environmental integrity and credibility that mislead consumers when they are relied upon in explicit environmental claims. Offsetting **can deter consumers from more sustainable products and traders, and** can also deter traders from emissions reductions in their own operations and value chains. In order to adequately contribute to global climate change mitigation targets, traders should **implement** effective reductions of emissions across their own operations and value chains instead of relying on **offsetting**. Any resulting residual emissions will vary by sector-specific pathway in line with the global climate targets and will have to be addressed through **high-durability carbon removals projects**. Therefore, the substantiation of climate-related claims should **relate solely to the life-cycle emissions, and not rely on carbon credits or other contributions to activities outside the product or trader value chain as an 'offset' for, or to compensate for**, any greenhouse gas emissions **or other environmental impact**. **Substantiation should also not rely on 'offsetting' emissions from inside the value chain (so-called 'insetting'). Substantiation should consider any carbon credits or other contributions** used by the traders separately **as additional information**. In addition, this information should also specify whether **carbon credits or other contributions** relate to emission **or impact** reductions or removals **projects**, and the methodology applied. The claims that **relate to carbon**

credits or other contributions to climate or environmental projects have to be substantiated by methodologies that ensure the integrity and correct accounting of these *contributions* and thus reflect coherently and transparently the resulting impact on the climate.

Or. en

Amendment 98
Laura Ballarín Cereza

Proposal for a directive
Recital 21

Text proposed by the Commission

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. Such statements *are often* based on “offsetting” of greenhouse gas emissions through “carbon credits” generated outside the company’s value chain, for example from forestry or renewable energy projects. The methodologies underpinning *offsets* vary widely and are not always transparent, accurate, or consistent. This leads to significant risks of overestimations and double counting of avoided or reduced emissions, due to a lack of additionality, permanence, ambitious and dynamic crediting baselines that depart from business as usual, and accurate accounting. These factors result in *offset* credits of low environmental integrity and credibility that mislead consumers when they are relied upon in explicit environmental claims. Offsetting can also deter traders from emissions reductions in their own operations and value chains. In order to adequately contribute to global climate

Amendment

(21) Climate-related claims have been shown to be particularly prone to being unclear and ambiguous and to mislead consumers. This relates notably to environmental claims that products or entities are “climate neutral”, “carbon neutral”, “100% CO₂ compensated”, or will be “net-zero” by a given year, or similar. Such statements, *which try to apply global carbon neutrality at a company or product level, are scientifically invalid when* based on “offsetting” of greenhouse gas emissions through “carbon credits” generated outside the company’s value chain, for example from forestry or renewable energy projects. The methodologies underpinning *carbon credits* vary widely and are not always transparent, accurate, or consistent. This leads to significant risks of overestimations and double counting of avoided or reduced emissions, due to a lack of additionality, permanence, ambitious and dynamic crediting baselines that depart from business as usual, and accurate accounting. These factors result in *carbon* credits of low environmental integrity and credibility that mislead consumers when they are relied upon in explicit environmental claims. Offsetting *can deter consumers*

change mitigation targets, traders should **prioritise** effective reductions of emissions across their own operations and value chains instead of relying on **offsets**. Any resulting residual emissions will vary by sector-specific pathway in line with the global climate targets and will have to be addressed through removals enhancements. ***When offsets are used nonetheless, it is deemed appropriate to address climate-related claims, including claims on future environmental performance, based on offsets in a transparent manner.*** Therefore, the substantiation of climate-related claims should **consider any** greenhouse gas emissions offsets ***used by the traders separately from the trader's or the product's greenhouse gas emissions.*** ***In addition, this information should also specify the share of total emissions that are addressed through offsetting, whether these offsets relate to emission reductions or removals enhancement, and the methodology applied. The climate-related claims that include the use of offsets have to be substantiated by methodologies that ensure the integrity and correct accounting of these offsets and thus reflect coherently and transparently the resulting impact on the climate.***

from more sustainable products and traders and can also deter traders from emissions reductions in their own operations and value chains. In order to adequately contribute to global climate change mitigation targets, traders should **implement** effective reductions of ***nearly all*** emissions across their own operations and value chains, instead of relying on **offsetting**. Any resulting residual emissions will vary by sector-specific pathway in line with the global climate targets and will have to be addressed ***on a global level*** through **carbon** removals enhancements. Therefore, the substantiation of climate-related claims should ***not be based on*** greenhouse gas emissions offsets.

Or. en

Amendment 99
Arba Kokalari, Pernille Weiss

Proposal for a directive
Recital 21 a (new)

Text proposed by the Commission

Amendment

(21 a) Directive (EU ... /...) on Empowering Consumers for the Green Transition prohibits claims, based on greenhouse gas emissions offsetting, that a product, either a good or service, has a neutral, reduced, or positive impact on the environment in terms of greenhouse gas

emissions. Such claims are prohibited in all circumstances and have been added to Annex I of Directive 2005/29/EC. This Directive does not put into question this prohibition and instead focuses primarily on the substantiation, communication and verification of claims that are permitted under Union law. Furthermore, this Directive should not impose any new prohibitions of claims that are based on greenhouse gas emissions offsetting. The prohibitions included in Directive (EU ... /...) on Empowering Consumers for the Green Transition should be adequately implemented by Member States in a coherent manner without any new or overlapping legislative requirements that may hamper effective implementation.

Or. en

Amendment 100

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 22**

Text proposed by the Commission

(22) Traders are more and more interested in making environmental claims related to future environmental performance of a product or trader, including by joining initiatives that are promoting practices which could be conducive to a reduced environmental impact or to more circularity. ***These claims should be substantiated in line with the rules applicable to all explicit environmental claims.***

Amendment

(22) Traders are more and more interested in making environmental claims related to future environmental performance of a product or trader, including by joining initiatives that are promoting practices which could be conducive to a reduced environmental impact or to more circularity. ***In order to facilitate consumers' choices of more sustainable products and to incentivise efforts of traders to lower their environmental impacts, when the claim communicated relates to future environmental performance, it should as a priority be based on improvements, for example deep internal decarbonisation, inside a trader's own operations and value chains rather than relying on the***

offsetting of greenhouse gas emissions or other environmental impacts. It is also required to indicate a baseline year for targets and allow for appropriate monitoring through concrete, realistic, implementable and public milestones so that consumers, stakeholders, and the trader itself, can monitor whether they are on track and what are the challenges. It is also essential that the trader considers collateral effects when evaluating how to reach a target, so that there is no unjustified transfer of environmental impacts.

Or. en

Amendment 101

Maria Grapini

Proposal for a directive

Recital 22

Text proposed by the Commission

(22) Traders are more and more interested in making environmental claims related to future environmental performance of a product or trader, including by joining initiatives that are promoting practices which could be conducive to a reduced environmental impact or to more circularity. These claims **should** be substantiated in line with the rules applicable to all explicit environmental claims.

Amendment

(22) Traders are more and more interested in making environmental claims related to future environmental performance of a product or trader, including by joining initiatives that are promoting practices which could be conducive to a reduced environmental impact or to more circularity. These claims **must** be substantiated in line with the rules applicable to all explicit environmental claims **so as not to mislead consumers when choosing a product.**

Or. ro

Amendment 102

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 23

Text proposed by the Commission

(23) The information used to substantiate explicit environmental claims should be science based, and any lack of consideration of certain environmental impacts or environmental aspects should be carefully considered.

Amendment

(23) The information used to substantiate explicit environmental claims should be science based, and any lack of consideration of certain environmental impacts or environmental aspects should be carefully considered. ***The methodology needs to be accessible to any third party in order to ensure transparency and integrity of assessments.***

Or. en

Amendment 103
Stanislav Polčák

Proposal for a directive
Recital 23

Text proposed by the Commission

(23) The information used to substantiate explicit environmental claims should be science based, and any lack of consideration of certain environmental impacts or environmental aspects should be ***carefully considered.***

Amendment

(23) The information used to substantiate explicit environmental claims should be science based, and any lack of consideration of certain environmental impacts or environmental aspects should be ***reduced to a minimum and only permitted on an exceptional basis in duly justified cases.***

Or. cs

Amendment 104
Petros Kokkalis

Proposal for a directive
Recital 23 a (new)

Text proposed by the Commission

Amendment

(23 a) The assessment of a claim should be based on widely recognised scientific evidence , i.e. on methodologies, approaches or studies that have been

developed in line with best practices in terms of transparency and independently peer reviewed by the scientific community;

Or. en

Amendment 105

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 26**

Text proposed by the Commission

(26) Furthermore, there is not yet a reliable methodology for the assessment of life-cycle environmental impacts related to the release of microplastics. However, in case such release contributes to significant environmental impacts that are not subject to a claim, the trader making the claim on another aspect should not be allowed to ignore it, but should ***take into account available information and update the assessment*** once widely recognised scientific evidence becomes available.

Amendment

(26) Furthermore, there is not yet a reliable methodology for the assessment of life-cycle environmental impacts related to the release of microplastics. However, in case such release contributes to significant environmental impacts that are not subject to a claim, the trader making the claim on another aspect should not be allowed to ignore it, but should ***make the claim only once widely recognised scientific evidence that meet the requirements of this Directive*** becomes available.

Or. en

Amendment 106

Laura Ballarín Cereza

Proposal for a directive **Recital 26 a (new)**

Text proposed by the Commission

Amendment

(26 a) Widely recognised scientific evidence indicates that the assessment of a claim should be based on methodologies, approaches or studies that have been developed in line with best practices in terms of transparency and independently peer reviewed by the

scientific community, published in scientific journals.

Or. en

Amendment 107

Kim Van Sparrentak, Malte Gallée

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 26 a (new)

Text proposed by the Commission

Amendment

(26 a) Widely recognised scientific evidence indicates that the assessment of a claim should be based on methodologies, approaches or studies that have been developed in line with best practices in terms of transparency and independently peer reviewed by the scientific community, published in scientific journals.

Or. en

Amendment 108

Michał Wiezik, Karen Melchior

Proposal for a directive

Recital 27

Text proposed by the Commission

Amendment

(27) Consumers can also be misled by explicit environmental claims that state or imply that a product or trader has less or more environmental impacts or a better or worse environmental performance than other products or traders ('comparative environmental claims'). Without prejudice to the application, where appropriate, of Directive 2006/114/EC of the European Parliament and of the Council⁸³, in order to allow the consumers access to reliable information, it is necessary to ensure that

(27) Consumers can also be misled by explicit environmental claims that state or imply that a product or trader has less or more environmental impacts or a better or worse environmental performance than other products or traders ('comparative environmental claims'). Without prejudice to the application, where appropriate, of Directive 2006/114/EC of the European Parliament and of the Council⁸³, in order to allow the consumers access to reliable information, it is necessary to ensure that

comparative environmental claims can be compared in an adequate manner. For instance, choosing indicators on the same environmental aspects but using a different formula for quantification of such indicators makes comparisons impossible, and therefore there is a risk of misleading consumers. In case two traders make an environmental claim on climate change, where one considered only direct environmental impacts, whilst the other considered both direct and indirect environmental impacts, these results are not comparable. Also, a decision to make the comparison only at certain stages of a products life cycle can lead to misleading claims, if not made transparent. A comparative environmental claim needs to ensure that also for products with very different raw materials, uses and process chains, like bio-based plastics and fossil-based plastics, the most relevant stages of the life-cycle are taken into account for all products. For example, agriculture or forestry is relevant for bio-based plastics while raw oil extraction is relevant for fossil-based plastics and the question whether a relevant share of the product ends up in landfill is highly relevant to plastics that biodegrade well under landfill conditions but maybe less relevant for plastics that do not biodegrade under such conditions.

⁸³ Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising (OJ L 376, 27.12.2006, p. 21).

comparative environmental claims can be compared in an adequate manner. For instance, ***performance-based certification and process based certification work with different set of indicators, in one instance for example setting specific thresholds that need to be met, and in the other ensuring that a certain procedure is in place.*** Choosing indicators on the same environmental aspects but using a different formula for quantification of such indicators makes comparisons impossible, and therefore there is a risk of misleading consumers. In case two traders make an environmental claim on climate change, where one considered only direct environmental impacts, whilst the other considered both direct and indirect environmental impacts, these results are not comparable. Also, a decision to make the comparison only at certain stages of a products life cycle can lead to misleading claims, if not made transparent. A comparative environmental claim needs to ensure that also for products with very different raw materials, uses and process chains, like bio-based plastics and fossil-based plastics, the most relevant stages of the life-cycle are taken into account for all products. For example, agriculture or forestry is relevant for bio-based plastics while raw oil extraction is relevant for fossil-based plastics and the question whether a relevant share of the product ends up in landfill is highly relevant to plastics that biodegrade well under landfill conditions but maybe less relevant for plastics that do not biodegrade under such conditions.

⁸³ Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising (OJ L 376, 27.12.2006, p. 21).

Or. en

Amendment 109
Michal Wiezik, Karen Melchior

Proposal for a directive
Recital 29

Text proposed by the Commission

(29) For some sectors or for certain products or traders, significant environmental impacts or environmental aspects could be suspected but there might not yet be a recognised scientific method to fully assess those environmental impacts and environmental aspects. For such cases and while efforts are made to develop methods and gather evidence to enable the assessment of the respective environmental impact or environmental aspect for those sectors, traders or products, traders should be able to promote their sustainability efforts through publication of company sustainability reporting, factual reporting on the company's performance metrics and work to reduce energy consumption, including on their websites. This flexibility would maintain and promote the incentives of those sectors or traders to continue their efforts to develop common environmental assessments pursuant to this Directive while providing for the necessary time to complete such work.

Amendment

(29) For some sectors or for certain products or traders, significant environmental impacts or environmental aspects could be suspected but there might not yet be a recognised scientific method to fully assess those environmental impacts and environmental aspects. ***Such may be a case of existing sustainability certification schemes which were created in the past due to a significant environmental impact and common illegal activity in a given sector, and claims of which should be assessed for compliance with this Directive.*** For such cases and while efforts are made to develop methods and gather ***more*** evidence to enable the assessment of the respective environmental impact or environmental aspect for those sectors, traders or products, traders should be able to promote their sustainability efforts through publication of company sustainability reporting, factual reporting on the company's performance metrics and work to reduce energy consumption, including on their websites. This flexibility would maintain and promote the incentives of those sectors or traders to continue their efforts to develop common environmental assessments pursuant to this Directive while providing for the necessary time to complete such work.

Or. en

Amendment 110
Arba Kokalari, Pernille Weiss

Proposal for a directive
Recital 29 a (new)

(29 a) It is imperative to acknowledge the unique challenges faced by micro, small and medium-sized enterprises (SMEs) in terms of resources and capabilities, especially in comparison to larger corporations. Therefore, it is essential for Member States when implementing this proposal to strike a balance between ensuring the substantiation of environmental claims while also establishing streamlined, accessible procedures and easier access to certification for businesses of all sizes.

Or. en

Amendment 111

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 30

(30) While unfair commercial practices, including misleading environmental claims, are prohibited for all traders pursuant to Directive 2005/29/EC⁸⁴, an administrative burden linked to substantiation and verification of environmental claims on the smallest companies could be disproportionate and should be avoided. To this end, microenterprises should be exempted from the requirements on substantiation of Article 3 and 4 unless these enterprises wish to obtain a certificate of conformity of explicit environmental claims that will be recognised by the competent authorities across the Union.

deleted

⁸⁴ ***Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-***

consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (Unfair Commercial Practices Directive) (OJ L 149, 11.6.2005, p. 22) as amended.

Or. en

Amendment 112

René Repasi

Proposal for a directive

Recital 30

Text proposed by the Commission

(30) While unfair commercial practices, including misleading environmental claims, are prohibited for all traders pursuant to Directive 2005/29/EC⁸⁴, an administrative burden linked to substantiation and verification of environmental claims on the smallest companies could be disproportionate and should be avoided. ***To this end, microenterprises should be exempted from the requirements on substantiation of Article 3 and 4 unless these enterprises wish to obtain a certificate of conformity of explicit environmental claims that will be recognised by the competent authorities across the Union.***

⁸⁴ Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council

Amendment

(30) While unfair commercial practices, including misleading environmental claims, are prohibited for all traders pursuant to Directive 2005/29/EC⁸⁴, an administrative burden linked to substantiation and verification of environmental claims on the smallest companies could be disproportionate and should be avoided.

⁸⁴ Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council

(Unfair Commercial Practices Directive)
(OJ L 149, 11.6.2005, p. 22) as amended.

(Unfair Commercial Practices Directive)
(OJ L 149, 11.6.2005, p. 22) as amended.

Or. en

Amendment 113

Virginie Joron, Markus Buchheit, Jean-Lin Lacapelle, Aurélia Beigneux, Tom Vandendriessche, Catherine Griset, Mathilde Androuët, Isabella Tovaglieri

Proposal for a directive Recital 30

Text proposed by the Commission

(30) While unfair commercial practices, including misleading environmental claims, are prohibited for all traders pursuant to Directive 2005/29/EC⁸⁴, an administrative burden linked to substantiation and verification of environmental claims on the smallest companies could be disproportionate and should be avoided. To this end, ***microenterprises should be exempted from the requirements on substantiation of Article 3 and 4 unless these enterprises wish to obtain a certificate*** of conformity of explicit environmental claims that will be recognised by the competent authorities across the Union.

⁸⁴ Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (Unfair Commercial Practices Directive) (OJ L 149, 11.6.2005, p. 22) as amended.

Amendment

(30) While unfair commercial practices, including misleading environmental claims, are prohibited for all traders pursuant to Directive 2005/29/EC⁸⁴, an administrative burden linked to substantiation and verification of environmental claims on the smallest companies could be disproportionate and should be avoided. To this end, ***an alternative to third-party certification should be provided for micro, small and medium-sized enterprises on the basis of a declaration*** of conformity of explicit environmental claims that will be recognised by the competent authorities across the Union.

⁸⁴ Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (Unfair Commercial Practices Directive) (OJ L 149, 11.6.2005, p. 22) as amended.

Or. fr

Amendment 114
Cyrus Engerer

Proposal for a directive
Recital 31

Text proposed by the Commission

(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission may adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, ***including claims about offsets, “climate neutrality” or similar***, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary information. While in most cases the Commission would consider the need for adopting these rules only after having the results of the monitoring of the evolution of environmental claims on the Union market, for some types of claims it may be necessary for the Commission to adopt supplementary rules before the results of this monitoring are available. ***For example, in case of climate-related claims it may be necessary to adopt such supplementary acts in order to operationalise the provisions on substantiation of claims based on offsets.***

Amendment

(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission may adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary information. While in most cases the Commission would consider the need for adopting these rules only after having the results of the monitoring of the evolution of environmental claims on the Union market, for some types of claims it may be necessary for the Commission to adopt supplementary rules before the results of this monitoring are available.

Amendment 115
Petros Kokkalis

Proposal for a directive
Recital 31

Text proposed by the Commission

(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission **may** adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, including claims about **offsets**, “climate neutrality” or similar, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary information. While in most cases the Commission would consider the need for adopting these rules only after having the results of the monitoring of the evolution of environmental claims on the Union market, for some types of claims it may be necessary for the Commission to adopt supplementary rules before the results of this monitoring are available. For example, in case of climate-related claims it **may** be

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(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission **should be empowered to** adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, including claims about **offsetting**, “climate neutrality”, “**carbon neutrality**”, “**net zero**” or similar, **as well as claims about** recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary information. While in most cases the Commission would consider the need for adopting these rules only after having the results of the monitoring of the evolution of environmental claims on the Union market, for some types of claims it may be necessary for the Commission to adopt supplementary rules before the results of

necessary to adopt such supplementary acts in order to operationalise the provisions on substantiation of claims based on offsets.

this monitoring are available. For example, in case of climate-related claims it **will** be necessary to adopt such supplementary acts in order to operationalise the provisions on substantiation of claims based on offsets ***carbon removals to align them and make them interoperable with the Carbon Removal Certification Framework and its related delegated acts.***

Or. en

Amendment 116

Pascal Canfin

Proposal for a directive

Recital 31

Text proposed by the Commission

(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission **may** adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, including claims about **offsets**, “climate neutrality” or similar, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary

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(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission **shall** adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, including claims about **offsetting**, “climate neutrality”, “**carbon neutrality**”, “**net zero**” or similar, **as well as claims about** recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by

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Or. en

Amendment 117

Arba Kokalari, Pernille Weiss

Proposal for a directive

Recital 31

Text proposed by the Commission

(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission may adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, including claims about offsets, “climate neutrality” or similar, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by

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Or. en

Amendment 118

Michał Wiezik, Karen Melchior

Proposal for a directive

Recital 31

Text proposed by the Commission

(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission may adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain

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claims (e.g. climate-related claims, including claims about offsets, “climate neutrality” or similar, *sustainable forest management such as ‘this product originates from sustainably managed forests’, sustainable fisheries*, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary information. While in most cases the Commission would consider the need for adopting these rules only after having the results of the monitoring of the evolution of environmental claims on the Union market, for some types of claims it may be necessary for the Commission to adopt supplementary rules before the results of this monitoring are available. For example, in case of climate-related claims it may be necessary to adopt such supplementary acts in order to operationalise the provisions on substantiation of claims based on offsets.

Or. en

Amendment 119
Laura Ballarín Cereza

Proposal for a directive
Recital 31

Text proposed by the Commission

(31) In order to meet both the needs of traders regarding dynamic marketing

Amendment

(31) In order to meet both the needs of traders regarding dynamic marketing

strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission may adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, including claims about *offsets*, “climate *neutrality*” or similar, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary information. While in most cases the Commission would consider the need for adopting these rules only after having the results of the monitoring of the evolution of environmental claims on the Union market, for some types of claims it may be necessary for the Commission to adopt supplementary rules before the results of this monitoring are available. ***For example, in case of climate-related claims it may be necessary to adopt such supplementary acts in order to operationalise the provisions on substantiation of claims based on offsets.***

strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission may adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, including claims about ***the transition in line with climate or other environmental goals***, or similar, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary information. While in most cases the Commission would consider the need for adopting these rules only after having the results of the monitoring of the evolution of environmental claims on the Union market, for some types of claims it may be necessary for the Commission to adopt supplementary rules before the results of this monitoring are available.

Or. en

Amendment 120

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 31

Text proposed by the Commission

(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission **may** adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, including claims about offsets, “climate neutrality” or similar, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary information. While in most cases the Commission would consider the need for adopting these rules only after having the results of the monitoring of the evolution of environmental claims on the Union market, for some types of claims it may be necessary for the Commission to adopt supplementary rules before the results of this monitoring are available. For example, in case of climate-related claims it may be necessary to adopt such supplementary acts in order to operationalise the provisions on substantiation of claims based on offsets.

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(31) In order to meet both the needs of traders regarding dynamic marketing strategies and the needs of consumers regarding more detailed, and more accurate, environmental information, the Commission **should** adopt delegated acts to supplement the provisions on substantiation of explicit environmental claims by further specifying the criteria for such substantiation with regard to certain claims (e.g. climate-related claims, including claims about offsets, “climate neutrality” or similar, recyclability and recycled content). The Commission should be empowered to further establish rules for measuring and calculating the environmental impacts, environmental aspects and environmental performance, by determining which activities, processes, materials, emissions or use of a product or trader contribute significantly or cannot contribute to the relevant environmental impacts and environmental aspects; by determining for which environmental aspects and environmental impacts primary information should be used; and by determining the criteria to assess the accuracy of primary and secondary information. While in most cases the Commission would consider the need for adopting these rules only after having the results of the monitoring of the evolution of environmental claims on the Union market, for some types of claims it may be necessary for the Commission to adopt supplementary rules before the results of this monitoring are available. For example, in case of climate-related claims it may be necessary to adopt such supplementary acts in order to operationalise the provisions on substantiation of claims based on offsets.

Or. en

Amendment 121
Petros Kokkalis

Proposal for a directive
Recital 31 a (new)

Text proposed by the Commission

Amendment

(31 a) Primary information should be included for environmental aspects that contribute significantly to the environmental performance of a product or trader, in particular, product composition, processes, materials and energy used in the production, emissions from the processes, impacts on biotic resources, the use of the product, its durability, and reparability, and end of life aspects.

Or. en

Amendment 122
Arba Kokalari, Pernille Weiss

Proposal for a directive
Recital 32

Text proposed by the Commission

Amendment

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value.
However, in case the Product

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value.

Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.

Or. en

Amendment 123
Laura Ballarín Cereza

Proposal for a directive
Recital 32

Text proposed by the Commission

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line

Amendment

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with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. ***However***, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. ***For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.***

with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. ***In order to include the new Green Claims Forum, the Commission should revise the Recommendation (EU) 2021/2279 to enable the Forum to contribute to PEFCR and OEFCR. The revision should specify minimum timelines for the provision of comments by the Green Claims Forum, and minimum rules for the publication of opinions to ensure a transparent process.*** In case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added.

Or. en

Amendment 124

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Recital 32

Text proposed by the Commission

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules

Amendment

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(PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.

(PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered. ***In order to facilitate a clear, transparent and collaborative process, the Commission should publish a communication outlining the path towards further development of the PEF methodology. This should include regular updates of the rules to promote scientific advancements and engagement of affected stakeholders.***

Or. en

Proposal for a directive
Recital 32

Text proposed by the Commission

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.

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To enable a clear, transparent and collaborative process, the Commission should publish a communication outlining the path towards further development of the PEF methodology, including regular updates of the rules to foster scientific progress and engagement of affected stakeholders.

Or. en

Justification

The use of PEF methodology is currently limited: there are only a reduced number of rules for product categories and some environmental parameters are not addressed. Therefore, PEF methodology needs to be updated to foster scientific progress and technological innovation, also considering the use of feedstock with a “bio” origin (for instance derived by biomass) or “circular” feedstock (e.g., derived by recyclable waste from plastic or organic material and carbon capture). The Mass Balance approach, with credit methods, should be recognized as chain of custody, in particular where there are not segregated plants and there is the need to mix “bio” and “circular” feedstocks with traditional ones.

Amendment 126

Andrus Ansip, Dita Charanzová, Svenja Hahn, Ulrike Müller, Erik Poulsen, Morten Løkkegaard, Asger Christensen, Emma Wiesner, Sandro Gozi

Proposal for a directive Recital 32

Text proposed by the Commission

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value.

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(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value.

However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.

However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered. ***To further develop the current PEF methodology and address its limitations, the Commission shall regularly update the methodology in order to reflect scientific progress.***

Or. en

Amendment 127

Petros Kokkalis

Proposal for a directive

Recital 32

Text proposed by the Commission

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that

Amendment

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that

allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.

allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. ***Similarly, it should be acknowledged that, for some product groups, the PEF methodology is not suitable to provide a holistic environmental assessment.*** For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.

Or. en

Amendment 128
Michał Wiezik, Karen Melchior

Proposal for a directive
Recital 32

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as ***forestry and*** farming practices, including positive externalities of ***different production systems, of closer-to-nature forest management,*** extensive farming and animal welfare, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.

Or. en

Amendment 129
Dolors Montserrat

Proposal for a directive
Recital 32

Text proposed by the Commission

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of *extensive farming and animal welfare*, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be considered.

Amendment

(32) The Commission Recommendation (EU) 2021/2279 contains guidance on how to measure the life cycle environmental performance of specific products or organisations and how to develop Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectorial Rules (OEFSRs) that allow comparison of products to a benchmark. Such category rules for specific products or traders can be used to support the substantiation of claims in line with the requirements of this Directive. Therefore, the Commission should be empowered to adopt delegated acts to establish product group or sector specific rules where this may have added value. However, in case the Product Environmental Footprint method does not yet cover an impact category, which is relevant for a product group, the adoption of PEFCR may take place only once these new relevant environmental impact categories have been added. For example, as regards marine fisheries, the PEFCR should for example reflect the fisheries-specific environmental impact categories, in particular the sustainability of the targeted stock. Concerning space, the PEFCR should reflect defence and space-specific environmental impact categories, including the orbital space use. As regards food and agricultural products, biodiversity and nature protection, as well as farming practices, including positive externalities of *different farming methods and forest management practices*, should, for example, also be integrated before the adoption of PEFCR could be considered. As regards textiles, the PEFCR should for example reflect the microplastics release, before the adoption of PEFCR could be

considered.

Or. en

Amendment 130

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 32 a (new)

Text proposed by the Commission

Amendment

(32 a) In order to ensure the integrity, impartiality and high quality of substantiation of environmental claims, and to ensure that the substantiation rules result in a higher understanding of environmental impacts by consumers, it is important that the requirements for substantiation are drafted with the active participation of a balanced set of stakeholders, especially including consumer organisations, environmental non-governmental organisations, operators of labelling schemes and competent bodies, in addition to the industry, including SMEs and craft industry, trade unions, traders, retailers, importers. For this purpose, the Commission should establish a consultation forum whose role will be to provide opinions on whether existing rules and methods are fit for substantiating specific environmental claims, and provide recommendations on the revision or the development of new delegated acts. The forum should also be actively involved in the drafting of such acts, including those addressing the Environmental Footprint method and related category rules.

Or. en

Amendment 131

Proposal for a directive
Recital 33

Text proposed by the Commission

(33) Since Directive 2005/29/EC already applies to misleading environmental claims, it enables the national courts and administrative authorities to stop and prohibit such claims. For example, in order to comply with Directive 2005/29/EC, environmental claims should relate only to aspects that are significant in terms of the product's or trader's environmental impact. Environmental claims should also be clear and unambiguous regarding which aspects of the product or trader they refer to and should not omit or hide important information about the environmental performance of the product **or trader** that consumers need in order to make informed choices. The wording, imagery and overall product presentation, including the layout, choice of colours, images, pictures, sounds, symbols or labels, ***included in the environmental claim*** should provide a truthful and accurate representation of the scale of the environmental benefit achieved, and should not overstate the environmental benefit achieved.

Amendment

(33) Since Directive 2005/29/EC already applies to misleading environmental claims, it enables the national courts and administrative authorities to stop and prohibit such claims. For example, in order to comply with Directive 2005/29/EC, environmental claims should relate only to aspects that are significant in terms of the product's or trader's environmental impact. Environmental claims ***and labelling schemes*** should also be clear and unambiguous regarding which aspects of the product or trader they refer to and should not omit or hide important information about the environmental performance of the product that consumers need in order to make informed choices. The wording, imagery and overall product presentation, including the ***taglines***, layout, choice of colours, images, pictures, sounds, symbols, ***trademark*** or labels, should provide a truthful and accurate representation of the scale of the environmental benefit achieved, and should not overstate the environmental benefit achieved. ***For example, depending on the characteristics of a certification system, an end product may consist of only a certain minimum percentage of certified material or even of no certified material, and this intrinsic characteristics of a scheme should be duly considered in a business-to-consumer commercial practice.***

Or. en

Justification

The study on certification and verification schemes in the forest sector and for wood-based products when introducing a type of chain of custody certification, the most common forestry certification type: "in this model the end- use may buy a product with no certified material in." The customers are not aware of this, nor of the minimum % of certified content style of

certification. The sustainable forest management is thus one of the most common false claims on our market.

Amendment 132

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 34

Text proposed by the Commission

(34) Where the explicit environmental claim concerns a final product and relevant environmental impacts or environmental aspects of such product occur at the use phase and consumers can influence such environmental impacts or environmental aspects via appropriate behaviour, such as, for example, correct waste sorting or impacts of use patterns on product's longevity, the claim should also include information explaining to consumers how their behaviour can positively contribute to the protection of the environment.

Amendment

(34) Where the explicit environmental claim concerns a final product and relevant environmental impacts or environmental aspects of such product occur at the use phase ***or at the end of life*** and consumers can influence such environmental impacts or environmental aspects via appropriate behaviour, such as, for example, correct waste sorting or impacts of use patterns on product's longevity, the claim should also include information explaining to consumers how their behaviour can positively contribute to the protection of the environment.

Or. en

Amendment 133

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Recital 35

Text proposed by the Commission

(35) In order to facilitate consumers' choices of more sustainable products and to incentivise efforts of traders to lower their environmental impacts, when the claim communicated relates to future environmental performance, it should as a priority be based on improvements inside trader's own operations and value

Amendment

deleted

chains rather than relying on offsetting of greenhouse gas emissions or other environmental impacts.

Or. en

Amendment 134
Laura Ballarín Cereza

Proposal for a directive
Recital 35

Text proposed by the Commission

(35) In order to facilitate consumers' choices of more sustainable products and to incentivise efforts of traders to lower their environmental impacts, when the claim communicated relates to future environmental performance, it should ***as a priority*** be based on improvements inside trader's own operations and value chains rather than relying on offsetting of greenhouse ***has*** emissions or other environmental impacts.

Amendment

(35) In order to facilitate consumers' choices of more sustainable products and to incentivise efforts of traders to lower their environmental impacts, when the claim communicated relates to future environmental performance, it should be based on improvements, ***for example deep internal decarbonisation,*** inside ***a*** trader's own operations and value chains rather than relying on ***the*** offsetting of greenhouse ***gas*** emissions or other environmental impacts.

Or. en

Amendment 135
Michał Wiezik, Karen Melchior

Proposal for a directive
Recital 36

Text proposed by the Commission

(36) Consumers should have easy access to the information on the product or the trader that is the subject of the explicit environmental claim and regarding information substantiating ***that*** claim. This information should also consider needs of older consumers. For that purpose, traders should either provide this information in a physical form or provide a weblink, QR

Amendment

(36) Consumers should have easy access to the information on the product or the trader that is the subject of the explicit environmental claim, ***both on- and off-product,*** and regarding information substantiating ***the*** claim ***applicable to the product.*** This information should also consider needs of older consumers. For that purpose, traders should either provide this

code or equivalent leading **to** a website where more detailed information on the substantiation of the explicit environmental claim is made available in at least one of the official languages of the Member State where the claim is made. In order to facilitate the enforcement of this Directive, the weblink, QR code or equivalent should also ensure easy access to the certificate of conformity regarding the substantiation of the explicit environmental claim and the contact information of the verifier who drew up that certificate.

information in a physical form or provide a weblink, QR code or equivalent leading **directly to a section of** a website where more detailed information on the substantiation of the explicit environmental claim is made available in at least one of the official languages of the Member State where the claim is made. In order to facilitate the enforcement of this Directive, the weblink, QR code or equivalent should also ensure easy access to the certificate of conformity regarding the substantiation of the explicit environmental claim and the contact information of the verifier who drew up that certificate.

Or. en

Amendment 136
René Repasi

Proposal for a directive
Recital 37

Text proposed by the Commission

(37) In order to avoid potential disproportionate impacts on the microenterprises, the smallest companies should be exempted from the requirements of Article 5 linked to information on the substantiation of explicit environmental claims unless these enterprises wish to obtain a certificate of conformity of explicit environmental claim that will be recognised by the competent authorities across the Union.

Amendment

deleted

Or. en

Amendment 137
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 37

Text proposed by the Commission

Amendment

(37) In order to avoid potential disproportionate impacts on the microenterprises, the smallest companies should be exempted from the requirements of Article 5 linked to information on the substantiation of explicit environmental claims unless these enterprises wish to obtain a certificate of conformity of explicit environmental claim that will be recognised by the competent authorities across the Union.

deleted

Or. en

Amendment 138

Virginie Joron, Markus Buchheit, Jean-Lin Lacapelle, Aurélia Beigneux, Tom Vandendriessche, Catherine Griset, Mathilde Androuët

Proposal for a directive Recital 37

Text proposed by the Commission

Amendment

(37) In order to avoid potential disproportionate impacts on **the microenterprises**, the smallest companies should be exempted from the requirements of Article 5 linked to information on the substantiation of explicit environmental claims unless these enterprises wish to obtain a certificate of conformity of explicit environmental claim that will be recognised by the competent authorities across the Union.

(37) In order to avoid potential disproportionate impacts on **micro, small and medium-sized enterprises**, the smallest companies should be exempted from the requirements of Article 5 linked to information on the substantiation of explicit environmental claims unless these enterprises wish to obtain a certificate of conformity of explicit environmental claim that will be recognised by the competent authorities across the Union.

Or. fr

Amendment 139

Erik Poulsen, Morten Løkkegaard, Asger Christensen

Proposal for a directive Recital 40

Text proposed by the Commission

(40) In cases where an environmental label involves a commercial communication to consumers that suggests or creates the impression that a product has a positive or no impact on the environment, or is less damaging to the environment than competing products without the label, that environmental label also constitutes an explicit environmental claim. The content of such environmental label is therefore subject to the requirements on substantiation and communication of explicit environmental claims.

Amendment

(40) In cases where an environmental label involves a commercial communication to consumers that suggests or creates the impression that a product has a positive or no impact on the environment, or is less damaging to the environment than competing products without the label, that environmental label also constitutes an explicit environmental claim. The content of such environmental label is therefore subject to the requirements on substantiation and communication of explicit environmental claims. ***Ecolabels that demonstrate in line with EN ISO 14024 Type I a systematic lifecycle approach, as well as an independent decision-making body and product specific absolute requirements should not be subject for the requirements on substantiation and communication of explicit environmental claims since the governance of these ecolabels will mean that they are already in line with the intention of the provisions.***

Or. en

Justification

As written in recital 39: "...claims based on the EU Ecolabel or its national equivalents follow a solid scientific basis, have a transparent development of criteria, require testing and third-party verification and foresee regular monitoring". Therefore, there is no need to impose too many new requirements and verifications of these ecolabels. Another layer of verifications will mean an administrative burden with no added value for consumers or the environment.

Amendment 140
Laura Ballarín Cereza

Proposal for a directive
Recital 40 a (new)

Text proposed by the Commission

Amendment

(40 a) In cases where a trader or trader's product is awarded an environmental label by a verified and certified

environmental labelling scheme, the trader can use the verified environmental label in commercial communications based on the certificate of conformity obtained by the certification scheme. The trader can also make environmental claims based on the environmental aspects, impacts and performance of products certified by the verified label without having to apply for further verification. In that case, the information to be displayed should be that of the environmental labelling scheme, including the certificate of conformity.

Or. en

Amendment 141
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Recital 40 a (new)

Text proposed by the Commission

Amendment

(40 a) In cases where a trader or trader's product is awarded an environmental labelling scheme, the trader can use the verified environmental label in commercial communications based on the certificate of conformity obtained by the certification scheme. The trader can also make environmental claims based on the environmental aspects, impacts and performance of products certified by the verified label without having to apply for further verification. In that case, the information to be displayed should be that of the environmental labelling scheme, including the certificate of conformity,

Or. en

Amendment 142
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Recital 41

Text proposed by the Commission

(41) The environmental labels often aim at providing consumers with an aggregated scoring presenting a cumulative environmental impact of products or traders to allow for direct comparisons between products or traders. Such aggregated scoring however presents risks of misleading consumers as the aggregated indicator may dilute negative environmental impacts of certain aspects of the product with more positive environmental impacts of other aspects of the product. In addition, when developed by different operators, such labels usually differ in terms of specific methodology underlying the aggregated score such as the environmental impacts considered or the weighting attributed to these environmental impacts. This may result in the same product receiving different score or rating depending on the scheme. This concern arises in relation to schemes established in the Union and in third countries. This is contributing to the fragmentation of the internal market, risks putting smaller companies at a disadvantage, and is likely to further mislead consumers and undermine their trust in environmental labels. In order to avoid this risk and ensure better harmonisation within the single market, the explicit environmental claims, including environmental labels, based on an aggregated score representing a cumulative environmental impact of products or traders should ***not be deemed to be sufficiently substantiated, unless those aggregated scores stem from Union rules, including the delegated acts that the Commission is empowered to adopt under this Directive, resulting in Union-wide harmonised schemes for all products or per specific product group based on a single methodology to ensure coherence and comparability.***

Amendment

(41) The environmental labels often aim at providing consumers with an aggregated scoring presenting a cumulative environmental impact of products or traders to allow for direct comparisons between products or traders. Such aggregated scoring however presents risks of misleading consumers as the aggregated indicator may dilute negative environmental impacts of certain aspects of the product with more positive environmental impacts of other aspects of the product. In addition, when developed by different operators, such labels usually differ in terms of specific methodology underlying the aggregated score such as the environmental impacts considered or the weighting attributed to these environmental impacts. This may result in the same product receiving different score or rating depending on the scheme. This concern arises in relation to schemes established in the Union and in third countries. This is contributing to the fragmentation of the internal market, risks putting smaller companies at a disadvantage, and is likely to further mislead consumers and undermine their trust in environmental labels. In order to avoid this risk and ensure better harmonisation within the single market, the explicit environmental claims, including environmental labels, based on an aggregated score representing a cumulative environmental impact of products or traders should ***meet minimum requirements ensuring the reliability of the underlying environmental labelling schemes, with respect to their assessment methodologies and governance.***

Amendment 143
Arba Kokalari, Pernille Weiss

Proposal for a directive
Recital 41

Text proposed by the Commission

(41) The environmental labels often aim at providing consumers with an aggregated scoring presenting a cumulative environmental impact of products or traders to allow for direct comparisons between products or traders. Such aggregated scoring however presents risks of misleading consumers as the aggregated indicator may dilute negative environmental impacts of certain aspects of the product with more positive environmental impacts of other aspects of the product. In addition, when developed by different operators, such labels usually differ in terms of specific methodology underlying the aggregated score such as the environmental impacts considered or the weighting attributed to these environmental impacts. This may result in the same product receiving different score or rating depending on the scheme. This concern arises in relation to schemes established in the Union and in third countries. This is contributing to the fragmentation of the internal market, risks putting smaller companies at a disadvantage, and is likely to further mislead consumers and undermine their trust in environmental labels. In order to avoid this risk and ensure better harmonisation within the single market, the explicit environmental claims, including environmental labels, based on an aggregated score representing a cumulative environmental impact of products or traders should not be deemed to be sufficiently substantiated, unless those aggregated scores stem from Union rules, including the delegated acts that the

Amendment

(41) The environmental labels often aim at providing consumers with an aggregated scoring presenting a cumulative environmental impact of products or traders to allow for direct comparisons between products or traders. Such aggregated scoring however presents risks of misleading consumers as the aggregated indicator may dilute negative environmental impacts of certain aspects of the product with more positive environmental impacts of other aspects of the product. In addition, when developed by different operators, such labels usually differ in terms of specific methodology underlying the aggregated score such as the environmental impacts considered or the weighting attributed to these environmental impacts. This may result in the same product receiving different score or rating depending on the scheme. This concern arises in relation to schemes established in the Union and in third countries. This is contributing to the fragmentation of the internal market, risks putting smaller companies at a disadvantage, and is likely to further mislead consumers and undermine their trust in environmental labels. In order to avoid this risk and ensure better harmonisation within the single market, the explicit environmental claims, including environmental labels, based on an aggregated score representing a cumulative environmental impact of products or traders should not be deemed to be sufficiently substantiated, unless those aggregated scores stem from Union rules, ***or other internationally recognized***

Commission is empowered to adopt under this Directive, **resulting in** Union-wide harmonised schemes for all products or per specific product group based on a single methodology to ensure coherence and comparability.

and widely accepted environmental labelling schemes, including the delegated acts that the Commission is empowered to adopt under this Directive, **which would, once adopted, allow for** Union-wide harmonised schemes for all products or per specific product group based on a single methodology to ensure coherence and comparability.

Or. en

Amendment 144

Maria Spyra

Proposal for a directive

Recital 41

Text proposed by the Commission

(41) The environmental labels often aim at providing consumers with an aggregated scoring presenting a cumulative environmental impact of products or traders to allow for direct comparisons between products or traders. Such aggregated scoring however presents risks of misleading consumers as the aggregated indicator may dilute negative environmental impacts of certain aspects of the product with more positive environmental impacts of other aspects of the product. In addition, when developed by different operators, such labels usually differ in terms of specific methodology underlying the aggregated score such as the environmental impacts considered or the weighting attributed to these environmental impacts. This may result in the same product receiving different score or rating depending on the scheme. This concern arises in relation to schemes established in the Union and in third countries. This is contributing to the fragmentation of the internal market, risks putting smaller companies at a disadvantage, and is likely to further mislead consumers and undermine their trust in environmental

Amendment

(41) The environmental labels often aim at providing consumers with an aggregated scoring presenting a cumulative environmental impact of products or traders to allow for direct comparisons between products or traders. Such aggregated scoring however presents risks of misleading consumers as the aggregated indicator may dilute negative environmental impacts of certain aspects of the product with more positive environmental impacts of other aspects of the product. In addition, when developed by different operators, such labels usually differ in terms of specific methodology underlying the aggregated score such as the environmental impacts considered or the weighting attributed to these environmental impacts. This may result in the same product receiving different score or rating depending on the scheme. This concern arises in relation to schemes established in the Union and in third countries. This is contributing to the fragmentation of the internal market, risks putting smaller companies at a disadvantage, and is likely to further mislead consumers and undermine their trust in environmental

labels. In order to avoid this risk and ensure better harmonisation within the single market, the explicit environmental claims, including environmental labels, based on an aggregated score representing a cumulative environmental impact of products or traders should not be deemed to be sufficiently substantiated, unless those aggregated scores stem from Union rules, including the delegated acts that the Commission is empowered to adopt under this Directive, resulting in Union-wide harmonised schemes for all products or per specific product group based on a single methodology to ensure coherence and comparability.

labels. In order to avoid this risk and ensure better harmonisation within the single market, the explicit environmental claims, including environmental labels, based on an aggregated score representing a cumulative environmental impact of products or traders should not be deemed to be sufficiently substantiated, unless those aggregated scores stem from Union rules, including the delegated acts that the Commission is empowered to adopt under this Directive, resulting in Union-wide harmonised schemes for all products or per specific product group based on a single methodology to ensure coherence and comparability. ***Until Union rules are adopted, scoring systems are solely allowed if they rely on full life cycle analysis-based methodology that complies with the requirements set by the Directive.***

Or. en

Amendment 145

Michał Wiezik, Karen Melchior

Proposal for a directive

Recital 43

Text proposed by the Commission

(43) In order to combat misleading explicit environmental claims communicated in the form of environmental labels and increase consumer trust in environmental labels, this Directive should establish governance criteria that all environmental labelling schemes are to comply with, complementing thus the requirements set in the said proposal amending Directive 2005/29/EC.

Amendment

(43) In order to combat misleading explicit environmental claims communicated in the form of environmental labels and increase consumer trust in environmental labels, ***including trademarks and logos of certification schemes***, this Directive should establish governance criteria that all environmental labelling schemes are to comply with, complementing thus the requirements set in the said proposal amending Directive 2005/29/EC.

Or. en

Amendment 146

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 44**

Text proposed by the Commission

Amendment

(44) In order to avoid further proliferation of national or regional officially recognised EN ISO 14024 type I environmental labelling ('ecolabelling') schemes, and other environmental labelling schemes, and to ensure more harmonisation in the internal market, new national or regional environmental labelling schemes should be developed only under the Union law. Nevertheless, Member States can request the Commission to consider developing public labelling schemes at the Union level for product groups or sectors where such labels do not yet exist in Union law and where harmonisation would bring added value to achieve the sustainability and internal market objectives in an efficient manner.

deleted

Or. en

Amendment 147

Michał Wiezik, Karen Melchior

Proposal for a directive **Recital 44**

Text proposed by the Commission

Amendment

(44) In order to avoid further proliferation of national or regional officially recognised EN ISO 14024 type I environmental labelling ('ecolabelling') schemes, and other environmental labelling schemes, and to ensure more harmonisation in the internal market, new national or regional environmental labelling schemes should be developed

(44) In order to avoid further proliferation of national or regional officially recognised EN ISO 14024 type I environmental labelling ('ecolabelling') schemes, and other environmental labelling schemes, and to ensure more harmonisation in the internal market, new national or regional environmental labelling schemes should be developed

only under the Union law. Nevertheless, Member States can request the Commission to consider developing public labelling schemes at the Union level for product groups or sectors where such labels do not yet exist in Union law and where harmonisation would bring added value to achieve the sustainability and internal market objectives in an efficient manner.

only under the Union law. Nevertheless, Member States can request the Commission to consider developing public labelling schemes at the Union level for product groups or sectors where such labels do not yet exist in Union law, **and including where private certification schemes exist, in order to further sectors' ambitions**, and where harmonisation **and existing potential** would bring added value to achieve the sustainability, **transparency** and internal market objectives in an efficient manner.

Or. en

Amendment 148

Michał Wiezik, Karen Melchior

Proposal for a directive

Recital 46

Text proposed by the Commission

(46) Environmental labelling schemes established by private operators, if too many and overlapping in terms of scope, may create confusion in consumers or undermine their trust in environmental labels. Therefore, Member States should only allow that new environmental labelling schemes are established by private operators provided that they offer significant added value as compared to the existing national or regional schemes in terms of environmental ambition of the criteria to award the label, coverage of relevant environmental impacts, and completeness of the underlying assessment. Member States should set up a procedure for the approval of new environmental labelling schemes based on a certificate of conformity drawn up by the independent verifier. This should apply to schemes established in the Union and outside of the Union.

Amendment

(46) Environmental labelling schemes established by private operators, if too many and overlapping in terms of scope, may create confusion in consumers or undermine their trust in environmental labels. Therefore, Member States should only allow that ***existing environmental labelling schemes are depicted in business-to-consumer commercial practice after entering into force of this Directive when in compliance with obligations set in this Directive, and should only allow that*** new environmental labelling schemes are established by private operators provided that they offer significant added value as compared to the existing national or regional schemes ***or existing private schemes, compliant with the rules of the Directive***, in terms of environmental ambition of the criteria to award the label, coverage of relevant environmental impacts, and completeness of the underlying assessment. Member States should set up a procedure for the

approval of new environmental labelling schemes based on a certificate of conformity drawn up by the independent verifier, ***and assess the claims made by existing environmental and sustainability labelling and certification schemes.*** This should apply to schemes established in the Union and outside of the Union.

Or. en

Amendment 149
Arba Kokalari, Pernille Weiss

Proposal for a directive
Recital 46

Text proposed by the Commission

(46) Environmental labelling schemes established by private operators, if too many and overlapping in terms of scope, may create confusion in consumers or undermine their trust in environmental labels. ***Therefore, Member States should only allow that new environmental labelling schemes are established by private operators provided that they offer significant added value as compared to the existing national or regional schemes in terms of environmental ambition of the criteria to award the label, coverage of relevant environmental impacts, and completeness of the underlying assessment.*** Member States should set up a procedure for the approval of new environmental labelling schemes based on a certificate of conformity drawn up by the independent verifier. This should apply to schemes established in the Union and outside of the Union.

Amendment

(46) Environmental labelling schemes established by private operators, if too many and overlapping in terms of scope, may create confusion in consumers or undermine their trust in environmental labels. Member States should set up a procedure for the approval of new environmental labelling schemes based on a certificate of conformity drawn up by the independent verifier. This should apply to schemes established in the Union and outside of the Union.

Or. en

Amendment 150
Maria Grapini

Proposal for a directive
Recital 46

Text proposed by the Commission

(46) Environmental labelling schemes established by private operators, if too many and overlapping in terms of scope, may create confusion in consumers or undermine their trust in environmental labels. Therefore, Member States should only allow that new environmental labelling schemes are established by private operators provided that they offer significant added value as compared to the existing national or regional schemes in terms of environmental ambition of the criteria to award the label, coverage of relevant environmental impacts, and completeness of the underlying assessment. Member States should set up a procedure for the approval of new environmental labelling schemes based on a certificate of conformity drawn up by the independent verifier. This should apply to schemes established in the Union and outside of the Union.

Amendment

(46) Environmental labelling schemes established by private operators, if too many and overlapping in terms of scope, may create confusion in consumers or undermine their trust in environmental labels. Therefore, Member States should only allow that new environmental labelling schemes are established by private operators provided that they offer significant added value as compared to the existing national or regional schemes in terms of environmental ambition of the criteria to award the label, coverage of relevant environmental impacts, and completeness of the underlying assessment. Member States should ***recognise the added value of the ability of such schemes to stimulate the ecological transition by responding quickly to the latest innovations in industry and environmental standards. Member States should*** set up a procedure for the approval of new environmental labelling schemes based on a certificate of conformity drawn up by the independent verifier. This should apply to schemes established in the Union and outside of the Union.

Or. ro

Amendment 151
René Repasi

Proposal for a directive
Recital 46

Text proposed by the Commission

(46) Environmental labelling schemes established by private operators, if too many and overlapping in terms of scope, may create confusion in consumers or

Amendment

(46) Environmental labelling schemes established by private operators, if too many and overlapping in terms of scope, may create confusion in consumers or

undermine their trust in environmental labels. Therefore, Member States should only allow that new environmental labelling schemes are established by private operators provided that they offer significant added value as compared to the existing national or regional schemes in terms of environmental ambition of the criteria to award the label, coverage of relevant environmental impacts, and completeness of the underlying assessment. Member States should set up a procedure for the approval of new environmental labelling schemes based on a certificate of conformity drawn up by the independent verifier. This should apply to schemes established in the Union and outside of the Union.

undermine their trust in environmental labels. Therefore, Member States should only allow that new environmental labelling schemes are established by private operators provided that they offer significant added value as compared to the existing national or regional schemes in terms of environmental ambition of the criteria to award the label, coverage of relevant environmental impacts, and completeness of the underlying assessment. Member States should set up a procedure for the approval of new environmental labelling schemes based on a certificate of conformity drawn up by the independent verifier. This should apply to schemes established in the Union and outside of the Union, *including existing schemes*.

Or. en

Amendment 152

Michał Wiezik, Karen Melchior

Proposal for a directive

Recital 47

Text proposed by the Commission

(47) In order to provide legal certainty and facilitate enforcement of the provisions on *new* national and regional officially recognised environmental labelling schemes and *new* private labelling schemes, the Commission should publish a list of such schemes that may either continue to apply on the Union market or enter the Union market.

Amendment

(47) In order to provide legal certainty and facilitate enforcement of the provisions on national and regional officially recognised environmental labelling schemes and private labelling schemes, the Commission should publish a list of such schemes that may either continue to apply on the Union market or enter the Union market.

Or. en

Amendment 153

Laura Ballarín Cereza

Proposal for a directive

Recital 47 a (new)

Text proposed by the Commission

Amendment

(47 a) Regular revisions of environmental labelling schemes are of fundamental importance in order to ensure their continuous improvement. In line with its objective of increasing the level of environmental protection and contributing to accelerating the green transition towards a circular, clean and climate neutral economy in the Union, this Directive ensures that the verification and certification of the substantiation and communication of environmental labelling schemes ensure their continuous improvement.

Or. en

Amendment 154
Anne-Sophie Pelletier

Proposal for a directive
Recital 47 a (new)

Text proposed by the Commission

Amendment

(47 a) Regular revisions of environmental labelling schemes are fundamental to enable their continuous improvement. In line with its objective to increase the level of environmental protection and contribute to accelerating the green transition towards a circular, clean and climate neutral economy in the EU, this Directive ensures that the verification and certification of the substantiation and communication of environmental labelling schemes enable their continuous improvement.

Or. en

Amendment 155
Michał Wiezik, Karen Melchior

Proposal for a directive
Recital 48

Text proposed by the Commission

(48) In order to ensure a harmonised approach by the Member States to the assessment and approval of environmental labelling schemes developed by private operators, and to establish an approval procedure by the Commission for proposed schemes established by public authorities outside of the Union, implementing powers should be conferred on the Commission to adopt common rules specifying detailed requirements for approval of such environmental labelling schemes, the format and content of supporting documents and rules of procedure to approve such schemes. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁸⁵.

⁸⁵ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment

(48) In order to ensure a harmonised approach by the Member States to the assessment and approval of environmental labelling schemes developed by private operators ***or of continuation of their use in business-to-consumer commercial practice***, and to establish an approval procedure by the Commission for proposed schemes established by public authorities outside of the Union, implementing powers should be conferred on the Commission to adopt common rules specifying detailed requirements for approval of such environmental labelling schemes, the format and content of supporting documents and rules of procedure to approve such schemes. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁸⁵.

⁸⁵ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

Amendment 156
Michał Wiezik, Karen Melchior

Proposal for a directive
Recital 49

Text proposed by the Commission

(49) It is essential that explicit

Amendment

(49) It is essential that explicit

environmental claims reflect correctly the environmental performance and environmental impacts covered by the claim, and consider the latest scientific evidence. Member States should therefore ensure that the trader making the claim reviews and updates the substantiation and communication of the claims at least every **5** years to ensure compliance with the requirements of this Directive

environmental claims **and environmental labelling schemes** reflect correctly the environmental performance and environmental impacts covered by the claim **both on- and off-product**, and consider the latest scientific evidence. Member States should therefore ensure that the trader making the claim reviews and updates the substantiation and communication of the claims at least every **4 and 8** years **respectively** to ensure compliance with the requirements of this Directive.

Or. en

Justification

The explicit envi claims out of the environmental labelling schemes would have a shorter timeframe for reassessment of claim substantiation, nevertheless, labelling schemes should also have some substantiation reassessment, albeit much less frequent.

Amendment 157

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 49**

Text proposed by the Commission

(49) It is essential that explicit environmental claims reflect correctly the environmental performance and environmental impacts covered by the claim, and consider the latest scientific evidence. Member States should therefore ensure that the trader making the claim reviews and updates the substantiation and communication of the claims at least every **5** years to ensure compliance with the requirements of this Directive

Amendment

(49) It is essential that explicit environmental claims reflect correctly the environmental performance and environmental impacts covered by the claim, and consider the latest scientific evidence. Member States should therefore ensure that the trader making the claim reviews and updates the substantiation and communication of the claims at least every **3** years to ensure compliance with the requirements of this Directive

Or. en

Amendment 158

Michał Wiezik, Karen Melchior

Proposal for a directive

Recital 50

Text proposed by the Commission

(50) To ensure that explicit environmental claims are reliable, it is necessary that Member States set up procedure for verifying that the substantiation and communication of explicit environmental claims, including environmental labels, or the environmental labelling schemes, comply with the requirements set out in this Directive.

Amendment

(50) To ensure that explicit environmental claims are reliable, it is necessary that Member States set up procedure for verifying that the substantiation and communication of explicit environmental claims, including environmental labels, or the environmental labelling schemes ***including all private certification schemes***, comply with the requirements set out in this Directive.

Or. en

Amendment 159

Michał Wiezik, Karen Melchior

Proposal for a directive

Recital 51

Text proposed by the Commission

(51) In order to allow the competent authorities to control more efficiently the implementation of the provisions of this Directive and to prevent as much as possible unsubstantiated explicit environmental claims, including environmental labels, from appearing on the market, verifiers complying with the harmonised requirements set up by the Directive should check that both the information used for the substantiation and communication of explicit environmental claims meet the requirements of this Directive. In order to avoid misleading consumers, the verification should in any case take place before the environmental claims are made public or environmental labels are displayed. The verifier can, if appropriate, indicate several ways of communicating the explicit environmental

Amendment

(51) In order to allow the competent authorities to control more efficiently the implementation of the provisions of this Directive and to prevent as much as possible unsubstantiated explicit environmental claims, including environmental labels, from appearing on the market, verifiers complying with the harmonised requirements set up by the Directive should check that both the information used for the substantiation and communication of explicit environmental claims meet the requirements of this Directive. In order to avoid misleading consumers, the verification should in any case take place before the environmental claims are made public or environmental labels are displayed ***and as soon as possible after entry into force of this Directive for the claims displayed linked***

claim that comply with the requirements of this Directive to avoid the need for continuous re-certification in case the way of communication is slightly modified without affecting the compliance with the requirements of this Directive. To facilitate the traders compliance with the rules on substantiation and communication of explicit environmental claims, including the environmental labels, the verification should take into account the nature and content of the claim or the environmental label, including whether they appear to be unfair in the light of Directive 2005/29/EC.

to the existing schemes, including private certification schemes. The verifier can, if appropriate, indicate several ways of communicating the explicit environmental claim that comply with the requirements of this Directive to avoid the need for continuous re-certification in case the way of communication is slightly modified without affecting the compliance with the requirements of this Directive. To facilitate the traders compliance with the rules on substantiation and communication of explicit environmental claims, including the environmental labels, the verification should take into account the nature and content of the claim or the environmental label, including whether they appear to be unfair in the light of Directive 2005/29/EC.

Or. en

Amendment 160

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 52**

Text proposed by the Commission

(52) In order to provide traders with legal certainty across the internal market as regards compliance of the explicit environmental claims with the requirements of this Directive, the certificate of conformity should be recognised by the competent authorities across the Union. ***Microenterprises should be allowed to request such certificate if they wish to certify their claims in line with the requirements of this Directive and benefit from the certificate's recognition across the Union.*** The certificate of conformity should however not prejudice the assessment of the environmental claim by the public authorities or courts which enforce

Amendment

(52) In order to provide traders with legal certainty across the internal market as regards compliance of the explicit environmental claims with the requirements of this Directive, the certificate of conformity should be recognised by the competent authorities across the Union. The certificate of conformity should however not prejudice the assessment of the environmental claim by the public authorities or courts which enforce Directive 2005/29/EC.

Amendment 161
Laura Ballarín Cereza

Proposal for a directive
Recital 52

Text proposed by the Commission

(52) In order to provide traders with legal certainty across the internal market as regards compliance of the explicit environmental claims with the requirements of this Directive, the certificate of conformity should be recognised by the competent authorities across the Union. ***Microenterprises should be allowed to request such certificate if they wish to certify their claims in line with the requirements of this Directive and benefit from the certificate's recognition across the Union.*** The certificate of conformity should however not prejudice the assessment of the environmental claim by the public authorities or courts which enforce Directive 2005/29/EC.

Amendment

(52) In order to provide traders with legal certainty across the internal market as regards compliance of the explicit environmental claims with the requirements of this Directive, the certificate of conformity should be recognised by the competent authorities across the Union. The certificate of conformity should however not prejudice, ***is not relevant for, and shall not be relied upon for*** the assessment of the environmental claim by the public authorities or courts, which enforce Directive 2005/29/EC. ***This Directive requires that the substantiation of explicit environmental claims shall be based on an assessment that meets selected minimum criteria to help prevent such claims from being misleading.***

Amendment 162
Lara Comi

Proposal for a directive
Recital 52 a (new)

Text proposed by the Commission

Amendment

(52a) The exemption of micro-enterprises from the scope of this Directive shall be without prejudice to the option, upon voluntary request, to comply

with the requirements laid down in this Directive under Article 10. Given the competitive factor with regard to sustainable choices, it is appropriate to provide for the need for micro-enterprises to adapt to a new, simplified and voluntary environmental claim system.

Or. it

Amendment 163
Laura Ballarín Cereza

Proposal for a directive
Recital 53

Text proposed by the Commission

(53) In order to ensure uniform conditions for the provisions on verification of explicit environmental claims and environmental labelling schemes and to facilitate the enforcement of the provisions on verification of this Directive, implementing powers should be conferred on the Commission to adopt a common form for certificates of conformity and the technical means for issuing such certificates. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁸⁶.

⁸⁶ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment

(53) In order to ensure uniform conditions for the provisions on verification of explicit environmental claims and environmental labelling schemes and to facilitate the enforcement of the provisions on verification of this Directive, implementing powers should be conferred on the Commission to adopt a common form for certificates of conformity and the technical means for issuing such certificates. ***This common form should facilitate the recognition of certificates of conformity by the competent authorities across the Union.*** Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁸⁶.

⁸⁶ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

Amendment 164

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive Recital 54

Text proposed by the Commission

(54) Small and medium-sized enterprises (SMEs) should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States actions should be taken in respect of applicable State aid rules.

Amendment

(54) ***Micro***, small and medium-sized enterprises (SMEs) should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States actions should be taken in respect of applicable State aid rules. ***In addition, and to ensure micro, small and medium-sized enterprises do not face disproportionately higher costs and difficulties with respect to the requirements of this Directive, Member States should establish solidarity mechanisms through which large enterprises support micro, small and medium-sized enterprises financially where they wish to make explicit environmental claims with regard to their products or activities.***

Or. en

Amendment 165

Carlo Fidanza, Pietro Fiocchi

Proposal for a directive
Recital 54

Text proposed by the Commission

(54) Small and medium-sized enterprises (SMEs) should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States **actions** should **be taken in respect of applicable State aid rules**.

Amendment

(54) Small and medium-sized enterprises (SMEs) **or recognized National Associations (EUIPO registered)** should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States **and the Commission** should, **in their respective areas of responsibility**, provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States should **develop a tool that facilitates the substantiation of explicit environmental claims. This tool should, for example, calculate the environmental footprint of a product, even through voluntary certification model audited by third party**.

Or. en

Amendment 166

Virginie Joron, Markus Buchheit, Jean-Lin Lacapelle, Aurélia Beigneux, Tom Vandendriessche, Catherine Griset, Mathilde Androuët, Isabella Tovaglieri

Proposal for a directive
Recital 54

Text proposed by the Commission

(54) Small and medium-sized enterprises (SMEs) should be **able** to benefit from the opportunities provided by the market for more sustainable products

Amendment

(54) Small and medium-sized enterprises (SMEs) should be **given sufficient support** to benefit from the opportunities provided by the market for

but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, ***to*** SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States actions should be taken in respect of applicable State aid rules.

more sustainable products, ***as they generally*** face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information ***by means of easily accessible information portals or similar means*** and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training ***free of charge***, and provide specific ***and sufficient*** assistance and support, including financial, ***so that*** SMEs wishing to make explicit environmental claims on their products or as regards their activities ***are able to do so***. Member States actions should be taken in respect of applicable State aid rules.

Or. fr

Amendment 167

René Repasi

Proposal for a directive

Recital 54

Text proposed by the Commission

(54) Small and medium-sized enterprises (SMEs) should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States actions should be taken in

Amendment

(54) Small and medium-sized enterprises (SMEs) should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States actions should be taken in

respect of applicable State aid rules.

respect of applicable State aid rules. *To ensure a level playing field for SMEs across the European Union, Member States should engage in regular dialogue about the support measures for SMEs in place on regional and national levels respectively.*

Or. en

Amendment 168

Laura Ballarín Cereza

Proposal for a directive

Recital 54

Text proposed by the Commission

(54) Small and medium-sized enterprises (SMEs) should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States *actions* should ***be taken in respect of applicable State aid rules.***

Amendment

(54) ***Micro***, small and medium-sized enterprises (SMEs) should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States ***and the Commission*** should, ***in their respective areas of responsibility***, provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to ***micro enterprises and*** SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States should ***develop a tool that facilitates the substantiation of explicit environmental claims.***

Or. en

Amendment 169

Petros Kokkalis

Proposal for a directive
Recital 54

Text proposed by the Commission

(54) Small and medium-sized enterprises (SMEs) should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States actions should ***be taken in respect of applicable State aid rules.***

Amendment

(54) Small and medium-sized enterprises (SMEs) should be able to benefit from the opportunities provided by the market for more sustainable products but they could face proportionately higher costs and difficulties with some of the requirements on substantiation and verification of explicit environmental claims. The Member States should provide adequate information and raise awareness of the ways to comply with the requirements of this Directive, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs wishing to make explicit environmental claims on their products or as regards their activities. Member States actions should ***develop a tool that facilitates the substantiation of explicit environmental claims.***

Or. en

Amendment 170
Lara Comi

Proposal for a directive
Recital 54 a (new)

Text proposed by the Commission

Amendment

(54a) The Commission should provide targeted and specialised training to help SMEs with applying and complying with the requirements for substantiation and verification of environmental claims.

Or. it

Amendment 171
Kim Van Sparrentak, Malte Gallée

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 56

Text proposed by the Commission

(56) In order to ensure that the objectives of this Directive are achieved and the requirements are enforced effectively, Member States should designate their own competent authorities responsible for the application and enforcement of this Directive. However, in view of the close complementarity of Articles 5 and 6 of this Directive with the provisions of Directive 2005/29/EC, Member States should also be allowed to designate for their enforcement the same competent authorities as those responsible for the enforcement of Directive 2005/29/EC. For the sake of consistency, when Member States make that choice, they should be able to rely on the means and powers of enforcement that they have established in accordance with Article 11 of Directive 2005/29/EC, ***in derogation from*** the rules on enforcement laid down in this Directive. In cases where there is more than one designated competent authority in their territory and to ensure effective exercise of the duties of the competent authorities, Member State should ensure a close cooperation between all designated competent authorities.

Amendment

(56) In order to ensure that the objectives of this Directive are achieved and the requirements are enforced effectively, Member States should designate their own competent authorities responsible for the application and enforcement of this Directive. However, in view of the close complementarity of Articles 5 and 6 of this Directive with the provisions of Directive 2005/29/EC, Member States should also be allowed to designate for their enforcement the same competent authorities as those responsible for the enforcement of Directive 2005/29/EC. For the sake of consistency, when Member States make that choice, they should be able to rely on the means and powers of enforcement that they have established in accordance with Article 11 of Directive 2005/29/EC ***to complement*** the rules on enforcement laid down in this Directive. In cases where there is more than one designated competent authority in their territory and to ensure effective exercise of the duties of the competent authorities, Member State should ensure a close cooperation between all designated competent authorities.

Or. en

Amendment 172

Carlo Fidanza, Pietro Fiocchi

Proposal for a directive

Recital 64

Text proposed by the Commission

(64) When setting penalties and measures for infringements, the Member

Amendment

(64) When setting penalties and measures for infringements, the Member

States should foresee that, based on the gravity of the infringement, the level of fines should effectively deprive the non-compliant trader from the economic benefit derived from using the misleading or unsubstantiated explicit environmental claim or non-compliant environmental labelling scheme, including in cases of repeated infringements. ***The measures for infringements foreseen by the Member States should therefore also include confiscation of the relevant product from the trader or revenues gained from the transactions affected by this infringement or a temporary exclusions or prohibitions from placing products or making available services on the Union market. The gravity of the infringement should be the leading criterion for the measures taken by the enforcement authorities. The maximum amount of fines should be dissuasive and set at least at the level of 4% of the trader's total annual turnover in the Member State or Member States concerned in case of widespread infringements with a Union dimension that are subject to coordinated investigation and enforcement measures in accordance with Regulation (EU) 2017/2394⁸⁸.***

States should foresee that, based on the gravity of the infringement, the level of fines should effectively deprive the non-compliant trader from the economic benefit derived from using the misleading or unsubstantiated explicit environmental claim or non-compliant environmental labelling scheme, including in cases of repeated infringements.

⁸⁸ Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (OJ L 345, 27.12.2017, p. 1).

Or. en

Justification

We believe that the confiscation of revenues is completely disproportionate, especially since it does not provide for any verification of the actual influence of environmental declarations on consumer purchases, and could lead to serious financial difficulties. Exclusion from procurement procedures and access to finance is also likely to be a disproportionate measure that could seriously jeopardise businesses, especially small ones.

Amendment 173

Annalisa Tardino, Isabella Tovaglieri, Silvia Sardone, Antonio Maria Rinaldi, Gianantonio Da Re, Alessandra Basso, Rosanna Conte, Matteo Adinolfi, Gianna Gancia, Marco Campomenosi, Maria Veronica Rossi, Danilo Oscar Lancini

Proposal for a directive

Recital 64

Text proposed by the Commission

(64) When setting penalties and measures for infringements, the Member States should foresee that, based on the gravity of the infringement, the level of fines should effectively deprive the non-compliant trader from the economic benefit derived from using the misleading or unsubstantiated explicit environmental claim or non-compliant environmental labelling scheme, including in cases of repeated infringements. ***The measures for infringements foreseen by the Member States should therefore also include confiscation of the relevant product from the trader or revenues gained from the transactions affected by this infringement or a temporary exclusions or prohibitions from placing products or making available services on the Union market. The gravity of the infringement should be the leading criterion for the measures taken by the enforcement authorities. The maximum amount of fines should be dissuasive and set at least at the level of 4% of the trader's total annual turnover in the Member State or Member States concerned in case of widespread infringements with a Union dimension that are subject to coordinated investigation and enforcement measures in accordance with Regulation (EU) 2017/2394⁸⁸.***

Amendment

(64) When setting penalties and measures for infringements, the Member States should foresee that, based on the gravity of the infringement, the level of fines should effectively deprive the non-compliant trader from the economic benefit derived from using the misleading or unsubstantiated explicit environmental claim or non-compliant environmental labelling scheme, including in cases of repeated infringements.

⁸⁸ Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the

enforcement of consumer protection laws
and repealing Regulation (EC) No
2006/2004 (OJ L 345, 27.12.2017, p. 1).

Or. en

Amendment 174

René Repasi

Proposal for a directive

Recital 66

Text proposed by the Commission

(66) In order to assess the performance of the legislation against the objectives that it pursues, the Commission should carry out **an** evaluation of this Directive and present a report on the main findings to the European Parliament and the Council. In order to inform an evaluation of this Directive, Member States should regularly collect information on the application of this Directive and provide it to the Commission on an annual basis.

Amendment

(66) In order to assess the performance of the legislation against the objectives that it pursues, the Commission should carry out **a regular** evaluation of this Directive, **at least every two years**, and present a report on the main findings to the European Parliament and the Council. In order to inform an evaluation of this Directive, Member States should regularly collect information on the application of this Directive and provide it to the Commission on an annual basis.

Or. en

Amendment 175

René Repasi

Proposal for a directive

Recital 67

Text proposed by the Commission

(67) Where based on the results of the monitoring and evaluation of this Directive the Commission finds it appropriate to propose a review of this Directive, the feasibility and appropriateness of further provisions on mandating the use of common method for substantiation of explicit environmental claims, **the extension of prohibition of environmental**

Amendment

(67) Where based on the results of the monitoring and evaluation of this Directive the Commission finds it appropriate to propose a review of this Directive, the feasibility and appropriateness of further provisions on mandating the use of common method for substantiation of explicit environmental claims, or further harmonisation as regards requirements on

claims for products containing hazardous substances except where their use is considered essential for the society, or further harmonisation as regards requirements on the substantiation of specific environmental claims on environmental aspects or environmental impacts should also be considered.

the substantiation of specific environmental claims on environmental aspects or environmental impacts should also be considered.

Or. en

Amendment 176

Malte Gallée

on behalf of the Verts/ALE Group

Proposal for a directive

Recital 67

Text proposed by the Commission

(67) Where based on the results of the monitoring and evaluation of this Directive the Commission finds it appropriate to propose a review of this Directive, the feasibility and appropriateness of further provisions on mandating the use of common method for substantiation of explicit environmental claims, *the extension of prohibition of environmental claims for products containing hazardous substances except where their use is considered essential for the society*, or further harmonisation as regards requirements on the substantiation of specific environmental claims on environmental aspects or environmental impacts should also be considered.

Amendment

(67) Where based on the results of the monitoring and evaluation of this Directive the Commission finds it appropriate to propose a review of this Directive, the feasibility and appropriateness of further provisions on mandating the use of common method for substantiation of explicit environmental claims, or further harmonisation as regards requirements on the substantiation of specific environmental claims on environmental aspects or environmental impacts should also be considered.

Or. en

Amendment 177

Annalisa Tardino, Isabella Tovaglieri, Silvia Sardone, Antonio Maria Rinaldi, Gianantonio Da Re, Alessandra Basso, Rosanna Conte, Matteo Adinolfi, Gianna Gancia, Marco Campomenosi, Maria Veronica Rossi, Danilo Oscar Lancini

Proposal for a directive

Recital 67

Text proposed by the Commission

(67) Where based on the results of the monitoring and evaluation of this Directive the Commission finds it appropriate to propose a review of this Directive, the feasibility and appropriateness of further provisions on mandating the use of common method for substantiation of explicit environmental claims, the extension of prohibition of environmental claims for products containing hazardous substances except where their use is considered *essential for the society*, or further harmonisation as regards requirements on the substantiation of specific environmental claims on environmental aspects or environmental impacts should also be considered.

Amendment

(67) Where based on the results of the monitoring and evaluation of this Directive the Commission finds it appropriate to propose a review of this Directive, the feasibility and appropriateness of further provisions on mandating the use of common method for substantiation of explicit environmental claims, the extension of prohibition of environmental claims for products containing hazardous substances except where their use is considered *safe and improves the sustainability of the product*, or further harmonisation as regards requirements on the substantiation of specific environmental claims on environmental aspects or environmental impacts should also be considered.

Or. en

Amendment 178

René Repasi

Proposal for a directive

Recital 68

Text proposed by the Commission

(68) The use of the most harmful substances should ultimately be phased-out in the Union to avoid and prevent significant harm to human health and the environment, in particular their use in consumer products. Regulation (EC) 1272/2008 of the European Parliament and of the Council⁹⁰ prohibits the labelling of mixtures and substances that contain hazardous chemicals as ‘non-toxic’, ‘non-harmful’, ‘non-polluting’, ‘ecological’ or any other statements indicating that the substance or mixture is not hazardous or statements that are inconsistent with the classification of that substance or mixture.

Amendment

(68) The use of the most harmful substances should ultimately be phased-out in the Union to avoid and prevent significant harm to human health and the environment, in particular their use in consumer products. Regulation (EC) 1272/2008 of the European Parliament and of the Council⁹⁰ prohibits the labelling of mixtures and substances that contain hazardous chemicals as ‘non-toxic’, ‘non-harmful’, ‘non-polluting’, ‘ecological’ or any other statements indicating that the substance or mixture is not hazardous or statements that are inconsistent with the classification of that substance or

Member States are required to ensure that such obligation is fulfilled. As committed in the Chemicals Strategy for Sustainability the Commission will define criteria for essential uses to guide its application across relevant Union legislation. .

mixture. ***Furthermore, any products containing such hazardous chemicals shall not advertise any green claims, unless they have been proven to be essential for society and rely on the use of these chemicals.*** Member States are required to ensure that such obligation is fulfilled. As committed in the Chemicals Strategy for Sustainability the Commission will define criteria for essential uses to guide its application across relevant Union legislation.

⁹⁰ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁹⁰ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

Or. en

Amendment 179

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive **Recital 68**

Text proposed by the Commission

(68) The use of the most harmful substances should ultimately be phased-out in the Union to avoid and prevent significant harm to human health and the environment, in particular their use in consumer products. ***Regulation (EC) 1272/2008 of the European Parliament and of the Council⁹⁰ prohibits the labelling of mixtures and substances that contain hazardous chemicals as ‘non-toxic’, ‘non-harmful’, ‘non-polluting’, ‘ecological’ or any other statements indicating that the substance or mixture is not hazardous or statements that are***

Amendment

(68) The use of the most harmful substances should ultimately be phased-out in the Union to avoid and prevent significant harm to human health and the environment, in particular their use in consumer products. as committed in the Chemicals Strategy for Sustainability. ***For products containing such substances, environmental claims should not be made. Where the use of a substance for that product has been proven to be essential for society, the product containing the substance may be eligible for environmental claims during the***

inconsistent with the classification of that substance or mixture. Member States are required to ensure that such obligation is fulfilled. As committed in the Chemicals Strategy for Sustainability the Commission ***will define criteria for essential uses to guide its application across relevant Union legislation.*** .

transition to safe and sustainable alternatives in line with the criteria developed by the Commission.

⁹⁰ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

Or. en

Amendment 180

René Repasi

Proposal for a directive

Recital 68

Text proposed by the Commission

(68) The use of ***the most*** harmful substances should ultimately be phased-out in the Union to avoid and prevent significant harm to human health and the environment, in particular their use in consumer products. Regulation (EC) 1272/2008 of the European Parliament and of the Council⁹⁰ prohibits the labelling of mixtures and substances that contain hazardous chemicals as ‘non-toxic’, ‘non-harmful’, ‘non-polluting’, ‘ecological’ or any other statements indicating that the substance or mixture is not hazardous or statements that are inconsistent with the classification of that substance or mixture. Member States are required to ensure that such obligation is fulfilled. As committed in the Chemicals Strategy for Sustainability the Commission will define criteria for

Amendment

(68) The use of harmful substances should ultimately be phased-out in the Union to avoid and prevent significant harm to human health and the environment, in particular their use in consumer products. Regulation (EC) 1272/2008 of the European Parliament and of the Council⁹⁰ prohibits the labelling of mixtures and substances that contain hazardous chemicals as ‘non-toxic’, ‘non-harmful’, ‘non-polluting’, ‘ecological’ or any other statements indicating that the substance or mixture is not hazardous or statements that are inconsistent with the classification of that substance or mixture. Member States are required to ensure that such obligation is fulfilled. As committed in the Chemicals Strategy for Sustainability the Commission will define criteria for

essential uses to guide its application across relevant Union legislation. .

essential uses to guide its application across relevant Union legislation.

⁹⁰ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁹⁰ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

Or. en

Amendment 181
Carlo Fidanza, Pietro Fiocchi

Proposal for a directive
Recital 73 a (new)

Text proposed by the Commission

Amendment

(73 a) This proposal does not cover business-to-business environmental claims nor sustainability reporting.

Or. en

Justification

It should be made more prominent that the scope of the proposal does not include B2B claims nor sustainability reporting which is already extensively covered by the corporate sustainability reporting directive and respective standards. Amendment 2 explicitly excludes the latter directive in Article 2 (see below).

Amendment 182
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – title

Text proposed by the Commission

Amendment

Scope

Subject Matter and scope

Amendment 183

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. The purpose of this Directive is to provide for a high level of consumer and environmental protection, aiming for sustainable production and consumption within planetary boundaries, while contributing to the proper functioning of the internal market, by approximating the laws, regulations and administrative provisions of the Member States related to environmental claims made on or with reference to products made available on the market or to traders making available products on the market.

Or. en

Amendment 184

René Repasi

Proposal for a directive

Article 1 – paragraph 1

Text proposed by the Commission

Amendment

1. This Directive applies to ***explicit*** environmental claims made by traders about products or traders in business-to-consumer commercial practices.

1. This Directive applies to ***all*** environmental claims made by traders about products or traders in business-to-consumer commercial practices ***that are not already addressed by equivalent or stricter provisions in sectorial legislation.***

Or. en

Amendment 185
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 1 – paragraph 1

Text proposed by the Commission

1. This Directive applies to explicit environmental claims made by traders ***about products or traders*** in business-to-consumer commercial practices.

Amendment

1. This Directive applies to ***voluntary*** explicit environmental claims made by traders ***and environmental labelling schemes*** in business-to-consumer commercial practices ***as defined in Directive 2005/29/EC***.

Or. en

Amendment 186
Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive
Article 1 – paragraph 1

Text proposed by the Commission

1. This Directive applies to explicit environmental claims made by traders ***about products or traders*** in business-to-consumer commercial practices.

Amendment

1. This Directive applies to explicit environmental claims made by traders in business-to-consumer commercial practices ***as outlined in Directive 2005/29/EC***.

Or. en

Amendment 187
Annalisa Tardino, Isabella Tovaglieri, Silvia Sardone, Antonio Maria Rinaldi, Gianantonio Da Re, Alessandra Basso, Rosanna Conte, Matteo Adinolfi, Gianna Gancia, Marco Campomenosi, Maria Veronica Rossi, Danilo Oscar Lancini

Proposal for a directive
Article 1 – paragraph 1

Text proposed by the Commission

1. This Directive applies to explicit environmental claims made by traders about products or traders in business-to-

Amendment

1. This Directive applies to explicit environmental claims made by traders about products or traders in business-to-

consumer commercial practices.

consumer commercial practices. ***It does not apply to environmental claims made in business-to-business commercial practices.***

Or. en

Amendment 188

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 1 – paragraph 1

Text proposed by the Commission

1. This Directive applies to explicit environmental claims made by traders about products or traders in business-to-consumer commercial practices.

Amendment

1. This Directive applies to explicit environmental claims made by traders about products ***placed on the market or put into service, including through online marketplaces***, or traders in business-to-consumer commercial practices

Or. en

Amendment 189

Sirpa Pietikäinen

Proposal for a directive

Article 1 – paragraph 1

Text proposed by the Commission

1. This Directive applies to explicit environmental claims made by traders about products or traders in business-to-consumer commercial practices.

Amendment

1. This Directive applies to explicit ***and implicit [to be added throughout the text]*** environmental claims made by traders about products, ***services*** or traders in business-to-consumer commercial practices.

Or. en

Justification

Consumers shall also be protected from business-to-consumer commercial practices that include implicit environmental claims such as visualization that are misleading or incorrect.

Amendment 190

Andreas Schwab, Arba Kokalari, Pablo Arias Echeverría, Christian Doleschal, Maria da Graça Carvalho, Barbara Thaler

Proposal for a directive

Article 1 – paragraph 1

Text proposed by the Commission

1. This Directive applies to explicit environmental claims made by traders about products or traders in business-to-consumer commercial practices.

Amendment

1. This Directive applies to explicit environmental claims made by traders about products or traders in business-to-consumer commercial practices ***as defined in Article 2 d) of Directive 2005/29/EC.***

Or. en

Justification

Coherence with Unfair Commercial Practices Directive necessary. Definition there: ‘business-to-consumer commercial practices’ (hereinafter also referred to as commercial practices) means any act, omission, course of conduct or representation, commercial communication including advertising and marketing, by a trader, directly connected with the promotion, sale or supply of a product to consumers;

Amendment 191

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. This Directive does not apply to explicit environmental claims made by traders about products or traders in business-to-business commercial practices.

Or. en

Amendment 192

Carlo Fidanza, Pietro Fiocchi

Proposal for a directive

Article 1 – paragraph 2 – introductory part

Text proposed by the Commission

2. This Directive does not apply to environmental labelling schemes **or** to explicit environmental claims regulated by or substantiated by rules established in:

Amendment

2. This Directive does not apply to environmental ***claims in business-to-business commercial practices, to environmental*** labelling schemes, to explicit environmental claims ***or to sustainability reporting*** regulated by or substantiated by rules established in:

Or. en

Amendment 193

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 2 – introductory part

Text proposed by the Commission

2. This Directive does not apply to environmental labelling schemes or to explicit environmental claims regulated **by** **or** substantiated **by** rules established in:

Amendment

2. This Directive does not apply to environmental labelling schemes or to explicit environmental claims regulated, substantiated ***and verified pursuant to at least as strict*** rules established in:

Or. en

Amendment 194

Laura Ballarín Cereza

Proposal for a directive

Article 1 – paragraph 2 – introductory part

Text proposed by the Commission

2. This Directive does not apply to environmental labelling schemes **or** to explicit environmental claims regulated by or substantiated by rules established in:

Amendment

2. This Directive does not apply to environmental labelling schemes, to explicit environmental claims regulated by or substantiated ***and verified*** by rules established in :

Or. en

Amendment 195

Edina Tóth

Proposal for a directive

Article 1 – paragraph 2 – introductory part

Text proposed by the Commission

2. This Directive does not apply **to environmental labelling schemes or** to explicit environmental claims regulated by or substantiated by rules established in:

Amendment

2. This Directive does not apply to explicit environmental claims regulated by or **to environmental labelling schemes** substantiated by rules established in:

Or. en

Amendment 196

Andrus Ansip, Dita Charanzová, Svenja Hahn, Andreas Glueck, Erik Poulsen, Morten Løkkegaard, Asger Christensen, Emma Wiesner, Sandro Gozi

Proposal for a directive

Article 1 – paragraph 2 – introductory part

Text proposed by the Commission

2. This Directive does not apply to environmental labelling schemes or to explicit environmental claims regulated by or substantiated by rules established in:

Amendment

2. This Directive does not apply to environmental labelling schemes or to explicit environmental claims **or to sustainability reporting** regulated by or substantiated by rules established in:

Or. en

Amendment 197

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 1 – paragraph 2 – point a

Text proposed by the Commission

(a) Regulation (EC) No 66/2010 of the European Parliament and of the Council⁹⁵,

Amendment

(a) Regulation (EC) No 66/2010 of the European Parliament and of the Council⁹⁵,
and with national or regional EN ISO 14024 Type I ecolabelling schemes officially recognised in the Member

States.

⁹⁵ Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel (OJ L 27, 30.1.2010, p. 1).

⁹⁵ Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel (OJ L 27, 30.1.2010, p. 1).

Or. en

Amendment 198

Emma Wiesner, Ulrike Müller, Erik Poulsen, Morten Løkkegaard, Asger Christensen

Proposal for a directive

Article 1 – paragraph 2 – point a

Text proposed by the Commission

(a) Regulation (EC) No 66/2010 of the European Parliament and of the Council⁹⁵,

Amendment

(a) Regulation (EC) No 66/2010 of the European Parliament and of the Council⁹⁵, ***including other officially recognized ISO 14024 type 1 ecolabels.***

⁹⁵ Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel (OJ L 27, 30.1.2010, p. 1).

⁹⁵ Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel (OJ L 27, 30.1.2010, p. 1).

Or. en

Justification

To avoid unnecessary burdens on high quality and trustworthy ecolabels, the directive should exclude all existing officially recognized ecolabels and not only the EU ecolabel.

Amendment 199

Marlene Mortler

Proposal for a directive

Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) Regulation (EU) 2018/848 of the European Parliament and of the Council⁹⁶,

Amendment

(b) Regulation (EU) 2018/848 of the European Parliament and of the Council⁹⁶, ***unless the comparative explicit claim***

relates to a product complying with the requirements of Regulation 2018/848 vis-à-vis a like-product which does not fall within the scope of Regulation 2018/848;

⁹⁶ Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).

⁹⁶ Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).

Or. en

Justification

It is important to ensure that the comparative claims including organic and conventional products are properly substantiated in order to counter greenwashing.

Amendment 200 **Pietro Fiocchi**

Proposal for a directive **Article 1 – paragraph 2 – point b**

Text proposed by the Commission

(b) Regulation (EU) 2018/848 of the European Parliament and of the Council⁹⁶,

Amendment

(b) Regulation (EU) 2018/848 of the European Parliament and of the Council *with regard exclusively to the deadlines laid down in Annex IV;*

⁹⁶ *Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).*

Or. it

Amendment 201 **Stanislav Polčák**

Proposal for a directive
Article 1 – paragraph 2 – point i

Text proposed by the Commission

Amendment

(i) Regulation (EU) No 305/2011 of the European Parliament and of the Council¹⁰³; **deleted**

¹⁰³ **Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5).**

Or. cs

Amendment 202
Michal Wiezik, Karen Melchior

Proposal for a directive
Article 1 – paragraph 2 – point k

Text proposed by the Commission

Amendment

(k) Directive 94/62/EC of the European Parliament and of the Council¹⁰⁵ ; **deleted**

¹⁰⁵ **Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994 on packaging and packaging waste (OJ L 365, 31.12.1994, p. 10).**

Or. en

Justification

With the intention of this provision not being applicable for Packaging and packaging waste Regulation. the Regulation is concerned with labelling re certain aspects, e.g. material composition, compliance with return and deposit scheme. It however doesnt provide rules on claims which do appear on packaging, e.g. related to "packaging from sustainable forestry". If a product, package, is to appear with labels beyond the labelling requirements of the

PPWR, they should be substantiated.

Amendment 203

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 1 – paragraph 2 – point k

Text proposed by the Commission

(k) **Directive 94/62/EC** of the European Parliament and of the Council¹⁰⁵ ;

Amendment

(k) **Regulation [EU].../...** of the European Parliament and of the Council **on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.**

¹⁰⁵ Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994 on packaging and packaging waste (OJ L 365, 31.12.1994, p. 10).

Or. en

Amendment 204

Petros Kokkalis

Proposal for a directive

Article 1 – paragraph 2 – point m

Text proposed by the Commission

(m) **Regulation (EU) ... /... of the European Parliament and of the Council**¹⁰⁷ ;

Amendment

deleted

¹⁰⁷ **Regulation (EU) ... /... of the European Parliament and of the Council establishing a Union certification framework for carbon removals (OJ L ...).**

Or. en

Amendment 205
Michal Wiezik, Karen Melchior

Proposal for a directive
Article 1 – paragraph 2 – point m

Text proposed by the Commission

(m) Regulation (EU) ... /... of the European Parliament and of the Council¹⁰⁷ ;

¹⁰⁷ **Regulation (EU) ... /... of the European Parliament and of the Council establishing a Union certification framework for carbon removals (OJ L ...).**

Amendment

deleted

Or. en

Amendment 206
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 1 – paragraph 2 – point o

Text proposed by the Commission

(o) Directive 2013/34/EU of the European Parliament and of the Council¹⁰⁹ and other Union, national or international rules, standards or guidelines for financial services, financial instruments, and financial products;

¹⁰⁹ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council

Amendment

(o) Directive 2013/34/EU of the European Parliament and of the Council¹⁰⁹ , Regulation (EU) 2019/2088 of the European Parliament and of the Council and other Union, national or international rules, standards or guidelines for financial services, financial instruments, and financial products;

¹⁰⁹ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council

Directives 78/660/EEC and 83/349/EEC
(OJ L 182, 29.6.2013, p. 19).

Directives 78/660/EEC and 83/349/EEC
(OJ L 182, 29.6.2013, p. 19).

Or. en

Amendment 207

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 1 – paragraph 2 – point o a (new)

Text proposed by the Commission

Amendment

***(o a) Commission Delegated Regulation
supplementing Directive 2013/34/EU as
regards sustainability reporting standards
(ESG Reporting Standards)***

Or. en

Amendment 208

**Annalisa Tardino, Isabella Tovaglieri, Silvia Sardone, Antonio Maria Rinaldi,
Gianantonio Da Re, Alessandra Basso, Rosanna Conte, Matteo Adinolfi, Gianna Gancia,
Marco Campomenosi, Maria Veronica Rossi, Danilo Oscar Lancini**

Proposal for a directive

Article 1 – paragraph 2 – point o a (new)

Text proposed by the Commission

Amendment

***(o a) Regulations (EU) 2021/2115,
2021/2116, 2021/2117 of the European
Parliament and of the Council, and
legislative acts based on these
Regulations;***

Or. en

Amendment 209

Marlene Mortler

Proposal for a directive

Article 1 – paragraph 2 – point o a (new)

Text proposed by the Commission

Amendment

(o a) Regulations (EU) 2021/2115, 2021/2116, 2021/2117 of the European Parliament and of the Council, and legislative acts based on these Regulations;

Or. en

Justification

It is important to uphold and guarantee a level playing field between the organic and conventional sector. Thereby, it is advised to exclude claims relating to products already substantiated within the CAP and all related legislations, as well as the Renewables Energy Directive II.

Amendment 210

Andrus Ansip, Dita Charanzová, Svenja Hahn, Andreas Glueck, Erik Poulsen, Morten Løkkegaard, Asger Christensen, Emma Wiesner

Proposal for a directive

Article 1 – paragraph 2 – point o a (new)

Text proposed by the Commission

Amendment

(o a) Directive (EU) 2022/2464 of the European Parliament and of the Council (CSDR);

Or. en

Amendment 211

Carlo Fidanza, Pietro Fiocchi

Proposal for a directive

Article 1 – paragraph 2 – point o a (new)

Text proposed by the Commission

Amendment

(o a) Directive (EU) 2022/2464 of the European Parliament and of the Council (CSDR);

Or. en

Amendment 212

Pietro Fiocchi

Proposal for a directive

Article 1 – paragraph 2 – point o a (new)

Text proposed by the Commission

Amendment

(oa) Regulation (EU) No 1151/2012 of the European Parliament and of the Council

Or. it

Amendment 213

Marian-Jean Marinescu

Proposal for a directive

Article 1 – paragraph 2 – point o a (new)

Text proposed by the Commission

Amendment

(o a) Directive 2018/2001 of the European Parliament and of the Council.

Or. en

Amendment 214

Carlo Fidanza, Pietro Fiocchi

Proposal for a directive

Article 1 – paragraph 2 – point o b (new)

Text proposed by the Commission

Amendment

(o b) Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources;

Or. en

Amendment 215
Marlene Mortler

Proposal for a directive
Article 1 – paragraph 2 – point o b (new)

Text proposed by the Commission

Amendment

(o b) Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources;

Or. en

Justification

It is important to uphold and guarantee a level playing field between the organic and conventional sector. Thereby, it is advised to exclude claims relating to products already substantiated within the CAP and all related legislations, as well as the Renewables Energy Directive II.

Amendment 216

Annalisa Tardino, Isabella Tovaglieri, Silvia Sardone, Antonio Maria Rinaldi, Gianantonio Da Re, Alessandra Basso, Rosanna Conte, Matteo Adinolfi, Gianna Gancia, Marco Campomenosi, Maria Veronica Rossi, Danilo Oscar Lancini

Proposal for a directive
Article 1 – paragraph 2 – point o b (new)

Text proposed by the Commission

Amendment

(o b) Regulation (EU) 2012/1151 of the European Parliament and of the Council;

Or. en

Amendment 217
Marian-Jean Marinescu

Proposal for a directive
Article 1 – paragraph 2 – point o b (new)

Text proposed by the Commission

Amendment

(o b) Directive (EU) 2022/2464 of the

Or. en

Amendment 218

Annalisa Tardino, Isabella Tovaglieri, Silvia Sardone, Antonio Maria Rinaldi, Gianantonio Da Re, Alessandra Basso, Rosanna Conte, Matteo Adinolfi, Gianna Gancia, Marco Campomenosi, Maria Veronica Rossi, Danilo Oscar Lancini

Proposal for a directive

Article 1 – paragraph 2 – point o c (new)

Text proposed by the Commission

Amendment

(o c) Directive (EU) 2018/2001 of the European parliament and on the Council on the promotion of the use of energy from renewable sources;

Or. en

Amendment 219

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Article 1 – paragraph 2 – point p

Text proposed by the Commission

Amendment

(p) other existing or future Union rules setting out the conditions under which certain explicit environmental claims about certain products or traders may be or are to be made or Union rules laying down requirements on the assessment or communication of environmental impacts, environmental aspects or environmental performance of certain products or traders or conditions for environmental labelling schemes.

deleted

Or. en

Amendment 220

Cyrus Engerer

Proposal for a directive

Article 1 – paragraph 2 – point p

Text proposed by the Commission

Amendment

(p) other existing or future Union rules setting out the conditions under which certain explicit environmental claims about certain products or traders may be or are to be made or Union rules laying down requirements on the assessment or communication of environmental impacts, environmental aspects or environmental performance of certain products or traders or conditions for environmental labelling schemes. **deleted**

Or. en

Amendment 221

Laura Ballarín Cereza

Proposal for a directive

Article 1 – paragraph 2 – point p

Text proposed by the Commission

Amendment

(p) other existing or future Union rules setting out the conditions under which certain explicit environmental claims about certain products or traders may be or are to be made or Union rules laying down requirements on the assessment or communication of environmental impacts, environmental aspects or environmental performance of certain products or traders or conditions for environmental labelling schemes. **deleted**

Or. en

Amendment 222

Edina Tóth

Proposal for a directive
Article 1 – paragraph 2 – point p

Text proposed by the Commission

(p) other ***existing or future*** Union ***rules*** setting out the conditions under which certain explicit environmental claims about certain products or traders may be or are to be made or Union rules laying down requirements on the assessment or communication of environmental impacts, environmental aspects or environmental performance of certain products or traders or conditions for environmental labelling schemes.

Amendment

(p) other Union ***legislative acts*** setting out the conditions under which certain explicit environmental claims about certain products or traders may be or are to be made or Union rules laying down requirements on the assessment or communication of environmental impacts, environmental aspects or environmental performance of certain products or traders or conditions for environmental labelling schemes, ***unless provided otherwise in those other Union legislative acts.***

Or. en

Amendment 223
Michał Wiek, Karen Melchior

Proposal for a directive
Article 1 – paragraph 2 – point p

Text proposed by the Commission

(p) other ***existing or*** future Union rules setting out the conditions under which certain explicit environmental claims about certain products or traders may be or are to be made or Union rules laying down requirements on the assessment or communication of environmental impacts, environmental aspects or environmental performance of certain products or traders or conditions for environmental labelling schemes.

Amendment

(p) other future Union rules setting out the conditions under which certain explicit environmental claims about certain products or traders may be or are to be made or Union rules laying down requirements on the assessment or communication of environmental impacts, environmental aspects or environmental performance of certain products or traders or conditions for environmental labelling schemes.

Or. en

Amendment 224
Cyrus Engerer

Proposal for a directive
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. *By way of derogation from the second paragraph of this Article, this Directive applies if the legislation listed in points (a) to (o) does not provide an equivalent level of consumer protection as this Directive with respect to the reliability, comparability and verifiability of claims, the level of disclosure of information, the requirements on third party verification prior to the claim being put on the market and enforcement. Within one year after entry into force of this Directive, the Commission shall adopt a delegated act in accordance with Article 18 to specify which legislation is fully excluded from the scope of this Directive and for which legislation some of the Articles of this Directive continue to apply.*

Or. en

Amendment 225
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. *By way of derogation from the second paragraph of this article, this Directive continues to apply if the legislation listed in points (a) to (o) of paragraph 2 does not provide an equivalent level of protection with respect to the substantiation, communication, verification and enforcement of this Directive.*

Within one year after entry into force of this Directive the Commission shall adopt a delegated act in accordance with Article

18 establishing a list of environmental claims which are either fully excluded from the scope or for which only specific articles will apply. The list should be updated as needed, when new legislation is adopted or when Union law referred to in paragraph 2 is revised.

Or. en

Amendment 226
Laura Ballarín Cereza

Proposal for a directive
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. By way of derogation from the second paragraph of this article, this Directive continues to apply if the legislation listed in points (a) to (o) of paragraph 2 does not provide an equivalent level of protection with respect to the substantiation, communication, verification and enforcement of this Directive. Within one year after entry into force of this Directive the Commission shall adopt a Delegated Act including the list of all environmental claims which are either fully excluded from the scope or for which only specific articles will apply.

Or. en

Amendment 227
Pascal Canfin

Proposal for a directive
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Within one year after entry into force of this Directive the Commission shall adopt a Delegated Act including the

list of all environmental claims which are either fully excluded from the scope or for which only specific articles will apply, clarifying the scope of exemptions set out as pursuant to paragraph 2 of this Article.

The list should be updated as needed, when new legislation is adopted or when legislations covered in paragraph 2 of this Article are revised.

Or. en

Amendment 228
Petros Kokkalis

Proposal for a directive
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. By [enter one year after entry into force of this Directive] the Commission shall adopt a Delegated Act including the list of all environmental claims which are either fully excluded from the scope or for which only specific articles will apply, clarifying the scope of exemptions in article 1.2. The list should be updated as needed, when new legislation is adopted or when legislations covered in 1.2 are revised.

Or. en

Amendment 229
Andreas Schwab, Arba Kokalari, Pablo Arias Echeverría, Christian Doleschal, Maria da Graça Carvalho, Barbara Thaler

Proposal for a directive
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. This Directive does not apply to the marketing of trade fair, congress and

event services.

Or. en

Justification

The marketing of a concert or a trade fair would be included in the scope of the directive and therefore require prior verification and certification of green claims. Most events take place during one day. Therefore, the verification requirement is out of proportion as regards administrative burden and final added value.

Amendment 230

Pascal Canfin

Proposal for a directive

Article 1 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. Future Union rules (both new and revised) that aim to cover claims outside of this legislation's scope should provide a level of requirements at least equivalent to the Green Claims Directive. Notably, the principles of reliability, comparability and verifiability of claims should be upheld.

The following elements should be at least equivalent:

(a) the level of disclosure of information;

(b) the requirements on third party verification prior to the claim being put on the market;

(c) the level of enforcement.

The Commission is empowered to provide this assessment of equivalence, and add new or revised legislation in the list mentioned in paragraph 2a (new) of this Article when at least equivalence is guaranteed.

Or. en

Amendment 231

Pietro Fiocchi

Proposal for a directive
Article 2 – paragraph 1 – point 1

Text proposed by the Commission

(1) ‘environmental ***claim***’ means environmental claim as defined in Article 2, point (o), of Directive 2005/29/EC;

Amendment

(1) ‘environmental ***statement***’ means environmental claim as defined in Article 2, point (o), of Directive 2005/29/EC;

Or. it

Amendment 232
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘explicit environmental claim’ means an environmental claim ***that is in textual form or contained in an environmental label;***

Amendment

(2) ‘explicit environmental claim’ means an environmental claim ***where the specification of the claim is provided in clear and prominent terms on the same medium or through digital means;***

Or. en

Amendment 233
Maria Grapini

Proposal for a directive
Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘explicit environmental claim’ means an environmental claim ***that is in textual form or contained in an environmental label;***

Amendment

(2) ‘explicit environmental claim’ means an environmental claim ***in which the specification of the claim is easy to understand and clearly visible on the relevant medium or in electronic form;***

Or. ro

Amendment 234

Edina Tóth

Proposal for a directive

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘explicit environmental claim’ means an environmental claim ***that is in textual form*** or contained in an environmental label;

Amendment

(2) ‘explicit environmental claim’ means an environmental claim ***made in written form or orally, including through audiovisual media***, or contained in an environmental label;

Or. en

Amendment 235

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘explicit environmental claim’ means an environmental claim ***that is in textual form or*** contained in an environmental label;

Amendment

(2) ‘explicit environmental claim’ means an environmental claim ***where the specification of the claim is provided in clear and prominent terms on the same medium or through digital means and not*** contained in an environmental label, ***which is open to a verification based on its specification***;

Or. en

Amendment 236

Pietro Fiocchi

Proposal for a directive

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘explicit environmental ***claim***’ means an environmental claim that is in textual form or contained in an

Amendment

(2) ‘explicit environmental ***statement***’ means an environmental claim that is in textual form or contained in an

environmental label;

environmental label;

Or. it

Amendment 237

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘explicit environmental claim’ means an environmental claim that is in textual form or contained in an environmental label;

Amendment

(2) ‘explicit environmental claim’ means an environmental claim that is in textual form or contained in an environmental ***or sustainability*** label, ***a trademark of an environmental labelling scheme or takes any communication form by a person acting in their commercial capacity, including online;***

Or. en

Amendment 238

René Repasi

Proposal for a directive

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘explicit environmental claim’ means an environmental claim that is in textual form or contained in an environmental label;

Amendment

(2) ‘explicit environmental claim’ means an environmental claim that is in textual form or contained in an environmental label. ***Claims that are not exclusively environmental but include, for example, social or quality aspects, fall into the scope of environmental claims;***

Or. en

Amendment 239

Stanislav Polčák

Proposal for a directive
Article 2 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘explicit environmental claim’ means an environmental claim that is in textual form or contained in an environmental label;

Amendment

2) ‘explicit environmental claim’ means an environmental claim that is in textual form or contained ***in a sustainability label, including*** in an environmental label;

Or. cs

Amendment 240
René Repasi

Proposal for a directive
Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2 a) Claims, based on carbon offsetting, that a product has a neutral, reduced, compensated, or positive greenhouse gas emissions’ impact on the environment shall be prohibited. Claims should only reflect the real environmental impacts of products, services and companies. Where offsetting mechanisms are employed, these may be mentioned without suggesting that they alter or minimize the environmental impact of the product, service or company in question. A detailed description of the offsetting mechanism used must be included;

Or. en

Amendment 241
Petros Kokkalis

Proposal for a directive
Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2 a) ‘net zero claim’ or ‘climate neutral claim’ means any message or representation, which is not mandatory under Union law or national law, which states or implies that a trader has or is committed to balancing their residual emissions with certified carbon credits shown to be retired from high-durability carbon removals, respecting the like-for-like principle and timescale of carbon storage;

Or. en

Amendment 242
Michal Wiezik, Karen Melchior

Proposal for a directive
Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2 a) ‘generic environmental claim’ means any environmental claim, on or off-product, where the specification of the claim, such as ‘eco-friendly’, ‘sustainable’, ‘sustainable sourcing’, ‘eco’, ‘green’, ‘nature’s friend’, ‘ecological’ and ‘environmentally correct’, is not based on recognised excellent environmental performance relevant to the claim;

Or. en

Amendment 243
Petros Kokkalis

Proposal for a directive
Article 2 – paragraph 1 – point 2 b (new)

Text proposed by the Commission

Amendment

(2 b) ‘like-for-like principle’ means compensating for fossil GHG emissions only by returning carbon dioxide to the

geosphere, and for biogenic emissions only by returning carbon dioxide to the biosphere, in order to sustainably balance the planet's carbon flows and cycles in pursuit for a durable net zero;

Or. en

Amendment 244

Edina Tóth

Proposal for a directive

Article 2 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘trader’ means trader as defined in Article 2, point (b), of Directive 2005/29/EC;

Amendment

(3) ‘trader’ means trader as defined in Article 2, point (b), of Directive 2005/29/EC, *excluding cooperatives and trade associations*;

Or. en

Justification

Cooperatives and trade associations should not be required to fall under the SGCD in as much as the high heterogeneity of the organizations (member-based) would not allow for a uniform standard outcome. It is virtually impossible to set specific data-based assessments on several actors with different production methods and supply chains.

Amendment 245

Dolors Montserrat

Proposal for a directive

Article 2 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘trader’ means trader as defined in Article 2, point (b), of Directive 2005/29/EC;

Amendment

(3) ‘trader’ means trader as defined in Article 2, point (b), of Directive 2005/29/EC, *excluding cooperatives and trade associations*;

Or. en

Amendment 246
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 2 – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3 a) 'private operator' means any entity engaged in economic activities within the Union and any non-profit organisation or institution distinct from public sector bodies.

Or. en

Amendment 247
Maria Grapini

Proposal for a directive
Article 2 – paragraph 1 – point 7

Text proposed by the Commission

Amendment

(7) 'sustainability label' means sustainability label as defined in Article 2, point (r), of Directive 2005/29/EC; ***deleted***

Or. ro

Amendment 248
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 2 – paragraph 1 – point 7

Text proposed by the Commission

Amendment

(7) 'sustainability label' means sustainability label as defined in Article 2, point (r), of Directive 2005/29/EC; ***deleted***

Or. en

Amendment 249
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 2 – paragraph 1 – point 7

Text proposed by the Commission

Amendment

(7) ‘sustainability label’ means sustainability label as defined in Article 2, point (r), of Directive 2005/29/EC; *deleted*

Or. en

Amendment 250
Pietro Fiocchi

Proposal for a directive
Article 2 – paragraph 1 – point 8

Text proposed by the Commission

Amendment

(8) ‘environmental label’ means a sustainability label covering only or predominantly environmental aspects of a product, a process or a trader; *deleted*

Or. it

Amendment 251
Maria Grapini

Proposal for a directive
Article 2 – paragraph 1 – point 8

Text proposed by the Commission

Amendment

(8) ‘environmental label’ means a sustainability label covering only or predominantly environmental aspects of a product, a process or a trader;

(8) ‘environmental label’ means a sustainability label, **as defined in Article 2(r) of Directive 2005/29/EC**, covering only or predominantly environmental aspects of a product, a process or a trader;

Or. ro

Amendment 252
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 2 – paragraph 1 – point 8

Text proposed by the Commission

(8) ‘environmental label’ means a sustainability label covering only or predominantly environmental aspects of a product, a process or a trader;

Amendment

(8) ‘environmental label’ means a sustainability label ***as defined in Article 2, point (r) of Directive 2005/29/EC,*** covering only or predominantly environmental aspects of a product, a process or a trader;

Or. en

Amendment 253
René Repasi

Proposal for a directive
Article 2 – paragraph 1 – point 8

Text proposed by the Commission

(8) ‘environmental label’ means a sustainability label covering only or ***predominantly*** environmental aspects of a product, a process or a trader;

Amendment

(8) ‘environmental label’ means a sustainability label covering only or ***partially*** environmental aspects of a product, a process or a trader;

Or. en

Amendment 254
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 2 – paragraph 1 – point 8

Text proposed by the Commission

(8) ‘environmental label’ means a sustainability label covering ***only or predominantly*** environmental aspects of a product, a process or a trader;

Amendment

(8) ‘environmental label’ means a sustainability label covering ***one or more*** environmental aspects of a product, a process or a trader;

Amendment 255
Anne-Sophie Pelletier

Proposal for a directive
Article 2 – paragraph 1 – point 8

Text proposed by the Commission

(8) ‘environmental label’ means a sustainability label covering ***only or predominantly*** environmental aspects of a product, a process or a trader;

Amendment

(8) ‘environmental label’ means a sustainability label covering ***any*** environmental aspects of a product, a process or a trader;

Or. en

Amendment 256
Laura Ballarín Cereza

Proposal for a directive
Article 2 – paragraph 1 – point 8

Text proposed by the Commission

(8) ‘environmental label’ means a sustainability label covering ***only or predominantly*** environmental aspects of a product, a process or a trader;

Amendment

(8) ‘environmental label’ means a sustainability label covering ***any*** environmental aspects of a product, a process or a trader;

Or. en

Amendment 257
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 2 – paragraph 1 – point 12

Text proposed by the Commission

(12) ‘value chain’ means all activities and processes that are part of the life cycle of a product or activity of a trader,

Amendment

(12) ‘value chain’ means all activities and processes that are part of the life cycle of a product or activity of a trader, including remanufacturing, ***reuse***,

including remanufacturing;

recycling and end-of-life;

Or. en

Amendment 258

Marian-Jean Marinescu

Proposal for a directive

Article 2 – paragraph 1 – point 13

Text proposed by the Commission

(13) ‘life cycle’ means the consecutive and interlinked stages of a product’s life, **consisting of** raw material acquisition or generation from natural resources, pre-processing, manufacturing, storage, distribution, installation, use, maintenance, repair, upgrading, refurbishment **as well as** re-use, and end-of-life;

Amendment

(13) ‘life cycle’ means the consecutive and interlinked stages of a product’s life **and is divided in two phases:**

a. "phase 1": raw material acquisition or generation from natural resources, pre-processing, manufacturing, storage **and** distribution;

b. "phase 2": installation, use, maintenance, repair, upgrading, refurbishment, re-use, and end-of-life.

Or. en

Amendment 259

Kim Van Sparrentak, Malte Gallée

on behalf of the Verts/ALE Group

Proposal for a directive

Article 2 – paragraph 1 – point 13

Text proposed by the Commission

(13) ‘life cycle’ means the consecutive and interlinked stages of a product’s life, consisting of raw material acquisition or generation from natural resources, pre-processing, manufacturing, storage, distribution, installation, use, maintenance,

Amendment

(13) ‘life cycle’ means the consecutive and interlinked stages of a product’s life, consisting of raw material acquisition or generation from natural resources, pre-processing, manufacturing, storage, **transport**, distribution, installation, use,

repair, upgrading, refurbishment as well as re-use, and end-of-life;

maintenance, repair, upgrading, refurbishment as well as re-use, and end-of-life;

Or. en

Amendment 260

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) ‘secondary information’ means information that is based on other sources than primary information including literature studies, engineering studies and patents.

Amendment

(15) ‘secondary information’ means information that is based on other sources than primary information including ***on-site monitoring***, literature studies, engineering studies and patents.

Or. en

Amendment 261

Emma Wiesner, Andrus Ansip, Ulrike Müller, Erik Poulsen, Morten Løkkegaard, Asger Christensen

Proposal for a directive

Article 2 – paragraph 1 – point 15 a (new)

Text proposed by the Commission

Amendment

(15 a) ‘widely recognized scientific evidence’ means evidence based on an international or national standard or on a scientifically valid reasoning which has either been subject to peer review and publication or has received widespread acceptance within a relevant scientific community with proven expertise on the topic;

Or. en

Amendment 262

Stanislav Polčák

Proposal for a directive

Article 2 – paragraph 1 – point 16

Text proposed by the Commission

Amendment

(16) ‘public’ means one or more natural or legal persons and their associations, traders or groups;

(Does not affect the English version.)

Or. cs

Amendment 263

Andreas Schwab, Arba Kokalari, Pablo Arias Echeverría, Christian Doleschal, Maria da Graça Carvalho, Barbara Thaler

Proposal for a directive

Article 2 – paragraph 1 – point 17

Text proposed by the Commission

Amendment

(17) ‘*environmental performance*’ means the performance of a certain product or product group or trader or sector related to the environmental aspects or environmental impacts of that product or product group or the activities of that trader or sector;

deleted

Or. en

Justification

The introduction of the new term environmental performance does not provide any added value. Also the distinction to the other two following terms is not clear. Deletion shall apply throughout the whole text.

Amendment 264

Anne-Sophie Pelletier

Proposal for a directive

Article 2 – paragraph 1 – point 17

Text proposed by the Commission

Amendment

(17) ‘environmental performance’

(17) ‘environmental performance’

means the performance of a certain product or product group or trader or sector related to the environmental aspects or environmental impacts of that product or product group or the activities of that trader or sector;

means the **measurable** performance of a certain product or product group or trader or sector related to the environmental aspects or environmental impacts of that product or product group or the activities of that trader or sector;

Or. en

Amendment 265

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 2 – paragraph 1 – point 19

Text proposed by the Commission

(19) ‘environmental impact’ means any change to the environment, whether positive or negative, that wholly or partially results from a trader’s or sector’s activities or from a product or product group during its life cycle.

Amendment

(19) ‘environmental impact’ means any **measurable** change to the environment, whether positive or negative, that wholly or partially results from a trader’s or sector’s activities or from a product or product group during its life cycle.

Or. en

Amendment 266

Anne-Sophie Pelletier

Proposal for a directive

Article 2 – paragraph 1 – point 19

Text proposed by the Commission

(19) ‘environmental impact’ means any change to the environment, whether positive or negative, that wholly or partially results from a trader’s or sector’s activities or from a product or product group during its life cycle.

Amendment

(19) ‘environmental impact’ means any **measurable** change to the environment, whether positive or negative, that wholly or partially results from a trader’s or sector’s activities or from a product or product group during its life cycle.

Or. en

Amendment 267
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 2 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

Amendment

(19 a) ‘widely recognised scientific approach’ means evidence based on an international or European standard or on a scientifically valid reasoning or methodology which has been either subject to peer review and publication or has received widespread acceptance within a relevant scientific community.

Or. en

Amendment 268
Maria Grapini

Proposal for a directive
Article 2 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

Amendment

(19a) ‘widely recognised scientific approach’ means evidence based on an international or European standard or on reasoning or a methodology that is scientifically valid, having either been reviewed and published by fellow scientists or widely accepted within the relevant scientific community.

Or. ro

Amendment 269
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 2 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

Amendment

(19 a) "widely recognised scientific evidence" means evidence based on a scientifically valid reasoning which has been either subject to peer review and publication or has received widespread acceptance within a relevant scientific community, or international or European standards.

Or. en

Amendment 270

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Article 2 – paragraph 1 – point 19 a (new)

Text proposed by the Commission

Amendment

(19 a) "Widely recognized scientific evidence" means evidence based in international or European standards or grounded in scientifically valid reasoning that has been either peer-reviewed and published or widely embraced by a relevant scientific community.

Or. en

Amendment 271

Lara Comi

Proposal for a directive

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims. ***This*** assessment shall:

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims. ***The*** assessment ***of explicit environmental claims concerning environmental impacts, environmental aspects or environmental performance*** shall:

Or. it

Amendment 272
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims. ***This*** assessment shall:

Amendment

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims. ***The assessment for explicit environmental claims related to environmental impacts, environmental aspects or environmental performance*** shall:

Or. en

Amendment 273
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims. ***This*** assessment shall:

Amendment

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims. ***The assessment for explicit environmental claims related to environmental impacts, environmental aspects or environmental performance*** shall:

Or. en

Amendment 274
Maria Grapini

Proposal for a directive
Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that

Amendment

1. Member States shall ensure that

traders carry out an assessment to substantiate explicit environmental claims.
This assessment shall:

traders carry out an assessment to substantiate explicit environmental claims.
The assessment of explicit claims relating to environmental impact, environmental aspects or environmental performance:

Or. ro

Amendment 275
Edina Tóth

Proposal for a directive
Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that ***traders carry*** out an assessment to substantiate ***explicit environmental claims***.
This assessment shall:

Amendment

1. Member States shall ensure that ***the trader that generates an explicit environmental claim carries*** out an assessment to substantiate ***that claim***. This assessment shall:

Or. en

Amendment 276
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims.
This assessment shall:

Amendment

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims ***taking into consideration the form in which they will be displayed***. This assessment shall:

Or. en

Amendment 277
Laura Ballarín Cereza

Proposal for a directive

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims. This assessment shall:

Amendment

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims ***in the form in which they will be displayed***. This assessment shall:

Or. en

Amendment 278

Anne-Sophie Pelletier

Proposal for a directive

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that traders carry out an assessment to substantiate explicit environmental claims. This assessment shall:

Amendment

1. Member States shall ensure that traders ***that are legally registered in the country*** carry out an assessment to substantiate explicit environmental claims. This assessment shall:

Or. en

Amendment 279

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) specify if the claim is related to the whole product, part of a product or certain aspects of a product, or to all activities of a trader or a certain part or aspect of these activities, as relevant to the claim;

Amendment

(a) specify if the claim is related to the whole product, part of a product or certain aspects ***of a product, or part of the life-cycle*** of a product, or to all activities of a trader or a certain part or aspect of these activities, as relevant to the claim;

Amendment 280

Michał Wiezik, Karen Melchior

Proposal for a directive

Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) specify if the claim is related to the whole product, part of a product or certain aspects of a product, or to all activities of a trader or a certain part or aspect of these activities, as relevant to the claim;

Amendment

(a) specify if the claim is related to the whole product, part of a product or certain aspects of a product, or to all activities of a trader or a certain part or aspect of these activities **and directly applicable to the product**, as relevant to the claim;

Or. en

Justification

As some of the certification schemes bring the notion of sustainability on the activity of a trader but still resulting in a possibility of zero percent of certified content in a product, it should be specified that if some activity is certified in general, it means it is applicable and fully true for the product, otherwise there is not reason for it to be displayed, as it may only mislead the customer.

Amendment 281

Laura Ballarín Cereza

Proposal for a directive

Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) specify if the claim is related to the whole product, part of a product or certain aspects of a product, or to all activities of a trader or a certain part or aspect of these activities, as relevant to the claim;

Amendment

(a) specify if the claim is related to the whole product, part of a product or certain aspects **or part of the life cycle** of a product, **part** or to all activities of a trader or a certain part or aspect of these activities, as relevant to the claim;

Or. en

Amendment 282

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, use accurate information and take into account relevant international standards;

Amendment

(b) rely on widely recognised scientific evidence, use accurate information and take into account relevant international standards ***the references of which have been included in Annex I of this Directive.***

The Commission may amend Annex I by adopting delegated acts that determine standards and methodologies covering specific environmental aspects, environmental performance, or environmental impacts, to ensure that explicit environmental claims conforming to these standards satisfy the substantiation requirement outlined in Article 3. These delegated acts shall be adopted in accordance with the procedure referred to in Article 18.

Or. en

Amendment 283

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, use accurate information and take into account relevant international standards;

Amendment

(b) rely on widely recognised scientific evidence, use accurate information and take into account relevant international standards ***whose references have been included in Annex I of this Directive. The Commission may amend Annex I by adopting delegated acts establishing methodologies and standards that cover certain environmental performance, environmental aspects or environmental impacts in order to make sure that explicit environmental claims made in accordance***

with these methods and standards meet the substantiation requirement outlined in Article 3. Those delegated acts shall be adopted in accordance with the procedure referred to in Article 18.

Or. en

Amendment 284

Edina Tóth

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, use accurate information and take into account relevant *international* standards;

Amendment

(b) rely on widely recognised scientific evidence, *peer reviewed by qualified experts in the field*, use accurate information and take into account relevant *methods and standards as defined in Article 2 paragraph 1 of Regulation (EU) No 1025/2012*46;

Or. en

Amendment 285

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, use accurate information *and take into account relevant* international standards;

Amendment

(b) rely on widely recognised scientific evidence, use accurate information *or Union, national or* international standards *the references of which have been included in the database in accordance with Article 10(9a),*

Or. en

Amendment 286

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, use accurate information and take into account relevant international standards;

Amendment

(b) rely on widely recognised scientific evidence, use accurate information and take into account relevant international standards ***such as the Environmental Footprint (PEF and OEF) based on PEFCRs or OEFSRs***;

Or. en

Amendment 287

Kim Van Sparrentak, Malte Gallée

on behalf of the Verts/ALE Group

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, use accurate information and take into account ***relevant international standards***;

Amendment

(b) rely on ***robust***, widely recognised, ***verifiable and independent*** scientific evidence, use accurate ***and complete*** information and take into account ***updated scientific findings and methods***;

Or. en

Amendment 288

Stanislav Polčák

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, use accurate information and take into account relevant international standards;

Amendment

(b) rely on widely recognised scientific evidence ***that fully reflects the current state of knowledge***, use accurate information and take into account relevant international standards;

Amendment 289

Petros Kokkalis

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, *use* accurate information *and take into account relevant international standards*;

Amendment

(b) rely on widely recognised *and independent* scientific evidence, *peer reviewed by qualified experts in the field, and use complete, accurate and up-to-date* information

Or. en

Amendment 290

Laura Ballarín Cereza

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, *use accurate information and take into account relevant international standards*;

Amendment

(b) rely on *robust, independent, verifiable and* widely recognised scientific evidence *which takes into account updated scientific findings and methods*.

Or. en

Amendment 291

Marian-Jean Marinescu

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific evidence, use accurate information and take into account relevant international

Amendment

(b) rely on widely *peer-reviewed* recognised scientific evidence, use accurate information and take into

standards;

account relevant international standards;

Or. en

Amendment 292

Lara Comi

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific **evidence**, use accurate information and take into account relevant international standards;

Amendment

(b) rely on widely recognised scientific **approaches**, use accurate information and take into account relevant international **or European** standards;

Or. it

Amendment 293

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) rely on widely recognised scientific **evidence**, use accurate information and take into account relevant international standards;

Amendment

(b) rely on widely recognised scientific **approach**, use accurate information and take into account relevant international **or European** standards;

Or. en

Amendment 294

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) include primary information available to the trader for environmental

impacts, environmental aspects or environmental performance, which are subject to the claim; In addition to the requirements referred to in points a), b) and ba), the assessment for explicit environmental claims related to an environmental impact or environmental performance related to an environmental impact shall:

Or. en

Amendment 295

Lara Comi

Proposal for a directive

Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) include primary information available to the economic operator on environmental impacts, environmental aspects or environmental performance, which are subject to the statement;

Or. it

Amendment 296

Maria Grapini

Proposal for a directive

Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) include primary information available to the trader, regarding environmental impacts, environmental aspects or environmental performance, which are subject to the claim;

Or. ro

Amendment 297

Lara Comi

Proposal for a directive

Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) demonstrate that environmental impacts, ***environmental aspects or*** environmental performance that are subject to the claim are significant from a life-cycle perspective;

Amendment

(c) demonstrate that environmental impacts ***and*** environmental performance that are subject to the claim are significant from a life-cycle perspective ***as defined in ISO standard 14001;***

Or. it

Amendment 298

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) demonstrate that environmental impacts, ***environmental aspects*** or environmental performance that are subject to the claim are significant from a life-cycle perspective;

Amendment

(c) demonstrate that environmental impacts or environmental performance that are subject to the claim are significant from a life-cycle perspective ***as defined in ISO 14001;***

Or. en

Amendment 299

Laura Ballarín Cereza

Proposal for a directive

Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle perspective;

Amendment

(c) demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle ***and market*** perspective ***and, for claims about traders, from an entire***

business perspective, including with respect to environmental aspects or impacts which are not addressed, or only to a limited extent, by life cycle assessment methods.

Or. en

Amendment 300

Kim Van Sparrentak, Malte Gallée

on behalf of the Verts/ALE Group

Proposal for a directive

Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle perspective;

Amendment

(c) demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle perspective, *and, for claims about a trader, consider the overall activities of the trader* ;

Or. en

Amendment 301

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle perspective;

Amendment

(c) *for claims regarding the environmental impact of a product along the life-cycle* demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle perspective;

Or. en

Amendment 302
Anne-Sophie Pelletier

Proposal for a directive
Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle perspective;

Amendment

(c) demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle perspective, ***when the life-cycle perspective is applicable to substantiate the claim;***

Or. en

Amendment 303
Maria Grapini

Proposal for a directive
Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle perspective;

Amendment

(c) demonstrate that environmental impacts, environmental aspects or environmental performance that are subject to the claim are significant from a life-cycle perspective, ***as this is defined in ISO 14001;***

Or. ro

Amendment 304
Sirpa Pietikäinen

Proposal for a directive
Article 3 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) demonstrate that the product, service or trader does not cause significant harm to the environment even

if the product or service has some other environmental benefits that the claim would be based on.

Or. en

Amendment 305

Andreas Schwab, Arba Kokalari, Pablo Arias Echeverría, Christian Doleschal, Maria da Graça Carvalho, Barbara Thaler

Proposal for a directive

Article 3 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) where a claim is made on environmental performance, take into account all environmental aspects or environmental impacts which are significant to assessing the environmental performance;

deleted

Or. en

Amendment 306

Maria Grapini

Proposal for a directive

Article 3 – paragraph 1 – point d

Text proposed by the Commission

Amendment

*(d) where a claim is made on environmental performance, take into account **all** environmental aspects or environmental impacts which are significant **to assessing the environmental performance**;*

*(d) where a claim is made on environmental performance, **also** take into account environmental aspects or environmental impacts which are significant **in terms of the life-cycle perspective, as this is defined in ISO 14001**;*

Or. ro

Amendment 307

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 3 – paragraph 1 – point d

Text proposed by the Commission

(d) where a claim is made on environmental performance, take into account ***all*** environmental aspects or environmental impacts which are significant ***to assessing the environmental performance***;

Amendment

(d) where a claim is made on environmental performance, take into account ***also*** environmental aspects or environmental impacts which are significant ***from a life-cycle perspective as defined in ISO 14001***;

Or. en

Amendment 308
Lara Comi

Proposal for a directive
Article 3 – paragraph 1 – point d

Text proposed by the Commission

(d) where a claim is made on environmental performance, take into account ***all*** environmental aspects or environmental impacts ***which are significant to assessing the environmental performance***;

Amendment

(d) where a claim is made on environmental performance, ***also*** take into account environmental aspects or environmental impacts ***from a lifecycle perspective as defined in ISO standard 14001***;

Or. it

Amendment 309
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 3 – paragraph 1 – point d

Text proposed by the Commission

(d) where a claim is made on environmental performance, take into account all environmental aspects or environmental impacts which are significant to assessing the environmental

Amendment

(d) where a claim is made on environmental performance, take into account all environmental aspects or environmental impacts ***that are subject to the claim*** which are significant to assessing

performance;

the environmental performance, *including environmental aspects or environmental impacts which are not addressed, or only to a limited extent, by life cycle assessment methods. At least the environmental impacts on climate change, resource consumption and circular economy, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems shall be considered;*

Or. en

Amendment 310
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 3 – paragraph 1 – point d

Text proposed by the Commission

(d) where a claim is made on environmental performance, take into account all environmental aspects or environmental impacts which are significant to assessing the environmental performance;

Amendment

(d) where a claim is made on environmental performance, take into account all environmental aspects or environmental impacts which are significant to assessing the environmental performance *or from a life-cycle perspective as defined in ISO 14001* ;

Or. en

Amendment 311
Laura Ballarín Cereza

Proposal for a directive
Article 3 – paragraph 1 – point d

Text proposed by the Commission

(d) where a claim is made on environmental performance, take into account all environmental aspects or environmental impacts which are significant to assessing the environmental performance;

Amendment

(d) where a claim is made on environmental performance, take into account all environmental aspects or environmental impacts *that are subject to the claim*, which are significant to assessing the environmental performance.

Amendment 312

Lara Comi

Proposal for a directive

Article 3 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) demonstrate that the claim is not equivalent to requirements imposed by law on products within the product group, or traders within the sector; **deleted**

Or. it

Amendment 313

Maria Grapini

Proposal for a directive

Article 3 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) demonstrate that the claim is not equivalent to requirements imposed by law on products within the product group, or traders within the sector; **deleted**

Or. ro

Amendment 314

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 3 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) demonstrate that the claim is not equivalent to requirements imposed by law on products within the product group, or traders within the sector; **deleted**

Amendment 315
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 3 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) *demonstrate that the claim is not equivalent to requirements imposed by law on products within the product group, or traders within the sector;* **deleted**

Or. en

Amendment 316
Stanislav Polčák

Proposal for a directive
Article 3 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) demonstrate that the claim **is not equivalent to** requirements imposed by law on products within the product group, or traders within the sector;

(e) demonstrate that the claim **does not fully reflect the** requirements imposed by law on products within the product group, or traders within the sector;

Or. cs

Amendment 317
Lara Comi

Proposal for a directive
Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) *provide information whether the product or trader which is subject to the claim performs significantly better regarding environmental impacts, environmental aspects or environmental* **deleted**

performance which is subject to the claim than what is common practice for products in the relevant product group or traders in the relevant sector;

Or. it

Amendment 318

Andreas Schwab, Arba Kokalari, Pablo Arias Echeverría, Christian Doleschal, Maria da Graça Carvalho, Barbara Thaler

Proposal for a directive

Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) provide information whether the product or trader which is subject to the claim performs significantly better regarding environmental impacts, environmental aspects or environmental performance which is subject to the claim than what is common practice for products in the relevant product group or traders in the relevant sector; **deleted**

Or. en

Justification

See Article 4 - comparative explicit environmental claims.

Amendment 319

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) provide information whether the product or trader which is subject to the claim performs significantly better regarding environmental impacts, environmental aspects or environmental performance which is subject to the claim **deleted**

than what is common practice for products in the relevant product group or traders in the relevant sector;

Or. en

Amendment 320

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) provide information whether the product or trader which is subject to the claim performs significantly better regarding environmental impacts, environmental aspects or environmental performance which is subject to the claim than what is common practice for products in the relevant product group or traders in the relevant sector; *deleted*

Or. en

Amendment 321

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) provide information whether the product or trader which is subject to the claim performs significantly better regarding environmental impacts, environmental aspects or environmental performance which is subject to the claim than what is common practice for products in the relevant product group or traders in the relevant sector; *deleted*

Or. en

Amendment 322

Stanislav Polčák

Proposal for a directive

Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) provide information whether the product or trader which is subject to the claim performs significantly better regarding environmental impacts, environmental aspects or environmental performance which is subject to the claim than what is common practice for products in the relevant product group or traders in the relevant sector;

deleted

Or. cs

Amendment 323

Michal Wiek, Karen Melchior

Proposal for a directive

Article 3 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) provide information *whether* the product *or trader* which is subject to the claim performs significantly better regarding environmental impacts, environmental aspects or environmental performance which is subject to the claim than what is common practice for products in the relevant product group *or traders in the relevant sector*;

(f) *demonstrate and* provide information *that* the product which is subject to the claim performs significantly better regarding environmental impacts, environmental aspects or environmental performance which is subject to the claim than what is common practice for products in the relevant product group;

Or. en

Justification

Whether trader overall performs better is more relevant for business-to-business practice, and for the business-to-consumer commercial practice the product itself is of more relevance. If only other range of products of a trader is so far improving the envi performance, then the label shouldnt be on the product for which the claim is not true.

Amendment 324

Pietro Fiocchi

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

deleted

Or. it

Amendment 325

Lara Comi

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) identify whether improving environmental impacts, *environmental aspects or* environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

(g) identify whether improving environmental impacts *and* environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems. *For impacts for which there are no widely recognised scientific indicators, the trader submitting the complaint shall supply a qualitative assessment satisfying the requirements laid down in paragraph 1;*

Or. it

Amendment 326
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, ***environmental aspects or*** environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems. ***For those impacts for which there are no widely recognised scientific indicators, the trader making the claim shall provide a qualitative assessment to comply with the requirements referred to in paragraph 1;***

Or. en

Amendment 327
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant ***harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;***

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant ***cross-media effects taking into account the environment as a whole.***

Or. en

Amendment 328
Maria Grapini

Proposal for a directive
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, ***environmental aspects*** or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) identify whether improving environmental impacts or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems. ***The trader making the claim must provide a qualitative assessment, in compliance with the requirements set out in paragraph 1;***

Or. ro

Amendment 329
René Repasi

Proposal for a directive
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts, ***including*** on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems, ***where this is the case, advertisement of the claim shall not be permitted;***

Or. en

Amendment 330
Michal Wiezik, Karen Melchior

Proposal for a directive
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change ***and climate change adaptation***, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems ***and their functioning***;

Or. en

Amendment 331
Marian-Jean Marinescu

Proposal for a directive
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to ***relevant and scientifically and fact proven*** environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Or. en

Amendment 332

Virginie Joron, Markus Buchheit, Jean-Lin Lacapelle, Aurélia Beigneux, Tom Vandendriessche, Catherine Griset, Mathilde Androuët

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, **public well-being and health**, animal welfare and ecosystems;

Or. fr

Amendment 333

Marian-Jean Marinescu

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant **scientifically and fact proven** harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Or. en

Amendment 334

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) ***identify whether*** improving environmental impacts, environmental aspects or environmental performance subject to the claim ***leads to significant*** harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) ***demonstrate that*** improving environmental impacts, environmental aspects or environmental performance subject to the claim ***does not lead to*** harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Or. en

Amendment 335
Stanislav Polčák

Proposal for a directive
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to ***significant harm in relation to*** environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim ***also*** leads to ***negative*** environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Or. cs

Amendment 336
Laura Ballarín Cereza

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to **significant** harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, animal welfare and ecosystems;

Or. en

Amendment 337

Edina Tóth

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, **animal welfare** and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity and ecosystems;

Or. en

Justification

The DSGC should only cover explicit environmental claims. Other non-environmental aspects should not be reflected in such claims or their justification as the balancing exercise should be done at political and legislative strategy level. In addition, if farmers have already proven compliance with animal welfare legislation; they should not be asked to go over a second layer of scrutiny.

Amendment 338
Dolors Montserrat

Proposal for a directive
Article 3 – paragraph 1 – point g

Text proposed by the Commission

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity, **animal welfare** and ecosystems;

Amendment

(g) identify whether improving environmental impacts, environmental aspects or environmental performance subject to the claim leads to significant harm in relation to environmental impacts on climate change, resource consumption and circularity, sustainable use and protection of water and marine resources, pollution, biodiversity and ecosystems;

Or. en

Amendment 339
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 3 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(g a) not rely on any offsetting schemes, including ‘insetting’, to demonstrate the environmental impacts and performance of a product, aspects of a product, or of trader’s activities, or as an instrument to achieve the future environmental performance of a product, aspects of a product, or trader’s activities;

Or. en

Amendment 340
Cyrus Engerer

Proposal for a directive
Article 3 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) ***separate any greenhouse gas emissions offsets used from greenhouse gas emissions as additional environmental information, specify whether those offsets relate to emission reductions or removals, and describe how the offsets relied upon are of high integrity and accounted for correctly to reflect the claimed impact on climate;***

(h) ***provide information demonstrating that no greenhouse gas emissions offsets are used for the claim;***

Or. en

Amendment 341
Laura Ballarín Cereza

Proposal for a directive
Article 3 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) ***separate any greenhouse gas emissions offsets used from greenhouse gas emissions as additional environmental information, specify whether those offsets relate to emission reductions or removals, and describe how the offsets relied upon are of high integrity and accounted for correctly to reflect the claimed impact on climate;***

(h) ***provide information demonstrating that no greenhouse gas emissions offsets are used for the claim;***

Or. en

Amendment 342
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 3 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) ***separate any greenhouse gas emissions offsets used from greenhouse***

(h) ***be transparent in the assessment of environmental impacts and environmental***

gas emissions as additional environmental information, specify whether those offsets relate to emission reductions or removals, and describe how the offsets relied upon are of high integrity and accounted for correctly to reflect the claimed impact on climate;

performance of products and traders' activities, without hiding the real impacts or inducing that those are reduced or compensated through financial contribution to external projects;

Or. en

Amendment 343
René Repasi

Proposal for a directive
Article 3 – paragraph 1 – point h

Text proposed by the Commission

(h) separate any greenhouse gas emissions offsets used from greenhouse gas emissions as additional environmental information, *specify whether those offsets relate to emission reductions or removals, and describe how the offsets relied upon are of high integrity and accounted for correctly to reflect the claimed impact on climate;*

Amendment

(h) separate any greenhouse gas emissions offsets used from greenhouse gas emissions as additional environmental information, *without suggesting that they alter or minimize the environmental impact of the product, service or company in question, but nevertheless including a detailed description of the offsetting mechanism used;*

Or. en

Amendment 344
Petros Kokkalis

Proposal for a directive
Article 3 – paragraph 1 – point h

Text proposed by the Commission

(h) separate any greenhouse gas emissions *offsets used from greenhouse gas emissions* as additional environmental information, specify whether those *offsets* relate to emission reductions or removals, and describe how the *offsets* relied upon are of high integrity and accounted for correctly to reflect the claimed impact on

Amendment

(h) separate any greenhouse gas emissions *from carbon credits* as additional environmental information, specify whether those *credits* relate to emission *avoidance*, reductions or removals, and describe how the *carbon credits* relied upon are of high integrity and accounted for correctly to reflect the

climate;

claimed impact on climate;

Or. en

Amendment 345

Pascal Canfin

Proposal for a directive

Article 3 – paragraph 1 – point h

Text proposed by the Commission

(h) separate any **greenhouse gas emissions offsets used from greenhouse gas emissions** as additional environmental information, specify whether those **offsets** relate to emission reductions or removals, and describe how the **offsets** relied upon are of high integrity and accounted for correctly to reflect the claimed impact on climate;

Amendment

(h) **not rely on any ‘offsetting’ for products, traders or as a means to achieve future environmental performance, and shall separate any financial contributions to environmental projects from the climate or environmental impact of the product or trader** as additional environmental information. **This assessment shall also** specify whether those **contributions** relate to emission **or impact**, reductions or removals, and describe how the **projects** relied upon are of high integrity and accounted for correctly to reflect the claimed impact on climate;

Or. en

Amendment 346

Edina Tóth

Proposal for a directive

Article 3 – paragraph 1 – point h

Text proposed by the Commission

(h) separate any greenhouse gas emissions offsets used from greenhouse gas emissions as additional environmental information, specify whether those offsets relate to emission reductions or removals, and describe how the offsets relied upon are of high integrity and accounted for correctly to reflect the claimed impact on

Amendment

(h) separate any greenhouse gas emissions offsets used from greenhouse gas emissions, **as well as emissions reductions targets and mitigation plans**, as additional environmental information, specify whether those offsets relate to emission reductions or removals, and describe how the offsets relied upon are of

climate;

high integrity and accounted for correctly to reflect the claimed impact on climate;

Or. en

Amendment 347

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 3 – paragraph 1 – point h

Text proposed by the Commission

(h) separate any greenhouse gas emissions offsets used from greenhouse gas emissions as additional environmental information, specify whether those offsets relate to emission reductions or removals, and describe how the offsets relied upon are of high integrity and accounted for correctly to reflect the claimed impact on climate;

Amendment

(h) separate any greenhouse gas emissions offsets used from greenhouse gas emissions as additional environmental information, specify whether those offsets relate to emission reductions, ***avoidance*** or removals, and describe how the offsets relied upon are of high integrity and accounted for correctly to reflect the claimed impact on climate;

Or. en

Amendment 348

Petros Kokkalis

Proposal for a directive

Article 3 – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

(h a) ensure that, for net zero or climate neutrality claims, only residual emissions are balanced with carbon removal credits certified under Carbon Removal Certification Framework, respecting the like-for-like principle, by indicating the share of residual emissions within total emissions, the share of biogenic and fossil emissions within these residual emissions; and the quantity and storage medium (geochemical or biological) of the certified carbon removal credits that have been retired to balance the residual

emissions; provide the relevant certificates and the additional information included in them; show that the credits used to compensate for residual emissions are appropriately retired from the Union Registry developed under the Carbon Removal Certification Framework;

Or. en

Amendment 349
René Repasi

Proposal for a directive
Article 3 – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

(h a) prohibit products containing hazardous substances from displaying Green Claims, unless the use of these products is proven as being essential to society and they cannot be produced without said hazardous substances

Or. en

Amendment 350
René Repasi

Proposal for a directive
Article 3 – paragraph 1 – point h b (new)

Text proposed by the Commission

Amendment

(h b) Take into account social aspects and ensure that ambiguous terms like ‘fair’ or ‘sustainable’, which, as per Article 2, point (r), of Directive 2005/29/EC, can also refer to social sustainability or social fairness are only used on products or by traders for which the term is appropriate on both environmental and social grounds.

Or. en

Amendment 351

Lara Comi

Proposal for a directive

Article 3 – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) *include primary information* *deleted*
available to the trader for environmental
impacts, environmental aspects or
environmental performance, which are
subject to the claim;

Or. it

Amendment 352

Marian-Jean Marinescu

Proposal for a directive

Article 3 – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) *include primary information* *deleted*
available to the trader for environmental
impacts, environmental aspects or
environmental performance, which are
subject to the claim;

Or. en

Amendment 353

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 3 – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) *include primary information* *deleted*
available to the trader for environmental
impacts, environmental aspects or
environmental performance, which are

subject to the claim;

Or. en

Amendment 354

Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive

Article 3 – paragraph 1 – point i

Text proposed by the Commission

(i) include primary information ***available to the trader*** for environmental impacts, environmental aspects or environmental performance, which are subject to the claim;

Amendment

(i) include primary information for environmental impacts, environmental aspects or environmental performance, which are subject to the claim;

Or. en

Amendment 355

Michał Wiezik, Karen Melchior

Proposal for a directive

Article 3 – paragraph 1 – point i

Text proposed by the Commission

(i) include primary information ***available to the trader*** for environmental impacts, environmental aspects or environmental performance, which are subject to the claim;

Amendment

(i) include ***all*** primary information for environmental impacts, environmental aspects or environmental performance, which are subject to the claim;

Or. en

Justification

Primary information is collected by the trader and thus should be known and available to them.

Amendment 356

Laura Ballarín Cereza

Proposal for a directive
Article 3 – paragraph 1 – point i

Text proposed by the Commission

(i) include primary information available to the trader for environmental impacts, environmental aspects or environmental performance, which are subject to the claim;

Amendment

(i) Include primary information available to the trader for environmental impacts, environmental aspects or environmental performance, which are subject to the claim. ***Primary information shall be included for environmental aspects which contribute significantly to the environmental performance of the product or trader, in particular, product composition, processes, materials and energy used in the production, emissions from the processes, impacts on biotic resources, the use of the product, its durability, and reparability, and end of life aspects.***

Or. en

Amendment 357
Erik Poulsen, Morten Løkkegaard, Asger Christensen, Andrus Ansip

Proposal for a directive
Article 3 – paragraph 1 – point i

Text proposed by the Commission

(i) include primary information available to the trader for environmental impacts, environmental aspects or environmental performance, which are subject to the claim;

Amendment

(i) include primary information available ***for a product or*** to the trader for environmental impacts, environmental aspects or environmental performance, which are subject to the claim;

Or. en

Justification

The use of primary data such as that collected by a producer or company should be allowed in a claim or labeling scheme.