



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

2023/0085(COD)

14.11.2023

AMENDMENTS

358 - 727

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 358

René Repasi

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 available to the trader for environmental impacts, environmental aspects or environmental performance, which are subject to the claim;

Or. en

Amendment 359

Marian-Jean Marinescu

Proposal for a directive

Article 3 – paragraph 1 – point j

Text proposed by the Commission

(j) include relevant secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Amendment

deleted

Or. en

Amendment 360

Laura Ballarín Cereza

Proposal for a directive

Article 3 – paragraph 1 – point j

Text proposed by the Commission

(j) include **relevant** secondary information for environmental impacts, environmental aspects, or environmental

Amendment

(j) include **as a supplement** secondary information for environmental impacts, environmental aspects, or environmental

performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available. ***Where secondary information is used, a justification must be given demonstrating why primary information is not available to the trader.***

Or. en

Amendment 361
Michal Wiezik, Karen Melchior

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

Text proposed by the Commission

(j) include relevant secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product ***or the trader*** on which a claim is made, in cases where no primary information is available.

Amendment

(j) include relevant secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product ***and true for the product*** on which a claim is made, in cases where no primary information is available.

Or. en

Amendment 362
Anne-Sophie Pelletier

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

Text proposed by the Commission

(j) include relevant secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, ***in cases where no primary information is available.***

Amendment

(j) include ***additional*** relevant secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made.

Amendment 363

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

Proposal for a directive

Article 3 – paragraph 1 – point j

Text proposed by the Commission

(j) include relevant secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, ***in cases where no primary information is available.***

Amendment

(j) include relevant ***additional*** secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made;

Amendment 364

Lara Comi

Proposal for a directive

Article 3 – paragraph 1 – point j

Text proposed by the Commission

(j) include relevant secondary information for environmental impacts, ***environmental aspects***, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Amendment

(j) include relevant secondary information for environmental impacts or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Amendment 365

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 3 – paragraph 1 – point j

Text proposed by the Commission

(j) include relevant secondary information for environmental impacts, ***environmental aspects***, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Amendment

(j) include relevant secondary information for environmental impacts or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Or. en

Amendment 366

Maria Grapini

Proposal for a directive

Article 3 – paragraph 1 – point j

Text proposed by the Commission

(j) include relevant secondary information for environmental impacts, ***environmental aspects***, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Amendment

(j) include relevant secondary information for environmental impacts or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Or. ro

Amendment 367

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 3 – paragraph 1 – point j

Text proposed by the Commission

(j) include relevant secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases

Amendment

(j) include relevant secondary information, ***that is relevant and commonly available on the market at a reasonable costs***, for environmental impacts, environmental aspects, or environmental performance which is

where no primary information is available.

representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Or. en

Amendment 368
Petros Kokkalis

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

Text proposed by the Commission

(j) include relevant secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Amendment

(j) include, ***only as a supplement to primary information***, relevant secondary information for environmental impacts, environmental aspects, or environmental performance which is representative of the specific value chain of the product or the trader on which a claim is made, in cases where no primary information is available.

Or. en

Amendment 369
Pascal Canfin

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

Text proposed by the Commission

Amendment

(j a) ensure, for net zero or climate neutrality claims, that 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 370

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

Proposal for a directive

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

Text proposed by the Commission

Amendment

(ja) provide relevant information on the environmental impact of the transport of products, in particular in the context of imports.

Or. fr

Amendment 371

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

Proposal for a directive

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

Text proposed by the Commission

Amendment

(j a) ensure that the methodology used to substantiate the claim is accessible to any third party.

Or. en

Amendment 372

Proposal for a directive
Article 3 – paragraph 2

Text proposed by the Commission

2. Where it is demonstrated that significant environmental impacts that are not subject to the claim exist but there is no widely recognised scientific evidence to perform the assessment referred to in point (c) of paragraph 1, the trader making the claim on another aspect shall take account of available information and, if necessary, update the assessment in accordance with paragraph 1 once widely recognised scientific evidence is available.

Amendment

2. Where it is demonstrated that significant environmental impacts that are not subject to the claim exist but there is no widely recognised scientific evidence to perform the assessment referred to in point (c) of paragraph 1, the trader making the claim on another aspect shall take account of available information and, if necessary, update the assessment in accordance with paragraph 1 once widely recognised scientific evidence is available.

When a product or service is certified with an environmental labelling scheme, compliant under Article 7 of this Directive, the trader can assume compliance with paragraph 1 if the claim is based on specific requirements in that label.

In accordance with Directive EU (.../...) Empowering consumer for the green transition, when a product or service is certified with a certification scheme for which the monitoring of compliance is objective, based on international, Union or national standards and procedures and carried out by a party independent from both the scheme owner and the trader, the trader can assume compliance with paragraph 1 if the claim is based on specific requirements of that scheme.

Or. en

Amendment 373
Marian-Jean Marinescu

Proposal for a directive
Article 3 – paragraph 2

2. Where it is demonstrated that significant environmental impacts that are not subject to the claim exist but there is no widely recognised scientific evidence to perform the assessment referred to in point (c) of paragraph 1, the trader making the claim on another aspect shall take account of available information and, if necessary, update the assessment in accordance with paragraph 1 once widely recognised scientific evidence **is** available.

2. Where it is demonstrated that significant environmental impacts that are not subject to the claim exist but there is no widely recognised scientific evidence **or method** to perform the assessment referred to in point (c) of paragraph 1, the trader making the claim on another aspect shall take account of available information and, if necessary, update the assessment in accordance with paragraph 1 once widely recognised scientific evidence **or methods are** available.

When a product or service is certified with an environmental labelling scheme, compliant under Article 7 of this Directive, this product comply with paragraph 1 if the claim is based on specific requirements on that label.

Or. en

Amendment 374
Stanislav Polčák

Proposal for a directive
Article 3 – paragraph 2

2. Where it is demonstrated that significant environmental impacts that are not subject to the claim exist but there is no widely recognised scientific evidence to perform the assessment referred to in point (c) of paragraph 1, the trader making the claim on another aspect shall take account of available information and, if necessary, update the assessment in accordance with paragraph 1 once widely recognised scientific evidence is available.

2. Where it is demonstrated that significant environmental impacts that are not subject to the claim exist but there is no widely recognised scientific evidence to perform the assessment referred to in point (c) of paragraph 1, the trader making the claim on another aspect shall take account of available information and, if necessary, update the assessment **without undue delay** in accordance with paragraph 1 once widely recognised scientific evidence is available.

Or. cs

Amendment 375

René Repasi

Proposal for a directive

Article 3 – paragraph 2

Text proposed by the Commission

2. Where it is demonstrated that significant environmental impacts that are not subject to the claim exist but there is no widely recognised scientific evidence to perform the assessment referred to in point (c) of paragraph 1, the trader making the claim on another aspect shall take account of available information and, if necessary, update the assessment in accordance with paragraph 1 once widely recognised scientific evidence is available.

Amendment

2. Where it is demonstrated that significant environmental impacts that are not subject to the claim exist but there is no widely recognised scientific evidence to perform the assessment referred to in point (c) of paragraph 1, the trader making the claim on another aspect shall take account of ***all*** available information and, if necessary, update the assessment in accordance with paragraph 1 once widely recognised scientific evidence is available.

Or. en

Amendment 376

Laura Ballarín Cereza

Proposal for a directive

Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Within 12 months from the entry into force of this Directive, the European Commission shall publish and regularly update the list of methodologies that are compliant with Article 3. This shall include also methodologies verified in line with Article 10, paragraph 2, point b.

Or. en

Amendment 377

Kim Van Sparrentak, Malte Gallée

on behalf of the Verts/ALE Group

Proposal for a directive

Article 3 – paragraph 3

Text proposed by the Commission

Amendment

3. *The requirements set out in paragraphs 1 and 2 shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.* *deleted*

¹¹⁰ *Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).*

Or. en

**Amendment 378
René Repasi**

**Proposal for a directive
Article 3 – paragraph 3**

Text proposed by the Commission

Amendment

3. *The requirements set out in paragraphs 1 and 2 shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.* *deleted*

¹¹⁰ *Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).*

Or. en

Amendment 379
Laura Ballarín Cereza

Proposal for a directive
Article 3 – paragraph 3

Text proposed by the Commission

Amendment

3. *The requirements set out in paragraphs 1 and 2 shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.*

deleted

¹¹⁰ *Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).*

Or. en

Amendment 380
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 3 – paragraph 3

Text proposed by the Commission

Amendment

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are **microenterprises** within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are **micro, small and medium-sized enterprises (SMEs)** within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-

sized enterprises (OJ L 124, 20.5.2003, p. 36).

sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. en

Amendment 381

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

Proposal for a directive

Article 3 – paragraph 3

Text proposed by the Commission

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are **microenterprises** within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Amendment

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are **micro, small or medium-sized enterprises** within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. fr

Amendment 382

Marlene Mortler

Proposal for a directive

Article 3 – paragraph 3

Text proposed by the Commission

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are **microenterprises** within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the

Amendment

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are **small enterprises** within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the

verification with the aim of receiving the certificate of conformity in accordance with Article 10.

verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. en

Justification

The bureaucratic effort and the cost are unproportionate to businesses smaller than small enterprises and should therefore not apply to the latter.

Amendment 383

Emma Wiesner, Ulrike Müller

Proposal for a directive

Article 3 – paragraph 3

Text proposed by the Commission

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Amendment

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are microenterprises **or small enterprises** within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. en

Amendment 384

Proposal for a directive
Article 3 – paragraph 3

Text proposed by the Commission

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Amendment

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are microenterprises **or SMEs** within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹⁰ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. en

Amendment 385
Lara Comi

Proposal for a directive
Article 3 – paragraph 3

Text proposed by the Commission

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹⁰ Commission Recommendation

Amendment

3. The requirements set out in paragraphs 1 and 2 shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹⁰ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10. ***Micro-enterprises may use, upon request, simplified forms to draw up and submit the explicit environmental claims referred to in these paragraphs.***

¹¹⁰ Commission Recommendation

2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. it

Amendment 386

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

Proposal for a directive

Article 3 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Where the products contain substances meeting the criteria for the following hazard classes laid down in Annex I of Regulation (EC) 1272/2008, whether on their own, in mixtures or in an article, such products are not eligible for environmental claims, except where the use of the substance in that product is proven essential for the society in line with criteria developed by the Commission:

- (a) Carcinogenicity category 1A and 1B;**
- (b) Germ cell mutagenicity category 1A and 1B;**
- (c) Reproductive toxicity category 1A and 1B;**
- (d) Endocrine disruptors category 1;**
- (e) Persistent, bioaccumulative and toxic;**
- (f) Very persistent, very bioaccumulative;**
- (g) Persistent, mobile and toxic;**
- (h) Very persistent, very mobile;**
- (i) Respiratory sensitisation;**
- (j) Specific target organ toxicity category 1.**

Or. en

Amendment 387

Pascal Canfin

Proposal for a directive

Article 3 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. To supplement the provisions on the substantiation of net zero or climate neutrality claims, the Commission shall adopt a delegated act to establish the criteria for such substantiation, including establishing a transparent process for defining and classifying residual emissions based on impact assessments and multi-stakeholder consultations, including with the possible involvement of the European Scientific Advisory Board on Climate Change.

Or. en

Amendment 388

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 3 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. The European Commission shall develop and make publicly available guidelines on how to interpret the criteria outlined in paragraphs 1 and 2, however no later than 36 months after the entry into force of this Directive.

Or. en

Amendment 389

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

Proposal for a directive
Article 3 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3 b. The Commission shall adopt, without undue delay and in consultation with the forum established in accordance with Article 18a, delegated acts in accordance with Article 18 to supplement the requirements for substantiation of explicit environmental claims laid down in paragraph 1 based on existing Product Environmental Footprint Category Rules and Organisation Environmental Footprint Sectorial Rules where those Rules have been found to cover all environmental impacts or aspects relevant for a product category

Or. en

Amendment 390
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 3 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3 b. In the process of developing guidelines, the Commission shall consult Member States' representatives and relevant interested parties involved in the development of secondary legislation on explicit environmental claims, including micro, small and medium-sized enterprises (SMEs) within the meaning of Commission Recommendation 2003/361/EC.

Or. en

Amendment 391
Michał Wiezik, Karen Melchior

Proposal for a directive
Article 3 – paragraph 4 – introductory part

Text proposed by the Commission

4. When the regular monitoring of the evolution of environmental claims referred to in Article 20 reveals differences in the application of the requirements laid down in paragraph 1 for specific claims and such differences ***create obstacles for*** the functioning of the internal market, or where the Commission identifies that the absence of requirements for specific claims ***leads to widespread*** misleading of consumers, the Commission ***may*** adopt delegated acts in accordance with Article 18 to supplement the requirements for substantiation of explicit environmental claims laid down in paragraph 1 by:

Amendment

4. When the regular monitoring of the evolution of environmental claims referred to in Article 20 reveals differences in the application of the requirements laid down in paragraph 1 for specific claims and such differences ***may have a negative impact on*** the functioning of the internal market ***or competition***, or where the Commission identifies that the absence ***or lack*** of requirements for specific claims ***may lead to*** misleading of consumers, the Commission ***shall*** adopt delegated acts in accordance with Article 18 to ***specify or*** supplement the requirements for substantiation of explicit environmental claims laid down in paragraph 1 by:

Or. en

Justification

Addition of 'competition' linked to addition in recital 1.

Amendment 392
Mathilde Androuët

Proposal for a directive
Article 3 – paragraph 4 – introductory part

Text proposed by the Commission

4. When the regular monitoring of the evolution of environmental claims referred to in Article 20 reveals differences in the application of the requirements laid down in paragraph 1 for specific claims and such differences create obstacles for the functioning of the internal market, or where the Commission identifies that the absence of requirements for specific claims leads to widespread misleading of consumers, the Commission ***may*** adopt ***delegated*** acts in accordance with Article

Amendment

4. When the regular monitoring of the evolution of environmental claims referred to in Article 20 reveals differences in the application of the requirements laid down in paragraph 1 for specific claims and such differences create obstacles for the functioning of the internal market, or where the Commission identifies that the absence of requirements for specific claims leads to widespread misleading of consumers, the Commission ***may*** adopt ***implementing*** acts in accordance with

18 to supplement the requirements for substantiation of explicit environmental claims laid down in paragraph 1 by:

Article 18 to supplement the requirements for substantiation of explicit environmental claims laid down in paragraph 1 by:

Or. fr

Amendment 393

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

Proposal for a directive

Article 3 – paragraph 4 – introductory part

Text proposed by the Commission

4. When the regular monitoring of the evolution of environmental claims referred to in Article 20 reveals differences in the application of the requirements laid down in paragraph 1 for specific claims and such differences create obstacles for the functioning of the internal market, or where the Commission identifies that the absence of requirements for specific claims leads to widespread misleading of consumers, the Commission *may* adopt delegated acts in accordance with Article 18 to supplement the requirements for substantiation of explicit environmental claims laid down in paragraph 1 by:

Amendment

4. When the regular monitoring of the evolution of environmental claims referred to in Article 20 reveals differences in the application of the requirements laid down in paragraph 1 for specific claims and such differences create obstacles for the functioning of the internal market, or where the Commission identifies that the absence of requirements for specific claims leads to widespread misleading of consumers, the Commission *shall* adopt delegated acts in accordance with Article 18 to supplement the requirements for substantiation of explicit environmental claims laid down in paragraph 1 by:

Or. en

Amendment 394

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

Proposal for a directive

Article 3 – paragraph 4 – point -a (new)

Text proposed by the Commission

Amendment

(-a) determining the relevant environmental impacts that shall be covered by the substantiation; they can be the environmental impact categories

covered by the Environmental Footprint methods, durability, reusability, reparability, recyclability, recycled content, use of natural content, including fibers, environmental performance or sustainability, bio-based elements, biodegradability, biodiversity, waste prevention and reduction

Or. en

Amendment 395

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 3 – paragraph 4 – point a

Text proposed by the Commission

(a) determining the rules for assessing the environmental aspects, environmental impacts and environmental performance, including by determining the activities, processes, materials, emissions or use of a product, which contribute significantly or cannot contribute to the relevant environmental impacts, environmental aspects or environmental performance;

Amendment

(a) determining the rules for assessing the environmental aspects, environmental impacts and environmental performance, including by determining the activities *and their intensity and scale where relevant*, processes, materials, emissions or use of a product, which contribute significantly or cannot contribute to the relevant environmental impacts, environmental aspects or environmental performance;

Or. en

Amendment 396

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

Proposal for a directive

Article 3 – paragraph 4 – point b

Text proposed by the Commission

(b) *determining for which environmental aspects or environmental impacts primary information shall be provided and* determining criteria based on which the accuracy of the primary

Amendment

(b) determining criteria based on which the accuracy of the primary information and secondary information can be assessed;
or

information and secondary information can be assessed; or

Or. en

Amendment 397
Anne-Sophie Pelletier

Proposal for a directive
Article 3 – paragraph 4 – point c

Text proposed by the Commission

(c) ***establishing specific life-cycle-based rules*** on substantiation of explicit environmental claims for certain product groups and sectors.

Amendment

(c) ***referencing relevant methodologies*** on substantiation of explicit environmental claims for certain product groups and sectors.

Or. en

Amendment 398
Pascal Canfin

Proposal for a directive
Article 3 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. By ... [1 year from the date of entry into force of this Directive], the Commission shall identify the most common explicit environmental claims made on the Union market and publish a list of claims that the Commission intends to supplement with the delegated act referred to in paragraph 4. That list shall be updated every 3 years.

Or. en

Amendment 399
Laura Ballarín Cereza

Proposal for a directive

Article 3 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. By ... [1 year from the date of entry into force of this Directive], the Commission shall identify the most common explicit environmental claims made on the Union market and publish a list of claims that the Commission intends to supplement with the delegated act referred to in paragraph 4. That list shall be updated every 3 years.

Or. en

Amendment 400

Petros Kokkalis

Proposal for a directive

Article 3 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. By ... [1 year from the date of entry into force of this Directive], the Commission shall identify the most common explicit environmental claims made on the Union market and publish a list of claims that the Commission intends to supplement with the delegated act referred to in paragraph 4. That list shall be updated every 3 years.

Or. en

Amendment 401

Petros Kokkalis

Proposal for a directive

Article 3 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4 b. To supplement the provisions on the substantiation of net zero or climate

neutrality claims, the Commission shall adopt a delegated act further specifying the criteria for such substantiation, including establishing a transparent process for defining and classifying residual emissions based on impact assessments and multi-stakeholder consultations, including with the involvement of the European Scientific Advisory Board on Climate Change.

Or. en

Amendment 402
Anne-Sophie Pelletier

Proposal for a directive
Article 3 – paragraph 5 – introductory part

Text proposed by the Commission

5. When specifying further the requirements for substantiation of explicit environmental claims in accordance with previous paragraph, the Commission shall take into account scientific or other available technical information, including relevant international standards, and where relevant consider the following:

Amendment

5. When specifying further the requirements for substantiation of explicit environmental claims in accordance with previous paragraph, the Commission shall take into account scientific or other available technical information, including relevant international standards, ***such as ISEAL Codes of Good Practices and Credibility Principles*** and where relevant consider the following:

Or. en

Amendment 403
Stanislav Polčák

Proposal for a directive
Article 3 – paragraph 5 – introductory part

Text proposed by the Commission

5. When specifying further the requirements for substantiation of explicit environmental claims in accordance with previous paragraph, the Commission shall

Amendment

5. When specifying further the requirements for substantiation of explicit environmental claims in accordance with previous paragraph, the Commission shall

take into account scientific or other available technical information, including relevant international standards, and where relevant consider the following:

take into account ***up-to-date*** scientific or other available technical information, including relevant international standards, and where relevant consider the following:

Or. cs

Amendment 404

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 3 – paragraph 5 – point a a (new)

Text proposed by the Commission

Amendment

(a a) robustness of the sustainability and environmental labelling schemes, including private certification schemes;

Or. en

Amendment 405

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 3 – paragraph 5 – point a a (new)

Text proposed by the Commission

Amendment

(a a) the work already done in the context of PEFCRs;

Or. en

Amendment 406

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 3 – paragraph 5 – point b

Text proposed by the Commission

Amendment

(b) the potential contribution of specific product groups or sectors to

(b) the potential contribution of specific product groups or sectors *and of*

achieving Union climate and environmental objectives;

ecosystems on which they are based and which they affect to achieving Union climate and environmental, *including biodiversity*, objectives;

Or. en

Amendment 407

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

Proposal for a directive

Article 3 – paragraph 5 – point c a (new)

Text proposed by the Commission

Amendment

(c a) existing Product Environmental Footprint Category Rules and Organisation Environmental Footprint Sectorial Rules and the need to adapt them to the requirements referred to in this Directive;

Or. en

Amendment 408

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

Proposal for a directive

Article 3 – paragraph 5 – point d

Text proposed by the Commission

Amendment

(d) ease of access to information and data for the assessment and use of this information and data by small and medium-sized enterprises ('SMEs').

(d) ease of access to information and data for the assessment and use of this information and data by *micro and* small and medium-sized enterprises ('SMEs').

Or. en

Amendment 409

Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 3 – paragraph 5 – point d a (new)

Text proposed by the Commission

Amendment

(d a) the views of relevant stakeholders, such as industry, including SMEs, standardisation organisations, Eco-labels, trade unions and associations, traders, retailers, importers, environmental protection organisations, consumer organisations, researchers and other experts.

Or. en

Amendment 410
René Repasi

Proposal for a directive
Article 3 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Member states shall ensure that concrete rules for the substantiation and communication of green claims are developed in a transparent process under the consultation of relevant stakeholders, including national experts, consumer organisations and other civil society actors. This process should also involve further harmonisation as regards requirements on the substantiation of specific environmental claims on environmental aspects or impacts such as durability, reusability, reparability, recyclability, recycled content, use of natural content, including fibers, environmental performance or sustainability, bio-based elements, biodegradability, biodiversity, waste prevention and reduction.

Or. en

Amendment 411
Laura Ballarín Cereza

Proposal for a directive
Article 3 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Within one year after entry into force of this Directive, the Commission will present a work plan with a prioritisation of specific claims for which the absence of clear requirements for their substantiation and communication might lead to misleading claims and necessitates the development of further requirements through delegated acts, in accordance with Article 18 and with consultation of stakeholders through the Green Claims Consultation Forum. This work plan will be regularly revised and updated to take account of the regular monitoring of environmental claims referred to in Article 20.

Or. en

Amendment 412
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 3 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Where there is no recognised scientific method or insufficient evidence to assess environmental impacts and aspects, the exclusion of these impacts shall be transparent and efforts shall be made to develop methods and accumulate evidence to enable the assessment of the respective impact. Until the method meeting the requirements set out in the first paragraph is developed, the claims referring to such environmental impacts shall not be made.

Amendment 413
Marlene Mortler

Proposal for a directive
Article 3 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. By 2026 the Commission shall establish a database of recognized methodologies according to Art.3.1.

Or. en

Amendment 414
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 3 – paragraph 5 b (new)

Text proposed by the Commission

Amendment

5 b. Within one year after entry into force of this Directive, the Commission shall present a working plan, covering a period of at least 3 years, with a prioritisation of specific claims for which the absence of clear requirements for their substantiation and communication might lead to misleading claims and necessitates the development of further requirements through delegated acts, in accordance with Article 18 and 18a ('Consultation forum').

The work plan shall be revised and updated on a regular basis and at least every three years to take account of the regular monitoring of environmental claims referred to in Article 20.

The first working plan shall be complemented by an assessment of the compliance and equivalence of environmental labelling schemes and

explicit environmental claims referred to in Article 1(2) with obligations established under this Directive. To this end, the Commission shall, by two years after entry into force of this Directive, submit a report to the European Parliament and to the Council, if appropriate, accompanied by legislative proposals.

Or. en

Amendment 415
Marlene Mortler

Proposal for a directive
Article 3 – paragraph 5 b (new)

Text proposed by the Commission

Amendment

5 b. *By 2025 the Commission, assisted by the technical committee set up under Article 19, shall develop and issue guidance on the scientific methods and standards that can be accepted to carry out the assessment for environmental footprint claims according to Article 3.1.(b).*

Or. en

Amendment 416
Michał Wiezik, Karen Melchior

Proposal for a directive
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The substantiation of explicit environmental claims that state or imply that a product **or trader** has less environmental impacts or a better environmental performance than other products **or traders** (‘comparative environmental claims’) shall, in addition to the requirements set out in Article 3,

1. The substantiation of explicit environmental claims that state or imply that a product has less environmental impacts or a better environmental performance than other products (‘comparative environmental claims’) shall, in addition to the requirements set out in Article 3, comply with the following

comply with the following requirements:

requirements:

Or. en

Amendment 417

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 4 – paragraph 1 – point a

Text proposed by the Commission

(a) the information and data used for assessing the environmental impacts, environmental aspects or environmental performance of the products ***or traders*** against which the comparison is made, are equivalent to the information and data used for assessing the environmental impacts, environmental aspects or environmental performance of the product ***or trader*** which is subject to the claim;

Amendment

(a) the information and data used for assessing the environmental impacts, environmental aspects or environmental performance of the products against which the comparison is made, are equivalent to the information and data used for assessing the environmental impacts, environmental aspects or environmental performance of the product which is subject to the claim;

Or. en

Amendment 418

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) the data used for assessing the environmental impacts, environmental aspects or environmental performance of the products ***or traders*** is generated or sourced in an equivalent manner as the data used for assessing the environmental impacts, environmental aspects or environmental performance of the products ***or traders*** against which the comparison is made;

Amendment

(b) the data used for assessing the environmental impacts, environmental aspects or environmental performance of the products is generated or sourced in an equivalent manner as the data used for assessing the environmental impacts, environmental aspects or environmental performance of the products ***of wide array of traders*** against which the comparison is made;

Or. en

Amendment 419

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 4 – paragraph 1 – point c

Text proposed by the Commission

(c) the coverage of the stages along the value chain is equivalent for **the** products and traders compared and ensures that the most significant stages are taken into account for all products and traders;

Amendment

(c) the coverage of the stages along the value chain is equivalent for **reasonably relevant** products and traders compared and ensures that the most significant stages are taken into account for all products and traders;

Or. en

Amendment 420

Edina Tóth

Proposal for a directive

Article 4 – paragraph 1 – point a

Text proposed by the Commission

(a) the information **and data** used for assessing the environmental impacts, environmental aspects or environmental performance of the products or traders against which the comparison is made, are equivalent to the information **and data** used for assessing the environmental impacts, environmental aspects or environmental performance of the product or trader which is subject to the claim;

Amendment

(a) the information, **data and method** used for assessing the environmental impacts, environmental aspects or environmental performance of the products or traders against which the comparison is made, are equivalent to the information, **data and method** used for assessing the environmental impacts, environmental aspects or environmental performance of the product or trader which is subject to the claim;

Or. en

Amendment 421

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 4 – paragraph 1 – point c

Text proposed by the Commission

(c) the coverage of the stages along the value chain is equivalent for the products **and traders** compared and ensures that the most significant stages are taken into account for all products **and traders**;

Amendment

(c) the coverage of the stages along the value chain is equivalent for the products compared and ensures that the most significant stages are taken into account for all products;

Or. en

Amendment 422

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 4 – paragraph 1 – point d

Text proposed by the Commission

(d) the coverage of environmental impacts, environmental aspects or environmental performances is equivalent for the products and traders compared and ensures that the most significant environmental impacts, environmental aspects or environmental performances are taken into account for all products and traders;

Amendment

(d) the coverage of environmental impacts, environmental aspects or environmental performances is equivalent for the products and traders compared and ensures that the most significant **product specific** environmental impacts, environmental aspects or environmental performances are taken into account for all products and traders;

Or. en

Amendment 423

Michał Wiezik, Karen Melchior

Proposal for a directive

Article 4 – paragraph 1 – point d

Text proposed by the Commission

(d) the coverage of environmental impacts, environmental aspects or environmental performances is equivalent for the products **and** traders compared and ensures that the most significant environmental impacts, environmental aspects or environmental performances are

Amendment

(d) the coverage of environmental impacts, environmental aspects or environmental performances is equivalent for the products **of wide array of** traders compared and ensures that the most significant environmental impacts, environmental aspects or environmental

taken into account for all products **and traders**;

performances are taken into account for all products;

Or. en

Amendment 424

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 4 – paragraph 1 – point e

Text proposed by the Commission

(e) assumptions used for the comparison are set in an equivalent manner for the products **and** traders compared.

Amendment

(e) assumptions used for the comparison are set in an equivalent manner for the products **of wide array of** traders compared.

Or. en

Amendment 425

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. By way of derogation from paragraph 1, comparative environmental claims concerning traders subject to different environmental labelling schemes shall include details concerning the methodology of comparison and the characteristics of the respective schemes.

Or. en

Amendment 426

Mathilde Androuët

Proposal for a directive

Article 4 – paragraph 2

Text proposed by the Commission

2. Where a comparative environmental claim relates to an improvement in terms of environmental impacts, environmental aspects or environmental performance of a product that is subject to the claim compared to environmental impacts, environmental aspects or environmental performance of another product from the same trader, ***from a competing trader that is no longer active on the market or from a trader that no longer sells to consumers***, the substantiation of the claim shall explain how that improvement affects other relevant environmental impacts, environmental aspects or environmental performance of the product subject to the claim and shall clearly state the baseline year for the comparison.

Amendment

2. Where a comparative environmental claim relates to an improvement in terms of environmental impacts, environmental aspects or environmental performance of a product that is subject to the claim compared to environmental impacts, environmental aspects or environmental performance of another product from the same trader, the substantiation of the claim shall explain how that improvement affects other relevant environmental impacts, environmental aspects or environmental performance of the product subject to the claim and shall clearly state the baseline year for the comparison.

Or. fr

Amendment 427

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. An explicit environmental claim is presumed to be in conformity with Articles 3 and 5 when it is based on specific requirements in a certified environmental labelling scheme and can therefore be communicated without further documentation or verification.

Or. en

Amendment 428

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 4 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. In cases where local conditions, the availability of verifications methods, data sources, or the geographical variation in environmental impact of certain measures present significant complications for traders in complying with the requirements of Article 4 (1), exemptions may be granted subject to the condition that traders engage an independent third-party verification entity recognized by the relevant regulatory authority. This entity shall assess the alternative measures proposed by the trader to address local complications and confirm their accuracy, fairness and transparency.

Or. en

Amendment 429

Lara Comi

Proposal for a directive Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. The requirements laid down in this Article shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹¹ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

3. The requirements laid down in this Article shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹¹ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10. ***If they so request, micro-enterprises may use simplified forms to draw up and submit the comparative explicit environmental claims referred to in these paragraphs.***

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-

medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. it

Amendment 430

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. The requirements laid down in this Article shall not apply to traders that are **microenterprises** within the meaning of Commission Recommendation 2003/361/EC¹¹¹ ***unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.***

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Amendment

3. The requirements laid down in this Article shall not apply to traders that are ***micro, small and medium-sized enterprises (SMEs)*** within the meaning of Commission Recommendation 2003/361/EC¹¹¹

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. en

Amendment 431

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

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. The requirements laid down in this Article shall not apply to traders that are **microenterprises** within the meaning of Commission Recommendation 2003/361/EC¹¹¹ unless they request the verification with the aim of receiving the

Amendment

3. The requirements laid down in this Article shall not apply to traders that are ***micro, small or medium-sized enterprises*** within the meaning of Commission Recommendation 2003/361/EC¹¹¹ unless they request the verification with the aim

certificate of conformity in accordance with Article 10.

of receiving the certificate of conformity in accordance with Article 10.

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. fr

Amendment 432
Emma Wiesner, Ulrike Müller

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. The requirements laid down in this Article shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹¹ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Amendment

3. The requirements laid down in this Article shall not apply to traders that are microenterprises **or small enterprises** within the meaning of Commission Recommendation 2003/361/EC¹¹¹ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. en

Amendment 433
Andreas Glueck

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. The requirements laid down in this Article shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹¹ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

3. The requirements laid down in this Article shall not apply to traders that are microenterprises *or SMEs* within the meaning of Commission Recommendation 2003/361/EC¹¹¹ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Or. en

Amendment 434

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

Proposal for a directive **Article 4 – paragraph 3**

Text proposed by the Commission

3. The requirements laid down in this Article shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC¹¹¹ unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

¹¹¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

Amendment

deleted

Or. en

Amendment 435

Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that a trader is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article.

Amendment

1. Member States shall ensure that a trader is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article. ***Member States shall ensure that the disclosure of the required data and information does not interfere with a company's intellectual property or reveal confidential or sensitive business information in accordance with Directive (EU) 2016/943.***

Or. en

Amendment 436
Marian-Jean Marinescu

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that a trader is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article.

Amendment

1. Member States shall ensure that a trader is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article. ***Information regarding trade secrets and intellectual property as defined by directive (UE) 2016/943 of the European Parliament and of the Council are protected under the EU legislation and do not have to be disclosed.***

Or. en

Amendment 437
Sirpa Pietikäinen

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that a trader is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article.

Amendment

1. Member States shall ensure that a trader is required to communicate an explicit ***and an implicit*** environmental claim ***as well as the negative environmental impacts*** in accordance with the requirements set out in this Article.

Or. en

Amendment 438

Laura Ballarín Cereza

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that a trader is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article.

Amendment

1. Member States shall ensure that a trader, ***including online marketplaces***, is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article.

Or. en

Amendment 439

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

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that a trader is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article.

Amendment

1. Member States shall ensure that a trader, ***including online marketplaces***, is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article.

Or. en

Amendment 440
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that a trader is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article.

Amendment

1. Member States shall ensure that a trader, ***including online marketplaces***, is required to communicate an explicit environmental claim in accordance with the requirements set out in this Article

Or. en

Amendment 441
Michał Wiezik, Karen Melchior

Proposal for a directive
Article 5 – paragraph 2

Text proposed by the Commission

2. Explicit environmental claims may only cover environmental impacts, environmental aspects or environmental performance that are substantiated in accordance with the requirements laid down in Articles 3, 4 and 5 and that are identified as significant for the product ***or trader*** concerned in accordance with Article 3 paragraph (1) point (c) or (d).

Amendment

2. Explicit environmental claims may only cover environmental impacts, environmental aspects or environmental performance that are substantiated in accordance with the requirements laid down in Articles 3, 4 and 5 and that are identified as significant for the product concerned in accordance with Article 3 paragraph (1) point (c) or (d).

Or. en

Amendment 442
Laura Ballarín Cereza

Proposal for a directive
Article 5 – paragraph 2

Text proposed by the Commission

2. Explicit environmental claims may

Amendment

2. Explicit environmental claims may

only cover environmental impacts, environmental aspects or environmental performance that are substantiated in accordance with the requirements laid down in Articles 3, 4 and 5 and that are identified as significant for the product or trader concerned in accordance with Article 3 paragraph (1) point (c) or (d).

only cover environmental impacts, environmental aspects or environmental performance that are substantiated in accordance with the requirements laid down in Articles 3, 4 and 5 and that are identified as significant for the product or trader concerned in accordance with Article 3 paragraph (1) point (c) or (d).

This does not apply to explicit environmental claims based on specific requirements from an environmental labelling scheme, which have been verified and obtained a certificate of conformity according to Article 10(2). Such claims can be communicated without needing to be subject to additional verification in accordance with Article 10(1).

Or. en

Amendment 443

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

Proposal for a directive

Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. The requirements set out in paragraph 2 shall not apply to explicit environment claims based on specific requirements from a national or regional environmental label officially recognised in accordance with Article 11 of Regulation (EC) 66/2010, which have been verified and obtained a certificate of conformity according to Article 10(2). Such claims can be communicated without needing to be subject to additional verification in accordance with Article 10(1).

Or. en

Amendment 444

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

Proposal for a directive Article 5 – paragraph 3

Text proposed by the Commission

3. Where the explicit environmental claim is related to a final product, and the use phase is among the most relevant life-cycle stages of that product, the claim shall include information on how the consumer should use the product in order to achieve the expected environmental performance of that product. That information shall be made available together with the claim.

Amendment

3. Where the explicit environmental claim is related to a final product, and the use ***or end-of-life*** phase is among the most relevant life-cycle stages of that product, the claim shall include information on how the consumer should use ***or dispose of*** the product ***at the end-of-life*** in order to achieve the expected environmental performance of that product. That information shall be made ***clearly visible and*** available together with the claim.

Or. en

Amendment 445

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

Proposal for a directive Article 5 – paragraph 3

Text proposed by the Commission

3. Where the explicit environmental claim is related to a final product, and the use phase is among the most relevant life-cycle stages of that product, the claim shall include information on how the consumer should use the product in order to achieve the expected environmental performance of that product. That information shall be made available together with the claim.

Amendment

3. Where the explicit environmental claim is related to a final product, and the use phase is among the most relevant life-cycle stages of that product, the claim shall include ***if applicable*** information on how the consumer should use the product in order to achieve the expected environmental performance of that product. That information shall be made available together with the claim.

Or. en

Amendment 446

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

Amendment

4. Where the explicit environmental claim is related to future environmental performance of a product or trader it shall include a time-bound commitment for improvements inside own operations and value chains. **deleted**

Or. en

Justification

Not clear what a future environmental performance can represent. Also term too vague and reporting obligation not clear.

Amendment 447

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

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

Amendment

4. Where the explicit environmental claim is related to future environmental performance of a product or trader it shall include a time-bound commitment for improvements inside own operations and value chains.

4. Where the explicit environmental claim is related to future environmental performance of a product or trader it shall comply with the following requirements:

(a) The claim shall be based on clear, objective, science-based, publicly available, verifiable and measurable commitments backed by the highest management level of the trader making the claim;

(b) The claim shall be accompanied by detailed, realistic and publicly available implementation plan that include interim and time-bound targets to be achieved based on existing and technically viable

technologies and appropriate budget allocation;

(c) The claim shall include publicly available annual reporting on the achievement of the targets, including on non-achieved commitments;

(d) Environmental claims communicating an improvement of the product's or trader's environmental performance on individual relevant environmental aspects shall include the reference year and the indicators reflecting performance in the baseline year and the year linked to the improvement set out in the claim;

(e) The claims shall not include actions or targets already achieved;

(f) The substantiation of environmental claims communicating improvement of the product's or trader's performance regarding specific environmental impacts shall explain how the improvement communicated affects other relevant environmental impacts for the product or the trader;

(g) The implementation plan referred to in point (b) shall be regularly verified by an independent third-party expert, whose findings shall be made publicly available.

Or. en

Amendment 448
Laura Ballarín Cereza

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

4. Where the explicit environmental claim is related to future environmental performance of a **product or** trader it shall include a time-bound commitment for improvements inside own operations and value chains.

Amendment

4. Where the explicit environmental claim is related to future environmental performance of a trader it shall include a time-bound, **science based and measurable** commitment for improvements inside own operations and value chains, **set out in a publicly available detailed and**

realistic implementation plan, including comprehensive information on concrete and verifiable interim targets accompanied with monitoring and reporting plans. The plans shall be regularly verified by an independent third-party expert, whose findings shall be made publicly available.

Or. en

Amendment 449
René Repasi

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

4. *Where the* explicit environmental *claim is* related to future environmental performance of a product or trader *it* shall include *a* time-bound commitment *for improvements inside own operations and value chains.*

Amendment

4. Explicit environmental *claims* related to future environmental performance of a product or trader shall *be prohibited unless they* include *specific* time-bound *commitments, for which the trader making the claim shall lay out a concrete road-map detailing how they intend to fulfil this* commitment, *the credibility of which must be verified by the relevant authority. Provisions should be put in place for the subsequent progress to be monitored through a regular assessment by the relevant third party competent authority.*

Or. en

Amendment 450
Petros Kokkalis

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

4. Where the explicit environmental claim is related to future environmental

Amendment

4. Where the explicit environmental claim is related to future environmental

performance of a **product or** trader it shall include **a** time-bound **commitment** for improvements inside own operations and value chains.

performance of a trader it shall include **an implementation plan with** time-bound, **measurable commitments** for improvements inside own operations and value chains. **That information shall be made available together with the claim.**

Or. en

Amendment 451
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

4. Where the explicit environmental claim is related to future environmental performance of a product or trader it shall include a time-bound commitment for improvements inside own operations and value chains.

Amendment

4. Where the explicit environmental claim is related to future environmental performance of a product or trader it shall **be science-based**, include a time-bound commitment for improvements inside own operations and value chains **and communicated to the consumer in a transparent manner**.

Or. en

Amendment 452
Stanislav Polčák

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

4. Where the explicit environmental claim is related to future environmental performance of a product or trader it shall include a time-bound commitment for improvements inside own operations and value chains.

Amendment

4. Where the explicit environmental claim is related to future environmental performance of a product or trader it shall include a **specific and** time-bound commitment for improvements inside own operations and value chains.

Or. cs

Amendment 453
Dolors Montserrat

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

4. Where the explicit environmental claim is related to future environmental performance of a product or trader it shall include a time-bound **commitment** for improvements inside own operations and value chains.

Amendment

4. Where the explicit environmental claim is related to future environmental performance of a product or trader it shall include a time-bound **aspiration** for improvements inside own operations and value chains.

Or. en

Amendment 454
Marlene Mortler

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

4. **Where the** explicit environmental claim is related to future environmental performance of a product or trader it shall include a time-bound **commitment** for improvements inside own operations and value chains.

Amendment

4. Explicit environmental claim is related to future environmental performance of a product or trader it shall include a time-bound **aspiration** for improvements inside own operations and value chains.

Or. en

Justification

The bureaucratic effort and the cost are unproportionate to businesses smaller than small enterprises and should therefore not apply to the latter.

Amendment 455
Petros Kokkalis

Proposal for a directive
Article 5 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Member States shall ensure that explicit environmental claims are prohibited for products containing substances or preparations/mixtures meeting the criteria for classification as toxic, hazardous to the environment, carcinogenic, mutagenic or toxic for reproduction (CMR), causing endocrine disruption to human health or the environment, persistent, bioaccumulative and toxic (PBT), very persistent, very bioaccumulative (vPvB), persistent, mobile and toxic (PMT), or very persistent, very mobile (vPvM) properties in accordance with 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, nor to goods containing substances referred to in Article 57 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency. In applying the prohibition, Member States shall take into consideration the use of the product and whether such substances are in direct contact with the consumer.

Or. en

Amendment 456
Laura Ballarín Cereza

Proposal for a directive
Article 5 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Explicit environmental claims shall be prohibited for products containing substances or preparations/mixtures meeting the criteria for classification as toxic, hazardous to the environment, carcinogenic, mutagenic

or toxic for reproduction (CMR), causing endocrine disruption to human health or the environment, persistent, bioaccumulative and toxic (PBT), very persistent, very bioaccumulative (vPvB), persistent, mobile and toxic (PMT), or very persistent, very mobile (vPvM) properties in accordance with 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, nor to goods containing substances referred to in Article 57 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, except when their use is considered essential for society.

Or. en

Amendment 457
Laura Ballarín Cereza

Proposal for a directive
Article 5 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4 b. Explicit environmental claims based on greenhouse gas emissions offsetting which claim that a product has a neutral, reduced or positive impact on the environment in terms of greenhouse gas emissions, shall be prohibited.

Or. en

Amendment 458
Michał Wiezik, Karen Melchior

Proposal for a directive

Article 5 – paragraph 5

Text proposed by the Commission

5. Explicit environmental claims on the cumulative environmental impacts of a product or trader based on an aggregated indicator of environmental impacts can be made only on the basis of rules to calculate such aggregated indicator that are established in the Union law.

Amendment

5. Explicit environmental claims on the cumulative environmental impacts of a product or trader based on an aggregated indicator of environmental impacts can be made only on the basis of rules to calculate such aggregated indicator that are established in ***and fully harmonised by*** the Union law. ***This clasification shall be transparently communicated to costumers. Claims on the cumulative environmental impacts shall not take form of a generic environmental claim.***

Or. en

Amendment 459

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 5 – paragraph 5

Text proposed by the Commission

5. Explicit environmental claims on the cumulative environmental impacts of a product or trader based on an aggregated indicator of environmental impacts can be made only on the basis of rules to calculate such aggregated indicator that are established in the Union law.

Amendment

5. Explicit environmental claims on the cumulative environmental impacts of a product or trader based on an aggregated indicator of environmental impacts can be made only on the basis of rules to calculate such aggregated indicator that are established in the Union law ***and in line with international or European standards.***

Or. en

Amendment 460

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

Proposal for a directive

Article 5 – paragraph 5

Text proposed by the Commission

5. Explicit environmental claims on the cumulative environmental impacts of a product or trader based on an aggregated indicator of environmental impacts can be made only ***on the basis of rules to calculate such aggregated indicator that are established in the Union law.***

Amendment

5. Explicit environmental claims on the cumulative environmental impacts of a product or trader based on an aggregated indicator of environmental impacts can be made only ***when they are based on environmental labels complying with Article 7.***

Or. en

Amendment 461

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

Proposal for a directive

Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Explicit environmental claims that are based on greenhouse gas emissions offsetting, and inducing that a product or a trader's activity has a neutral, reduced or positive impact on the environment in terms of greenhouse gas emissions shall be prohibited.

Or. en

Amendment 462

Cyrus Engerer

Proposal for a directive

Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Explicit environmental claims on a product or the trader shall not include greenhouse gas emissions offsets.

Or. en

Amendment 463

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

Proposal for a directive

Article 5 – paragraph 5 b (new)

Text proposed by the Commission

Amendment

5 b. For environmental labels based on different levels of performance, the available performance classes shall be clearly provided in the same visual representation together with the level that the product, process or business has been awarded. Further information on the definition of classes shall be provided in accordance with paragraph 6.

Or. en

Amendment 464

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

Proposal for a directive

Article 5 – paragraph 5 c (new)

Text proposed by the Commission

Amendment

5 c. Explicit environmental claims by highly polluting industries shall be accompanied by clear and prominent information to the consumer specifying that the industry and its products have an overall negative impact on the environment.

Or. en

Amendment 465

Laura Ballarín Cereza

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Information on the product or the trader that is the subject of the explicit environmental claim and on the substantiation shall be made available together with the claim in a physical form or in the form of a weblink, QR code or equivalent.

Amendment

Information on the product or the trader that is the subject of the explicit environmental claim and on the substantiation shall be made available together with the claim in a physical form or in the form of a weblink, QR code or equivalent. ***For claims based on an environmental labelling scheme which have obtained a certificate of conformity, following verification in accordance with Article 10(2), the label itself is sufficient information.***

Or. en

Amendment 466

Maria Grapini

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Information on the product or the trader that is the subject of the explicit environmental claim ***and*** on the substantiation shall be made available together with the claim in a physical form or in the form of a weblink, QR code or equivalent.

Amendment

Information on the product or the trader that is the subject of the explicit environmental claim, on the substantiation ***and information provided in Article 5(3) and (4)*** shall be made available together with the claim in a physical form or in the form of a weblink, QR code or equivalent.

Or. ro

Amendment 467

Marian-Jean Marinescu

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Information on the product or the trader that is the subject of the explicit environmental claim and on the

Amendment

Information on the product or the trader that is the subject of the explicit environmental claim and on the

substantiation shall be made available together with the claim in a physical form or in the form of a weblink, QR code or equivalent.

substantiation shall be made available together with the claim in a physical form or in the form of a weblink, QR code or equivalent ***unless the claim is based on environmental labelling schemes.***

Or. en

Amendment 468

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Information on the product or the trader that is the subject of the explicit environmental claim and on the substantiation shall be made available together with the claim in a physical form or in the form of a weblink, QR code or equivalent.

Amendment

Information on the product or the trader that is the subject of the explicit environmental claim and on the substantiation shall be made available together with the claim in a physical form or in the form of a weblink, QR code, ***through a digital product passport*** or equivalent.

Or. en

Amendment 469

René Repasi

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Information on the product or the trader that is the subject of the explicit environmental claim and on the substantiation shall be made available together with the claim in a physical form or in the form of a weblink, QR code or equivalent.

Amendment

All information on the product or the trader that is the subject of the explicit environmental claim and on the substantiation shall be made ***publicly*** available together with the claim in a physical form or in the form of a weblink, QR code or equivalent.

Or. en

Amendment 470
Petros Kokkalis

Proposal for a directive
Article 5 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Information on the product or the trader that is the subject of the explicit environmental claim and on the substantiation shall be made available together with the claim in a physical form or in the form of a weblink, QR code or equivalent.

Amendment

Information on the product or the trader that is the subject of the explicit environmental claim and on the substantiation shall be made **publicly** available together with the claim in a physical form or in the form of a weblink, QR code or equivalent.

Or. en

Amendment 471
Emma Wiesner, Andrus Ansip, Ulrike Müller, Andreas Glueck, Erik Poulsen, Morten Løkkegaard, Asger Christensen

Proposal for a directive
Article 5 – paragraph 6 – subparagraph 2 – introductory part

Text proposed by the Commission

That information shall include **at least** the following:

Amendment

That information shall include the following, **while protecting sensitive information and business secrets**:

Or. en

Amendment 472
Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive
Article 5 – paragraph 6 – subparagraph 2 – introductory part

Text proposed by the Commission

That information shall include at least **the following**:

Amendment

That information shall include at least:

Or. en

Amendment 473

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – introductory part

Text proposed by the Commission

Amendment

That information shall ***include at least the following:***

That information shall ***consist of:***

Or. en

Amendment 474

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) ***environmental aspects,
environmental impacts or environmental
performance covered by the claim;***

deleted

Or. en

Amendment 475

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) environmental aspects,
environmental impacts or environmental
performance covered by the claim;

(a) environmental aspects,
environmental impacts or environmental
performance covered by the claim; ***for a
product resulting from an
environmentally-labelled, certified activity
always the minimum possible certified
content within the product, including if it
is zero, shall be included.***

Justification

However absurd it sounds, this is what European consumers might be subject to. Certified trader, and no certified material in the actual concrete end product.

Amendment 476**Sirpa Pietikäinen****Proposal for a directive****Article 5 – paragraph 6 – subparagraph 2 – point a***Text proposed by the Commission*

(a) environmental aspects, environmental impacts or environmental performance covered by the claim;

Amendment

(a) environmental aspects, environmental impacts or environmental performance covered by the claim, ***including the negative environmental impacts;***

Or. en

Amendment 477**Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci****Proposal for a directive****Article 5 – paragraph 6 – subparagraph 2 – point b***Text proposed by the Commission*

(b) ***the relevant Union or the relevant international standards, where appropriate;***

*Amendment****deleted***

Or. en

Amendment 478**Arba Kokalari, Pernille Weiss****Proposal for a directive****Article 5 – paragraph 6 – subparagraph 2 – point c***Text proposed by the Commission**Amendment*

(c) *the underlying studies or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations, unless the information is a trade secret in line with Article 2 paragraph 1 of Directive (EU) 2016/943*¹¹²
deleted
;

¹¹² Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1).

Or. en

Amendment 479

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

(c) *the underlying studies or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations, unless the information is a trade secret in line with Article 2 paragraph 1 of Directive (EU) 2016/943*¹¹²
deleted
;

¹¹² Directive (EU) 2016/943 of the European Parliament and of the Council

of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1).

Or. en

Amendment 480

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

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point c

Text proposed by the Commission

(c) the underlying studies or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations, ***unless the information is a trade secret in line with Article 2 paragraph 1 of Directive (EU) 2016/943***¹¹² ;

Amendment

(c) the underlying studies or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations;

¹¹² Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1).

Or. en

Amendment 481

Cyrus Engerer

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point c

(c) the underlying studies or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations, ***unless the information is a trade secret in line with Article 2 paragraph 1 of Directive (EU) 2016/943***¹¹² ;

(c) the underlying studies or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations.

¹¹² Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1).

Or. en

Amendment 482
Anne-Sophie Pelletier

Proposal for a directive
Article 5 – paragraph 6 – subparagraph 2 – point c

(c) the underlying studies or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations, unless the information is a trade secret in line with Article 2 paragraph 1 of Directive (EU) 2016/943¹¹² ;

(c) the underlying studies, ***including the assessment as referred to in Article 3,*** or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations, unless the information is a trade secret in line with Article 2 paragraph 1 of Directive (EU) 2016/943¹¹² ;

¹¹² Directive (EU) 2016/943 of the

¹¹² Directive (EU) 2016/943 of the

European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1).

European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1).

Or. en

Amendment 483

Laura Ballarín Cereza

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point c

Text proposed by the Commission

(c) the underlying studies or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations, ***unless the information is a trade secret in line with Article 2 paragraph 1 of Directive (EU) 2016/943¹¹² ;***

¹¹² ***Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1).***

Amendment

(c) the underlying studies, ***including the assessment referred to in Article 3,*** or calculations used to assess, measure and monitor the environmental impacts, environmental aspects or environmental performance covered by the claim, without omitting the results of such studies or calculations and, explanations of their scope, assumptions and limitations,

Or. en

Amendment 484

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point d

Text proposed by the Commission

Amendment

(d) a brief explanation how the improvements that are subject to the claim are achieved; *deleted*

Or. en

Amendment 485

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point d

Text proposed by the Commission

Amendment

(d) a brief explanation how the improvements that are subject to the claim are achieved; *deleted*

Or. en

Amendment 486

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point e

Text proposed by the Commission

Amendment

(e) the certificate of conformity referred to in Article 10 regarding the substantiation of the claim and the contact information of the verifier that drew up the certificate of conformity; *deleted*

Or. en

Amendment 487

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

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point f

Text proposed by the Commission

Amendment

(f) *for climate-related explicit environmental claims that rely on greenhouse gas emission offsets, information to which extent they rely on offsets and whether these relate to emissions reductions or removals;* ***deleted***

Or. en

Amendment 488

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point f

Text proposed by the Commission

Amendment

(f) *for climate-related explicit environmental claims that rely on greenhouse gas emission offsets, information to which extent they rely on offsets and whether these relate to emissions reductions or removals;* ***deleted***

Or. en

Amendment 489

Cyrus Engerer

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point f

Text proposed by the Commission

Amendment

(f) *for climate-related explicit environmental claims that rely on greenhouse gas emission offsets, information to which extent they rely on offsets and whether these relate to emissions reductions or removals;* ***deleted***

Or. en

Amendment 490
René Repasi

Proposal for a directive
Article 5 – paragraph 6 – subparagraph 2 – point f

Text proposed by the Commission

Amendment

(f) *for climate-related explicit environmental claims that rely on greenhouse gas emission offsets, information to which extent they rely on offsets and whether these relate to emissions reductions or removals;* *deleted*

Or. en

Amendment 491
Petros Kokkalis

Proposal for a directive
Article 5 – paragraph 6 – subparagraph 2 – point f

Text proposed by the Commission

Amendment

(f) *for climate-related explicit environmental claims that rely on greenhouse gas emission offsets, information to which extent they rely on offsets and whether these relate to emissions reductions or removals;*

(f) *for net zero and climate neutrality claims, information regarding the share of residual emissions within total emissions, the share of biogenic and fossil emissions within these residual emissions; the quantity and storage medium (geochemical or biological) of the carbon removal credits certified under the Carbon Removal Certification Framework that have been retired to balance the residual emissions;*

Or. en

Amendment 492
Laura Ballarín Cereza

Proposal for a directive
Article 5 – paragraph 6 – subparagraph 2 – point f

Text proposed by the Commission

Amendment

(f) for climate-related explicit environmental claims that ***rely on greenhouse gas emission offsets, information to which extent they rely on offsets and*** whether these relate to emissions reductions or removals;

(f) for climate-related explicit environmental claims that ***relate to carbon credits or other contributions to environmental projects*** whether these relate to emissions reductions or removals ***of emissions or other environmental impacts***;

Or. en

Amendment 493

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

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point f

Text proposed by the Commission

Amendment

(f) for climate-related explicit environmental claims ***that rely on greenhouse gas emission offsets, information to which extent they rely on offsets and whether these relate to emissions reductions or*** removals;

(f) for climate-related explicit environmental claims ***relying on carbon removals, the certificates of corresponding units according to Regulation 2022/0394.***

Or. en

Amendment 494

Maria Grapini

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point f

Text proposed by the Commission

Amendment

(f) for climate-related explicit environmental claims that rely on greenhouse gas emission offsets, information to which extent they rely on offsets and whether these relate to emissions reductions or removals;

(f) for climate-related explicit environmental claims that rely on greenhouse gas emission offsets, information to which extent they rely on offsets and whether these relate to emissions reductions, ***avoidance*** or removals;

Amendment 495

Petros Kokkalis

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(f a) for environmental claims made by highly polluting industries, information included in the claim shall be clear as regards the product's overall negative impact on the environment;

Or. en

Amendment 496

Maria Grapini

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point g

Text proposed by the Commission

Amendment

(g) a summary of the assessment including the elements listed in this paragraph that is clear and understandable to the consumers targeted by the claim and that is provided in at least one of the official languages of the Member State where the claim is made.

(g) a summary of the assessment, including the elements listed in this paragraph, that is clear and understandable to the consumers targeted by the claim and that is provided in at least one of the official languages of the Member State where the claim is made ***and does not include information that is confidential and which qualifies as a trade secret within the meaning of Article 2(1) of Directive (EU) 2016/943.***

Or. ro

Amendment 497

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point g

Text proposed by the Commission

(g) a summary of the assessment including the elements listed in this paragraph that is clear and understandable to the consumers targeted by the claim and that is provided in at least one of the official languages of the Member State where the claim is made.

Amendment

(g) a summary of the assessment including the elements listed in this paragraph that is clear and understandable to the consumers targeted by the claim and that is provided in at least one of the official languages of the Member State where the claim is made ***and shall not include information that is confidential and qualifies as a trade secret in line with Article 2(1) of Directive (EU) 2016/943.***

Or. en

Amendment 498
Petros Kokkalis

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point g a (new)

Text proposed by the Commission

Amendment

(g a) for claims made on future environmental performance in the form of a net zero target (claims of progress towards net zero), present time-bound emissions reductions targets and explanation of the scope, methodologies and frameworks applied and how the residual emissions are intended to be neutralised by high-durability carbon removals respecting the like-for-like principle, aligned with the European Sustainability Reporting Standards under Directive (EU) 2022/2464^{1a} ;

^{1a} Directive (EU) 2022/2464 of the European Parliament and of the Council of 14 December 2022 amending Regulation (EU) No 537/2014, Directive 2004/109/EC, Directive 2006/43/EC and Directive 2013/34/EU, as regards corporate sustainability reporting (OJ L 322, 16.12.2022, p. 15–80)

Amendment 499

Laura Ballarín Cereza

Proposal for a directive

Article 5 – paragraph 6 – subparagraph 2 – point g a (new)

Text proposed by the Commission

Amendment

(g a) when a sustainability label is based on different levels of performance, the existing classes must be clearly provided in the same visual representation together with the level that the product, process or business has been assigned to. Further information on the definition of classes must be provided.

Or. en

Amendment 500

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

Proposal for a directive

Article 5 – paragraph 7

Text proposed by the Commission

Amendment

7. The requirements set out in paragraphs 2, 3 and 6 shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

deleted

Or. en

Amendment 501

René Repasi

Proposal for a directive
Article 5 – paragraph 7

Text proposed by the Commission

Amendment

7. The requirements set out in paragraphs 2, 3 and 6 shall not apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

deleted

Or. en

Amendment 502
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 5 – paragraph 7

Text proposed by the Commission

Amendment

7. The requirements set out in paragraphs 2, 3 and 6 shall not apply to traders that are *microenterprises* within the meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

7. The requirements set out in paragraphs 2, 3 and 6 shall not apply to traders that are *micro, small and medium-sized enterprises (SMEs)* within the meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

Or. en

Amendment 503
Virginie Joron, Markus Buchheit, Jean-Lin Lacapelle, Aurélia Beigneux, Tom Vandendriessche, Catherine Griset, Mathilde Androuët

Proposal for a directive
Article 5 – paragraph 7

Text proposed by the Commission

Amendment

7. The requirements set out in

7. The requirements set out in

paragraphs 2, 3 and 6 shall not apply to traders that are **microenterprises** within the meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

paragraphs 2, 3 and 6 shall not apply to traders that are **micro, small or medium-sized enterprises** within the meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

Or. fr

Amendment 504
Marlene Mortler

Proposal for a directive
Article 5 – paragraph 7

Text proposed by the Commission

7. The requirements set out in paragraphs 2, 3 and 6 shall not apply to traders that are **microenterprises** within the meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

Amendment

7. The requirements set out in paragraphs 2, 3 and 6 shall not apply to traders that are **small enterprises** within the meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

Or. en

Justification

The bureaucratic effort and the cost are unproportionate to businesses smaller than small enterprises and should therefore not apply to the latter.

Amendment 505
Stanislav Polčák

Proposal for a directive
Article 5 – paragraph 7

Text proposed by the Commission

7. The requirements set out in paragraphs 2, 3 and 6 shall not apply to traders that are microenterprises within the

Amendment

7. The requirements set out in paragraphs 2 and 6 shall not apply to traders that are microenterprises within the

meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

meaning of Commission Recommendation 2003/361/EC unless they request the verification with the aim of receiving the certificate of conformity in accordance with Article 10.

Or. cs

Amendment 506

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

Proposal for a directive

Article 5 – paragraph 8

Text proposed by the Commission

8. *Where the substantiation of certain environmental impacts, environmental aspects or environmental performance is subject to the rules established in delegated acts referred to in Article 3, paragraph 4(a) and paragraph 4(c),* the Commission *may* adopt delegated acts in accordance with Article 18 to supplement the requirements for communication of explicit environmental claims set out in Article 5 by specifying further the information that can be or shall be communicated regarding such environmental impacts, environmental aspects or environmental performance, so as to make sure that the consumers are not misled.

Amendment

8. The Commission **shall** adopt delegated acts in accordance with Article 18 to supplement the requirements for communication of explicit environmental claims set out in Article 5 by specifying further the information that can be or shall be communicated regarding such environmental impacts, environmental aspects or environmental performance, so as to make sure that the consumers are not misled.

Or. en

Amendment 507

Michał Wiezik, Karen Melchior

Proposal for a directive

Article 5 – paragraph 8

Text proposed by the Commission

8. Where the substantiation of certain

Amendment

8. Where the substantiation of certain

environmental impacts, environmental aspects or environmental performance is subject to the rules established in delegated acts referred to in Article 3, paragraph 4(a) and paragraph 4(c), the Commission *may* adopt delegated acts in accordance with Article 18 to supplement the requirements for communication of explicit environmental claims set out in Article 5 by specifying further the information that can be or shall be communicated regarding such environmental impacts, environmental aspects or environmental performance, so as to make sure that the consumers are not misled.

environmental impacts, environmental aspects or environmental performance is subject to the rules established in delegated acts referred to in Article 3, paragraph 4(a) and paragraph 4(c), the Commission *shall* adopt delegated acts in accordance with Article 18 to supplement the requirements for communication of explicit environmental claims set out in Article 5 by specifying further the information that can be or shall be communicated regarding such environmental impacts, environmental aspects or environmental performance, so as to make sure that the consumers are not misled.

Or. en

Amendment 508

Beatrice Covassi, Achille Variati

Proposal for a directive

Article 5 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8 a. Environmental claims are communicated in a language that can be understood by consumers in the Member States where the product or service is marketed.

Or. en

Amendment 509

Mathilde Androuët

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

Amendment

Comparative environmental claims shall not relate to an improvement of the environmental impacts, environmental aspects or environmental performance of

Comparative environmental claims shall not relate to an improvement of the environmental impacts, environmental aspects or environmental performance of

the product that is the subject of the claim compared to the environmental impacts, environmental aspects or environmental performance of another product from ***the same trader or from*** a competing trader that is no longer active on the market or from a trader that no longer sells to consumers, ***unless*** they are based on evidence proving that the improvement is significant and achieved in the last five years.

the product that is the subject of the claim compared to the environmental impacts, environmental aspects or environmental performance of another product from a competing trader that is no longer active on the market or from a trader that no longer sells to consumers. ***However, they may relate to an improvement in the environmental impacts, environmental aspects or environmental performance of the product that is the subject of the claim compared to the environmental impacts, environmental aspects or environmental performance of the same trader if*** they are based on evidence proving that the improvement is significant and ***if they have been*** achieved in the last five years.

Or. fr

Amendment 510
Maria Grapini

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

Comparative environmental claims shall not relate to an improvement of the environmental impacts, environmental aspects or environmental performance of the product that is the subject of the claim compared to the environmental impacts, environmental aspects or environmental performance of another product from the same trader ***or from a competing trader that is no longer active on the market or from a trader that no longer sells to consumers***, unless they are based on evidence ***proving that the improvement is significant and achieved in the last five years***.

Amendment

Comparative environmental claims shall not relate to an improvement of the environmental impacts, environmental aspects or environmental performance of the product that is the subject of the claim compared to the environmental impacts, environmental aspects or environmental performance of another product from the same trader, unless they are based on evidence ***and clearly specify the reference year for comparison***.

Or. ro

Amendment 511
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 7 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that environmental labels fulfil the requirements set out in Articles 3 to 6 and are subject to verification in accordance with Article 10.

Amendment

1. Member States shall ensure that environmental labels fulfil the requirements set out in Articles 3 to 6 and are subject to verification in accordance with Article 10. ***If an environmental label demonstrates that its methodology is based on the use of scientific and reproducible assessment methods, only the general methodology of the label should be subject to verification according to Article 10(2), but not the requirements and related testing for each individual product or service group covered by the label.***

Or. en

Amendment 512
Anne-Sophie Pelletier

Proposal for a directive
Article 7 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that environmental labels fulfil the requirements set out in Articles 3 to 6 and are subject to verification in accordance with Article 10.

Amendment

1. Member States shall ensure that environmental labels ***that are legally registered in the country*** fulfil the requirements set out in Articles 3 to 6 and are subject to verification in accordance with Article 10. ***If an environmental label demonstrates that its methodology is based on the use of scientific and reproducible assessment methods, a lifecycle approach and product specific requirements, assessed by independent laboratories, only the general methodology of the label should be subject to verification according to Article 10(2), but not the requirements and***

related testing for each individual product or service group covered by the label.

Or. en

Amendment 513

Maria Grapini

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that environmental labels fulfil the requirements set out in Articles 3 to 6 and are subject to verification in accordance with Article 10.

Amendment

1. Member States shall ensure that environmental labels fulfil the requirements set out in Articles 3 to 6 and are subject to verification in accordance with Article 10. ***This paragraph shall apply to all environmental labels presenting a rating or score of a product or trader, including those administered by economic and non-economic operators.***

Or. ro

Amendment 514

Maria Spyraiki

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that environmental labels fulfil the requirements set out in Articles 3 to 6 and are subject to verification in accordance with Article 10.

Amendment

1. Member States shall ensure that environmental labels fulfil the requirements set out in Articles 3 to 6 and are subject to verification in accordance with Article 10. ***This paragraph shall apply to all environmental labels presenting a rating or score of a product or trader, including those run by economic and non-economic operators.***

Or. en

Amendment 515
Anne-Sophie Pelletier

Proposal for a directive
Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Environmental labelling schemes may submit a list of claims that traders may make on the basis of the label for verification. Member States shall ensure that these claims fulfil the requirements referred to in Articles 3 to 6 and are subject to verification in accordance with Article 10.

Or. en

Amendment 516
Kim Van Sparrentak, Malte Gällée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Where a national or regional environmental label officially recognised in accordance with Article 11 of Regulation (EC) 66/2010 demonstrates that its assessment methodology is in accordance with Article 3, and makes use of a lifecycle approach and product specific requirements, assessed by independent laboratories, only the methodology of the label shall be subject to verification according to Article 10(2) and not the requirements and related testing for each individual product or service group covered by the label.

Or. en

Amendment 517

Maria Grapini

Proposal for a directive
Article 7 – paragraph 2

Text proposed by the Commission

2. Only environmental labels awarded under environmental labelling schemes established under Union law may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Amendment

2. Only environmental labels awarded under environmental labelling schemes established under Union law may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader. ***Until the adoption of a specific Union law establishing such a labelling scheme, environmental labels can only present a rating or score if they are based on a full life-cycle analysis methodology, complying with the requirements of this Directive.***

Or. ro

Amendment 518
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 7 – paragraph 2

Text proposed by the Commission

2. Only environmental labels awarded under environmental labelling schemes ***established under Union law*** may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Amendment

2. Only environmental labels awarded under environmental labelling schemes ***adopting a scientific and reproducible method, performed by independent organisations complying with the requirements of the first paragraph of this Article and environmental labels owned by private operators that have received verification in accordance with Article 10 of the Directive of their rating or scoring methodology*** may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Or. en

Amendment 519

Maria Spyraiki

Proposal for a directive

Article 7 – paragraph 2

Text proposed by the Commission

2. Only environmental labels awarded under environmental labelling schemes established under Union law may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Amendment

2. Only environmental labels awarded under environmental labelling schemes established under Union law may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader. ***Until an appropriate Union law establishing such labelling scheme is adopted, environmental labels may present a rating or score solely if these rely on a full life cycle analysis-based methodology complying with the requirements of this Directive.***

Or. en

Amendment 520

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

Proposal for a directive

Article 7 – paragraph 2

Text proposed by the Commission

2. Only environmental labels awarded under environmental labelling schemes ***established under Union law*** may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Amendment

2. Only environmental labels ***complying with the requirements of the first paragraph and*** awarded under environmental labelling schemes ***that are based on scientific, independent and reproducible assessment methods and a lifecycle approach*** may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Or. en

Amendment 521
Anne-Sophie Pelletier

Proposal for a directive
Article 7 – paragraph 2

Text proposed by the Commission

2. Only environmental labels awarded under environmental labelling schemes ***established under Union law*** may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Amendment

2. Only environmental labels awarded under environmental labelling schemes ***adopting a scientific and reproducible method, performed by independent organisations complying with the requirements of the first paragraph of this Article*** may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Or. en

Amendment 522
Michał Wiezik, Karen Melchior

Proposal for a directive
Article 7 – paragraph 2

Text proposed by the Commission

2. Only environmental labels awarded under environmental labelling schemes established under Union law may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Amendment

2. Only environmental labels awarded under environmental labelling schemes established under Union law, ***ensuring full harmonisation or recognized equivalence of products***, may present a rating or score of a product or trader based on an aggregated indicator of environmental impacts of a product or trader.

Or. en

Amendment 523
Emma Wiesner, Andrus Ansip

Proposal for a directive

Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. The Commission shall adopt delegated acts according to Article 18 of this Directive establishing mandatory life-cycle based carbon footprint labelling scheme for product categories covered by PEFCRs. Along with the development of the PEF method and additional impact categories being introduced, the number of available PEFCRs will increase and complementary delegated acts should follow. This label shall be clearly visible for all consumers.

Or. en

Justification

By introducing a mandatory carbon footprint labelling scheme, consumers are made aware of the environmental impact while upholding a level-playing field that do not affect the front runners specifically.

Amendment 524

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Aggregated scores which are not only or not predominantly addressing environmental aspects or impacts but also include other dimensions in the weighing criteria, such as price, quality or durability, are allowed provided that they fulfil the requirements of the first paragraph of this Article with regards to the environmental component of the label.

Or. en

Amendment 525

Anne-Sophie Pelletier

Proposal for a directive
Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. No label system should be used to reward the tobacco industry for its eco-responsible activities or its efforts in favor of the climate or the environment, as this industry is structurally highly polluting and therefore unable to meet the necessary requirements.

Or. en

Amendment 526
Michal Wiezik, Karen Melchior

Proposal for a directive
Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. Environmental labelling scheme means a certification scheme which certifies that a product, a process or a trader complies with the requirements for an environmental label.

1. Environmental labelling scheme means a certification scheme ***established by a public authority or private operators*** and which certifies that a product, a process or a trader complies with the requirements for an environmental ***or a sustainability*** label.

Or. en

Amendment 527
Stanislav Polčák

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

Text proposed by the Commission

Amendment

(a) information about the ownership and the decision-making bodies of the environmental labelling scheme is

(a) information about the ownership and the decision-making bodies of the environmental labelling scheme is

transparent, accessible free of charge, easy to understand and sufficiently detailed;

transparent, accessible free of charge **online**, easy to understand and sufficiently detailed;

Or. cs

Amendment 528

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

Proposal for a directive

Article 8 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(a a) the decision-making bodies of the environmental labelling scheme are free of conflicts of interest and are independent from traders using the label and consist of a diverse group of stakeholders, including environmental and consumer organisations;

Or. en

Amendment 529

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 8 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(a a) it is certified under other than chain of custody certification;

Or. en

Amendment 530

Stanislav Polčák

Proposal for a directive

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) information about the objectives of the environmental labelling scheme and the requirements and procedures to monitor compliance of the environmental labelling scheme are transparent, accessible free of charge, easy to understand and sufficiently detailed;

Amendment

(b) information about the objectives of the environmental labelling scheme and the requirements and procedures to monitor compliance of the environmental labelling scheme are transparent, accessible free of charge ***online***, easy to understand and sufficiently detailed;

Or. cs

Amendment 531

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 8 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) the certification scheme is robust, it is designed and implemented to identify and address fraud, with ability to fully track transactions regarding all qualitative and quantitative aspects between entities in the supply chain and providing full assurance over the origin and material certification claim;

Or. en

Amendment 532

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 8 – paragraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(b b) there is an assurance of the certified material's actual physical presence in the end product in every single case at the minimum level of 50%;

Or. en

Amendment 533

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

Proposal for a directive

Article 8 – paragraph 2 – point c

Text proposed by the Commission

(c) the conditions for joining the environmental labelling schemes are proportionate to the size and turnover of the companies in order not to exclude small and medium enterprises;

Amendment

(c) the conditions for joining the environmental labelling schemes are proportionate to the size and turnover of the companies in order not to exclude ***micro***, small and medium enterprises, ***including by setting reasonable and non-discriminatory fees***;

Or. en

Amendment 534

Anne-Sophie Pelletier

Proposal for a directive

Article 8 – paragraph 2 – point c

Text proposed by the Commission

(c) the ***conditions for joining*** the environmental labelling schemes ***are proportionate to the size and turnover of the companies in order not to exclude small and medium enterprises***;

Amendment

(c) the ***access to*** the environmental labelling schemes ***is open under transparent, fair and non-discriminatory terms to all traders willing and able to comply with the schemes' requirements***;

Or. en

Amendment 535

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

Proposal for a directive

Article 8 – paragraph 2 – point d

Text proposed by the Commission

(d) the requirements for the

Amendment

(d) the requirements for the

environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted for consultation to a heterogeneous group of stakeholders that has reviewed them and ensured their relevance from a societal perspective;

environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted for **public and transparent** consultation to a heterogeneous group of stakeholders **free of conflict of interest** and that has reviewed them and ensured their relevance from a societal perspective. ***The group of stakeholders shall ensure its independence from the environmental labelling scheme owner and shall be composed of representatives from academic institutions, consumer organisations, trade unions and environmental organisations;***

Or. en

Amendment 536
Marian-Jean Marinescu

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

Text proposed by the Commission

(d) the requirements for the environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted for consultation to a **heterogeneous** group of stakeholders that has reviewed them and ensured their relevance from a societal perspective;

Amendment

(d) the requirements for the environmental labelling scheme have been developed by **a body of** experts **in the field with proven relevant scientific experience** that can ensure their scientific robustness and have been submitted for consultation to a group of stakeholders **representing Member States with GDPs ranging from above to below EUs GDPs average** that has reviewed them and ensured their relevance from a societal **and economical** perspective;

Or. en

Amendment 537
Carlo Fidanza, Pietro Fiocchi

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

Text proposed by the Commission

Amendment

(d) the requirements for the environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted for consultation to *a heterogeneous group of* stakeholders that has reviewed them and ensured their relevance from a societal perspective;

(d) the requirements for the environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted, ***where relevant and necessary,*** for consultation to stakeholders ***that apply or are impacted by the labelling scheme or their representatives*** that has reviewed them and ensured their relevance from a societal perspective;

Or. en

Justification

Stakeholders are not necessarily experts or the objective of every claim. It would be reasonable that only stakeholders who apply the scheme or their representatives can give feedback.

Amendment 538

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 8 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) the requirements for the environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted for consultation to a heterogeneous group of stakeholders that has reviewed them and ensured their relevance from a societal perspective;

(d) the requirements for the environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted for consultation to a heterogeneous group of stakeholders, ***that apply or are impacted by them or to their representatives,*** that has reviewed them and ensured their relevance from a societal perspective;

Or. en

Amendment 539

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 8 – paragraph 2 – point d

Text proposed by the Commission

(d) the requirements for the environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted for consultation to *a heterogeneous group of stakeholders that has reviewed them and ensured* their relevance *from a societal perspective*;

Amendment

(d) the requirements for the environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted for consultation to stakeholders that *apply or are impacted by the labelling scheme or the stakeholders' representatives that have assessed them, and concurred with* their relevance;

Or. en

Amendment 540

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

Proposal for a directive

Article 8 – paragraph 2 – point d

Text proposed by the Commission

(d) the requirements for the environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted for consultation to a heterogeneous group of stakeholders that has reviewed them and ensured their relevance from a societal perspective;

Amendment

(d) the requirements for the environmental labelling scheme have been developed by experts that can ensure their scientific robustness and have been submitted, *where relevant and necessary*, for consultation to a heterogeneous group of stakeholders that has reviewed them and ensured their relevance from a societal perspective;

Or. en

Amendment 541

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 8 – paragraph 2 – point d a (new)

(d a) the scheme is designed in a way that an audit by a verifier, conducted correctly in accordance to all procedures, does not allow for manipulation;

Or. en

Justification

Within the audit process of some certification schemes, as reported "Under today's CoC auditing regimes, a certified company may be selling products containing a volume of 'certified' timber material that exceeds the volume of certified raw material that they are buying. They can do this in spite of the audit, which has no way of checking this except under very special circumstances."

Amendment 542

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 8 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) the environmental labelling scheme sets out procedures for dealing with non-compliance and foresees the withdrawal or suspension of the environmental label **in case of persistent and flagrant non-compliance with the requirements of the scheme.**

(f) the environmental labelling scheme sets out procedures for dealing with non-compliance and foresees the withdrawal or suspension of the environmental label **and financial penalties.**

Or. en

Amendment 543

Anne-Sophie Pelletier

Proposal for a directive

Article 8 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) the environmental labelling scheme sets out procedures for dealing with non-compliance and foresees the withdrawal or suspension of the environmental label in

(f) the environmental labelling scheme sets out **transparent** procedures for dealing with non-compliance and foresees the withdrawal or suspension of the

case of persistent and flagrant non-compliance with the requirements of the scheme.

environmental label in case of persistent and flagrant non-compliance with the requirements of the scheme.

Or. en

Amendment 544

Laura Ballarín Cereza

Proposal for a directive

Article 8 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(f a) the environmental labelling scheme regularly reviews its objectives, its strategies, and the performance of its tools and system, based on the latest best practices, scientific data and evidence. When the review finds improvements are possible, the scheme updates its underlying requirements in order to reflect technical developments and raise the ambition.

Or. en

Amendment 545

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

Proposal for a directive

Article 8 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(f a) the environmental labelling scheme has a robust monitoring and evaluation system in place to regularly assess the performance and impacts of the requirements of the label and, where relevant, update the requirements in order to reflect technical developments and increase the level of environmental ambition.

Amendment 546
Anne-Sophie Pelletier

Proposal for a directive
Article 8 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(f a) the environmental labelling scheme regularly reviews its objectives, its strategies, and the performance of its tools and system, based on the latest best practices, scientific data and evidence;

Or. en

Amendment 547
Anne-Sophie Pelletier

Proposal for a directive
Article 8 – paragraph 2 – point f b (new)

Text proposed by the Commission

Amendment

(f b) the environmental labelling scheme has a robust monitoring and evaluation system in place allowing regular assessments of the performances and impacts of its environmental requirements.

Or. en

Amendment 548
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. From [OP: Please insert the date = the date of transposition of this Directive] ***deleted***

no new national or regional environmental labelling schemes shall be established by public authorities of the Member States. However, national or regional environmental labelling schemes established prior to that date may continue to award the environmental labels on the Union market, provided they meet the requirements of this Directive.

From the date referred to in the first subparagraph, environmental labelling schemes may only be established under Union law.

Or. en

Amendment 549

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

Proposal for a directive Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. *From [OP: Please insert the date = the date of transposition of this Directive] no new national or regional environmental labelling schemes shall be established by public authorities of the Member States. However, national or regional environmental labelling schemes established prior to that date may continue to award the environmental labels on the Union market, provided they meet the requirements of this Directive.* *deleted*

From the date referred to in the first subparagraph, environmental labelling schemes may only be established under Union law.

Or. en

Amendment 550

Virginie Joron, Markus Buchheit, Jean-Lin Lacapelle, Aurélia Beigneux, Tom

Vandendriessche, Catherine Griset, Mathilde Androuët

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

From [OP: Please insert the date = the date of transposition of this Directive] no new national or regional environmental labelling schemes shall be established by public authorities of the Member States. However, national or regional environmental labelling schemes established prior to that date may continue to award the environmental labels on the Union market, provided they meet the requirements of this Directive. *deleted*

Or. fr

Amendment 551

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

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

From [OP: Please insert the date = the date of transposition of this Directive] no new national or regional environmental labelling schemes shall be established by public authorities of the Member States. However, national or regional environmental labelling schemes established prior to that date may continue to award the environmental labels on the Union market, provided they meet the requirements of this Directive. *deleted*

Or. en

Amendment 552

Emma Wiesner, Andrus Ansip

Proposal for a directive
Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

From [OP: Please insert the date = the date of transposition of this Directive] no new national or regional environmental labelling schemes shall be established by public authorities of the Member States. However, national or regional environmental labelling schemes established prior to that date may continue to award the environmental labels on the Union market, provided they meet the requirements of this Directive.

deleted

Or. en

Amendment 553
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Amendment

From [OP: Please insert the date = the date of transposition of this Directive] no new national or regional environmental labelling schemes shall be established by public authorities of the Member States. However, national or regional environmental labelling schemes established prior to that date may continue to award the environmental labels on the Union market, provided they meet the requirements of this Directive.

deleted

Or. en

Amendment 554
Pietro Fiocchi

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

From [OP: Please insert the date = the date of transposition of this Directive] no new national or regional environmental labelling schemes shall be established by public authorities of the Member States. However, national or regional environmental labelling schemes established prior to that date may continue to award the environmental labels on the Union market, ***provided they meet the requirements of this Directive.***

Amendment

From (OP: Please insert the date = the date of transposition of this Directive] no new national or regional environmental labelling schemes shall be established by public authorities of the Member States. However, national or regional environmental labelling schemes established prior to that date may continue to award the environmental labels on the Union market, ***affording priority to their application.***

Or. it

Amendment 555

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

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2

Text proposed by the Commission

From the date referred to in the first subparagraph, environmental labelling schemes may only be established under Union law.

Amendment

deleted

Or. fr

Amendment 556

Emma Wiesner, Andrus Ansip

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2

Text proposed by the Commission

From the date referred to in the first subparagraph, environmental labelling schemes may only be established under Union law.

Amendment

deleted

Amendment 557

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

From the date referred to in the first subparagraph, environmental labelling schemes may only be established under Union law.

deleted

Or. en

Amendment 558

Kim Van Sparrentak, Malte Gallée

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

From the date referred to in the first subparagraph, environmental labelling schemes may only be established under Union law.

deleted

Or. en

Amendment 559

Pietro Fiocchi

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

From the date referred to in the first subparagraph, environmental labelling schemes may only be established under

From the date referred to in the first subparagraph, environmental labelling schemes may only be established under Union law. ***Member States may, however,***

Union law.

set up new national or regional environmental labelling schemes for types or categories of products for at least one of the following reasons: the protection of public health; consumer protection; the prevention of fraud; the protection of organically produced agri-foodstuffs; the protection of industrial and commercial property rights, indications of provenance, indications of origin and the prevention of unfair competition.

Or. it

Amendment 560

Emma Wiesner

Proposal for a directive

Article 8 – paragraph 4

Text proposed by the Commission

Amendment

4. From [OP: Please insert the date = the date of transposition of this Directive] any new environmental labelling schemes established by public authorities in third countries awarding environmental labels to be used on the Union market, shall be subject to approval by the Commission prior to entering the Union market with the aim of ensuring that these labels provide added value in terms of their environmental ambition including notably their coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive. Environmental labelling schemes established by public authorities in third countries prior to that date may continue to award the environmental labels which are to be used on the Union market, provided they meet the requirements of this Directive.

deleted

Amendment 561

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

Proposal for a directive
Article 8 – paragraph 4

Text proposed by the Commission

4. From [OP: Please insert the date = the date of transposition of this Directive] any new environmental labelling schemes established by public authorities in third countries awarding environmental labels to be used on the Union market, shall be subject to approval by the Commission prior to entering the Union market with the aim of ensuring that these labels provide added value in terms of their environmental ambition including notably their coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector, as compared to the existing Union, national or regional schemes ***referred to in paragraph 3***, and meet the requirements of this Directive. Environmental labelling schemes established by public authorities in third countries prior to that date may continue to award the environmental labels which are to be used on the Union market, provided they meet the requirements of this Directive.

Amendment

4. From [OP: Please insert the date = the date of transposition of this Directive] any new environmental labelling schemes established by public authorities ***of the Member States or*** in third countries awarding environmental labels to be used on the Union market, shall be subject to approval, ***without undue delay***, by the Commission prior to entering the Union market with the aim of ensuring that these labels provide added value in terms of their environmental ambition including notably their coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector, as compared to the existing Union, national or regional schemes, and meet the requirements of this Directive. Environmental labelling schemes established by public authorities ***of the Member State or*** in third countries prior to that date may continue to award the environmental labels which are to be used on the Union market, provided they meet the requirements of this Directive.

National or regional labelling schemes established by public authorities shall be periodically evaluated by the Commission to ensure that they continue to offer added value in terms of their environmental ambition, and meet the requirements of this Directive.

Amendment 562

René Repasi

Proposal for a directive

Article 8 – paragraph 4

Text proposed by the Commission

4. From [OP: Please insert the date = the date of transposition of this Directive] any new environmental labelling schemes established by public authorities in third countries awarding environmental labels to be used on the Union market, shall be subject to approval by the Commission prior to entering the Union market with the aim of ensuring that these labels provide added value in terms of their environmental ambition including notably their coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive. Environmental labelling schemes established by public authorities in third countries prior to that date may continue to award the environmental labels which are to be used on the Union market, provided they meet the requirements of this Directive.

Amendment

4. From [OP: Please insert the date = the date of transposition of this Directive] any new environmental labelling schemes established by public authorities in third countries awarding environmental labels to be used on the Union market, shall be subject to approval by the Commission prior to entering the Union market with the aim of ensuring that these labels provide **significant** added value in terms of their environmental ambition including notably their coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive. Environmental labelling schemes established by public authorities in third countries prior to that date may continue to award the environmental labels which are to be used on the Union market, provided they meet the requirements of this Directive.

Or. en

Amendment 563

Michał Wiezik, Karen Melchior

Proposal for a directive

Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. By ... [2 years from the date of entry into force of this Directive] and every 8 years thereafter, the Commission shall assess the compliance of all the

existing private environmental labelling schemes with the Directive. Provided a scheme meets the requirements of this Directive, the scheme may continue to award the environmental or sustainability label in a business-to-consumer commercial practice on the Union market.

Or. en

Amendment 564

Andrus Ansip, Dita Charanzová, Svenja Hahn, Andreas Glueck, Emma Wiesner

Proposal for a directive Article 8 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

deleted

This procedure for approval of new environmental labelling schemes shall apply to schemes established by private operators in the Union and in third countries.

Member States shall notify the Commission when new private schemes are approved.

Or. en

Amendment 565

Emma Wiesner, Andrus Ansip, Andreas Glueck

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

deleted

Or. en

Amendment 566

Edina Tóth

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the

The Commission shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved ***following an harmonised EU process for approval*** if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain

green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive. ***The approval of new private environmental labelling schemes shall follow EU-approval processes guidelines to assure consistency within the market.***

Or. en

Justification

In order to assure consistency within the Single Market and avoid distortion, harmonization of the approval process for new private environmental labelling schemes should be done at EU level rather than national.

Amendment 567

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Member States ***shall ensure that*** environmental labelling schemes established by private operators ***after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those*** schemes ***provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing*** Union, ***national or regional schemes referred to in paragraph 3,*** and meet the requirements of this Directive.

Amendment

Member States ***should set up a procedure for the approval of new*** environmental labelling schemes established by private operators ***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. and meet the requirements of this Directive.

Or. en

Amendment 568
Marlene Mortler

Proposal for a directive
Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

Amendment

The Commission shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved ***following an harmonised EU process for approval*** if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive. ***The approval of new private environmental labelling schemes shall follow EU-approval processes guidelines to assure consistency within the market.***

Or. en

Amendment 569
Michał Wiezik, Karen Melchior

Proposal for a directive
Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of

Amendment

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of

coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national *or* regional schemes referred to in *paragraph 3*, and meet the requirements of this Directive.

coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national, regional schemes *or other schemes established by private operators* referred to in *this Article*, and meet the requirements of this Directive.

Or. en

Amendment 570

Anne-Sophie Pelletier

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

Amendment

Member States shall ensure that environmental labelling schemes established by private operators *that are legally registered in the country* after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

Or. en

Amendment 571

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

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that environmental labelling schemes established by private operators *after [OP: Please insert the date = the date of transposition of this Directive]* are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

Amendment

Member States shall ensure that environmental labelling schemes established by private operators are only approved, ***without undue delay***, if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 4, and meet the requirements of this Directive.

Or. en

Amendment 572

René Repasi

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

Amendment

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide ***significant*** added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

Amendment 573**Stanislav Polčák****Proposal for a directive****Article 8 – paragraph 5 – subparagraph 1***Text proposed by the Commission*

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and meet the requirements of this Directive.

Amendment

Member States shall ensure that environmental labelling schemes established by private operators after [OP: Please insert the date = the date of transposition of this Directive] are only approved if those schemes provide added value in terms of their environmental ambition, including notably their extent of coverage of environmental impacts, environmental aspects or environmental performance, or of a certain product group or sector and their ability to support the green transition of SMEs, as compared to the existing Union, national or regional schemes referred to in paragraph 3, and ***provided they*** meet the requirements of this Directive.

Amendment 574**Maria Grapini****Proposal for a directive****Article 8 – paragraph 5 – subparagraph 1 a (new)***Text proposed by the Commission**Amendment*

When considering what constitutes added value, Member States should recognise the ability of such schemes to respond quickly to the latest innovation standards relating to industry and the environment.

Amendment 575

Maria Grapini

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

Private environmental labelling schemes established prior to that date may continue to award the environmental labels on the Union market, provided the requirements of this Directive are met.

Or. ro

Amendment 576

Emma Wiesner, Andreas Glueck

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

This procedure for approval of new environmental labelling schemes shall apply to schemes established by private operators in the Union and in third countries.

deleted

Or. en

Amendment 577

Kim Van Sparrentak, Malte Gallée

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

This procedure for approval of ***new*** environmental labelling schemes shall apply to schemes established by private operators in the Union and in third

This procedure for approval of environmental labelling schemes shall apply to schemes established by private operators in the Union and in third

countries.

countries.

Or. en

Amendment 578

Emma Wiesner, Andrus Ansip, Andreas Glueck

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 3

Text proposed by the Commission

Amendment

Member States shall notify the Commission when new private schemes are approved.

deleted

Or. en

Amendment 579

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

Proposal for a directive

Article 8 – paragraph 5 – subparagraph 3

Text proposed by the Commission

Amendment

Member States shall notify the Commission when new private schemes are approved.

Member States shall notify the Commission when new private schemes are approved ***and submit the documents referred to in paragraph 6 to the Commission.***

Member States shall evaluate schemes established by private operators periodically to ensure that they continue to offer added value in terms of their environmental ambition, and meet the requirements of this Directive.

Or. en

Amendment 580

René Repasi

Proposal for a directive
Article 8 – paragraph 5 – subparagraph 3

Text proposed by the Commission

Member States shall notify the Commission when new private schemes are approved.

Amendment

Member States shall notify the Commission when new private schemes are approved.

The Commission shall monitor national and regional schemes and make a complete list publicly available, with the aim of avoiding the parallel existence of multiple schemes covering the same aspects in different regions across the European Union.

Or. en

Amendment 581
Emma Wiesner

Proposal for a directive
Article 8 – paragraph 6

Text proposed by the Commission

Amendment

6. In order to receive the approvals referred to in paragraphs 4 and 5, the operators of new environmental labelling schemes shall provide supporting documents setting out the following:

deleted

(a) the rationale underlying the development of the scheme

(b) the proposed scope of the scheme,

(c) the evidence the scheme will provide added value as set out in in paragraph 4 for environmental labelling schemes established by public authorities in third countries, or in paragraph 5 for environmental labelling schemes established by private operators;

(d) a proposal for draft criteria and the methodology used to develop and award the environmental label and the expected impacts on the market;

(e) a detailed description of the ownership and the decision-making bodies of the environmental labelling scheme.

The documents referred to in the first subparagraph shall be submitted to the Commission in case of schemes referred to in paragraph 4 or to the Member States' authorities in case of schemes referred to in paragraph 5, together with the certificate of conformity for environmental labelling schemes drawn up in accordance with Article 10.

Or. en

Amendment 582

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 8 – paragraph 6 – subparagraph 1 – introductory part

Text proposed by the Commission

In order to receive the approvals referred to in paragraphs 4 and 5, the operators of **new** environmental labelling schemes shall provide supporting documents setting out the following:

Amendment

In order to receive the approvals referred to in paragraphs 4, **4a** and 5, the operators of environmental labelling schemes shall provide supporting documents setting out the following:

Or. en

Amendment 583

Andrus Ansip, Dita Charanzová, Svenja Hahn, Andreas Glueck

Proposal for a directive

Article 8 – paragraph 6 – subparagraph 1 – introductory part

Text proposed by the Commission

In order to receive the approvals referred to in **paragraphs 4 and 5**, the operators of new environmental labelling schemes shall provide supporting documents setting out the following:

Amendment

In order to receive the approvals referred to in **paragraph 4**, the operators of new environmental labelling schemes shall provide supporting documents setting out the following:

Amendment 584

Andrus Ansip, Dita Charanzová, Svenja Hahn, Andreas Glueck

Proposal for a directive

Article 8 – paragraph 6 – subparagraph 1 – point c

Text proposed by the Commission

(c) the evidence the scheme will provide added value as set out in in paragraph 4 for environmental labelling schemes established by public authorities in third countries, ***or in paragraph 5 for environmental labelling schemes established by private operators;***

Amendment

(c) the evidence the scheme will provide added value as set out in in paragraph 4 for environmental labelling schemes established by public authorities in third countries;

Or. en

Amendment 585

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

Proposal for a directive

Article 8 – paragraph 6 – subparagraph 1 – point c

Text proposed by the Commission

(c) the evidence the scheme will provide added value as set out in in paragraph 4 for environmental labelling schemes established by public authorities in third countries, or in paragraph 5 for environmental labelling schemes established by private operators;

Amendment

(c) the evidence the scheme will provide added value as set out in in paragraph 4 for environmental labelling schemes established by public authorities ***of the Member States or*** in third countries, or in paragraph 5 for environmental labelling schemes established by private operators;

Or. en

Amendment 586

René Repasi

Proposal for a directive

Article 8 – paragraph 6 – subparagraph 1 – point c

Text proposed by the Commission

(c) the evidence the scheme will provide added value as set out in in paragraph 4 for environmental labelling schemes established by public authorities in third countries, or in paragraph 5 for environmental labelling schemes established by private operators;

Amendment

(c) the evidence the scheme will provide **significant** added value as set out in in paragraph 4 for environmental labelling schemes established by public authorities in third countries, or in paragraph 5 for environmental labelling schemes established by private operators;

Or. en

Amendment 587

Michał Wiezik, Karen Melchior

Proposal for a directive

Article 8 – paragraph 6 – subparagraph 1 – point c

Text proposed by the Commission

(c) the evidence the scheme will provide added value as set out in in paragraph 4 for environmental labelling schemes established by public authorities in third countries, or in paragraph 5 for environmental labelling schemes established by private operators;

Amendment

(c) the evidence the scheme will provide added value as set out in in paragraph 4 for environmental labelling schemes established by public authorities in third countries, or in paragraph **4a and 5** for environmental labelling schemes established by private operators;

Or. en

Amendment 588

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 8 – paragraph 6 – subparagraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) a proposal for draft criteria and the methodology used to develop a rating or scoring system and its added value for consumers;

Or. en

Amendment 589
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 8 – paragraph 7

Text proposed by the Commission

7. The Commission shall publish and keep-up-to date a list of officially recognised environmental labels that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] **pursuant to paragraphs 3, 4 and 5.**

Amendment

7. The Commission shall publish and keep-up-to date a list of officially recognised environmental labels, ***including national or regional EN ISO 14024 Type I environmental labels officially recognised in the Member States and environmental labels as laid down in Regulation (EC) No 66/2010,*** that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] ***and comply with this Directive.***

Or. en

Amendment 590
René Repasi

Proposal for a directive
Article 8 – paragraph 7

Text proposed by the Commission

7. The Commission shall publish and keep-up-to date a list of officially recognised environmental labels that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] pursuant to paragraphs 3, 4 and 5.

Amendment

7. The Commission shall publish and keep-up-to date a list of officially recognised environmental labels that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] pursuant to paragraphs 3, 4 and 5. ***This list should be freely available and open to access and presented in an understandable manner by all consumers, including especially vulnerable consumers.***

Or. en

Amendment 591

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

Proposal for a directive **Article 8 – paragraph 7**

Text proposed by the Commission

7. The Commission shall publish and keep-up-to date a list of ***officially recognised*** environmental labels that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] pursuant to paragraphs 3, 4 and 5.

Amendment

7. The Commission shall publish and keep-up-to date a ***searchable*** list of environmental labels that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] pursuant to paragraphs 3, 4 and 5, ***including the information provided in accordance with paragraph 6.***

Or. en

Amendment 592 **Stanislav Polčák**

Proposal for a directive **Article 8 – paragraph 7**

Text proposed by the Commission

7. The Commission shall publish and keep-up-to date a list of officially recognised environmental labels that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] pursuant to paragraphs 3, 4 and 5.

Amendment

7. The Commission shall publish and ***regularly thereafter*** keep-up-to date a list of officially recognised environmental labels that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] pursuant to paragraphs 3, 4 and 5.

Or. cs

Amendment 593 **Michal Wiezik, Karen Melchior**

Proposal for a directive **Article 8 – paragraph 7**

Text proposed by the Commission

Amendment

7. The Commission shall publish and keep-up-to date a list of officially recognised environmental labels that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] pursuant to paragraphs 3, 4 and 5.

7. The Commission shall publish ***without delay*** and keep-up-to date a list of officially recognised environmental labels that are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] pursuant to paragraphs 3, 4, ***4a*** and 5.

Or. en

Justification

Paragraph 4a refers to existing environmental labelling schemes assessed for compliance with this Directive.

Amendment 594

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

**Proposal for a directive
Article 8 – paragraph 7**

Text proposed by the Commission

Amendment

7. The Commission shall publish and keep-up-to date a list of ***officially recognised*** environmental ***labels that*** are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] ***pursuant to paragraphs 3, 4 and 5.***

7. The Commission shall publish and keep-up-to date a list of environmental ***labelling schemes that comply with this Directive and*** are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive].

Or. en

Amendment 595

Laura Ballarín Cereza

**Proposal for a directive
Article 8 – paragraph 7**

Text proposed by the Commission

Amendment

7. The Commission shall publish and keep-up-to date a list of ***officially recognised*** environmental ***labels that*** are

7. The Commission shall publish and keep-up-to date a list of environmental ***labelling schemes that comply with this***

allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive] *pursuant to paragraphs 3, 4 and 5.*

Directive and are allowed to be used on the Union market after [OP: Please insert the date = the date of transposition of this Directive].

Or. en

Amendment 596
Emma Wiesner

Proposal for a directive
Article 8 – paragraph 8

Text proposed by the Commission

Amendment

8. In order to ensure a uniform application across the Union, the Commission shall adopt implementing acts to:

deleted

(a) provide detailed requirements for approval of environmental labelling schemes pursuant to the criteria referred to in paragraphs 4 and 5;

(b) specify further the format and content of supporting documents referred to in paragraph 6;

(c) provide detailed rules on the procedure for the approval referred to in paragraph 4.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19.

Or. en

Amendment 597
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 8 – paragraph 8 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

In order to ensure a uniform application across the Union, the Commission shall adopt ***implementing*** acts to:

In order to ensure a uniform application across the Union, the Commission shall ***by [12 months from the date of entry into force of this Directive]*** adopt ***delegated*** acts to:

Or. en

Amendment 598

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 8 – paragraph 8 – subparagraph 1 – introductory part

Text proposed by the Commission

In order to ensure a uniform application across the Union, the Commission shall adopt ***implementing*** acts to:

Amendment

In order to ensure a uniform application across the Union, the Commission shall adopt ***12 months after the date of transposition of this Directive delegated*** acts to:

Or. en

Amendment 599

Maria Grapini

Proposal for a directive

Article 8 – paragraph 8 – subparagraph 1 – introductory part

Text proposed by the Commission

In order to ensure a uniform application across the Union, the Commission shall adopt ***implementing*** acts to:

Amendment

In order to ensure a uniform application across the Union, ***12 months from the date of transposition of this Directive*** the Commission shall adopt ***implementing*** acts to:

Or. ro

Amendment 600

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 8 – paragraph 8 – subparagraph 1 – introductory part

Text proposed by the Commission

In order to ensure a uniform application across the Union, the Commission shall adopt implementing acts to:

Amendment

In order to ensure a uniform application across the Union, the Commission shall adopt ***12 months after the date of transposition of this Directive*** implementing acts to:

Or. en

Amendment 601

Anne-Sophie Pelletier

Proposal for a directive

Article 8 – paragraph 8 – subparagraph 1 – introductory part

Text proposed by the Commission

In order to ensure a uniform application across the Union, the Commission shall adopt ***implementing*** acts to:

Amendment

In order to ensure a uniform application across the Union, the Commission shall adopt ***delegated*** acts to:

Or. en

Amendment 602

Andrus Ansip, Dita Charanzová, Svenja Hahn, Andreas Glueck

Proposal for a directive

Article 8 – paragraph 8 – subparagraph 1 – point a

Text proposed by the Commission

(a) provide detailed requirements for approval of environmental labelling schemes pursuant to the criteria referred to in ***paragraphs 4 and 5***;

Amendment

(a) provide detailed requirements for approval of environmental labelling schemes pursuant to the criteria referred to in ***paragraph 4***;

Or. en

Amendment 603

Anne-Sophie Pelletier

Proposal for a directive
Article 8 – paragraph 8 – subparagraph 2

Text proposed by the Commission

Those ***implementing*** acts shall be adopted in accordance with the examination procedure referred to in Article **19**.

Amendment

Those ***delegated*** acts shall be adopted in accordance with the examination procedure referred to in Article **18**.

Or. en

Amendment 604

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

Proposal for a directive
Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Review of the substantiation of explicit environmental claims

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that may affect the accuracy of a claim, and no later than 5 years from the date when the information referred to in Article 5(6) is provided. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

The updated explicit environmental claim shall be subject to verification in accordance with Article 10.

Or. en

Amendment 605

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 9 – paragraph 1

Text proposed by the Commission

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that **may affect** the accuracy of a claim, and no later than 5 years from the date when the information referred to in Article 5(6) is provided. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

Amendment

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that **significantly change** the accuracy of a claim, and no later than 5 years from the date when the information referred to in Article 5(6) is provided. ***The requirements for an environmental labelling scheme shall be reviewed no later than every 5 years. However, this does not mean that traders have to resubmit all documentation if the requirements have not been changed.*** In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

Or. en

Amendment 606

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

Proposal for a directive Article 9 – paragraph 1

Text proposed by the Commission

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that may affect the accuracy of a claim, and no later than 5 years from the date when the information referred to in Article 5(6) is provided. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

Amendment

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that may affect the accuracy of a claim, and no later than 5 years from the date when the information referred to in Article 5(6) is provided. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

The trader shall not be obliged to review the substantiation nor reapply for certification in case of minor changes to

the text of the claim without major impact on the nature of the claim.

Or. en

Amendment 607

Michal Wiezik, Karen Melchior

Proposal for a directive

Article 9 – paragraph 1

Text proposed by the Commission

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that may affect the accuracy of a claim, and no later than 5 years from the date when the information referred to in Article 5(6) is provided. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 **and 4** are fully complied with.

Amendment

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that may affect the accuracy of a claim, and no later than 5 years from the date when the information referred to in Article 5(6) is provided **and no later than 8 years from the date when the environmental labelling schemes appeared on the list referred to in Article 8(7)**. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3, **4 and 8** are fully complied with.

Or. en

Amendment 608

Stanislav Polčák

Proposal for a directive

Article 9 – paragraph 1

Text proposed by the Commission

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that may affect the accuracy of a claim, and no later than 5 years from the date when the information referred to in

Amendment

Member States shall ensure that the information used for substantiation of explicit environmental claims is **regularly** reviewed and updated by traders. **This review and update shall be carried out without undue delay** when there are circumstances that may affect the accuracy

Article 5(6) is provided. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

of a claim, and ***in any event*** no later than 5 years from the date when the information referred to in Article 5(6) is provided ***or is last updated***. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

Or. cs

Amendment 609
Marian-Jean Marinescu

Proposal for a directive
Article 9 – paragraph 1

Text proposed by the Commission

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that may affect the accuracy of a claim, ***and no later than 5 years from the date when the information referred to in Article 5(6) is provided. In the review,*** the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

Amendment

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are circumstances that may affect the accuracy of a claim. ***If these circumstances change*** the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with ***no later than 5 years from the date when the information referred to in Article 5(6).***

Or. en

Amendment 610
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 9 – paragraph 1

Text proposed by the Commission

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are

Amendment

Member States shall ensure that the information used for substantiation of explicit environmental claims is reviewed and updated by traders when there are

circumstances that may affect the accuracy of a claim, and no later than **5** years from the date when the information referred to in Article 5(6) is provided. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

circumstances that may affect the accuracy of a claim, and no later than **3** years from the date when the information referred to in Article 5(6) is provided. In the review, the trader shall revise the used underlying information to ensure that the requirements of Articles 3 and 4 are fully complied with.

Or. en

Amendment 611
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The trader shall not be obliged to review the substantiation nor reapply for certification in case of small changes, for instance spelling mistakes, to the text of the claim without major impact on the nature of the claim.

Or. en

Amendment 612
Marlene Mortler

Proposal for a directive
Article 10 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall set up procedures for verifying the substantiation and communication of explicit environmental claims against the requirements set out in Articles 3 to 7.

1. Member States shall set up procedures for verifying the substantiation and communication of explicit environmental claims against the requirements set out in Articles 3 to 7. ***The Commission shall verify those procedures to guarantee harmonisation in the Union market.***

Or. en

Amendment 613
Sirpa Pietikäinen

Proposal for a directive
Article 10 – paragraph 1

Text proposed by the Commission

1. Member States shall set up procedures for verifying the substantiation and communication of explicit environmental claims against the requirements set out in Articles 3 to 7.

Amendment

1. Member States shall set up procedures for verifying the substantiation and communication of explicit **and implicit** environmental claims, **including negative environmental impacts**, against the requirements set out in Articles 3 to 7.

Or. en

Amendment 614

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

Proposal for a directive
Article 10 – paragraph 1

Text proposed by the Commission

1. Member States shall set up procedures for verifying the substantiation and communication of explicit environmental claims against the requirements set out in Articles 3 to 7.

Amendment

1. Member States shall set up procedures for verifying the substantiation and communication of explicit environmental claims **made after the entry into force of this Directive** against the requirements set out in Articles 3 to 7.

Or. en

Amendment 615
Edina Tóth

Proposal for a directive
Article 10 – paragraph 1

Text proposed by the Commission

1. **Member States** shall set up procedures for verifying the substantiation

Amendment

1. **The European Commission** shall **adopt implementing acts to** set up

and communication of explicit environmental claims against the requirements set out in Articles 3 to 7.

procedures for verifying the substantiation and communication of explicit environmental claims against the requirements set out in Articles 3 to 7.

Or. en

Amendment 616
Stanislav Polčák

Proposal for a directive
Article 10 – paragraph 1

Text proposed by the Commission

1. Member States shall set up procedures for verifying the substantiation and communication of explicit environmental claims **against** the requirements set out in Articles 3 to 7.

Amendment

1. Member States shall set up procedures for verifying **compliance of** the substantiation and communication of explicit environmental claims **with** the requirements set out in Articles 3 to 7.

Or. cs

Amendment 617
Marlene Mortler

Proposal for a directive
Article 10 – paragraph 2

Text proposed by the Commission

2. Member States shall set up procedures for verifying the compliance of environmental labelling schemes with the requirements set out in Article 8.

Amendment

2. Member States shall set up procedures for verifying the compliance of environmental labelling schemes with the requirements set out in Article 8. **The Commission shall verify those procedures to guarantee harmonisation in the Union market.**

Or. en

Amendment 618
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 10 – paragraph 3

Text proposed by the Commission

Amendment

3. The verification and certification requirements shall apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC only if they so request.

deleted

Or. en

Amendment 619

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 10 – paragraph 3

Text proposed by the Commission

Amendment

3. The verification and certification requirements shall apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC only if they so request.

3. The verification and certification requirements shall apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC only if they so request. ***In order to avoid unproportionate costs and burdens for microenterprises and SMEs, Member States shall put in place an alternative ad-hoc verification scheme.***

Or. en

Amendment 620

Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 10 – paragraph 3

Text proposed by the Commission

Amendment

3. The verification and certification requirements shall apply to traders that are

3. The verification and certification requirements shall apply to traders that are

microenterprises within the meaning of
Commission Recommendation
2003/361/EC only if they so request.

**micro, small and medium-sized
enterprises (SMEs)** within the meaning of
Commission Recommendation
2003/361/EC only if they so request.

Or. en

Amendment 621

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

Proposal for a directive Article 10 – paragraph 3

Text proposed by the Commission

3. The verification and certification
requirements shall apply to traders that are
microenterprises within the meaning of
Commission Recommendation
2003/361/EC only if they so request.

Amendment

3. The verification and certification
requirements shall apply to traders that are
micro, small or medium-sized enterprises
within the meaning of Commission
Recommendation 2003/361/EC only if
they so request.

Or. fr

Amendment 622

Emma Wiesner, Ulrike Müller

Proposal for a directive Article 10 – paragraph 3

Text proposed by the Commission

3. The verification and certification
requirements shall apply to traders that are
microenterprises within the meaning of
Commission Recommendation
2003/361/EC only if they so request.

Amendment

3. The verification and certification
requirements shall apply to traders that are
microenterprises **or small enterprises**
within the meaning of Commission
Recommendation 2003/361/EC only if
they so request.

Or. en

Amendment 623

Andreas Glueck

Proposal for a directive
Article 10 – paragraph 3

Text proposed by the Commission

3. The verification and certification requirements shall apply to traders that are microenterprises within the meaning of Commission Recommendation 2003/361/EC only if they so request.

Amendment

3. The verification and certification requirements shall apply to traders that are microenterprises **or SMEs** within the meaning of Commission Recommendation 2003/361/EC only if they so request.

Or. en

Amendment 624

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

Proposal for a directive
Article 10 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. When they set up the procedures referred to in paragraphs 1 and 2, Member States shall encourage verifiers to take into account the complexity of the substantiation of the claim and the size and turnover of traders requesting verification and certification when calculating their pricing for the cost of verification and certification, paying particular attention to micro, small and medium-sized enterprises.

Or. fr

Amendment 625
Laura Ballarín Cereza

Proposal for a directive
Article 10 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. The verification requirements

shall not apply to traders displaying an environmental label verified in accordance with this Article and making environmental claims regarding environmental aspects, impacts and environmental performance certified by that label.

The information required in Article 5(6) shall be that of the environmental labelling scheme.

Or. en

Amendment 626

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 10 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. *When setting up the procedures referred to in paragraphs 1 and 2, Member States shall ensure that the cost of verification and certification shall be proportionate to the complexity of the substantiation of the claim, and the size and turnover of traders requesting verification and certification (special focus on SMEs and micro enterprises);*

Or. en

Amendment 627

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

Proposal for a directive

Article 10 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. *Member States shall ensure that the cost of verification and certification is proportionate to the size and turnover of traders requesting verification and*

certification with a particular regard to micro, small and medium-sized enterprises.

Or. en

Amendment 628

Maria Grapini

Proposal for a directive

Article 10 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) The trader shall not be required to review the substantiation or apply anew for certification where small changes are made to the text of the claim, which do not have a major impact on the nature of the claim.

Or. ro

Amendment 629

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 10 – paragraph 4

Text proposed by the Commission

Amendment

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

4. The verification **of environmental labelling schemes** shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

The verification of explicit environmental claims shall fulfil the requirements set out in Article 12a, in accordance with the procedures referred to in paragraphs 1, before the environmental claim is made public or the environmental label is

displayed by a trader.

Or. en

Amendment 630

Carlo Fidanza, Pietro Fiocchi

Proposal for a directive

Article 10 – paragraph 4

Text proposed by the Commission

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

Amendment

4. The verification ***of environmental labeling schemes*** shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader. ***Before a trader makes an environmental claim public or displays an environmental label, they shall ensure that the explicit environmental claim complies with the requirements outlined in Article 12 and follows the procedures mentioned in paragraph 1.***

Or. en

Amendment 631

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Article 10 – paragraph 4

Text proposed by the Commission

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

Amendment

4. The verification ***of environmental labeling schemes*** shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader. ***The verification of***

explicit environmental claims shall satisfy the conditions outlined in Article 12, according to the protocols outlined in paragraphs 1, before the environmental claim is made public or a trader displays the environmental label.

Or. en

Amendment 632
Pietro Fiocchi, Carlo Fidanza

Proposal for a directive
Article 10 – paragraph 4

Text proposed by the Commission

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

Amendment

4. The verification ***of environmental labeling schemes*** shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader. ***Before a trader makes an environmental claim public or displays an environmental label, they shall ensure that the explicit environmental claim complies with the requirements outlined in Article 12 and follows the procedures mentioned in paragraph 1.***

Or. en

Amendment 633
Anne-Sophie Pelletier

Proposal for a directive
Article 10 – paragraph 4

Text proposed by the Commission

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the

Amendment

4. The verification shall be undertaken ***and completed within a reasonable timeframe, as defined in delegated acts***

procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

referred to in Article 8(8) by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader. ***Environmental claims and environmental labels that are already in use on the Union market may be used without interruption until the verification is completed.***

Or. en

Amendment 634
Michal Wiezik, Karen Melchior

Proposal for a directive
Article 10 – paragraph 4

Text proposed by the Commission

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

Amendment

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader. ***For the existing environmental labelling schemes which are used in the business-to-consumer commercial practice, the procedure regulating their display after entry into force of this Directive is laid down in Article 8.***

Or. en

Amendment 635
Erik Poulsen, Morten Løkkegaard, Asger Christensen

Proposal for a directive
Article 10 – paragraph 4

Text proposed by the Commission

Amendment

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader. ***The verification process can take a maximum of 8 weeks. After this period, a claim is permitted to be placed on the market.***

Or. en

Amendment 636
Laura Ballarín Cereza

Proposal for a directive
Article 10 – paragraph 4

Text proposed by the Commission

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

Amendment

4. The verification shall be undertaken ***and completed within a reasonable timeframe, as defined in delegated acts referred to in Article 8(8)***, by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

Or. en

Amendment 637
Emma Wiesner, Ulrike Müller, Andreas Glueck

Proposal for a directive
Article 10 – paragraph 4

Text proposed by the Commission

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and

Amendment

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and

2, before the environmental claim is made public or the environmental label is displayed by a trader.

2.

Or. en

Justification

The aim of this amendment is to highlight the lack of balance between the administrative burden and clarity of requirements for industry in this Directive.

Amendment 638

Pietro Fiocchi, Carlo Fidanza

Proposal for a directive

Article 10 – paragraph 4

Text proposed by the Commission

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader.

Amendment

4. The verification shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental claim is made public or the environmental label is displayed by a trader, ***including online marketplaces.***

Or. en

Amendment 639

Carlo Fidanza, Pietro Fiocchi

Proposal for a directive

Article 10 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Environmental labels substantiated on the PEF textile methodology and relying on PEFCRs for textile developed by a Commission delegated act under Article 3(4) point (c) shall be granted a presumption of conformity and be excluded from the verification process of this Directive.

Justification

Businesses have invested significantly in developing and complying with the PEF methodology for textiles which merits to be recognised. It would ensure a smooth confirmation of current practices already aligned with the objectives of the Commission proposal and a reduced administrative burden on traders and competent authorities in their activities.

Amendment 640

Maria Grapini

Proposal for a directive

Article 10 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. External audits shall be carried out periodically by traders for the purpose of reviewing the internal process implemented.

Or. ro

Amendment 641

Maria Grapini

Proposal for a directive

Article 10 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. The verification of an environmental label shall be undertaken by a verifier fulfilling the requirements set out in Article 11, in accordance with the procedures referred to in paragraphs 1 and 2, before the environmental label is displayed by a trader.

Or. ro

Amendment 642

Emma Wiesner, Andrus Ansip, Andreas Glueck, Erik Poulsen, Morten Løkkegaard,

Asger Christensen

**Proposal for a directive
Article 10 – paragraph 5**

Text proposed by the Commission

5. For the purposes of the verification the verifier shall take into account the nature and content of the explicit environmental claim or the environmental label.

Amendment

5. For the purposes of the verification the verifier shall take into account the nature and content of the explicit environmental claim or the environmental label. ***In case of environmental claims and environmental labels based on product specific and sectoral category rules developed pursuant to Article 3(4)(c) and 5(8), where such rules already foresee third-party verification, simplified requirements to obtain the certificate of conformity shall be set out in those delegated acts.***

Or. en

**Amendment 643
Michal Wiezik, Karen Melchior**

**Proposal for a directive
Article 10 – paragraph 5**

Text proposed by the Commission

5. For the purposes of the verification the verifier shall take into account the nature and content of the explicit environmental claim or the environmental label.

Amendment

5. For the purposes of the verification the verifier shall take into account the nature and content of the explicit environmental claim or the environmental ***and sustainability*** label.

Or. en

**Amendment 644
Maria Spyra**

**Proposal for a directive
Article 10 – paragraph 5**

Text proposed by the Commission

5. For the purposes of the verification the verifier shall take into account the nature and content of the ***explicit environmental claim or the*** environmental label.

Amendment

5. For the purposes of the verification the verifier shall take into account the nature and content of the environmental label.

Or. en

Amendment 645

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 10 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. When setting up the procedures referred to in paragraphs 1 and 2, Member States shall ensure that the cost of verification and certification shall be proportionate to the complexity of the substantiation of the claim, and the size and turnover of traders requesting verification and certification, special focus on micro enterprises and SMEs.

Or. en

Amendment 646

Edina Tóth

Proposal for a directive

Article 10 – paragraph 6

Text proposed by the Commission

Amendment

6. Upon completion of the verification, the verifier shall draw up, where appropriate, a certificate of conformity certifying that the explicit environmental claim or the environmental label complies with the requirements set out in this Directive.

6. Upon completion of the verification, the verifier shall draw up, where appropriate, a certificate of conformity certifying that the explicit environmental claim or the environmental label complies with the requirements set out in this Directive. ***The certificate of conformity shall be valid for a maximum***

period of 5 years unless the substantiation is reviewed in line with Article 9.

Or. en

Amendment 647

Maria Spyraiki

Proposal for a directive

Article 10 – paragraph 6

Text proposed by the Commission

6. Upon completion of the verification, the verifier shall draw up, where appropriate, a certificate of conformity certifying that the ***explicit environmental claim or the*** environmental label complies with the requirements set out in this Directive.

Amendment

6. Upon completion of the verification, the verifier shall draw up, where appropriate, a certificate of conformity certifying that the environmental label complies with the requirements set out in this Directive.

Or. en

Amendment 648

Petros Kokkalis

Proposal for a directive

Article 10 – paragraph 6

Text proposed by the Commission

6. Upon completion of the verification, the verifier shall draw up, ***where appropriate***, a certificate of conformity certifying that the explicit environmental claim or the environmental label complies with the requirements set out in this Directive.

Amendment

6. Upon completion of the verification, the verifier shall draw up a certificate of conformity certifying that the explicit environmental claim or the environmental label complies with the requirements set out in this Directive.

Or. en

Amendment 649

Maria Grapini

Proposal for a directive
Article 10 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. For environmental labelling schemes, the certificate of conformity covers the use of these labels by traders, who are certified to comply with the requirements of such schemes. These certified traders shall not be subject to any further verifications.

Or. ro

Amendment 650
Anne-Sophie Pelletier

Proposal for a directive
Article 10 – paragraph 7

Text proposed by the Commission

Amendment

7. The certificate of conformity shall be recognised by the competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012.

7. The certificate of conformity shall be recognised by the competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012. **The Internal Market Information System shall also gather the data collected by competent authorities, and as per Article 5 (6), to assess the conformity and substantiation of the environmental claim, and make them publicly available, in a way to ensure transparency to consumers.**

Or. en

Amendment 651
Laura Ballarín Cereza

Proposal for a directive
Article 10 – paragraph 7

Text proposed by the Commission

7. The certificate of conformity shall be recognised by the competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012.

Amendment

7. The certificate of conformity shall be recognised by the competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012. ***All certificates of conformity shall be made available on a searchable public database clearly identifying the key information including the name of the trader, the type of claim, the assessment methodology and the sector.***

Or. en

Amendment 652

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 10 – paragraph 7

Text proposed by the Commission

7. The certificate of conformity shall be recognised by the competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012.

Amendment

7. The certificate of conformity shall be recognised by the competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012. ***The certificates of conformity shall be made publicly available in a searchable database clearly identifying the trader, the type of claim, the assessment methodology and the sector.***

Or. en

Amendment 653

Andrus Ansip, Dita Charanzová, Svenja Hahn, Ulrike Müller, Andreas Glueck, Erik

Proposal for a directive
Article 10 – paragraph 7

Text proposed by the Commission

7. The certificate of conformity shall be recognised by the competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012.

Amendment

7. The certificate of conformity shall be recognised by the competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012. ***Once a certificate of conformity is delivered and notified, the labelling scheme or the environmental claim can be used within the Union.***

Or. en

Amendment 654

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

Proposal for a directive
Article 10 – paragraph 7

Text proposed by the Commission

7. The certificate of conformity shall be recognised by ***the*** competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012.

Amendment

7. The certificate of conformity shall be recognised by ***all Member States and their respective*** competent authorities responsible for the application and enforcement of this Directive. Member States shall notify the list of certificates of conformity via the Internal Market Information System established by Regulation (EU) No 1024/2012.

Or. en

Justification

Mutual recognition to be clarified.

Amendment 655
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 10 – paragraph 8

Text proposed by the Commission

8. The certificate of conformity shall **not prejudice** the assessment of the environmental claim by national authorities or courts in accordance with Directive 2005/29/EC.

Amendment

8. The certificate of conformity shall ***be taken into account, along with other relevant factors, in*** the assessment of the environmental claim by national authorities or courts in accordance with Directive 2005/29/EC. ***The certificate of conformity shall be considered as a way of compliance for the national courts to consider when assessing an explicit environmental claim.***

Or. en

Amendment 656
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 10 – paragraph 8

Text proposed by the Commission

8. The certificate of conformity shall not prejudice the assessment **of** the environmental claim by national authorities or courts in accordance with Directive 2005/29/EC.

Amendment

8. The certificate of conformity shall not prejudice the assessment ***and shall not be used as proof of compliance in relation to*** the environmental claim by national authorities or courts in accordance with Directive 2005/29/EC.

Or. en

Amendment 657
Laura Ballarín Cereza

Proposal for a directive
Article 10 – paragraph 8

Text proposed by the Commission

8. The certificate of conformity shall not prejudice the assessment of the environmental claim by national authorities or courts in accordance with Directive 2005/29/EC.

Amendment

8. The certificate of conformity shall not prejudice, ***is irrelevant to and shall not be relied upon for*** the assessment of the environmental claim by national authorities or courts in accordance with Directive 2005/29/EC.

Or. en

Amendment 658

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 10 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8 a. For environmental labelling schemes, the certificate of conformity covers the use of these labels by traders, which are certified to comply with the requirements for such schemes. Those certified traders will not be subject to any further verification.

Or. en

Amendment 659

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 10 – paragraph 8 b (new)

Text proposed by the Commission

Amendment

8 b. Member States shall set up procedures to prioritise the verification of existing environmental claims made before the entry into force of this Directive and introduce a transition period during which existing claims, submitted for verification, can continue to be used. Products bearing environmental claims or environmental labels that were

made or displayed before the entry into force of the Directive can continue to be marketed until the environmental claim or environmental label has been verified by the trader.

Or. en

Amendment 660
Pascal Canfin

Proposal for a directive
Article 10 – paragraph 9

Text proposed by the Commission

9. The Commission shall adopt implementing acts to set out details regarding the form of the certificate of conformity referred to in paragraph 5 and the technical means for issuing such certificate of conformity. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19.

Amendment

9. The Commission shall adopt implementing acts to set out details regarding the form of the certificate of conformity referred to in paragraph 5 and the technical means for issuing such certificate of conformity. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19. ***For net zero and climate neutrality claims, the implementing acts shall ensure the streamlining of certificates of conformity by making them interoperable with the Union Registry and carbon removal certificates under the Carbon Removal Certification Framework.***

Or. en

Amendment 661
Maria Grapini

Proposal for a directive
Article 10 – paragraph 9

Text proposed by the Commission

9. The Commission shall adopt implementing acts to set out details regarding the form of the certificate of

Amendment

9. ***Within 12 months of the date of entry into force of the Directive,*** the Commission shall adopt implementing acts

conformity referred to in paragraph 5 and the technical means for issuing such certificate of conformity. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19.

to set out details regarding the form of the certificate of conformity referred to in paragraph 5 and the technical means for issuing such certificate of conformity. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19.

Or. ro

Amendment 662
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 10 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

9 a. To facilitate the correct application of the Directive, following the regular monitoring referred to in Article 20, the Commission shall identify the most common explicit environmental claims present on the market and issue guidance on how to substantiate and communicate those claims. By 2025, the Commission assisted by the technical committee referred to in Article 19 shall develop and issue guidance on the scientific methods and standards that can be accepted to carry out the assessment for environmental footprint claims according to Article 3(1) point (b). By 2026, the Commission shall establish a database of recognised methodologies according to Article 3(1) point (b).

Or. en

Amendment 663
Carlo Fidanza, Pietro Fiocchi

Proposal for a directive
Article 10 – paragraph 9 a (new)

9 a. Member States shall set up procedures to prioritize the verification of existing environmental claims made before the entry into force of this Directive and introduce a transition period during which existing claims, submitted for verification, can continue to be used.

Or. en

Justification

To avoid delays because of the many requests and assessments that could result in less available claims and less information for consumers to make informed choices, it's important to include a time limit for verifiers into the Directive to draft their certificates of conformity for both existing and new claims. The directive should as well include a requirement for MS to prioritize existing environmental claims made before the entry into force of this directive and consider introducing a grandfathering period, where existing claims, submitted for verification, can continue to be used.

Amendment 664

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 10 – paragraph 9 a (new)

9 a. Member States may set up procedures to prioritise the verification of existing environmental claims made before the entry into force of this Directive and may introduce a transitional period during which existing environmental claims, submitted for verification, can still be used.

Or. en

Amendment 665

Maria Grapini

Proposal for a directive
Article 10 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

9a. To support traders in carrying out the verification and certification procedures referred to in paragraphs 1 and 2, the Commission shall publish and update a list of accredited verifiers within 24 months of the entry into force of the Directive.

Or. ro

Amendment 666
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 10 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

9 a. Member States may introduce a transitional period of maximum 36 months after the date of entry into force of this Directive during which existing environmental claims, submitted for verification, can still be used.

Or. en

Amendment 667
Maria Grapini

Proposal for a directive
Article 10 – paragraph 9 b (new)

Text proposed by the Commission

Amendment

9b. To facilitate the proper application of the Directive, after the regular monitoring referred to in Article 20 the Commission shall identify the most

frequently made explicit environmental claims on the market and shall issue guidance on how to substantiate and communicate these claims.

Or. ro

Amendment 668
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 10 – paragraph 9 b (new)

Text proposed by the Commission

Amendment

9 b. By 12 months after the official publication of this Directive, the Commission shall adopt delegated acts to set out details regarding the documents to be provided for the verification of substantiation methods.

Or. en

Amendment 669
Maria Grapini

Proposal for a directive
Article 10 – paragraph 9 c (new)

Text proposed by the Commission

Amendment

9c. Verification within 30 days after the trader has submitted all requested documents to the verifier: (a) in accordance with Article 3 in the case of ‘explicit environmental claims’, (b) in accordance with Article 4 in the case of ‘comparative explicit environmental claims’ or (c) in accordance with Article 8 in the case of ‘environmental labelling schemes’.

Or. ro

Amendment 670

Maria Grapini

Proposal for a directive

Article 10 – paragraph 9 d (new)

Text proposed by the Commission

Amendment

9d. Member States shall establish procedures for prioritising the verification of existing environmental claims made before the entry into force of this Directive and shall introduce a transition period during which existing claims presented for verification can continue to be used.

Or. ro

Amendment 671

Maria Grapini

Proposal for a directive

Article 10 – paragraph 9 e (new)

Text proposed by the Commission

Amendment

9e. Products with environmental claims or labels created or displayed prior to the entry into force of the Directive can continue to be marketed until the environmental claim or label has been verified by the trader.

Or. ro

Amendment 672

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

Amendment

1. The verifier shall be a third-party conformity assessment body accredited in

1. The verifier shall be a third-party conformity assessment body accredited in

accordance with Regulation (EC) No 765/2008¹¹³ .

accordance with Regulation (EC) No 765/2008¹¹³ ***or an accredited or certified environmental verifier as defined in Art. 2 No. 20 of Regulation (EC) No. 1221/2009. Environmental verifiers are limited to verifying environmental claims of organisations in sectors covered by their scope of accreditation.***

¹¹³ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

¹¹³ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

Or. en

Amendment 673 **Anne-Sophie Pelletier**

Proposal for a directive **Article 11 – paragraph 1**

Text proposed by the Commission

1. The verifier shall be a third-party conformity assessment body accredited in accordance with Regulation (EC) No 765/2008¹¹³ .

¹¹³ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

Amendment

1. The verifier shall be a third-party conformity assessment body accredited in accordance with Regulation (EC) No 765/2008¹¹³. ***In the event where the information being verified results from the certification of an environmental labeling scheme, this verifier shall be independent from any conformity assessment body involved with that particular trader's certification.***

¹¹³ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

Amendment 674

Maria Grapini

Proposal for a directive

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States shall ensure that the measures adopted in accordance with this Directive in no way prejudice the protection of confidential information and business secrets provided for in Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016.

Or. ro

Amendment 675

Stanislav Polčák

Proposal for a directive

Article 11 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) the verifier shall be independent of the product bearing, ***or*** the trader associated to, the environmental claim;

(a) the verifier shall be independent of the product bearing, ***as well as*** the trader associated to, the environmental claim;

Or. cs

Amendment 676

Maria Grapini

Proposal for a directive

Article 11 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) the verifier shall be independent of the product bearing, or the trader

(a) the verifier shall be independent of the product bearing, or the trader

associated to, the *environmental claim*;

associated to, the *label*;

Or. ro

Amendment 677

Laura Ballarín Cereza

Proposal for a directive

Article 11 – paragraph 3 – point b

Text proposed by the Commission

(b) the verifier, its top-level management and the personnel responsible for carrying out the verification tasks shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to the verification activities;

Amendment

(b) the verifier, its top-level management and the personnel responsible for carrying out the verification tasks shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to the verification activities, *such as providing other services to the relevant trader(s)*;

Or. en

Amendment 678

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 11 – paragraph 3 – point b

Text proposed by the Commission

(b) the verifier, its top-level management and the personnel *responsible for carrying out the* verification tasks shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to the verification activities;

Amendment

(b) the verifier, its top-level management and the personnel *directly involved in* verification tasks shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to the verification activities;

Or. en

Amendment 679

Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 11 – paragraph 3 – point c

Text proposed by the Commission

(c) ***the verifier and its personnel shall carry out*** the verification activities with the highest degree of professional integrity and the requisite technical competence and shall be free from all pressures and inducements, particularly financial, which might influence their judgement or the results of their verification activities,

Amendment

(c) the verification activities ***should be carried out*** with the highest degree of professional integrity and the requisite technical competence and shall be free from all pressures and inducements, particularly financial, which might influence their judgement or the results of their verification activities,

Or. en

Amendment 680
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 11 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(c a) the verifier shall be critical in the assessment of explicit environmental claim and exercise sceptical attitude towards the claim questioning the underlying assumptions and being alert to conditions which may indicate possible misstatement due to error, negligence or fraud,

Or. en

Amendment 681
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 11 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) the verifier shall have the expertise, ***equipment and*** infrastructure required to

(d) the verifier shall have the expertise, ***capabilities and (digital)*** infrastructure

perform the verification activities in relation to which it has been accredited;

required to perform the verification activities in relation to which it has been accredited;

Or. en

Amendment 682
Marian-Jean Marinescu

Proposal for a directive
Article 11 – paragraph 3 – point e

Text proposed by the Commission

(e) the verifier shall have a sufficient number of suitably qualified **and** experienced **personnel** responsible for carrying out the verification tasks;

Amendment

(e) the verifier shall have a sufficient number of suitably qualified **personnel** experienced ***in life-cycle assessments and with proven knowledge of the traders' activities*** responsible for carrying out the verification tasks;

Or. en

Amendment 683
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 11 – paragraph 3 – point e

Text proposed by the Commission

(e) the verifier shall ***have a sufficient number of suitably qualified and experienced personnel responsible for carrying out*** the verification tasks;

Amendment

(e) the verifier shall ***ensure they possess adequate resources, including human and/or technical capabilities, to effectively fulfil*** the verification tasks, ***demonstrating readiness and capacity for the role;***

Or. en

Amendment 684
Anne-Sophie Pelletier

Proposal for a directive

Article 11 – paragraph 3 – point f a (new)

Text proposed by the Commission

Amendment

(f a) the verifier shall have a complaint and dispute resolution mechanism in place. This mechanism should be publicly accessible and should provide compensation to all consumers harmed by misleading claims;

Or. en

Amendment 685

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 11 – paragraph 3 – point g

Text proposed by the Commission

Amendment

(g) where a verifier subcontracts specific tasks connected with verification or has recourse to a subsidiary, it shall take full responsibility for the tasks performed by subcontractors or subsidiaries and shall assess and monitor the qualifications of the subcontractor or the subsidiary and the work carried out by them.

(g) where a verifier subcontracts specific tasks connected with verification or has recourse to a subsidiary, it shall take full responsibility for the tasks performed by subcontractors or subsidiaries and shall assess and monitor the qualifications of the subcontractor or the subsidiary and the work carried out by them. ***Requirements of paragraph 3, points (a) to (f) shall apply also to subcontractors and subsidiaries.***

Or. en

Amendment 686

Maria Grapini

Proposal for a directive

Article 11 – paragraph 3 – point g a (new)

Text proposed by the Commission

Amendment

(ga) the verifier shall set up an independent review committee composed of qualified personnel with relevant experience, that shall be responsible for

reviewing decisions to refuse to issue certificates of conformity, when asked by the requesting party to review such a decision.

Or. ro

Amendment 687
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 11 – paragraph 3 – point g a (new)

Text proposed by the Commission

Amendment

(g a) the verifier shall have a complaint and dispute resolution mechanism in place;

Or. en

Amendment 688
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 11 – paragraph 3 – point g b (new)

Text proposed by the Commission

Amendment

(g b) the verifier who grants the certificate of conformity shall be responsible for the accuracy of the certificate and be held accountable if an investigation finds that it has been negligent in its assessment.

Or. en

Amendment 689
Maria Grapini

Proposal for a directive
Article 11 – paragraph 3 – point g b (new)

Text proposed by the Commission

Amendment

(gb) the verifier who issues the certificate of conformity shall be responsible for the accuracy of the certificate and shall be held accountable in the event that an investigation finds them to have been negligent in their assessment.

Or. ro

Amendment 690

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Member States shall ensure that measures adopted in accordance with this Directive are without prejudice to the protection of sensitive information and business secrets foreseen in Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016.

Or. en

Amendment 691

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

Proposal for a directive

Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Member States shall ensure that measures adopted in accordance with this Directive are without prejudice to the protection of business information (trade secrets) foreseen in Directive (EU) 2016/943 of the European Parliament and

Or. en

Amendment 692

Cyrus Engerer

Proposal for a directive

Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Accredited verifiers established in one Member State in accordance with Regulation (EC) No 765/2008 may perform verification activities in any other Member State under the same conditions as accredited verifiers established in that Member State.

Or. en

Amendment 693

Laura Ballarín Cereza

Proposal for a directive

Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Accredited verifiers established in one Member State in accordance with Regulation (EC) No 765/2008 may perform verification activities in any other Member State under the same conditions as accredited verifiers established in that Member State.

Or. en

Amendment 694

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

Proposal for a directive
Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. The Commission shall adopt delegated acts to specify the requirements for verifiers referred to in paragraph 3. Those delegated acts shall be adopted in accordance with the examination procedure referred to in Article 18.

Or. en

Amendment 695
Marlene Mortler

Proposal for a directive
Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. The Commission shall publish a list with the accredited verifier in each Member State.

Or. en

Amendment 696
Carlo Fidanza, Pietro Fiocchi

Proposal for a directive
Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Protection of trade secrets

Member states shall ensure that measures adopted in accordance with this Directive are without prejudice to the protection of sensitive information and business secrets foreseen in Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016.

Amendment 697

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

**Proposal for a directive
Article 11 b (new)**

Text proposed by the Commission

Amendment

Article 11b

Presumption of conformity with the verification and certification requirement

1. For the purpose of this Directive, an explicit environmental claim shall be presumed to be in conformity with the substantiation requirement laid down in Article 3 of this Directive if it conforms to European standards, the references of which have been included in Annex I to this Directive.

2. The Commission may amend Annex I by adopting delegated acts determining standards and methodologies which cover certain environmental aspects, environmental performance or environmental impacts to ensure that explicit environmental claims which conform to those satisfy the substantiation requirement laid down in Article 3. Those delegated acts shall be adopted in accordance with the procedure referred to in Article 18.

3. Explicit environmental claims in conformity with this Article are exempted from the preverification requirement laid down in Article 10.

4. However, the presumption of conformity with the general safety requirement under paragraph 1 shall not prevent market surveillance authorities from taking all appropriate measures under this Directive where there is evidence that, despite such presumption, the product is dangerous.

Justification

In line with scheme in General Product Safety Regulation. It is not clear, why for marketing a stricter scheme than for product safety should be adopted.

Amendment 698

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

Proposal for a directive**Article 12 – title**

Text proposed by the Commission

Small and medium sized enterprises

Amendment

Micro, small and medium sized enterprises

Or. en

Amendment 699

Laura Ballarín Cereza

Proposal for a directive**Article 12 – paragraph 1 – introductory part**

Text proposed by the Commission

Member States shall take appropriate measures to help small and medium sized enterprises apply the requirements set out in this Directive. ***Those measures shall at least include guidelines or similar mechanisms to raise awareness of ways to comply with the requirements on explicit environmental claims. In addition,*** without prejudice to applicable state aid rules, such measures may include:

Amendment

Member States shall take appropriate measures to help **micro**, small and medium sized enterprises apply the requirements set out in this Directive. Without prejudice to applicable state aid rules, such measures may **shall** include:

Or. en

Amendment 700

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

Proposal for a directive
Article 12 – paragraph 1 – introductory part

Text proposed by the Commission

Member States shall take appropriate measures to help small and medium sized enterprises apply the requirements set out in this Directive. Those measures shall at least include guidelines or similar mechanisms to raise awareness of ways to comply with the requirements on explicit environmental claims. ***In addition***, without prejudice to applicable state aid rules, such measures may include:

Amendment

Member States shall take appropriate measures to help ***micro***, small and medium sized enterprises apply the requirements set out in this Directive. Those measures shall at least include ***accessible*** guidelines ***containing clear examples*** or similar mechanisms to raise awareness of ways to comply with the requirements on explicit environmental claims. Without prejudice to applicable state aid rules, such measures may include ***one or more of the following elements***:

Or. fr

Amendment 701
Laura Ballarín Cereza

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

Text proposed by the Commission

(a) ***financial support***;

Amendment

(a) ***guidelines or similar mechanisms to raise awareness of ways to comply with the requirements on explicit environmental claims***;

Or. en

Amendment 702
Stanislav Polčák

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

Text proposed by the Commission

(b) ***access to finance***;

Amendment

deleted

Or. cs

Amendment 703
Laura Ballarín Cereza

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

Text proposed by the Commission

Amendment

(b) *access to finance;*

(b) *financial support;*

Or. en

Amendment 704
Laura Ballarín Cereza

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

Text proposed by the Commission

Amendment

(c) *specialised management and staff training;*

(c) *access to finance;*

Or. en

Amendment 705
Laura Ballarín Cereza

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

Text proposed by the Commission

Amendment

(d) *organisational and technical assistance.*

(d) *specialised management and staff training.*

Or. en

Amendment 706
Virginie Joron, Markus Buchheit, Jean-Lin Lacapelle, Aurélia Beigneux, Tom Vandendriessche, Catherine Griset, Mathilde Androuët, Isabella Tovaglieri

Proposal for a directive
Article 12 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) access to specialised information portals.

Or. fr

Amendment 707
Laura Ballarín Cereza

Proposal for a directive
Article 12 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) organisational and technical assistance.

Or. en

Amendment 708
Cyrus Engerer

Proposal for a directive
Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall designate single points of contact for microenterprises and SMEs from where they can request information on complying with the requirements on explicit environmental claims and on the available support referred to in the previous subparagraph.

Or. en

Amendment 709
Kim Van Sparrentak, Malte Gallée
on behalf of the Verts/ALE Group

Proposal for a directive
Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall establish solidarity mechanisms where large enterprises support micro, small and medium sized enterprises to ensure that the financial benefit of obtaining a certificate of conformity for an explicit environmental claim or for obtaining an environmental label is greater than the financial cost of substantiating the claim or obtaining the label.

Or. en

Amendment 710
Laura Ballarín Cereza

Proposal for a directive
Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall designate single points of contact for microenterprises and SMEs from where they can request information on complying with the requirements on explicit environmental claims and on the available support referred to in the previous subparagraph.

Or. en

Amendment 711
René Repasi

Proposal for a directive
Article 12 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

Regular dialogue between Member States

shall be established to ensure a level playing field across the European Union, so that SMEs are not relatively advantaged or disadvantaged by the support measures affecting them on a regional or national level.

Or. en

Amendment 712

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

Proposal for a directive

Article 12 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

Further support to micro, small and medium enterprises shall be granted within the framework of the “MFF Single Market Programme” as part of the eligible actions to support the Programme’s objectives referred to in Article 3(2)b of Regulation (EU)2021/690.

Or. en

Amendment 713

Arba Kokalari, Pernille Weiss

Proposal for a directive

Article 12 a (new)

Text proposed by the Commission

Amendment

Article 12a

Presumption of conformity with substantiation requirement

1. For the purpose of this Directive, an explicit environmental claim shall be presumed to be in conformity with the substantiation requirement laid down in Article 3 of this Directive if it conforms to relevant standards or methodologies or

parts thereof as far as the environmental aspect, the environmental performance or environmental impact covered by those standards are concerned, the references of which have been included in the database of recognised methodologies as set out in Article 10(9a).

Explicit environmental claims in conformity with this Article are exempted from the pre-verification requirement laid down in Article 10.

2. The Commission may amend the database as set out in Article 10(9a) to include new standards and methodologies, which cover certain environmental aspects, environmental performance or environmental impacts to ensure that explicit environmental claims, which conform to those, satisfy the substantiation requirement laid down in Article 3.

3. Member States shall ensure that a trader communicating an explicit environmental claim in accordance with this Article shall draw up substantiation documentation outlining the conformity of the explicit environmental claim with this Article.

4. Member States shall ensure that the substantiation documentation referred to in paragraph 3 is up to date. Traders shall keep that documentation at the disposal of the market surveillance authorities for a period of 2 years after the product has been placed on the market and make that documentation available to those authorities upon reasoned request.

5. Member States shall ensure that traders put procedures in place for products produced in series and bearing the explicit environmental claim to remain in conformity with the substantiation requirement laid down in Article 3.

Or. en

Proposal for a directive
Article 12 a (new)

Text proposed by the Commission

Amendment

Article 12a

1. For the purpose of this Directive, an explicit environmental claim shall be presumed to be in conformity with the substantiation requirement laid down in Article 3 of this Directive, if it aligns to relevant standards or methodologies or parts thereof as far as the environmental performance, the environmental aspects, or environmental impact covered by those standards are concerned, whose references were included in Annex I to this Directive. Explicit environmental claims that comply with this Article are exempted from the pre-verification requirement laid down in Article 10.

2. The Commission may amend Annex I by adopting delegated acts establishing methodologies and standards that cover certain environmental performance, environmental aspects or environmental impacts as 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. 3. Member States shall make sure that a trader communicating an explicit environmental claim in accordance with this Article shall prepare substantiation documentation outlining the conformity of the explicit environmental claim with this Article.

4. Member States shall ensure that the substantiation documentation referred to in paragraph 3 is updated. Traders shall keep that documentation at disposal for market surveillance authorities for a

period of 2 years following the placement of the product on the market and make that documentation available to those authorities upon reasoned request. 5. Member States shall make sure that traders have procedures in place for products produced in series and bearing the explicit environmental claim to remain in conformity with the substantiation requirement outlined in Article 3.

Or. en

Amendment 715

Massimiliano Salini, Fulvio Martusciello, Francesca Peppucci

Proposal for a directive

Article 12 a (new)

Text proposed by the Commission

Amendment

Article 12a

Presumption of conformity with substantiation requirement

1. In the context of this Directive, an explicit environmental statement will be considered compliant with the substantiation requirement outlined in Article 3 of this Directive if it aligns with applicable standards or methodologies related to the environmental aspect, performance, or impact covered by those standards mentioned in Annex I to this Directive. Environmental statements meeting these criteria are not subject to the pre-verification requirement specified in Article 10.

2. The Commission can implement changes to Annex I by adopting delegated acts that establish standards and procedures covering specific environmental aspects, environmental performance, or environmental impacts. This will guarantee that specific environmental claims that comply with those standards and procedures meet the

requirements for substantiation outlined in Article 3. The delegated acts shall be approved using the process mentioned in Article 18.

3. Member States shall guarantee that a trader submitting an explicit environmental claim in line with this Article shall prepare supporting documentation demonstrating that the claim is complying with this Article.

4. It is the responsibility of the Member States to guarantee that the substantiation documentation mentioned in paragraph 3 is updated. The Member States bear the duty of ensuring the relevance of the substantiation documentation referred to in paragraph 3.

5. Member States are responsible for ensuring that traders implement procedures that allow items made in bulk and with an explicit environmental claim continue complying with the Article 3 substantiation requirement.

Or. en

Amendment 716

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

Proposal for a directive **Article 13 – paragraph 2**

Text proposed by the Commission

2. For the purpose of the enforcement of Articles 5 and 6, Member States may designate the national authorities or courts responsible for the enforcement of Directive 2005/29/EC. In that case, Member States *may derogate from* Articles 14 *to* 17 of this Directive *and* apply the enforcement rules adopted in accordance with Articles 11 to 13 of Directive 2005/29/EC.

Amendment

2. For the purpose of the enforcement of Articles 5 and 6, Member States may designate the national authorities or courts responsible for the enforcement of Directive 2005/29/EC. In that case, Member States, *without prejudice to* Articles 14, **15, 16 and** 17 of this Directive, *shall* apply the enforcement rules adopted in accordance with Articles 11 to 13 of Directive 2005/29/EC *and ensure consumers harmed by non-compliance with this Directive have access to*

proportionate and effective remedies in accordance with Article 11a of Directive 2005/29/EC.

Or. en

Amendment 717

Cyrus Engerer

**Proposal for a directive
Article 13 – paragraph 2**

Text proposed by the Commission

2. For the purpose of the enforcement of Articles 5 and 6, Member States may designate the national authorities or courts responsible for the enforcement of Directive 2005/29/EC. ***In that case, Member States may derogate from Articles 14 to 17 of this Directive and apply the enforcement rules adopted in accordance with Articles 11 to 13 of Directive 2005/29/EC.***

Amendment

2. For the purpose of the enforcement of Articles 5 and 6, Member States may designate the national authorities or courts responsible for the enforcement of Directive 2005/29/EC.

Or. en

Amendment 718

Laura Ballarín Cereza

**Proposal for a directive
Article 13 – paragraph 2**

Text proposed by the Commission

2. For the purpose of the enforcement of Articles 5 and 6, Member States may designate the national authorities or courts responsible for the enforcement of Directive 2005/29/EC. In that case, Member States ***may derogate from Articles 14 to 17 of this Directive and*** apply the enforcement rules adopted in accordance with Articles 11 to 13 of Directive 2005/29/EC.

Amendment

2. For the purpose of the enforcement of Articles 5 and 6, Member States may designate the national authorities or courts responsible for the enforcement of Directive 2005/29/EC. In that case, Member States ***shall also*** apply the enforcement rules adopted in accordance with Articles 11 to 13 of Directive 2005/29/EC. ***Member states shall ensure that consumers harmed by non-compliance with this Directive have***

access to proportionate and effective remedies in accordance with Article 11a of Directive 2005/29/EC.

Or. en

Amendment 719

René Repasi

Proposal for a directive

Article 13 – paragraph 3

Text proposed by the Commission

3. Where there is more than one competent authority in their territory, Member States shall ensure that the respective duties of those authorities are clearly defined and that appropriate communication and coordination mechanisms are established.

Amendment

3. Where there is more than one competent authority in their territory, Member States shall ensure that the respective duties of those authorities are clearly defined and that appropriate communication and coordination mechanisms are established *to ensure efficient and complete procedures.*

Or. en

Amendment 720

Stanislav Polčák

Proposal for a directive

Article 13 – paragraph 3

Text proposed by the Commission

3. Where there is more than one competent authority in their territory, Member States shall ensure that the respective *duties* of those authorities are clearly defined and that appropriate communication and coordination mechanisms are established.

Amendment

3. Where there is more than one competent authority in their territory, Member States shall ensure that the respective *competences* of those authorities are clearly defined and that appropriate communication and coordination mechanisms are established.

Or. cs

Amendment 721

René Repasi

**Proposal for a directive
Article 15 – paragraph 1**

Text proposed by the Commission

1. Competent authorities of the Member States designated in accordance with Article 13 shall undertake regular checks of the explicit environmental claims made and the environmental labelling schemes applied, on the Union market. The reports detailing the result of those checks shall be made available to the public online.

Amendment

1. Competent authorities of the Member States designated in accordance with Article 13 shall undertake regular checks ***at least once per year*** of the explicit environmental claims made and the environmental labelling schemes applied, on the Union market. The reports detailing the result of those checks shall be made available to the public online.

Or. en

Amendment 722

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

**Proposal for a directive
Article 15 – paragraph 1**

Text proposed by the Commission

1. Competent authorities of the Member States designated in accordance with Article 13 shall undertake ***regular*** checks of the explicit environmental claims made and the environmental labelling schemes applied, on the Union market. The reports detailing the result of those checks shall be made available to the public online.

Amendment

1. Competent authorities of the Member States designated in accordance with Article 13 shall undertake ***annual and comprehensive*** checks of the explicit environmental claims made and the environmental labelling schemes applied, on the Union market. The reports detailing the result of those checks shall be made available to the public online.

Or. en

Amendment 723

Lara Comi

**Proposal for a directive
Article 15 – paragraph 3**

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall notify the trader making the claim about the non-compliance and require that trader to take all appropriate corrective action within **30** days to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease the use of and references to the non-compliant explicit environmental claim. Such action shall be as effective and rapid as possible, while complying with the principle of proportionality and the right to be heard.

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall ***invite the trader to provide an appropriate justification for the anomalies identified. If the competent authorities do not consider the reasons given sufficient, they shall*** notify the trader making the claim about the non-compliance and require that trader to take all appropriate corrective action within **120** days to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease the use of and references to the non-compliant explicit environmental claim. ***These corrective measures must in any case be proportionate to the size of the company.*** Such action shall be as effective and rapid as possible, while complying with the principle of proportionality and the right to be heard.

Or. it

Amendment 724

Carlo Fidanza, Pietro Fiocchi

Proposal for a directive

Article 15 – paragraph 3

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall notify the trader making the claim about the non-

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall ***invite the trader to provide appropriate reasons for the***

compliance and require that trader to take all appropriate corrective action within **30** days to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease the use of and references to the non-compliant explicit environmental claim. Such action shall be as effective and rapid as possible, while complying with the principle of proportionality and the right to be heard.

anomalies found. If the competent authorities do not consider the reasons given sufficient, they shall notify the trader making the claim about the non-compliance and require that trader to take all appropriate corrective action within **45** days to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease the use of and references to the non-compliant explicit environmental claim. Such action shall be as effective and rapid as possible, while complying with the principle of proportionality and the right to be heard.

Or. en

Amendment 725

Andrus Ansip, Dita Charanzová, Svenja Hahn, Erik Poulsen, Morten Løkkegaard, Asger Christensen

Proposal for a directive Article 15 – paragraph 3

Text proposed by the Commission

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall notify the trader making the claim about the non-compliance and require that trader to take all appropriate corrective action within 30 days to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease the use of and references to the non-compliant explicit environmental claim. Such action shall be as effective and rapid as possible, while complying with the principle of proportionality and the right to be heard.

Amendment

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall notify the trader making the claim about the non-compliance ***prior to publishing the report mentioned in Article 15(1)*** and require that trader to take all appropriate corrective action within 30 days to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease the use of and references to the non-compliant explicit environmental claim. Such action shall be as effective and rapid as possible, while complying with the principle of

proportionality and the right to be heard.

Or. en

Amendment 726
Stanislav Polčák

Proposal for a directive
Article 15 – paragraph 3

Text proposed by the Commission

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall notify the trader making the claim about the non-compliance and require that trader to take all appropriate corrective action within 30 days to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease the use of and references to the non-compliant explicit environmental claim. Such action shall be as effective and rapid as possible, while complying with the principle of proportionality and the right to be heard.

Amendment

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall notify the trader making the claim about the non-compliance and require that trader to take all appropriate corrective action within 30 days to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease, ***without undue delay***, the use of and references to the non-compliant explicit environmental claim. Such action shall be as effective and rapid as possible, while complying with the principle of proportionality and the right to be heard.

Or. cs

Amendment 727
Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 15 – paragraph 3

Text proposed by the Commission

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the

Amendment

3. Where, further to the evaluation referred to in the first subparagraph, the competent authorities find that the

substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall notify the trader making the claim about the non-compliance and require that trader to take all appropriate ***corrective action within 30 days*** to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease the use of and references to the non-compliant explicit environmental claim. Such action shall be as effective and rapid as possible, while complying with the principle of proportionality and the right to be heard.

substantiation and communication of the explicit environmental claim or the environmental labelling scheme does not comply with the requirements laid down in this Directive, they shall notify the trader making the claim about the non-compliance and require that trader to take all appropriate ***measures without undue delay*** to bring the explicit environmental claim or the environmental labelling scheme into compliance with this Directive or to cease the use of and references to the non-compliant explicit environmental claim. Such action shall be as effective and rapid as possible, while complying with the principle of proportionality and the right to be heard.

Or. en