

ENVIRONMENTAL CLAIMS

the trader's obligations to communicate in a clear, precise and verifiable manner.

This sheet is intended for all professionals using environmental claims in their commercial communications: products, services, brands, packaging, advertising (online or offline), labels, symbols, comparisons, etc.

What is an environmental claim?

An environmental claim is any commercial message that asserts or suggests that a product, a brand or a company has a positive impact on the environment, is less harmful than others or improves its environmental impact over time.

- Any communication medium is concerned:
text, image, graphic representation or symbol such as a label,
a brand, a company name or a product name.

For the professional

Even a professional truly committed to the environment can be accused of “greenwashing” if their environmental claims lack clarity, precision or proof.

- What is greenwashing?

Greenwashing is a deceptive commercial practice that misleads or is likely to mislead the consumer by presenting a product, a service or a company as more environmentally friendly than it is, or by broadcasting environmental claims without being able to justify them.

Key principle

In Luxembourg as in the rest of the European Union, the framework for environmental claims has been strengthened.

Before making a commercial decision, the consumer must be able to clearly understand what is being asserted by the professional, know what the claim relates to, and rely on reliable and verifiable information.

Seven prohibited practices

1. Unjustified generic claims

- ✗ “ecological”, “green”, “sustainable”, “natural”, “good for the climate”, “environmentally friendly”
- ✓ These terms can be used if the professional can concretely prove that their product or activity meets these criteria, for example by using an official label or a recognized certification.

2. Promises of future environmental performance without proof

- ✗ “Net zero by 2050”, “carbon neutrality by 2050”
- ✓ “Our goal: net zero by 2050. Full plan and audit reports available on our website”
- ➔ To be compliant, a future commitment must rely on an accessible, detailed and third-party verified plan.

3. Sustainability labels without certification or a recognized basis

- ✗ “Green” logo created by the company, “certified ecological” statement without a third-party body.
- ✓ Using a label issued by a public authority (i.e., a ministry).
- ✓ Using a label based on a recognized independent certification (i.e., EU Ecolabel).

4. Claims relating to the entirety of the product when only a part of the product is concerned

- ✗ “Our product is 100% CO₂ neutral” when only one stage of manufacturing does not use fossil fuels.
- ✓ “Our processing stage is now carried out without fossil fuels.”
- ➔ The precision regarding the stage concerned clearly defines the scope of the improvement.

5. Neutrality of a product's impact based solely on greenhouse gas emissions offsetting

- ✗ “100% carbon neutral purchase”, “Zero carbon footprint service” when this neutrality relies solely on the purchase of carbon credits.
- ✓ “We are working to reduce our emissions and funding environmental projects to contribute to the fight against climate change beyond our own activities.”
- ➔ A compliant approach is based on the real impact of the activity and the product's life cycle.

6. Misleading or unexplained comparisons

- ✗ “more ecological”, “less polluting” without reference, scope or methodology.
- ✓ “CO₂ emissions per km reduced by 15% compared to our 2022 model (methodology X, verified by an independent body, data updated annually).”

7. Ecological characteristics already required by law

- ✗ “We are committed to the planet: we are adopting reusable solutions!” when the law already imposes this practice on all companies in the sector.
- ✓ “In accordance with regulations, we have replaced our single-use containers with reusable solutions.”

Five criteria for a compliant claim

The professional is responsible for the claims they use, regardless of the medium. Any claim must be:

- **clear and precise:** immediately understandable, with a clearly defined scope (product, service, process).
- **accurate and complete:** faithfully reflects reality and includes all elements essential to the consumer's proper understanding.
- **based on verifiable and up-to-date evidence:** measurable data, studies, recognized certifications.
- **fair and consistent:** relevant comparisons, consideration of the product's actual life cycle, future commitments backed by a detailed and public plan.
- **transparent and accessible:** the consumer can easily access the evidence supporting the claim.

Best practices within the company

Beyond the content of the claim itself, here are the good practices to adopt within your organisation:

- Document each claim before publication.
- Regularly verify the compliance of broadcasted messages (websites, packaging, advertisements, etc.) and the accessibility of documents supporting the claims (studies, audits, reports, etc.).
- Prioritise factual transparency (figures, scope, method) rather than general promises.
- Distinguish between actions already implemented and future objectives.
- Ensure that the claim accurately reflects the actions actually carried out.

