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FEAD feedback to legislative proposal on substantiating green claims

FEAD, the European Federation for Waste Management and Environmental Services, representing the private waste and resource management industry across Europe **welcomes** the European Commission's initiative to **substantiate green claims in order to** empower the consumer and business partners for the green transition. Private waste management companies are major operators in this service, operating in 60% of municipal waste markets in Europe, and in 75% of industrial and commercial waste.

FEAD considers that when Product Environmental Footprint Category Rules (PEFCRs) or Organisation Environmental Footprint Sector Rules (OEFSRs) have been adopted, **green claims should be substantiated** on that basis (**option 3**, of the Inception Impact Assessment of the legislative proposal). However, option 3 should be amended in that respect that the use of green claims is not compulsory.

In general, both consumers and business partners should be provided with valid information on how products are **designed, manufactured, and used**, how they ensure the **sustainable use of natural resources** and their **recycling and/or reuse** characteristics. In particular, a recycling label or product pass should inform consumers and business partners about both (i) the extent of recycling material in a product and (ii) whether and if so to which extent a product can be recycled (i.e., design for recycling) and (ii) when possible, the extent of recycled material in a product.

We agree with the base line identifying imperfect information as problem: Indeed, market actors do not have access to simplified, immediate and trustworthy information on environmental performance of products. However, we do not regard the current structure of EU Ecolabel and equivalent national/regional schemes (e.g. Nordic Swan, Blue Angel, etc.) as specific enough to inform about (i) the extent of recycling material in a product and (ii) whether and if so to which extent a product can be recycled (i.e., design for recycling).

We appreciate that sub-options of the Inception Impact Assessment will consider potential communication requirements in business-to-consumer and business-to-business settings, including a minimum information content, or a common EU format (e.g. an EU label/ logo). We believe that a trustworthy EU Recycling Label can deliver reliable and accurate information.

The waste management sector and the circular economy's contribution to the green transition is crucial as **GHG emissions** from raw material extraction and from products' manufacture **need to be reduced and resource consumption needs to be minimised**. Proper waste management and use of recycled materials in products brings in many cases significant CO₂ emissions reduction, and consumers need to be aware of the products' footprints, the materials' efficiency, and the potential for recirculation of high-quality materials in the market. FEAD believes that product (eco-)labels, in particular recycling labels, could result in change in consumer choices and behavior, which could lead to the highest potential to reduce greenhouse gas emissions. Consumers should be provided with the tools to shift towards green businesses and

products. An **inventory** of avoided CO₂ emissions of frequently used products should be made, considering the amount of the materials, and the recycling process for each material, to select the products/waste to be tackled first. Finally, a proper eco-label should reflect the avoided CO₂ emissions at manufacturing stage, and more generally, the CO₂ performances when using the product.

Based on the above, the following key elements must be taken into consideration by the EC and the EU legislator in designing a new framework to push consumers towards the green transition:

- facilitation of consumers' choice: **enhanced eco-labelling** focusing on recycling to reflect the recyclability of products and the presence of (including, where possible, the percentage of) recycled content (**EU Recycling Label**). Such an EU Recycling Label should be developed by the European Union but should be, as a first step, at manufacturers' and/or distributors' own discretion whether it is used on products. However, we believe due to consumer pressure for green information such an EU Recycling Label will be used widely once it is available to the market. It could be set up as a traffic light, e.g. as in Hamburg <https://www.stadtreinigung.hamburg/einkaufsguide/#12>;
- Development of valid **Green Claims** which can be used in promotion towards consumers if specific scientific ecological criteria (e.g. specific amount of recycled content in a product) are met in order to avoid misleading green washing;
- incorporating **environmental costs** into the economy;
- strict rules for **products failures, products with short life-span and greenwashing**; and
- better **enforcement** of the rules adopted.

FEAD totally supports EU idea of legislation on substantiating green claims avoiding misleading information of consumers or business partners. Consumers and business partners, with their power of choice, can be the engine of the environmental revolution.