



**European Commission**  
Directorate-General Health & Consumer Protection

## **Guidelines for Making and Assessing Environmental Claims**

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## **PREAMBLE**

European consumers are more and more prepared to buy goods and services which have reduced environmental impacts. Producers, service providers and the advertising industry are aware of this trend and thus seek to attract clients through the environmental benefit of their goods and services. One of the mechanisms used to convey the environmental qualities of their goods and services is through the use of **self-declared environmental claims**.

Environmental claims allow consumers to make informed choices and allow industry to convey the environmental qualities of their goods and services. However, in order for environmental claims to be effective in allowing informed choices and promoting goods and services with lower environmental impacts, it is imperative that they are clear, true, specific and not misleading. Misleading, false, meaningless or unclear environmental claims result in consumers losing faith in environmental claims and labels in general, in generating unfair business competition and discouraging claimants from making truthful claims.

The European Commission considers that the use of clear, truthful and relevant environmental claims should be promoted as a means of facilitating informed decision-making by consumers, to encourage the provisions of goods and services with lower environmental impacts, and to protect honest claimants against unfair competition by ruling out false, unclear and misleading claims.

The International Organization for Standardization (ISO) developed an international standard on self-declared environmental claims (ISO 14021:1999). The European Commission considers that ISO 14021:1999 is a very positive document which can help regulate and motivate the use of good-quality self-declared environmental claims.

This document presents Guidelines, consistent with ISO 14021:1999, aimed at helping anyone wishing to make an environmental claim ensure that it will be a good, acceptable claim, as well as providing guidance to any party or authority wishing to evaluate existing claims.

The European Commission assembled a working group to develop this document and has integrated general concerns through the consultation with relevant authorities and interest groups.

## SCOPE

The *International Organization for Standardization (ISO)* has developed standards for three types of environmental claims on goods and services: Type I<sup>1</sup>, based on third-party certification for specific goods and services; Type II<sup>2</sup>, based on self-declarations; and Type III<sup>3</sup>, based on life-cycle impacts. These guidelines refer to the self-declared environmental claims (Type II), which are environmental claims made without independent third-party certification, by manufacturers, importers, distributors, retailers or anyone else likely to benefit from such a claim.

The international standard ISO 14021:1999 sets specifications for making self-declared environmental claims of goods and services. It establishes general requirements on self-declared environmental claims (including the use of symbols), specific requirements for selected claims, and requirements for the evaluation and verification of claims.

These Guidelines are intended as a tool to facilitate the understanding and implementation of ISO 14021:1999. These Guidelines do not replace the international standard, which remains the benchmark document. Persons seeking more details on the requirements are encouraged to refer to ISO 14021:1999.

Consistent with ISO 14021:1999, this document gives guidance to any individual or entity willing to make an environmental claim about a good or a service, or wishing to assess an existing one. It provides guidance on the use of statements, symbols and graphics regarding goods and services, aiming at ensuring truthful, clear and not misleading environmental claims. Finally, it provides an overview of the legal framework regulating self-declared environmental claims in the European Union.

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<sup>1</sup> ISO 14024:1999 “Environmental labels and declarations – Type I environmental labelling – Principles and procedures.

<sup>2</sup> ISO 14021:1999 “Environmental labels and declarations – Self-declared environmental claims (Type II environmental labelling).

<sup>3</sup> ISO/DTR 14025 “Environmental labels and declarations – Environmental labelling Type III – Guiding principles and procedures.

The evaluation of environmental claims, including the selection of appropriate testing methods, the establishment of procedures for keeping, updating, maintaining and disclosing environmental information, and the general quality assurance of the environmental claims being made, may be regulated for an EMAS<sup>4</sup>-registered organisation, according to the requirements set up in the upcoming EMAS Regulation. In this case, the third-party verification system to which the environmental information is subjected would help ensure its credibility.

Notice that the fact of implementing EMAS does not necessarily ensure that the requirements of ISO 14021:1999 will be met. It is however clear that some requirements stated in ISO 14021:1999 (para. 5.7) are also to be fulfilled by the environmental information bearing the EMAS logo.

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<sup>4</sup> Eco-Management and Audit Scheme.

## **PRINCIPLES**

1. Self-declared environmental claims shall be accurate, verifiable, relevant, able to be substantiated and not misleading.
2. Environmental claims shall be based on scientific methodology that is sufficiently thorough and comprehensive to support the claim and that produces accurate and reproducible results.
3. Information concerning the procedure, methodology and any criteria used to support environmental claims shall be available and provided upon request to all interested parties.
4. The formulation of environmental claims shall take into consideration all relevant aspects of the life cycle of the goods or service, although not necessarily considering a full life-cycle analysis.

## **GUIDELINES FOR ALL SELF-DECLARED ENVIRONMENTAL CLAIMS**

### **GENERAL GUIDELINES**

The Principles stated above set the basis for the definition of specific requirements for self-declared environmental claims in ISO 14021:1999. The guidance provided below is applicable to all self-declared environmental claims (including symbols and comparative claims).

#### **1. Don't make claims about environmental benefits of a general nature or about sustainability<sup>5</sup>.**

Claims about general environmental benefits of a product or service such as "environmentally-friendly", "green", "non-polluting", "ozone friendly", "environmentally safe", "nature's friend", "ecological" are vague and non-specific and, thus, must not be made.

Use of claims such as "organic", "organic product" or "organic produced" may only be used, if the product meets the requirement in Community legislation on organic products or production.

Although the European Union has accepted the concept of sustainability and turned it into a guiding principle for its environmental policy, through the Fifth Environmental Action Programme ("Towards Sustainability"), no methods have been defined to measure it. For this reason claims to sustainability are vague, and are not to be made.

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<sup>5</sup> These requirements are covered in Sections 5.3 and 5.5 of ISO 14021:1999.

**2. If there is a possibility that a claim may be misinterpreted, look for ways to eliminate the claim's vagueness through a change in wording, the addition of an explanatory statement, the use of symbols or other means. If the claim could still be misleading, don't make it.**

In some cases an explanatory statement may suffice to eliminate the vagueness of a claim, as long as it is clear that the statement should be interpreted together with the claim<sup>6</sup>.

**Example:**

If a product saves energy compared to a previous design but, in order to achieve such savings in energy consumption, needs to use a specific battery of the same manufacturer, this condition has to be conveyed to the consumer. Thus a claim such as *"This new version saves 20% energy compared to our previous version"* would be misleading. An appropriate claim would be *"This new version saves 20% energy compared to our previous version, when used with our battery xxx"*.

A common case of claims which may be misinterpreted is when it is not clear whether the claim refers to the complete goods or service or only to one of its components or to the packaging. Misinterpretations of this type may be due to the wording or the size of the claim, or to its relative position within the goods or package.

**Example:**

A box which contains packages of white paper and which carries the claim *"100% recycled material"* may be ambiguous as to whether the claim refers to the box or to the paper. In order to avoid this confusion, an appropriate wording would be *"This box is made of 100% recycled material"*.

**Example:**

A soda bottle contains the environmental claim "recycled". Although the bottle cap may not be produced out of recycled material, it is expected that consumers will generally understand that the claim refers only to the bottle, and will not be misled. This claim is thus valid.

Some claims, in spite of them being true, may be misleading if they omit relevant facts.

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<sup>6</sup> Requirements on the use of explanatory statements are defined in Section 5.6 of ISO 14021:1999.



**Example:**

A product claiming to use 15% less energy compared to the previous version, without mentioning that for the energy save to be real, the use of a special battery is required, is incomplete, therefore misleading and must not be made.

**3. Don't make claims that are not truthful or accurate, or that suggest environmental improvements that do not exist.**

False claims, such as claiming that goods are recycled when they are not, must not be made.

When claiming that goods do not contain a harmful substance, such as a "...free"-claim, the substance claimed to be absent must not be present in levels greater than those which could be expected as an acknowledged trace contaminant or background level.

Claims that are not accurate may lead consumers into believing an environmental benefit exists that, in reality, is not relevant to those goods or services. For example the inappropriate use of "...free"-claims: they are misleading if they refer to substances that have never been associated with the goods or service.

**Example:**

Paper claiming not to contain any tropical hard wood is inappropriate, because tropical hard woods are not used to manufacture paper. An average consumer may be misled into thinking that the use of tropical hard woods may be common in paper manufacturing and that this specific product offers an environmental benefit.

"...free" claims are also misleading if the substance referred to used to be associated to the product, but is not anymore.

**Example:**

A deodorant spray that claims to be "*CFC-free*" is a misleading claim as this is the requirement for all similar products. Such a claim would need to be qualified in order to express the true extent of the environmental benefits of the product – for example "*In line with other similar products, this product contains no CFCs*" or "*CFC-free as required by law*". However, the "*CFC-free*" claim would be appropriate if the product is to be sold in a country where CFCs are still legally used and used in deodorant sprays.

Another example is when claiming environmental benefits which can never be achieved due to the nature of the product or the lack of facilities and/or conditions to obtain the claimed benefit.

**Example:**

Polyethylene rubbish bags (except those meant to contain recyclable waste only) are technically recyclable, but when used for their intended purpose will end up in a disposal facility such as a landfill. Although such a claim is literally true, it is misleading and thus not valid.

Other claims may be literally true, but may not result in an environmental benefit. Making such claims may mislead consumers into believing an environmental benefit exists.

**Example:**

A package of coffee filters has the following claim: "*Made using a chlorine-free bleaching process*". However, the bleaching process used still releases to the environment a significant amount of other toxic substances. Although the claim is strictly true, there is no real environmental benefit and the claim is misleading.

**4. Don't make an environmental claim that you have not been able to substantiate.**

All claims are to be made on the basis of supporting evidence which can be verified. This includes the selection of an appropriate test method as well as keeping and making available all the information necessary to substantiate it. Further guidance on the selection of methods and access to information is given below (p. 22). Anyone wishing to make or assess a claim is advised to refer to ISO 14021:1999<sup>7</sup> for detailed requirements regarding the substantiation of an environmental claim.

**Example:**

The claim "*Biodegradable*" on a product for which no test runs have been carried out according to acknowledged procedures is not a substantiated claim. Also, even if appropriate testing is carried out, but the evidence is not made available to confirm the results, the claim is not verifiable and thus not acceptable.

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<sup>7</sup> The evaluation and claim verification requirements are defined in Section 6 of ISO 14021:1999.

**5. Do ensure that environmental claims are updated so that they continue to be relevant.**

Normal changes such as new legislation being enacted, changes in competitive products and technological advances may make certain environmental claims become irrelevant or even misleading. All claims are to be regularly reviewed and revised if necessary in order to reflect the changing circumstances.

**Example:**

Claims that goods do not contain a harmful substance would be misleading if no goods used for that purpose contain that substance. If non-biodegradable detergents were legally permitted on a particular market, it could be appropriate to claim a detergent to be “biodegradable”. Once legislative changes have taken place and made it mandatory for detergents to be biodegradable, the once appropriate claims should either be eliminated or qualified with statements such as *“Biodegradable in common with similar products”* or *“Biodegradable as required by law”*.

## USE OF SYMBOLS

Symbols are often used to convey the environmental benefits of goods or services. In this sense, symbols are environmental claims in themselves<sup>8</sup>. Guidance is provided here on how to make use of symbols so they are not misleading. Specific guidance on the use of the Möbius loop is also given<sup>9</sup>.

**1. If a symbol is used, make sure it is simple and used in such a way that it does not convey false impressions about the characteristics of goods or services.**

**Example:**

An aluminium foil packaging has a large Möbius loop with a “30%” qualifying statement, indicating that the goods contain 30% recycled material. However, it is not clear whether the symbol refers to the packaging or to the aluminium contained in the box. Either a more adequate size and position for the symbol is selected, such as a smaller symbol placed in a lateral position which conveys that the claim refers to the packaging, or a qualifying statement such as “*recycled cardboard*” is made together with the symbol.

**2. Don’t use natural objects unless there is a direct and verifiable link between the natural object portrayed and the benefit claimed.**

Natural objects are considered to be environmental claims because they allow a potential consumer to associate the object with an environmental benefit. They should be easily distinguishable from other symbols and relevant to the claims being made.

### **The Möbius loop<sup>10</sup>**

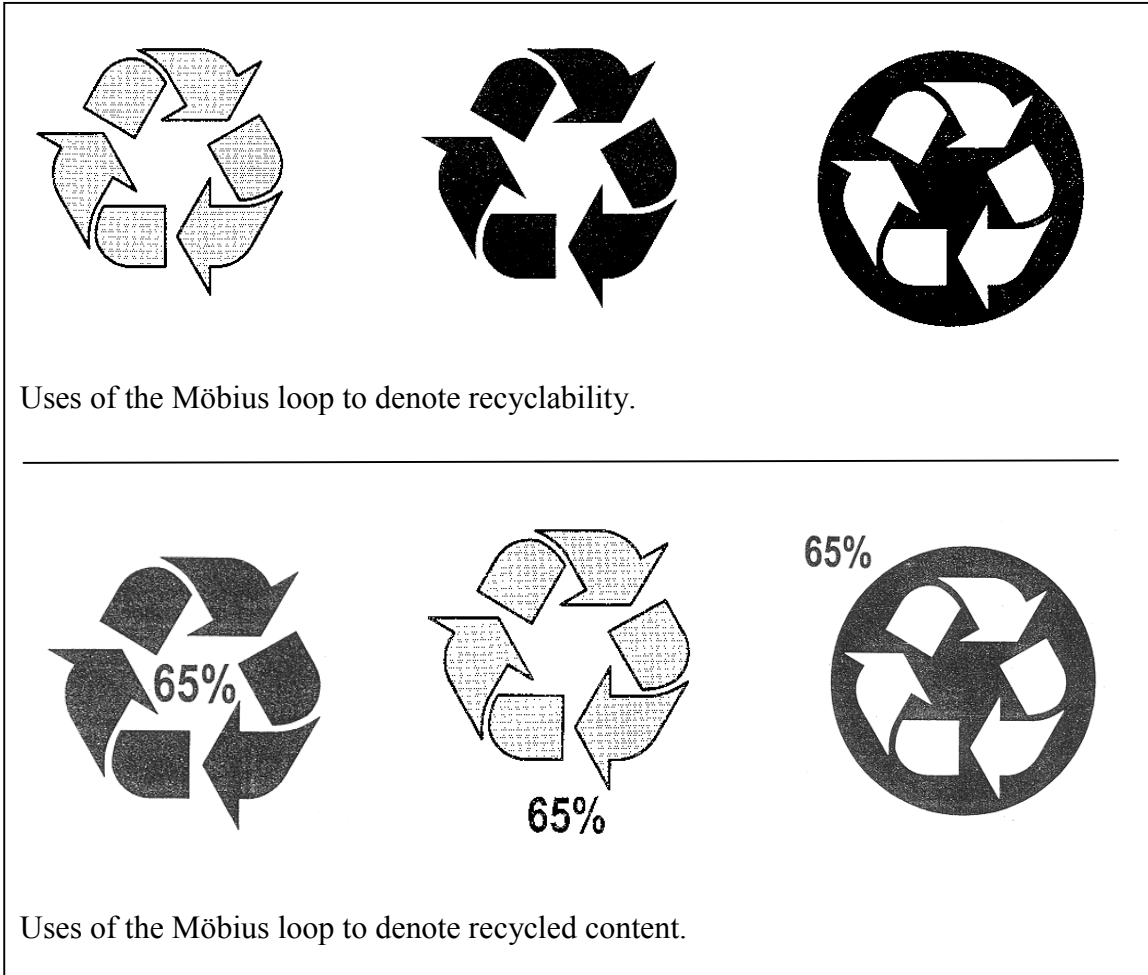
The most common symbol currently used is the Möbius loop, which denotes “recyclability” or “recycled content”, depending on how it is used. The loop should not be used to represent attributes other than recyclable or recycled content. If the claim

<sup>8</sup> The requirements for the use of symbols are established in Sections 5.8, 5.9 and 5.10 of ISO 14021:1999.

<sup>9</sup> Requirements for the use of the Möbius loop are established in Section 5.10 of ISO 14021:1999.

<sup>10</sup> As stated in ISO 14021:1999, the design of the Möbius loop must meet the graphical requirements of ISO 7000, symbol No. 1135.

relates to “recycled content”, then the Möbius loop must be accompanied by a qualification stating the percentage of recycled material. If the Möbius loop appears on its own then the referred claim is to “recyclability”. Some examples on uses of the Möbius loop are shown below; they should meet the requirements stated in ISO 14021:1999.



In some markets consumers may not yet be familiar with the different uses of the Möbius loop (e.g. they might think that a Möbius loop on its own might denote recycled content). In these cases, and until consumers become familiar with the different uses of the Möbius loop, it is recommended that the Möbius loop be accompanied by an explanatory statement.

## USE OF COMPARATIVE CLAIMS

Some environmental claims take on meaning only when the characteristics of offered goods or services are compared with those of similar goods, or services; these are referred to as comparative claims<sup>11</sup>. Comparative claims are to be presented in such a manner that the basis for comparison is sufficiently clear, in order to avoid any misinterpretation.

### **1. Only compare goods or services meeting the same needs or intended for the same purpose.**

Don't make comparative claims if they relate goods or services serving different functions or if the comparison may create confusion in the marketplace between the advertiser and the competitor or between the advertiser's trademarks, trade names, other distinguishing marks, goods or services and those of a competitor.

### **2. Comparative claims should be based either on percentages or absolute values.**

If comparative claims are not based on either a percentage or absolute value, they remain vague and, thus, are misleading.

**Example:**

A product has the following environmental claim: *"this product now contains even more recycled material than our previous version"*. This claim does not convey the extent of the environmental benefit; it is unspecific and, thus, not valid.

**Example:**

A product claims that: *"no other air conditioning system in the market needs so little energy to function"*. This is a comparative claim which does not define the amount of energy save; it is ambiguous.

<sup>11</sup> Requirements for comparative claims are defined in Section 6.3 of ISO 14021:1999. Comparative claims are regulated in the European Union by Directive 84/450/EEC as amended by Directive 97/55/EC so as to include comparative advertising.

When a comparative claim is based on a percentage, it should be expressed as an absolute difference.

**Example:**

Packaging that has changed from having 4% to 6% recycled content can claim an “*additional 2% recycled content*”, as the absolute difference is  $6\% - 4\% = 2\%$ . A claim in relative terms of “*50% increase in recycled content*”, although accurate, is misleading.

When a comparative claim is based on an absolute (measured) value, it should be expressed as a relative improvement. If the value against which the comparison is made is zero, then an absolute difference may be used.

**Example:**

For a battery which lasts 15 hours instead of a previous 10 hours, the relative difference is:

$$\frac{15 \text{ hours} - 10 \text{ hours}}{10 \text{ hours}} \times 100 = 50\%$$

In this case, an appropriate claim would be “50% longer life”.

**Example:**

Suppose a battery which is normally disposable and for which the new version can be recharged up to 5 times. If a claim “rechargeable” based on the number of possible recharges wants to be made, a difference expressed as a percentage would give us infinite as an answer:

$$\frac{5 \text{ recharges} - 0 \text{ recharges}}{0 \text{ recharges}} \times 100 = \infty$$

In this case, although the comparison is based on an absolute (measured) value, one of the values is nil and thus, the claim should be expressed as an absolute difference. An appropriate claim could be “now rechargeable up to 5 times”.

## GUIDELINES FOR SPECIFIC ENVIRONMENTAL CLAIMS

Apart from the guidelines provided above for all environmental claims, more detailed guidance is provided below for the following specific claims, in line with the ISO 14021:1999<sup>12</sup>.

- |                             |                               |
|-----------------------------|-------------------------------|
| 1. Compostable              | 7. Recycled content           |
| 2. Degradable               | 8. Reduced energy consumption |
| 3. Designed for disassembly | 9. Reduced resource use       |
| 4. Extended life product    | 10. Reduced water consumption |
| 5. Recovered energy         | 11. Reusable and refillable   |
| 6. Recyclable               | 12. Waste reduction           |

### 1. Compostable

The added value of compost material is that it is meant to be benign to the environment as a soil enhancer. Thus care should be taken to avoid any claims to compostability for materials that could reduce the quality of the compost, or which release harmful substances to the environment.

When making a claim of compostability, care must be taken to communicate to the consumer the information needed to ensure that the product will be adequately composted, for example:

- ➡ Specify whether the compostability claim refers to a home-composting or a central composting facility, unless the product is compostable in any type of facility.
- ➡ If only part of the product is compostable, indicate it. Also indicate how to separate the compostable part if this operation is required from the user.
- ➡ Only claim home compostability when this can be done easily by any adult member of the household with the tools and equipment (other than a composting unit) normally available in most households.

<sup>12</sup> Section 7 of ISO 14021:1999 establishes requirements for these specific claims.



☞ If the product needs a composting facility, this should be available to a reasonable proportion of the consumers, otherwise clearly explain this limitation. Don't make use of general statements such as "Compostable where facilities exist".

## **2. Degradable**

Unlike a compostable product which serves as a soil conditioner, a degradable product undergoes changes in its chemical structure, which eventually lead to its disintegration. Common types of degradability include biodegradability (i.e. degraded by natural organisms) and photodegradability (i.e. degraded by light).

Don't make claims to degradability for materials that may release substances in concentrations harmful to the environment. When testing for degradability, make use of recognised and reliable test methods.

## **3. Designed for disassembly**

The benefit of being able to disassemble a product is that its parts may then be, in some way, diverted from the waste stream. When making a claim of "designed for disassembly", include any information needed to disassemble the product as well as any additional information specifying the parts of the product that may be diverted from the waste stream and the manner in which this may be done.

## **4. Extended life product**

When making a claim to extended life, make sure to provide any necessary information that the consumer may need in order to obtain the extended life characteristics.

Because "extended life product" claims are comparative, they should meet the requirements for comparative claims. These include making comparisons only with products meeting the same needs or intended for the same purpose, as well as making use of percentages or absolute values. For more details on comparative claims, the

reader is referred to the section on “Comparative claims” above or, for specific requirements, to the international standard<sup>13</sup>.

## **5. Recovered energy**

When claiming that a product has been made using recovered energy (i.e. energy which otherwise would have been disposed of as waste), state the type and quantity of waste used for the recovery. Refer to ISO 14021:1999 for a detailed description of how to assess these claims<sup>14</sup>.

## **6. Recyclable**

In making a claim to recyclability, care should be taken to convey the availability of recycling facilities. Don't make claims to recyclability when, although the product might be technically recyclable, it will never be recycled because the collection or recycling facilities are not available where it is sold.

The claim to recyclability may be conveyed either through written text or by making use of the Möbius loop. Don't use symbols other than the Möbius loop to claim recyclability.

**Example:**

A carrier bag can be claimed to be “recyclable” only in the sense that the actual material can be taken to a recycling facility and reprocessed after the bag has been discarded by the consumer. If the material is not recyclable and the message to be conveyed is that it can be used several times, then the appropriate claim is “reusable” and not “recyclable”.

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<sup>13</sup> Section 6.3 of ISO 14021:1999.

<sup>14</sup> The evaluation methodology for recovered energy claims is defined in Section 7.6.3 of ISO 14021:1999.

**Example:**

Plastic bottles can be claimed to be “recyclable” only in areas where collection facilities or programmes exist. In spite of a material being recyclable, if the consumer does not have access to a recycling facility, such a claim would be inadequate. If the producer wants, nevertheless, to convey the recyclability of the product in order to distinguish it from similar but non-recyclable products, he may do so by ensuring that the limitations to its recyclability are communicated. In any case, general statements such as “recyclable where facilities exist” are not appropriate.

## 7. Recycled content

When making claims of recycled content, refer only to material which otherwise would have ended in the waste stream.

**Example:**

If in a metal industry during a process regrinds are reintegrated into the process as raw material, a claim of “recycled content” should not be made, as the reutilization of such material is being made within the same process that generated it.

**Example:**

Return bottles (with or without deposit) cannot be claimed to be “recycled” because they are still being used for their intended purpose without being re-processed. However, when bottles are collected and re-processed to produce new bottles, these may be claimed to be “recycled”.

When making claims to recycled content, always state the percentage of recycled material, and present the claims in a way that clearly shows whether they refer to the product or to the packaging. If the Möbius loop is used, make sure that the symbol is accompanied by the percentage of recycled material. Don’t use symbols other than the Möbius loop to denote recycled content.

**Example:**

A claim such as “this box is made with recycled material” is not appropriate. An appropriate claim about recycled content should be qualified with a statement such as “this box contains 65% recycled material”. Alternately, the following use of the Möbius loop would be appropriate:



## 8. Reduced energy consumption

All claims to reduced energy consumption (normally expressed as energy-efficient, energy-conserving or energy-saving) are comparative and should indicate the percentage or absolute value of the reduction. Such claims should not refer to the energy employed in manufacturing a product, but in its use.

As “reduced energy consumption” claims are comparative, the requirements for comparative claims should be met. These include making comparisons only with goods or services meeting the same needs or intended for the same purpose, as well as making use of percentages or absolute values. For more details the reader is referred to the section of “comparative claims” above or, for specific requirements, to the international standard.

**Example:**

A claim of reduced energy consumption of a dry cleaning service such as “in xxx dry cleaning we use technology that saves more energy than our competitors” is inappropriate as it does not state the amount of energy being saved. An appropriate claim would be “in xxx dry cleaning we use technology that uses 20% less energy than the conventional processes”.

## 9. Reduced water consumption

Claims about reduced water consumption of goods or services (commonly expressed as water-efficient, water conserving or water saving) are comparative and should indicate the percentage or absolute value of the claimed reduction. Such claims should not refer to the water employed in manufacturing a product, but in its use.

Because “reduced water consumption” claims are comparative, the requirements for comparative claims should be met. These include making comparisons only with goods or services meeting the same needs or intended for the same purpose, as well as making use of percentages or absolute values. For more details on comparative claims the reader is referred to the section of “comparative claims” above or, for specific requirements, to the international standard<sup>15</sup>.

### **10. Reduced resource use**

Unlike the claims about “reduced energy consumption” and “reduced water consumption” which refer to the operation of goods or the provision of a service, the “reduced resource use” claim refers to the amount of material, energy or water used to produce or distribute a product or packaging.

Claims of “reduced resource use” are comparative and thus should state the reduction percentage (%) involved; being comparative claims, the requirements for comparative claims should be met. If by reducing the use of a certain resource, the use of another resource increases, such increase should be specified in the claim.

**Example:**

If a production process employs less water compared with the previous process, but for this reason needs to employ more energy, the increase in energy must be stated together with the reduced resource use claim.

### **11. Reusable and refillable**

When claiming that a product is either reusable or refillable, care must be taken to ensure that the conditions exist for that product to be reused or refilled (e.g. collection programme, facilities for reuse or refill).

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<sup>15</sup> Section 6.3 of ISO 14021:1999.

**Example:**

If a soda bottle is claimed to be “refillable” but facilities are not available for the bottles to be collected and refilled, the claim is not valid.

Only make claims about refillability if the product can be refilled with the same or a similar product and without needing additional processing (except specified requirements such as cleaning and washing).

**Example:**

A glass wine bottle cannot be claimed to be “refillable” if facilities or programmes do not exist for it to be collected and refilled with wine. Claiming that it can be refilled with water for home use is not an appropriate claim, nor would it be to claim that it is “refillable” because it could be taken to a wine cellar and used to collect wine sold by the litre.

## **12. Waste reduction**

Claims about “waste reduction” are comparative and should state the percentage or absolute amount that was reduced. Being comparative, the requirements for comparative claims should be met.

Don’t make claims to “waste reduction” when they refer to the reutilization of materials generated within a process and which are capable of being reused in the same process; such materials may include regrind, rework or scrap. However, if a waste material is transferred to another party who is going to use it for constructive purposes other than disposing of it as a waste, then the claim may be made.

**Example:**

An industrial plant that sends its spent oils to a cement manufacturing plant which uses such oils as fuel in their furnace, may claim “waste reduction”.

## GUIDELINES FOR THE EVALUATION OF ENVIRONMENTAL CLAIMS

### EVALUATION METHODS

It is the claimant's responsibility to evaluate and to provide the data necessary for the verification of the claims. Principle 2 states that "environmental claims shall be based on scientific methodology that is sufficiently thorough and comprehensive to support the claim and that produces accurate and reproducible results". This principle should prevail when selecting an evaluation method<sup>16</sup>.

Several evaluation methods have been developed for the verification of different claims by national and international organisations (e.g. ASTM, BS, ISO, OECD, IEC, DIN). The reader is recommended to refer to the ISO 14020-series as it provides an extensive list of references on reproducibility and reliability, as well as of standards for testing and claim verification.

When selecting a method to evaluate and/or verify a claim, give preference to International Standards followed by other internationally recognised standards and industry and trade methods which have been subject to peer review. If no such standards exist for the claim that is to be evaluated or verified, a method may be developed, as long as it is compatible with Principle 2 and is made subject to peer review.

**Example:**

A claim on photodegradability is to be evaluated for a carrier bag. The regional manufacturing industry has developed a peer-reviewed testing method; however, an international standard exists. In this case, the international standard must be selected above the regional manufacturing industry standard.

If wishing to evaluate or verify a comparative claim, also refer to the guidance provided above in the section on "use of comparative claims".

<sup>16</sup> Requirements for the evaluation of environmental claims are defined in Section 6 of ISO 14021:1999. As well, specific evaluation requirements are defined in this standard for certain environmental claims: Section 7.5.3 for "extended life product", Section 7.6.3 for "recovered energy", Section 7.7.4 for "recyclable", Section 7.8.4 for "recycled content", Section 7.9.3 for "reduced energy consumption",

## ACCESS TO INFORMATION

Principle 3 states that “information concerning the procedure, methodology and any criteria used to support environmental claims shall be available and provided upon request to all interested parties”<sup>17</sup>. In short, environmental claims must be transparent and anyone interested should be able to verify them. Don’t make the claim if the information needed to verify it, is confidential.

In order to ensure that environmental claims can be substantiated, retain the documentation that supports the claim at least during the time the product is on the market and longer, depending on the life span of the product<sup>18</sup>.

**Example:**

If environmental claims are made about the environmental benefits of a car, the documentation that supports such claims must be retained for as long as the cars are expected to remain in use, regardless of whether that specific model is no longer manufactured.

Not only must the information supporting an environmental claim be retained, it must also be made available to anyone wishing to verify the claim. A reasonable charge may be asked for providing the information.

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Section 7.10.3 for “reduced resource use”, Section 7.11.3 for “reduced water consumption”, Section 7.12.3 for “reusable and refillable” and Section 7.13.3 for “waste reduction”.

<sup>17</sup> Requirements on access to information regarding environmental claims are established in Section 6.5 of ISO 14021:1999.

<sup>18</sup> The minimum information required to be documented and retained is specified in Section 6.5.3 of ISO 14021:1999.



## **LEGAL FRAMEWORK**

Consumer protection is one of the aims of Community action, as defined in the Amsterdam Treaty (Title XI). The main relevant legal instrument as far as claims of any kind are concerned is Directive 84/450/EEC on misleading advertising (as amended by Directive 97/55/EC so as to include comparative advertising). This Directive is concerned with advertising as the “making of a representation in any form in connection with a trade, business, craft or profession in order to promote the supply of goods or services, including immovable property, rights and obligations”. Member States may have specified further provisions with a view to ensuring more extensive protection with regards to misleading advertising, except for comparative advertising as far as the comparison is concerned<sup>19</sup>.

Directive 84/450/EEC is oriented not only towards the protection of consumers from misleading advertising but also towards the protection of persons involved in trade or business from the unfair competition that misleading advertising generates.

Directive 84/450/EEC states that Member States “...shall ensure that adequate and effective means exist for the control of misleading advertising...”. Such means must include legal provisions so that persons or organisations may either take legal action against misleading advertising and/or put forth a complaint before an administrative competent authority. Although such legal opportunities exist in all Member States, the specific mechanisms vary.

Consumers or claimants wishing to know their rights and mechanisms of redress in their own country are advised to contact the competent authority in their country. Consumer organisations and advertising self-regulatory bodies may also provide this information, and serve as a link to the appropriate authorities.

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<sup>19</sup> This restriction is specified in Art. 1(9) of Directive 97/55/EC, which amends Article 7 of Directive 84/450/EEC.

## DEFINITIONS<sup>20</sup>

Compostable.- *A characteristic of a product, packaging or associated component that allows it to biodegrade, generating a relatively homogeneous and stable humus-like substance.*

Degradable.- *A characteristic of a product or packaging that, with respect to specific conditions, allows it to break down to a specific extent within a given time.*

Designed for disassembly.- *A characteristic of a product's design that enables the product to be taken apart at the end of its useful life in such a way that allows components and parts to be reused, recycled, recovered for energy or, in some other way, diverted from the waste stream.*

Environmental aspect.- *Element of an organisation's activities or products that can interact with the environment.*

Environmental claim.- *Statement, symbol or graphic that indicates an environmental aspect of a product, a component, packaging or a service.*

Environmental claim verification.- *Confirmation of the validity of an environmental claim using specific predetermined criteria and procedures with assurance of data reliability.*

Environmental impact.- *Any change to the environment, whether adverse or beneficial, wholly or partially resulting from an organisation's activities, goods or services.*

Explanatory statement.- *Any explanation which is needed or given so that an environmental claim can be properly understood by a purchaser, potential purchaser or user of the goods or service.*

Extended life product.- *A product designed to provide prolonged use, based on either improved durability or an upgradability feature, that results in reduced resource use or reduced waste.*

Life cycle.- *Consecutive and interlinked stages of a product system, from raw material acquisition or generation of natural resources to final disposal.*

Packaging.- *Material that is used to protect or contain a product during transportation, storage, marketing or use.*

Post-consumer material.- *Material generated by households or by commercial, industrial and institutional facilities in their role as end-users of the goods or service which can no longer be used for its intended purpose. This includes returns of material from the distribution chain.*

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<sup>20</sup> All these definitions are verbatim quotes from the International Standard ISO 14021:1999.

Pre-consumer material.- Material diverted from the waste stream during a manufacturing process. Excluded is reutilization of materials such as rework, regrind or scrap generated in a process and capable of being reclaimed within the same process that generated it.

Product.- Any goods or service.

Qualified environmental claim.- An environmental claim which is accompanied by an explanatory statement that describes the limits of the claim.

Recovered energy.- A characteristic of goods or service that has been made using energy recovered from material or energy that would have been disposed of as waste but instead has been collected through managed processes.

Recovered [reclaimed] material.- Material that would have otherwise been disposed of as waste or used for energy recovery, but has instead been collected and recovered [reclaimed] as a material input, in lieu of new primary material, for a recycling or a manufacturing process.

Recyclable.- A characteristic of goods, packaging or associated component that can be diverted from the waste stream through available processes and programmes and can be collected, processed and returned to use in the form of raw materials or goods.

Recycled content.- Proportion, by mass, of recycled material in goods or packaging. Only pre-consumer and post-consumer materials shall be considered as recycled content.

Recycled material.- Material that has been reprocessed from recovered [reclaimed] material by means of a manufacturing process and made into a final product or into a component for incorporation into goods or services.

Reduced energy consumption.- Reduction in the amount of energy associated with the use of goods or services performing the function for which it was conceived when compared with the energy used by other goods or services performing an equivalent function.

Reduced resource use.- A reduction in the amount of material, energy or water used to produce or distribute goods, services or packaging or specified associated component.

Reduced water consumption.- Reduction in the consumption of water associated with the use of goods or services performing the function for which it was conceived when compared with the amount of water used by other goods or services performing an equivalent function.

Refillable.- A characteristic of goods or packaging that can be filled with the same or similar goods more than once, in its original form and without additional processing except for specified requirements such as cleaning or washing.

*Reusable*.- A characteristic of goods or packaging that has been conceived and designed to accomplish within its life cycle a certain number of trips, rotations or uses for the same purpose for which it was conceived.

*Waste reduction*.- Reduction in the quantity (mass) of material entering the waste stream as a result of a change in the goods, process or packaging.

## BIBLIOGRAPHY AND REFERENCES

Council Directive 84/450/EEC of 10 September, relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising.

Council Directive 97/55/EC of 6 October, amending Directive 84/450/EEC concerning misleading advertising so as to include comparative advertising.

ISO 14020:1998 - *Environmental labels and declarations – General principles.*

ISO 14021:1999 - *Environmental labels and declarations – Self-declared environmental claims (Type II environmental labelling).*

ISO 14024:1999 – *Environmental labels and declarations – Type I environmental labelling – Principles and procedures.*

ISO/DTR 14025 – *Environmental labels and declarations – Environmental labelling Type III – Guiding principles and procedures.*