



CONSUMER MARKET STUDY ON ENVIRONMENTAL CLAIMS FOR NON-FOOD PRODUCTS

APPENDIX 5

Assessment against UCPD, the 2009 Guidance document and the voluntary food labelling guidelines

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Consumer market study on environmental claims for non-food products

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Introduction

One of the key tenets of the European Consumer Agenda¹ is that **consumers** should be **empowered, assisted and encouraged to make sustainable purchasing choices**. This will lead to cost savings for themselves and for society as a whole. For consumers to make sustainable choices, they need to have **clear and reliable information** to be able to easily identify the 'right' product or service to purchase. Information of this nature is provided by business by means of a range of environmental/green claims. The expressions '**environmental claims**' or '**green claims**' refer to the practice of suggesting or otherwise creating the impression (in the context of a commercial communication, marketing or advertising) that **a product or a service, is environmentally friendly** (i.e. it has a positive impact on the environment) **or is less damaging to the environment than competing goods or services**. This may be due to, for example, its composition, the way it has been manufactured or produced, the way it can be disposed of and the reduction in energy or pollution which can be expected from its use.²

To unlock the untapped potential for green growth there are some key challenges ahead that need special attention.

- Consumers are confronted with an increasing number of environmental claims.³
- While the interest in purchasing green products is high, the Eurobarometer from June 2011⁴ also shows that consumer trust in environmental labelling has decreased.
- Cases of **misleading and unsubstantiated environmental claims** (e.g. 'greenwashing') in certain product markets have been reported by businesses, as well as by consumers and environmental NGOs. These undermine consumers' ability to contribute to green growth by means of their purchasing choices.
- Consumers not always truly understand the green claims they are confronted with.⁵

In this context, the Consumers, Health and Food Executive Agency acting on behalf of European Commission (Directorate-General Health and Consumers) commissioned this **Consumer Market Study on environmental claims for non-food products**. The objective of the assignment was to provide information on the current state of play on the presence of green claims in the Single Market for non-food markets, at the level of products (goods and services) and marketing strategies. It investigated the presence of green claims in consumer markets, and the different types of claims made e.g. general claims vs. more specific claims, self-declarations vs. verified claims, claim categories (general, climate, air, water etc.), explicit vs. implicit claims (marketing strategies that give a green impression through the use of colours, pictures, word-usage) etc. The assignment also examined the level of compliance with EU legal and regulatory requirements for a random selection of claims and assessed consumer

¹ European Commission (2012). *A European Consumer Agenda - Boosting confidence and growth*. Retrieved from http://ec.europa.eu/consumers/strategy/docs/consumer_agenda_2012_en.pdf

² The working definition of 'environmental claims' used in this report is taken from the Guidance on the implementation/application of the Unfair Commercial Practices Directive (Commission Staff Working Document SEC (2009) 1666).

³ - OECD (2011). *Environmental Claims - Findings and Conclusions of the OECD Committee on Consumer Policy*.

- DEFRA (2010). *Assessment of Green Claims on Product Packaging*.

- DEFRA (2010). *An assessment of green claims in marketing*.

- BEUC/ANEC position papers X/2011/067 of 14/12/11 and X/022/2011 of 28/02/11.

⁴ European Commission (2011). *Attitudes of European citizens towards the environment*. Retrieved from http://ec.europa.eu/environment/pdf/ebs_365_en.pdf

⁵ DEFRA. *Consumer understanding of green terms*, p. 6.

understanding and behaviour vis-à-vis different types of green claims on the market. Furthermore, an analysis of the effectiveness of the enforcement and self-regulatory instruments available in selected countries was also part of this assignment. Lastly, based on a thorough understanding of the current dynamics of green claims operating in key markets, the assignment provides policy recommendations for possible future EU policy initiatives in this field.

In particular **Appendix 5** provides further information on the selection process of random claims to be assessed against the requirements of the UCPD and its Guidance document. A proportion of these claims is also assessed against the voluntary food labelling guidelines.

This assessment is based on the contractor's analysis in its best ability to **assess the 53 selected claims against the principles of the Unfair Commercial Practices Directive and its 2009 Guidance document** without the involvement of competent enforcement authorities and courts in the Member States; and without prejudice to any decisions taken by those authorities and courts. **Nine logos were assessed against the EU best practice guidelines for voluntary certification schemes for agricultural products and foodstuffs.** Some claims were assessed against both.

The analysis has been carried out in particular through desk and website research and, when no information could be found, by directly contacting the manufacturers, traders scheme managers or relevant organisations⁶. Questions were related to the environmental performance of the product and the information to substantiate the claim. The aim of the analysis was not to compare types of products, nor to determine proportions of non-compliance claims (as the sample size is far too small to draw such conclusions according to product type), nor to point to individual companies or organisations. In contrast, the analysis aimed to provide an **overview of some trends of compliance of environmental claims in non-food products and to draw conclusions and learnings that can be used for future policy actions**, in particular future EU guidance. Names of companies or organisations have been deleted or anonymised, in order to respect business/organisations' interests.

Following **information** can be retrieved for the **assessment of selected claims against the principles of the UCPD and its Guidance document**:

- The overall methodology
 - Countries surveyed
 - "Sample sizes"
 - Data collection period
 - Template
 - Data validation measures
- Results per claim

The **summary** of the assessment of claims can be found in **chapter 5 of the main report**.

⁶ Out of the 30 request for additional information, only 2 responses were received which only repeated the information that was on the website. In 2 other cases the producer could be reached by phone and provided further information/evidence.

1 Assessment of claims against UCPD and the voluntary food labelling guidelines

1.1 Methodology

About fifty environmental claims were selected along the inventory based on the data gathered via the mystery shopping, advertisement database scan, desk research and stakeholder consultation. These are composed of a mixture of logos and textual claims, aiming for 1 textual claim and 1 logo per product category and, in addition, ensuring a good geographical spread.

About ten logos were assessed against both UCPD and the EU best practice guidelines for voluntary certification schemes for agricultural products and foodstuffs.

1.1.1 Countries surveyed

The selected claims cover EU Countries, Norway, Iceland and USA.

1.1.2 "Sample sizes"

62 assessments were carried out.

1.1.3 Data collection period

The first steps in the compliance were set in May 2013 and was finalised December 16th 2013:

1.1.4 Template for assessment against the UCPD

The below template was applied for textual claims verifying compliance against the UCPD.

Geographical scope of the product	
Products/services covered	
Overall description of the claim text/image/label type of product life cycle phase	
Vague claim <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	
Objective misleading practice: <i>The UCPD Guidance on objective misleading claims provides that: The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term</i>	

<p><i>"biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i></p> <p><i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i></p>	
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <p><i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i></p> <p>Is there evidence readily accessible/available?</p>	
<p>Subjective misleading practice</p> <p>The UCPD guidance provides that:</p> <p><i>A subjective misleading practice is the impression the commercial communication produces on consumer suggesting him an environmental benefit.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	
<p>Clarity and accuracy of the claim</p>	

<p>The UCPD Guidance provides that:</p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <p><i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i></p> <p><i>whether the claim refers to a company (applying to all its products) or only to certain products;</i></p> <p><i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i></p>	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <p>unauthorised use of logos</p> <p>false approval or endorsement by public or private bodies</p> <p>falsely claiming to be a signatory of a code of conduct</p> <p>falsely claiming that a code of conduct has been endorsed by a public or private body</p>	
<p>Does the claim follow the UCPD guidance?</p>	

1.1.5 Template for assessment against the voluntary food labelling guidelines

The below template was applied for logos to verify compliance against the voluntary food labelling guidelines.

<p>1. General description of the label/logo</p>	
<p>Name of the scheme</p>	
<p>Country of scheme origin</p>	
<p>Geographical scope</p> <ul style="list-style-type: none"> - Is it a cross- country scheme? - If yes, what other countries 	

<i>does it operate in?</i>	
<p>Public or private scheme</p> <p><i>A scheme is not considered public unless it explicitly states this on the website and it is operated by a public body.</i></p>	
<p>Name of company and organisation type (e.g. private company, NGOs, civil society organisations, business associations, retailers, traders, public bodies, certification bodies, etc.)</p>	
<p>Contact details (website, email address, phone number, postal address)</p>	
<p>Type of scheme</p> <p><i>A certified scheme is one where a third party has verified that the product meets the scheme requirements.</i></p> <p><i>A self-declared scheme is one where there is no third party verification.</i></p> <ul style="list-style-type: none"> - <i>If it is a certified scheme, are the contact details of the certifying body provided?</i> 	
Persons targeted	
Product/services covered	
Product/services covered according to the categories of the study	
Policy areas covered	
Current number of members/participants/products	
Aim	
Description of the label/logo	
<p>Open under transparent and non-discriminatory criteria:</p> <p><i>This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in</i></p>	

<p>some instances). The criteria do not discriminate against participants who are willing to participate and could meet the criteria.</p> <ul style="list-style-type: none"> - Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements? 	
<p>Supervisory structure</p> <p>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the organisations involved should be documented and publicly available.</p> <ul style="list-style-type: none"> - Does the scheme have a supervisory structure which allows for the contribution of all concerned stakeholders? 	
<p>Participation of all concerned stakeholders</p> <p>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</p> <ul style="list-style-type: none"> - Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development? 	
<p>Scheme requirements developed by technical committees of experts</p> <p>Scheme requirements should be developed by technical committees of experts and submitted to a broader group of stakeholders for inputs.</p> <ul style="list-style-type: none"> - Are the scheme requirements 	

<p><i>developed by technical committees and submitted to groups of stakeholders for input?</i></p>	
<p>Participation of concerned stakeholders in the development of inspection criteria</p> <p><i>Managers of schemes should ensure the participation of concerned stakeholders in the development of inspection criteria and checklists, as well as in the design and determination of thresholds for sanctions</i></p> <ul style="list-style-type: none"> - <i>Are concerned stakeholders included in the development of inspection criteria, checklists or/and in the development of thresholds?</i> 	
<p>Feedback mechanisms to regularly review rules and requirements</p> <p><i>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</i></p> <ul style="list-style-type: none"> - <i>Are there feedback mechanisms to regularly review rules and requirements?</i> - <i>Is there a feedback form for comments on the website?</i> 	
<p>Change to scheme requirements</p> <p><i>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</i></p> <ul style="list-style-type: none"> - <i>Are changes to the scheme requirements made only when justified?</i> 	

<p>Social, environmental, economical and/or legal objectives clearly stated</p> <ul style="list-style-type: none"> - Does the scheme clearly state the objectives? 	
<p>Claims and requirements linked to the objectives of the scheme</p> <ul style="list-style-type: none"> - Are claims and requirements clearly linked to the objectives? 	
<p>The scope of the scheme for products and/or processes are clearly defined</p> <ul style="list-style-type: none"> - Is the scope of the scheme (i.e. the type of products or processes it covers) clear? 	
<p>Scheme specification clear, sufficiently detailed and easily understandable</p> <ul style="list-style-type: none"> - Are the scheme requirements/specifications available on the website for free? - Are the specifications clear and understandable? - Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme? 	
<p>Further information</p> <ul style="list-style-type: none"> - Can consumers find further details on the scheme, such as a website address, on the product packaging or at the point of sale? 	
<p>Schemes to state that they require certification by an independent body</p> <ul style="list-style-type: none"> - Do the schemes state that they require certification by an independent body? 	
<p>Objective and verifiable evidence and scientifically sound documentation</p> <ul style="list-style-type: none"> - Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation? 	

<ul style="list-style-type: none"> - Are the documents on which the claims are based freely available on the schemes website? 	
<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro-ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - <i>Is the scheme operating in different countries and regions?</i> <p><i>If yes</i></p> <ul style="list-style-type: none"> - <i>Does it adapt its requirements in line with the relevant local agro-ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts?</i> 	
<p>Indication, whether, and if so, where and to what extent specifications go beyond the relevant legal requirements</p> <ul style="list-style-type: none"> - <i>Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable?</i> 	
<p>Reference to relevant UCPD Annex 1 prohibited practices:</p> <ul style="list-style-type: none"> - Unauthorised use of logos - False approval or endorsement by public or private bodies. 	
<p>Independent body accredited</p> <ul style="list-style-type: none"> - <i>Is the certification of compliance with the scheme requirements carried out by an independent body accredited?</i> - <i>by which accreditation body the certifier is accredited.</i> <p><i>Certification of compliance with the scheme requirements should be carried out by an independent body accredited:</i></p> <ul style="list-style-type: none"> - <i>by the national accreditation</i> 	

<p><i>body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or</i></p> <p><i>– by an accreditation body signatory to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF).</i></p>	
<p>Open to certification without the imposition of geographical restrictions</p> <p><i>Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?</i></p>	
<p>Inspection effective, clear, transparent based in documented procedures and relate to verifiable criteria underlying the claims made by the certification scheme</p> <ul style="list-style-type: none"> <i>– Does the website provide clear and documented procedures for inspections of scheme participants?</i> <i>– Does unsatisfactory inspection results lead to appropriate action?</i> <i>– Are regular inspections of scheme participants carried out?</i> 	
<p>Frequency of inspection.</p> <ul style="list-style-type: none"> <i>– Is the frequency of inspections based on previous inspection results, inherent risks, and existence of internal audits?</i> <i>– Is the minimum inspection frequency determined by the scheme supervisor?</i> 	
<p>Systematic evaluation of the results of inspection</p> <ul style="list-style-type: none"> <i>– Is there systematic evaluation of the results of inspections?</i> 	
<p>Unannounced inspection used as a general rule</p>	

<ul style="list-style-type: none"> - Are unannounced inspections and inspections at short notice used as a general rule? 	
<p>Inspections and audits based on publicly available guidelines, checklists and plans</p> <ul style="list-style-type: none"> - Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented? - Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims? 	
<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - Are the procedures dealing with non-compliance clear and documented? 	
<p>Knock out criteria</p> <p>Knock-out criteria should include at least non-fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.</p> <ul style="list-style-type: none"> - What are the knock-out criteria? - What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body) 	
<p>Inspection focus</p> <ul style="list-style-type: none"> - Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes? 	
<p>Qualification of auditors/inspectors</p> <p>Are auditors/inspectors impartial, qualified and competent?</p> <p>Do they have the relevant knowledge in the specific sector?</p>	

<p><i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i></p> <p><i>Are the auditor skills described in the scheme specifications?</i></p>	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on the operators?</i></p>	
<p>Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: <i>participation and development, clarity and transparency and certification and inspection?</i></p>	
<ul style="list-style-type: none"> <i>– Is there a mutual recognition and/or benchmarking with other schemes?</i> <i>– Does the website link to other relevant schemes?</i> 	

1.1.6 Data validation measures

- A first step was a mixed sample to select claims from the compliance check against the UCPD and voluntary food labelling guidelines. In concrete terms, this involved desk research, a database scan, stakeholder consultation and mystery shopping.
- A second step in the data collection and analysis was ensuring common ground using the above mentioned template. It should be noted that this template was tested in advance via a pilot study.
- A third step involved the briefing of the people involved in the compliance check, ensuring common ground for analysis. This briefing either took place in person, by phone and by mail, stressing the aim of the analysis and the criteria and methodology to conduct them.

- A fourth stage involved not only that data available on the web were examined concerning the textual claim or logo, but also that contact was taken with the respective claim, logo or scheme owner to verify certain data or to complement the data.
- A fifth step involved a regular follow up to receive adequate data and/or answer to the questions.
- A sixth step in the data validation process consisted of a double review. Questions were raised and repeated where the answer seemed uncertain or noteworthy.

These data validation measures are taken to ensure there is a common understanding among the people participating, as well as the comparability and validity of the data collected.

1.2 Results per claim

1.2.1 Assessment against the UCPD

1.2.1.1 A better grip on ecology and your costs

Geographical scope of the product	Eastern Europe
Products/services covered	Tyres
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a textual claim with the wording 'A better grip on ecology and your costs'.
Vague claim – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would conceivably be considered vague. The claim refers to a general term 'Ecology', implying an overall environmental performance of the product, without any further specification. The introduction of the word grip refers to the tyre resistance.
Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> – <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would conceivably be considered as objectively misleading. On his website, the producer refers to the main environmental benefit of the product, i.e. reduction of oil consumption of a car using the producer's tyres which consequently results in reduction of fuel consumption and of greenhouse gas emissions by the car. The website refers to the development of a Nano Pro-Tech™ compound – which lowers the rolling resistance coefficient by reducing energy loss in the top compound during rotation while maintaining high safety performance. In addition, the document 'Environmental Commitment and Performance [company] Europe 2012' (available on the producer's website) presents a life cycle assessment of the product, indicating environmental performance during all life-cycle stages (optimised production process, careful selection of material used to manufacture the product, new use of old tyres, energy and water consumption savings, improved waste management, limiting VOC emissions, minimising the manufacturing of chemicals, etc.). However only certain products by the producer under consideration have received the A tyre labelling. All tyres of the 150 line have B or C classification in the tyre label information. In this sense, the claim would be considered objectively misleading.

<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> – <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The 'Environmental Commitment and Performance [company] Europe 2012' indicates certain improvements in the manufacturing process which reduce the environmental load of production stage. The producer's website contains basic information on numbers connected to a reduced rolling resistance of 15% and subsequently a reduction in energy loss with an estimated 3% increase fuel efficiency and 3% less CO2 emissions.</p> <p>Based on the detailed information contained on the website, it is assumed that the trader has more scientific evidence to support the claim and would be ready to present it, should the claim be challenged by the consumer or the authorities.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> – <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim would conceivably be considered subjectively misleading.</p> <p>The claim reflects the life cycle of the product and its main environmental performance, i.e. reduction of energy loss, of fuel consumption and of greenhouse gas emissions.</p> <p>However, the environmental performance of the product is exaggerated. Fuel efficiency or reduction of greenhouse gases does not only depend on the tyres but also on other arguments such as the driving style or keeping the tires inflated. The consumer could act on the impression that only by buying the tires would reduce fuel consumption.</p> <p>Therefore, the claim would conceivably be considered subjectively misleading the consumer as to the environmental benefits of the product.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> – <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by</i></p>	<p>The claim would not be considered as clear and accurate.</p> <p>It is considered that it would not be clear for the consumer whether the environmental performance relates to all</p>

<p><i>national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>the products manufactured by the producer under review or all products of the same line or only the product concerned.</p> <p>The information provided on the website does not seem accurate insofar as only one type of tyre has received A tyre labelling. Whilst the website suggests that these tyres also have A tyre labelling, in fact they only have B or C classification in the tyre label information.</p> <p>Furthermore it is not accurate as the environmental objectives do not depend exclusively on the tyres used. Fuel efficiency and GHG emissions depend as well on the driving style or keeping the tires inflated.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>N/A</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would conceivably be considered vague as it is unclear whether the claim relates to the A tyre labelled product or also to these tyres. The environmental performance is not accurate as fuel efficiency and GHG emissions do not depend exclusively on the type of tyres but also on the driving style or keeping the tires inflate. The information in the producer's website about environmental performance of the product contradicts the fact that only specific tyres manufactured by the producer have received the A tyre labelling. These tyres are classified as B or C in the tyre label information. In this sense, the claim would be considered objectively misleading.</p> <p>Furthermore, the environmental performance of the product does not depend exclusively on the tyres but on the driving style and therefore, it could be considered that the consumer is</p>

	subjectively misled by the claim. Based on the above analysis, the claim would conceivably be considered objectively and subjectively misleading, vague and unclear and therefore not in line with the UCPD guidance.
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1.2.1.2 Absolutely strong. And bio. Powerful cleaner based on renewable raw materials

Geographical scope of the product	Western Europe
Products/services covered	All-purpose cleaner
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a textual claim with the wording 'Absolutely strong. And bio. Powerful cleaner based on renewable raw materials'.
Vague claim – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would not be considered vague. Although it refers to a general term 'bio' as implying an overall environmental performance of the product, the third sentence of the claim specifies that the product is completely based on renewable raw materials.
Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> – <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be assessed as objectively misleading. The producer's website declares that this product is completely biodegradable and that the active ingredients used in it are mainly produced from plants instead of petroleum. On average, 85 percent of the active ingredients of the cleaners are based on renewable raw materials, mainly palm oil, palm kernel and coconut oil. The producer's website states that, aware of the responsibility regarding the purchase and use of these raw materials, the company is actively working to encourage the sustainable production of palm oil and palm kernel oil and promotes improved cultivation conditions for other alternative plant-based oils, such as coconut oils, in the countries in which they are produced. In addition, the website presents a life-cycle assessment of the product, indicating environmental performance of the product at all stages of the life-cycle and that the company follows sustainable business production processes.
Substantiation/scientific evidence (Article 12 of the UCPD) – <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	The website states that the producer fulfils the criteria of the A.I.S.E. Charter for Sustainable Cleaning and uses the A.I.S.E. Charter logo in its product communication (www.cleanright.eu). Based on the detailed information contained on the website, we assume that the trader has carried out the necessary tests and that it possesses all the scientific evidence to support the claim. We assume this information would be available to present, if the claim was challenged.
Is there evidence readily accessible/available?	

<p>Subjective misleading practice</p> <p>– <i>The UCPD guidance provides that:</i></p> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim could conceivably be considered subjectively misleading based on the possible misuse of "bio".</p> <p>The words "organic, biological, ecological" and related abbreviations/derivatives such as "bio" and "eco" are often used for non-food products such as cosmetics, cleaning products or textiles. These terms are protected in EU legislation for food products, which means they can only be used when complying with the organic farming regulation⁷. No such rules in EU legislation are currently applicable to non-food products. However, the rules applicable to food products may have generated expectation on consumers that all "bio products" are organically farmed and certified according to a recognised standard. Consumers are unlikely to know that the protection of the terms in Article 23 of the Organic Farming Regulation only refers to food products. The use of the protected term in the labelling of non-food items is therefore creating consumer confusion⁸.</p> <p>The other part of the claim is not subjectively misleading as it reflects the life cycle of the product and its main environmental performance characteristics, i.e. use of raw renewable materials that are biodegradable to manufacture the product and sustainable business production processes certified by the Charter of sustainable cleaning. Therefore, we assume that the consumer would not be misled as to the environmental benefits of the product.</p>
<p>Clarity and accuracy of the claim</p> <p>– <i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are</i></p>	<p>The claim would be assessed as clear and accurate in relation to its environmental performance related to the use of renewable raw materials.</p>

⁷ Regulation (EC) n°834/2007, Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91, OJ L 189. 20.7.2007

⁸ The report "Evaluation of the EU legislation on organic farming" also examined whether there is a case for the inclusion of additional products under the scope of the Regulation, such as non-food products partly made from agricultural raw materials (e.g. textiles, cosmetics) or products closely related to agriculture (e.g. beeswax, maté, essential oils)? The report concluded that the scope of the Regulation is mostly adequate to match the current needs of organic farming supply and distribution chains, but is not fully adequate to meet the needs of consumers of organic products. Private standards and international initiatives exist which are developing harmonised and accepted minimum criteria for the regulation of such products. For example, in the case of cosmetics an ISO working group exists which is aimed at defining valid organic claims for these sectors. http://ec.europa.eu/agriculture/evaluation/market-and-income-reports/2013/organic-farming/chap6_en.pdf - http://ec.europa.eu/agriculture/evaluation/market-and-income-reports/organic-farming-2013_en.htm

<p><i>important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>However, it would conceivably be considered unclear and not accurate for the consumer insofar as the claim uses the term 'Bio' in the sense of natural products that are biodegradable instead of products from organic farming.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>N/A</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would not be considered vague but the use of "bio" cannot be considered either clear or accurate. It would conceivably be considered as subjectively misleading for the average consumer as it possibly incorrectly uses the term "bio".</p> <p>Although the claim indicates the main environmental benefit of the product throughout the whole life cycle and the attempts to promote sustainable production processes, the claim as a whole could not conceivably be considered as being in line with the UCPD guidance.</p>

1.2.1.3 Active ingredients of the washing powder are biodegradable in accordance with the OECD norms

Geographical scope of the product	Eastern Europe
Products/services covered	Washing powder
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim is a textual claim with the wording (in Polish): 'Aktywne środki proszku ulegają rozkładowi biologicznemu zgodnie z normami OECD'. Translated into English the claim reads: 'Active ingredients of the washing powder are biodegradable in accordance with the OECD norms'.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would not be considered vague. It indicates the specific environmental benefit of the product - the product's active ingredients are biodegradable (in accordance with the OECD norms).
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would conceivably be considered objectively misleading. The national (PL) website of the producer contains little information about the product and its environmental performance – it states the product in question is specifically designed for washing babies' clothes. It is laboratory tested, recommended by the Polish Institute of Mother and Child and contains specially selected, delicate ingredients. There is no information about biodegradable character of the product and its compliance with the OECD norms. The website of the producer contains much information about general actions/strategies taken by the producer to ensure that his performance is sustainable and environmentally friendly (evidenced, inter alia, in the most recent Sustainability Report 2012). In particular, the producer indicates on the website that ingredients used for his products (and their packaging) are carefully assessed and reviewed according to its own Global Ingredient Guidelines. The website also contains information about the producer's updated sourcing policies to meet the goal of 100% responsible sourcing from raw materials (for this purpose a guide for suppliers has been prepared). The Sustainability Report 2012 shows that some (not all) of harmful/noxious ingredients (such as, e.g., parabens, dichlovos, etc.) have been removed from

	<p>global product formulas. However, the above information does not relate particularly to the product in question but to general production policies of the producer.</p> <p>Specific information about the product's ingredients is available on the producer's website. There is, however, no information about biodegradable character of the product and conformity with OECD norms. In addition, there is no specification as to what OECD norms are used by the producer. The website of the OECD does not contain information about producers that follow the OECD norms.</p> <p>From the above, it can be therefore concluded that the claim could be considered as objectively misleading.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The website of the producer does not contain information about biodegradability of the product and compliance with the OECD norms.</p> <p>After having contacted the producer (e-mail), no such information has been obtained either. Therefore, it would be assumed that producer could not have sufficient information to support the claim.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>Although the producer's website contains information about steps taken by the producer to improve his overall environmental performance, this information does not specifically relate to the product in question and in particular to the product's biodegradable characteristics in accordance with the OECD norms.</p> <p>Since it is considered that there is no information about biodegradability of the product and no sufficient evidence to support the claim, it would be assessed that an average consumer could be misled as to the environmental benefit of the product.</p> <p>Therefore, the claim would be conceivably considered as subjectively misleading.</p>

<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> <p><i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i></p>	<p>The claim would be considered as clear but not accurate. It would be clear for an average consumer that the claim covers only the product in question (and not other products manufactured by the producer) and only the product's active ingredients (and no other components of the product).</p> <p>However, the claim is not accurate as it reflects characteristics of the product that are not described on the website and the documents in it.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>N/A</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would be considered as concrete (not vague), clear. However, due to the lack of information on the producer's website about the biodegradability of the product and conformity with the OECD norms, the claim could be considered objectively and subjectively misleading and not accurate.</p> <p>In addition, the producer does not provide sufficient evidence to support the claim. For the above reasons it could be considered that the claim would not follow the UCPD guidance.</p>

1.2.1.4 Bottles without bisphenol A, bisphenol S free, phthalate-free...

1.2.1.5 We also preserve our jobs and reduce our carbon impact on the environment. The future generation is our concern.

Geographical scope of the product	Western Europe
Products/services covered	Baby bottles
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a textual claim with the wording ‘...Bottles without bisphenol A, bisphenol S free, phthalate-free. We also (...) reduce our carbon impact on the environment. The future generation is our concern.’
Vague claim – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim consists of two separate claims. The first one – ‘[Company]. Bottles without bisphenol A, bisphenol S free, phthalate-free’ would not be considered vague as it refers to specific environmental performance of the product – lack of certain chemical substances contained in the product. The second claim – ‘We also (...) reduce our carbon impact on the environment’- It would conceivably be considered as vague. It does not specify what is the environmental performance of the product, and how would it enable the reduction of carbon impact on the environment.
Objective misleading practice: <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides. In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The first claim would not be assessed as objectively misleading. On its website, the producer indicates that baby bottles are made of glass and do not contain bisphenol and phthalate. Although the producer does not refer to the specific types of bisphenol (i.e. bisphenol A and S), it is assumed that the consumer would know that those two types are covered. The second claim would conceivably be considered as objectively misleading as no further information in relation to the reduced carbon impact of the product has been identified to support the claim.
Substantiation/scientific evidence (Article 12 of the UCPD) – <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged</i>	Based on the information contained on the website of the producer, it is assumed that the producer has a scientific evidence to support the first claim and would be ready to present it, if the claim is challenged.

<p>(p. 41 UCPD guidance)</p> <p>Is there evidence readily accessible/available?</p>	<p>However, after having carried out desk research and having contacted the producer, no substantiation of the second claim has been identified.</p>
<p>Subjective misleading practice</p> <p>– <i>The UCPD guidance provides that:</i></p> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The first claim would not be considered as subjectively misleading. The claim refers to an environmental benefit of the product, i.e. the lack of certain chemical substances contained therein. Therefore, we assume that there would be no risk for the consumer to be misled by environmental performance of the product.</p> <p>Since no substantiation of the second claim has been identified, the second claim would conceivably be considered as misleading.</p>
<p>Clarity and accuracy of the claim</p> <p>– <i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <p>– <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i></p> <p>– <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i></p> <p>– <i>if the claim does not cover the product's entire life cycle, which stage</i></p>	<p>The first claim would be considered to be clear and accurate as it would be clear for the consumer that the claim refers to the lack of certain chemical substances contained in the product in question.</p> <p>The second claim would not be considered clear and accurate because it would be not evident for the consumer whether it refers to the product itself or some components and if it covers the whole life cycle. It is not clear what the environmental performance aspects are that would make it reach the objective of reducing the carbon impact on the environment.</p>

<p><i>of the lifecycle or the product characteristics the claim exactly covers;</i></p>	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>N/A</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The first claim – '[Company]. Bottles without bisphenol A, bisphenol S free, phthalate-free' – is considered to be concrete (not vague), clear and accurate. The claim would not be considered as objectively or subjectively misleading as the producer, on his website, informs that the bottles are made from glass and do not contain bisphenol and phthalate. Therefore, it is assessed that there would be no risk of misleading the consumer with regards to the environmental performance of the product. For the above reasons, the claim could be considered in line with the UCPD guidance.</p> <p>The second claim – 'We also (...) reduce our carbon impact on the environment' – would conceivably be considered vague, not clear and not accurate. The claim could be assessed as objectively misleading as no further information in relation to the reduced carbon impact of the product has been identified. Thus, the claim would conceivably be considered as subjectively misleading for consumers as to the environmental performance of the product. For the above reasons, the claim would conceivably be considered not in line with the UCPD guidance.</p>

1.2.1.6 Discover hardwood flooring that's good for your home and the planet

Geographical scope of the product	Western Europe
Products/services covered	Hardwood floors
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a textual claim with the wording 'Discover hardwood flooring that's good for your home and the planet'.
Vague claim – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would conceivably be considered vague. "Good for your home and the planet" implies a general environmental performance of the product, without specifying any details of such performance.
Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> – <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim is not objectively misleading as it seems to reflect some environmental standards. The website states that "[Producer name] is one of the most sustainable engineered flooring products on the market. It uses approximately 50% less newly harvested wood than conventional 3/8" engineered flooring, because it's made with [the company]'s high-density core board made from recycled post-industrial wood fiber." It adds that it is produced with "wood harvested from well-managed domestic forests." However, it is not clear what is meant by well-managed domestic forests and the standards are not available in the website. The producer presents in detail, on his website, a whole life-cycle assessment (LCA) of the key products, however it is not clear which ones are the key products that have been subject to this assessment. The producer's website includes information related to the company's behaviour such as on investments in energy savings in manufacturing facilities, reducing greenhouse gas emissions, monitoring and improving fuel consumption and reducing carbon footprint in transportation of the product, reducing landfill waste and manufacturing the product from used lumber. The product has a certification which, according to the website of the certification scheme, aims to guarantee

	<p>that it meets some of the world's "most rigorous and comprehensive standards for low emissions of volatile organic compounds (VOCs) into indoor air".</p> <p>However, criteria related to sustainable management or use of recycle material is not certified.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The website does not provide further information on what is considered well-managed domestic forests. The environmental considerations included in well-managed are not described. It is not clear whether the management criteria would be applied to imported timber. The producer's environmental awareness is shown in the sustainability report 2012, available online, and indicates that in 2012 aggressive new environmental performance goals were designed to ensure impact. It also includes future goals for 2030 such as:</p> <ul style="list-style-type: none"> • Reduce energy intensity 40% • Reduce waste to landfills 100% • Reduce hazardous waste 100% • Reduce water intensity 50% • Achieve an OSHA incident rate of ZERO • Design 100% of our products to Cradle to Cradle protocols <p>The report contains numerous diagrams and specific numbers substantiating the improvements on the environmental performance of different products. However, it is not clear whether they are applied to all products or some or to the company.</p> <p>The product has a certification in relation to the VOCs emissions. This aspect is assumed to be well substantiated and it is considered that the trader has further scientific evidence to support this aspect of the claim if it would be challenged.</p> <p>However, on other environmental criteria, it would be conceivably considered that the claim is not properly substantiated.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information</i></p>	<p>The claim would conceivably be considered subjectively misleading.</p> <p>The claim reflects some environmental standards applied to the products that are presented in the website. However, the</p>

<p><i>contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>comparative claim related to 50% less newly harvested wood than conventional 3/8" engineered flooring of seems to apply only to one of the components of the product.</p> <p>The life cycle assessment is only carried out on key products without stating which ones are covered and the plans to expand these assessments do not precise which products would be focused on to improve the environmental performance. Therefore, we consider that the consumer would conceivably be misled as to the environmental benefits of the product.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim could be assessed as not clear and inaccurate.</p> <p>It is not clear whether the claim covers the whole product or only one of its components. It is not evident whether it applies to all hardwood floors or only to key types of products manufactured by the producer.</p> <p>The environmental performance is not clear. The recycled character of the wood only refers to one of the components without clarification in relation to the whole product. The concept of well-managed forest is not clear.</p> <p>It is not clear what products have been subject of the LCA and whether the environmental standards in the 2012 report apply to all products, only to some or to the whole of the producer's company.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes, there is reference to a certification scheme.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies 	<p>N/A</p>

<ul style="list-style-type: none"> - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would be considered to be vague as it refers to a very generic term 'good for planet'.</p> <p>According to the information about environmental performance of the product contained on the website of the producer, the claim reflects some environmental objectives and therefore would not be considered objectively misleading, however the information is not substantiated. Furthermore, the claim would conceivably be considered subjectively misleading.</p> <p>The claim would conceivably be considered unclear and not accurate as it is not evident whether the information refers to all hardwood products manufactured by the producer or only to some or whether the environmental performance relates to whole products or only some components.</p> <p>Based on the above analysis, it would conceivably be considered that the claim would not be in line with the UCPD guidance.</p>

1.2.1.7 ECO-2 tyres

Geographical scope of the product	Western Europe
Products/services covered	ECO-2, a fuel-saving tyre
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim is a textual slogan: Eco2-friendly is Lovely. Better Environment, Better world. Sustainability and road safety have always been our priorities here at [company]. With eco-friendly materials.
Vague claim (=not compliant with UCPD Guidance) – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The terms "Eco-friendly" "Better environment" are as such vague. The ecological benefit is not specified and could potentially refer to different kinds of benefit (manufacturing process with eco-friendly materials or saving of fuel due to the design of the tire). The accompanying text referring to sustainability and eco-friendly materials are again vague terms.
Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> – <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	According to the website of the producer, the design of the grooves of the ECO2 tyre would reduce energy consumption. It states: "Center sub grooves with shallower depth enhance vertical/lateral block stiffness to avert block deformation and further reduce energy consumption. Shoulder groove bottom with big angle design retain shoulder block continuity, weaken block wriggling, and reduce energy consumption." A pdf brochure about the tyre, downloadable on the website, states: "Using unique eco-friendly synthetic rubber with lateral grooves especially designed for passenger cars, the ... tyre is greatly enhanced in its drainage performance as well as its reduction of fuel consumption in both wet road and dry road driving. The longer it runs the more it saves." These statements refer to energy savings due to the design of the tyre and the material it is made of. The website does not contain information about sustainable production nor the eco-friendly nature of the materials used, although these features have been set forth in the text.

<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The pdf brochure states: "Great energy saving: up to 7% higher in Fuel Efficiency Index Great fuel reduction: up to 1.5 m shorter in braking distance" (Statistics from producer's laboratories)</p> <p>Furthermore, there is an official European "tyre label", providing information on Fuel efficiency of a tyre (the running friction of a tyre, with grade A being the most environmental-efficient grade). The producer states that it is C-class (see further).</p> <p>The specific tyre was awarded by an innovation award in 2013 for achieving increased fuel saving with excellent grip. (These awards are granted by the car industry in an Asian country). The tyre features "compact" design by minimizing its cross-section width and narrowing down its tread. Such kind of design roughly reduces 5~8% material usage; in addition, lessens drag coefficient in aerodynamics.</p> <p>The web page concerning the award states further that the tyre "...takes advantage with its high rigidity to increase bead rigidity and decrease tyre failure resulting from energy transformation caused by tyre deformation. Silica can hinder rubber molecules inside the tyre from squirming and rubbing, immensely decreasing tyre heat and rolling resistance by 10% when driving; as a result, save more fuel tyre uses and reach the goal of carbon reduction. Tested by an organisation, [the product] complies with noise and wet grip standards for selling in EU regulations."</p> <p>At the end of 2011, the producer also actively purchased German rolling resistance testing machine and were validated under certain certification schemes. Test result of the machine proves that the product reaches C-class in EU regulations and Standard A-class in Japanese energy-saving label.</p> <p>It is worth noting that C-class is not the best performance. However, it seems that the tyre "[The company] Energy saver+" is also rated B</p>
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	<p>or C for fuel economy, depending on the tyre size. Further information had been requested, but no reply was provided.</p> <p>There is no substantiating information about sustainability or the used materials on the website. A consumer wanting to obtain more information in this respect must contact the company.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim "eco" tyre is also a subjectively misleading practice.</p> <p>Insofar as it is stated on the website that the tyre reduces fuel consumption due to its profile and design, this statement is misleading. Fuel consumption depends on different factors such as driving style, inflation of the tires and so on. The statement is at least conditional, and in that case the conditions must be mentioned as well.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially</i> 	<p>As indicated above, the claim could be considered as being clear as there is technical information available. However it would conceivably be considered not accurate as all elements influencing the fuel consumption are not described.</p> <p>Furthermore, the claim "eco" tyre is vague and general arguments about sustainability, materials and energy saving are being presented without accurate further information.</p>

<p><i>recyclable);</i></p> <ul style="list-style-type: none"> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>This claim could be considered as not in compliance with the UCPD guidance. The vagueness of this claim was not clarified by acceptable concrete information substantiating the environmental performance of the product.</p> <p>The alleged sustainability and ecologic materials are rather hollow additions to the "eco"-aspect in the name of the tire. Additional substantiating information could not be obtained within the given time period. The energy saving aspect of the tyre is not sufficiently substantiated and subjectively misleading, since the conditions required for the alleged energy saving were not specified.</p> <p>Furthermore the claim could plausibly be considered subjectively misleading as the statement that the tyre reduces fuel consumption is not complemented with a reference to the different factors such as driving style, inflation of the tires that affect fuel consumption. The statement should refer to the conditions as well.</p>

1.2.1.8 Ecology Economy! Book your meeting ECO meeting

Geographical scope of the product	Western Europe
Products/services covered	The hotel chain provides a concept to its customers planning a meeting in one of their (selected) hotels.
Overall description of the claim -text/image/label -type of product -Life cycle phase	Slogan: Ecology Economy! Book your meeting ECO meeting
Vague claim (=not compliant with UCPD Guidance) – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The slogan is as such vague, however it is not a general claim that may induce incorrect generalised beliefs, since the meaning cannot be assessed without further specifications.
Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> – <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	On the website of the hotel chain, it is specified that the concept is part of an Environmental Plan involving: 20% reduction in CO2 emissions; 20% reduction in energy consumption; 20% reduction in water consumption; 20% reduction in waste generation. It states that the hotel chain implemented over 40 measures, including: - Evaluating and monitoring consumption - Using renewable energies - Installing water-saving fittings on all water taps - Substituting traditional light bulbs with energy efficient light bulbs - Ecodesign: design of rooms, amenities and oxo-biodegradable pens, use of LED technology - Environmental training for employees - Raising public awareness Furthermore, the hotel chain offers an optional possibility for the meeting members to offset the carbon emissions caused by their travel, by donating a small amount in function of the travel distance. The raised money is used to support renewable energy projects (such as a hydropower plant in Brazil). The environmental benefit of the project is not clarified. For example, not all hydropower plants would be environmentally friendly. Specific criteria regarding size, location or design would be required.

<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> – <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The hotel chain stated in 2010 that it had offset 89 tons of CO2 alone from 252 visiting buyers from 17 countries. This is just one concrete example that conceivably indicates sufficiently that the claim is executed in practice. It can be assumed that such concrete information sufficiently substantiates the claim.</p> <p>The criteria for the offsetting project are not however clear.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> – <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The slogan should not be regarded as subjectively misleading. The consumer must read about the meaning of the campaign, in order to make an assessment of it, and cannot be misled otherwise.</p> <p>The claim may well have a global impact on the consumer, who may believe that his stay in a hotel has a minimised impact on the environment.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> – <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> – <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not</i> 	<p>The textual claim is as such not clear. In order to grasp the meaning of the claim, the consumer is supposed to read about the idea behind it. It should then be sufficiently clear. This should not be regarded as a contravention of the UCPD.</p>

<p><i>recyclable or a part of the packaging if the packaging is only partially recyclable);</i></p> <ul style="list-style-type: none"> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim could be interpreted as in line with the UCPD. In order to grasp the meaning of the claim, the consumer is supposed to read about the idea behind it. There is anecdotal evidence that the offsetting of CO2 is actually taking place.</p>

1.2.1.9 Ecopromise text

1.2.1.10 Ecopromise label

Geographical scope of the product	France, Belgium
Products/services covered	Toilet paper
Overall description of the claim -text/image/logo -type of product -Life cycle phase	The claim is a label consisting of a textual claim and a label. The wording of the text states that "100% of our paper pulp is provided by suppliers who have been certified by independent organisations with expertise in sustainable forest management". It further includes a reference to a website. The logo consists of a green tree with the text "ecopromise" underneath.
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance) without giving any further explanation</i>	In view of the team's assessment, the claim would be considered specific and not vague as it clearly states that 100% of the paper pulp is provided by suppliers who have been certified by independent organisations with expertise in sustainable forest management. The reference to the website for further information would additionally strengthen the concrete character of the claim.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered objectively misleading. The website, indicated on the claim, refers to the producer company's group confirming that ecopromise and its logo aim at informing consumers about the producer's awareness of sustainable development and that all providers from which that producer directly buys paper are certified by independent organisations. The website states the recognition of all potential labels of different sustainable forest certification. The website does not include any link to the certifiers' websites or to the list of suppliers of certified raw materials used for the production of the paper product. The recognition of certification schemes does not mean that the raw materials come from certified sources and information on the certifiers does not refer to the suppliers of the raw materials for their products and how they are certified. This information is however provided on the producer's group website itself as the

	<p>it is a forest owner and manager and states: “... forest management fulfils the requirements in the [name of certification scheme] and the management of forest holdings, amounting to 2.6 M hectares, is [name of certification scheme] certified”.</p> <p>The producer’s group’s website states that the management of their own forest has been certified by [name of certification scheme] standards since 1999.</p> <p>Furthermore, it states that an important part of the pulp supplier assessment is checking the traceability of the timber utilised in production.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The claim would conceivably be considered substantiated.</p> <p>The website refers to the producer’s group and states its recognition of the above mentioned certification schemes of sustainable forest management. Information regarding the participating certifiers is available on the website.</p> <p>The website provides information confirming that the paper coming from the group’s own forest has been certified by [name certification scheme] standards.</p> <p>In relation to the control systems of paper coming from other suppliers, the website refers to an updated global supplier standard which further strengthens the control system. It confirms that the group’s forest product operations are adopting a similar global supplier standard.</p> <p>The manufacturer checks fibre-based raw materials by assessing existing and potential suppliers. These efforts include: questionnaires and documentation requirements; random follow-up of suppliers and independent audits. The manufacturer requires suppliers of pulp to ensure that they have reliable systems and documented procedures in place to enable adequate control of the supply chain and traceability of the origin of wood raw materials.</p> <p>It is assumed that the producer has all the</p>

	<p>scientific evidence available to support the above mentioned control process required for the certification of these products.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The impression the commercial communication produces on consumer suggesting him an environmental benefit.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>Even though the logo of the claim includes a green tree, the claim would not be considered subjectively misleading since it deals with sustainable forest management. The logo just highlights the textual claim.</p> <p>The text together with the ecopromise logo could give the impression that it is a certifying system.</p> <p>However, the website informs of the certifying systems used and therefore it would not be considered that it is a subjective misleading practice. The consumer would still get a product made from certified wood.</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers.</i></p> <p><i>In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim would be considered clear and accurate in the message it presents. It relates to the entire lifecycle of the paper used for the toilet paper products bearing it.</p> <p>The website refers to sustainable management systems but it does not include information on what are the sustainability requirements. In the page explaining the values four criteria related to sustainable development are presented covering sustainable forest management, water and waste management, packaging and carbon emissions and footprint.</p> <p>The section on sustainable forest management does not contain a hyperlink to the certifiers' websites. It does not provide information on the different sustainable management criteria used by each of the certifiers.</p>

	<p>However, more information is provided on the producer's group website, including links to some of the certifiers' websites:</p> <p>The group's website presents clear and accurate information on the control mechanisms to verify that suppliers are certified. The controls on the traceability of the origin of the wood raw materials and on the supply chain enable verification of the certified origin of the paper pulp used for production.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>The claim states the general information that 100% of the pulp is provided by suppliers who have been certified by independent organisations with expertise in sustainable forest management and provides a link to the website.</p> <p>The website lists the recognized certifiers.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body. 	<p>The product holds the logo for ecopromise as well as the logos of the companies producing it.</p> <p>There is no use of the logos of any of the certifying organisations.</p>
<p>Is the claim in line with the UCPD guidance?</p>	<p>The claim would be considered generally in line with the UCPD guidance document.</p> <p>It would be considered specific and contains a link to a website for further information. The website is clearly structured and accurate in relation to the certification schemes and procedures to ensure that the paper pulp used for production is 100% certified. The website lists the certifying bodies that are recognised for ensuring sustainable forest management.</p> <p>However, the website does not include any link to the certifiers' websites or to the list of suppliers of certified raw materials used for the production of the paper product. The recognition of certification schemes does not mean that the raw materials come from certified sources. This information is provided through the producer's group website.</p> <p>While the website does not contain detailed information about the certifiers,</p>

	<p>the sustainability management criteria used or the pulp paper providers, the producer's website includes enough information to consider that the claim would be true, substantiated and would not be objectively misleading.</p> <p>The producer's website states that the management of their own forest has been certified by certain recognised standards since 1999. Furthermore, it states that an important part of the pulp supplier assessment is checking the traceability of the timber utilised in production.</p> <p>While the ecopromise logo could give the impression that it is a certifying system, the text and the website provide information of the certifying systems used and therefore it would not be considered that it is a subjective misleading practice. The consumer would still get a product made from certified wood.</p>
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1.2.1.11 **Eco Shower heads**

Geographical scope of the product	Southern Europe
Products/services covered	Shower heads
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a textual claim with the wording "Eco". It is applicable for shower heads.
Vague claim – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would conceivably be considered vague. The term 'Eco' suggests that the product is characterised by its ecological performance, however without specifying details of such performance.
Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> – <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered objectively misleading. It is supported by an Environmental Product Declaration which describes the environmental features of the product and the life cycle assessment and therefore provides truthful information about the environmental performance of the product. The Declaration presents, inter alia, a reduced influence of the manufacturing of the head showers in respect of greenhouse gas emissions. It also lists measures which have been taken in order to improve environmental protection during the manufacturing process. The claim covers both the production stage and the use of the product (e.g. reduced use of water).
Substantiation/scientific evidence (Article 12 of the UCPD) – <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	The scientific evidence is available in the form of the Environmental Product Declaration prepared by the Institute Construction and Environment e.V. Based on the information contained on the producer's website, it is assumed that the producer has further scientific evidence to support the claim and would be ready to present it, if the claim was challenged.
Is there evidence readily accessible/available?	
Subjective misleading practice – <i>The UCPD guidance provides that:</i> <i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information</i>	The claim would not be considered as subjectively misleading. Environmental performance of the product is substantiated by the producer and the claim reflects the life cycle of the product

<p><i>contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>and its real environmental benefit.</p> <p>The impression given to the consumer related to the environmental benefits of the product would correspond to the reality and the evidence provided.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim "Eco" would be considered clear because even if it is placed on the packaging, it does not lead the consumer to believe that the claim refers to the environmental characteristics of the product's components or packaging but rather to the whole product. The Environmental Product Declaration confirms that the claim refers to the whole product and what are the environmental benefits.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex I prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by 	<p>N/A</p>

<p>public or private bodies</p> <ul style="list-style-type: none"> - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim could conceivably be considered vague but not misleading. The claim would be considered truthful as it is supported by an Environmental Product Declaration which provides information about reduced environmental impact of the product. Since the product has proved environmental benefits, the claim would not be considered as subjectively misleading.</p> <p>For the above reasons it would be considered that the claim aligns with the UCPD guidance</p>

1.2.1.12 **EcoSilence logo**

1.2.1.13 **EcoSilence Drive: Massima affidabilità e silenziosità**

Geographical scope of the product	Southern Europe
Products/services covered	Washing machine
Overall description of the claim -text/image/label -type of product -Life cycle phase	<p>The claim is submitted to our review as a label. However, it is a private logo, not certified by third parties. In addition it has a textual claim stating EcoSilence.</p> <p>There are several elements to consider:</p> <ul style="list-style-type: none"> • The logo EcoSilence Drive; • The wording "Motore EcoSilence Drive"; • The wording "Massima affidabilità e silenziosità". <p>(Maximum reliability and silence).</p>
<p>Vague claim (=not compliant with UCPD Guidance)</p> <ul style="list-style-type: none"> - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i> 	<p>The claim that is comprised in the term "EcoSilence" refers to an "eco" aspect and a "silence" aspect and should be considered vague.</p> <p>The "eco" aspect is however not specified and would conceivably be considered vague. The environmental benefit is not specified.</p> <p>The "silence" element is explained by the term "Massima silenziosità". The noise is also an environmental aspect regulated under EU law. Maximum silence is a general statement which does not provide sufficient information to the consumer and therefore is vague.</p>
<p>Objective misleading practice:</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance on objective misleading claims provides that:</i> <p><i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i></p> <p><i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i></p> <ul style="list-style-type: none"> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent</i> 	<p>The producer's website states: Our revolutionary brushless motor is quieter, faster, more energy efficient, durable and powerful. Using advanced technology EcoSilence Drive achieves maximum power with minimum energy loss.</p> <p>Furthermore: The EcoSilence Drive is 35% more efficient than a standard motor. Using up to 30% less energy than the qualifying rate for energy efficiency class A.</p> <p>For the specific model: EcoSilence Drive: extremely energy-efficient and quiet in operation with an especially long life. Energy efficiency class A+++ for the most energy efficient washing. The product takes 65% less time or uses 50% less energy – delivers total flexibility.</p>

<p><i>authorities</i></p>	<p>On the product page, several technical characteristics are presented amongst which:</p> <p>Energy consumption:189 kWh per year, based on 220 standard washing cycles Energy consumption: standard 60 °C cotton programme 1.03 kWh full load and 0.69 kWh partial load and 40 °C cotton programme 0.63 kWh partial load.</p> <p>Cottons/coloureds 60+EcoPerfectCottons/coloureds ECO 60 and cottons/coloureds Eco 40 Cotton/color 40/60+ EcoPerfect are the standard washing programmes to which the information in the claim relates. These programmes are suitable to clean normally soiled cotton laundry and are the most efficient programmes in terms of combined energy and water consumption. Programme time:60 °C cotton programme 205 min at full load 170 min at partial load and 40 °C cotton programme 170 min partial load Weighted power consumption off-mode / left-on mode: 0.1 W / 2.2 W Water consumption 10500 litres per year, based on 220 standard washing cycles. Noise level washing: 49dB (A) re 1pW: Noise level spinning: 71dB (A) re 1 pW. Furthermore, a technology called ActiveWater should limit water consumption.</p> <p>According to Annex IV of the Commission Regulation EU No 1015/2010 where benchmarks of BAT are reflected, the noise for an 5kg machine working at 1200 rpm should be between 53/73 dB re 1pW. However the water consumption would be 8 580 litres/year.</p> <p>The claim could potentially be considered objectively misleading given the technical data in the website but a proper assessment would require additional information which was requested to the producer but was never provided.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> 	<p>The technical specifications are detailed and measurable (see above).</p> <p>The website contains specific information that helps substantiate the claim. Additional technical information was requested to the producer but not</p>

<p>Is there evidence readily accessible/available?</p>	<p>provided. The producer should be able to easily supply an official energy label confirming all environmental/energy aspects of the claim. However this information has not been provided.</p> <p>The energy saving claim could have been substantiated with the official energy label as well as the water consumption and noise levels. However the necessary information was not provided on the website or by the producer in answer to the request.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>Regarding the content of the claim as such, additional substantiating documentation was requested, but not provided.</p> <p>On the other hand, the presentation of the claim with a logo similar to a label may be confusing for consumers. The logo would represent a private label, not certified by third parties. There may be a risk that certain consumers regard the label as an official label or an industry label for environmental friendly washing machines. However, in the current case the label should not a priori be considered as misleading in this respect, since it does not resemble typical labels.</p> <p>The label should thus not a priori be considered as misleading, although some enforcement administrations or courts might decide the contrary.</p> <p>In practice, the energy label would be added (close to) the private logo, and thus misleading information may be counteracted by the official label.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> 	<p>The logo EcoSilence is as such not clear or accurate, but on the other hand it is not a priori misleading. The environmentally friendly aspects of a washing machine are limited. These aspects, in particular energy saving, washing product saving, limited noise, are explained on the producer's web site. The technology that is the basis of those environmental benefits is explained.</p>

<ul style="list-style-type: none"> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>This claim would conceivably be considered not in line with the UCPD Guidance because of being vague and not being properly substantiated.</p> <p>The lack of substantiation did not enable it to be analysed in relation to the truthfulness of the information and therefore whether it is objectively misleading or not. Some technical features are detailed in the website but not all the elements required by the EU legislation were properly described. Additional substantiating information was requested to the producer and in particular the energy label. No reply was given to this request.</p> <p>It is not clear that the logo does not respond to certification scheme. However there is no indication that a substantial number of consumers will regard the label as an official or industry label given that there is an energy label that should be provided with the product.</p> <p>In practice, this logo will be presented close to the official energy label, and thus objective statements will confirm or counter the logo. The risk of subjectively misleading information will then be reduced.</p>

1.2.1.14 Energy Saver

Geographical scope of the product	Southern Europe
Products/services covered	Washing machines
Overall description of the claim <ul style="list-style-type: none"> - text/image/label - type of product - life cycle phase 	The claim consists of a textual claim with the wording 'Energy Saver'. It is applied to certain types of washing machines of the brand.
Vague claim <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	In view of the team's assessment, the claim was interpreted as vague. The claim refers to a specific environmental performance of the product, i.e. energy saving, but there is no information on how much energy is saved.
Objective misleading practice: <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would be considered as objectively misleading. On the producer's website, consumers can find information about 'Energy Saver' option available for certain types of the brand washing machines. The producer informs that choosing the Energy Saver option on "Eco Time" washing machines guarantees a maximum of energy savings of 70% in the synthetic cycles compared to the 30°C cotton cycle or 30% and 50% for jeans and cotton cycles respectively in comparison to the 30°C cotton cycle. According to Commission Delegated Regulation (EU) No 1061/2010 ⁹ on energy labelling of household washing machines, the product fiches should be based on 220 standard washing cycles for cotton programmes at 60°C and 40°C at full and partial load. According to the product fiche, the product is rated as A+ when, according to the new Regulation, there is still the possibility to have a higher level of efficiency up to A+++. In fact, other washing machines exist on the market with an energy rating of A+++, which deliver higher energy savings than the product under review. It can be therefore considered that the "Energy Saver" logo is misleading in relation to the information that it is found

⁹ Commission Delegated Regulation (EU) No 1061/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household washing machines

	in the product fiche required by the Regulation.
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <p><i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i></p> <p>Is there evidence readily accessible/available?</p>	<p>Further to the mandatory product fiche, no additional scientific evidence is available on the website.</p> <p>The website informs that Energy Saver option on "Eco Time" washing machines guarantees a maximum of energy savings of 70% in the synthetic cycles compared to the 30°C cotton cycle or 30% and 50% for jeans and cotton cycles respectively in comparison to the 30°C cotton cycle.</p> <p>As stated in the section on objective misleading claims, the information available in the product fiche shows that the product does not have the highest level of energy saving potential.</p> <p>The information contained on the website responds to the legally binding requirements and does not support or substantiate the environmental performance. The claim would conceivably be considered as non-substantiated.</p>
<p>Subjective misleading practice</p> <p>The UCPD guidance provides that:</p> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim indicates the environmental benefit of the product, i.e. energy saving.</p> <p>However, the claim does not indicate how much energy and in what conditions it can be saved. The consumer could be misled into believing that energy is saved when using all cycles of the machine, whereas this is the case only for selected cycles (jeans, cotton and synthetic cycles).</p> <p>In addition, the consumer could be misled by the amount of the energy saved. The consumer could believe to be buying the best performing product on the market in terms of energy efficiency. In fact, the product is rated as A+, whilst A+++ washing machines are available on the market.</p> <p>Therefore, the claim would conceivably be considered as <u>subjectively misleading</u>.</p>
<p>Clarity and accuracy of the claim</p> <p>The UCPD Guidance provides that:</p>	<p>It is clear that the 'Energy Saver' logo refers to those products with that option in the products definition and that it refers to the improved energy</p>

<p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <p><i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i></p> <p><i>whether the claim refers to a company (applying to all its products) or only to certain products;</i></p> <p><i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i></p>	<p>performance of certain washing machines. The products covered are those with the energy savings option.</p> <p>However, the information included is not accurate as the product fiche shows that the machine does not have the highest level of energy saving potential. It is assumed that the consumer knows that the claim refers only to the washing machines having the option.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <p>unauthorised use of logos</p> <p>false approval or endorsement by public or private bodies</p> <p>falsely claiming to be a signatory of a code of conduct</p> <p>falsely claiming that a code of conduct has been endorsed by a public or private body</p>	<p>N/A</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim could be interpreted as vague and not accurate. It is clear that the 'Energy Saver' claim relates to energy efficiency of the product. However, the information provided by the producer on the website and in the product fiche can be interpreted as subjectively and objectively misleading insofar as there are more energy-efficient products on the market (A+++). Furthermore, the information contained on the website responds to legally binding requirements but does not substantiate the environmental claim.</p> <p>Consequently, it is concluded that the claim would conceivably be considered as not being in line with the UCPD guidance.</p>

1.2.1.15 Environmentally friendly production

Geographical scope of the product	Western Europe
Products/services covered	Clothing
Overall description of the claim -text/image/label -type of product -Life cycle phase	<p>The claim is a textual claim with the wording 'environmentally friendly production'.</p> <p>The claim covers jackets produced by the trader and relates to the production stage.</p>
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would conceivably be considered vague. The claim consists of a general wording which indicates that the manufacturing of the product in question is beneficial for the environment, without however specifying any details of such beneficial performance.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	<p>The claim would conceivably be considered objectively misleading.</p> <p>The producer informs that he maintains full control of the chemicals used in the manufacture of his products and that material suppliers must follow strict requirements related to chemical substances used in the products.</p> <p>The company is a member of an international industry standard which imposes thorough requirements in the textile industry. However, the website informs that at present the producer does not cover all its requirements with <name>-approved materials. The producer also uses certified (recycled) fabrics in its products.</p> <p>The website informs that in the spring/summer collection, 22% of all fabrics will be made from recycled materials and 18% will use <name>-approved fabrics and that the aim is to gradually increase these proportions. Although there is a clear objective, it is not expressly mentioned that the trekking jackets would fall within the percentage of the products meeting environmental performance requirements.</p> <p>The website contains information about concrete sustainability efforts taken by the producer. The Sustainability Report 2012 states that the membership to "...Foundation' and "..." is a guarantee of the producer's responsibility throughout the supply chain both in the material phase and in production. The producer</p>

	<p>aims at (i) using recycled and recyclable materials (and several product series are made of recycled polyester); (ii) phasing-out all antibacterial (pesticides) agents by spring 2014; (iii) developing recycling programmes and (iv) reducing energy consumption and greenhouse gas emission. The Sustainability Report 2012 contains detailed information about the reduction of CO2 emission generated during the producer's operations.</p> <p>The above information indicates the producer's overall climate and environmental awareness and objectives, including at the production stage. However this is not referred to the product itself. As such, the claim 'environmentally friendly production' applied to the specific product would conceivably be regarded as untruthful.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The information contained on the website and in the Sustainability Report lacks specific information on the product. It is not clear whether the trader has scientific evidence to sufficiently support the claim and would be ready to present it, if the claim was challenged.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim would be considered as subjectively misleading.</p> <p>The claim would suggest to the consumer that the product in question is produced in an environmentally friendly manner and that the production stage does not have negative consequences for the environment. However, although the producer ensures reduced environmental impacts of the production stage, negative consequences of manufacturing the product are not entirely eliminated. Therefore, the claim could mislead an average consumer as for the environmental benefits of the product.</p>

<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> <p><i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i></p>	<p>The claim would not be considered as clear and accurate. Although it is clear that the claim refers only to the production stage, it would be not clear whether the claim covers only the product or its other components as well (e.g. packaging). In addition, it would not be clear whether the claim relates to all products manufactured by the producer under review, or only to the specific product in question.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes, reference to 2 certification schemes.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>The use of the logos is authorised.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would conceivably be considered vague, not clear and not accurate as well as objectively misleading (since the producer provides detailed information about its sustainability efforts but not the product's performance) and the scientific evidence to substantiate the claim is lacking. The claim could possibly be considered as subjectively misleading because the average consumer could be misled into believing that the production stage does not have any negative environmental impacts, while it is not proved to be the case.</p> <p>For the above reasons, the claim would not be considered in line with the UCPD guidance.</p>

1.2.1.16 **Favour environmentally friendly products!**

Geographical scope of the product	Predominantly Western and Southern Europe
Persons targeted	All
Products/services covered	Cleaning products (but there is similar marketing of personal care products)
Overall description of the claim -text/image/label -type of product -Life cycle phase	<p>The claim is a trade mark composed of two elements:</p> <ol style="list-style-type: none"> 1. The design of a green tree and 2. The slogan "Favour environmentally friendly products!" <p>Only the text claim is submitted to our assessment.</p> <p>Important remark: The product also carries a European environmental label.</p>
<p>Vague claim (=not compliant with UCPD Guidance)</p> <ul style="list-style-type: none"> - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i> 	<p>The slogan encouraging the use of environmentally friendly products as such is general and vague.</p> <p>The textual claim implies that by purchasing and using the product, the consumer will have chosen an environmentally friendly product without specifying its environmental performance.</p> <p>Even if the slogan is general and vague it is not misleading for two main reasons: A European environmental label is presented as well, and this should offer an official guarantee that the product is overall beneficial (or less detrimental than others) for the environment. The website of the manufacturer contains extensive information on different categories of 'green' products and the advantages of the product, and has a FAQ list and a Charter.</p>
<p>Objective misleading practice:</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance on objective misleading claims provides that:</i> <p><i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i></p> <p><i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product</i></p>	<p>There is no indication that the general environmental claim of this product would be untruthful or misleading.</p> <p>The characteristics of the products and environmental awareness of the producer are explained extensively on the website and the product is also covered by a European environmental label.</p> <p>The main benefits indicated on the website are: - Plant-based raw materials;</p>

<p>actually contains some pesticides.</p> <ul style="list-style-type: none"> - In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities 	<ul style="list-style-type: none"> - Compositions are phosphate-, glycol ether-, and phthalate- free; - Products contain no allergens to minimise allergic reactions; - Reusable and 100% recyclable packaging with matching refill packs; - Concentrated product (less packaging required); - Formula not tested on animals; - Compatible with septic tanks. <p>The criteria of Ecolabel for cleaners cover different stages of the life cycle and therefore we assume that the overall ecologic friendly nature of the product must be assumed.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance) <p>Is there evidence readily accessible/available?</p>	<p>The claim must be considered as substantiated with scientific information required for the product to be awarded a European environmental label.</p> <p>Furthermore, most of the products under the mark are certified allergen-free by an association with expertise in this area.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - The UCPD guidance provides that: <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental</i></p>	<p>Since the product is covered by a reputable European environmental label it may be assumed that the overall environment friendly nature of the product is sufficiently proven.</p> <p>Furthermore, the manufacturer explains environmental issues extensively on its website.</p> <p>Therefore the textual claim (as well as the accompanying overall green imagery, the green tree as a trade mark) should not be considered as subjective misleading practice.</p>

<p><i>baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>It is clear for the consumer that the vague slogan refers to the entire product, in its overall life cycle. As it is covered by the a European ecolabel, this statement may be regarded as clear and sufficiently accurate, even if it is as such not very specific.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes, a European environmental label. Furthermore, most of the products under the trade mark are certified allergen-free by an association with expertise in this area.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>The references seem correct.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>Although the textual claim is general and vague, it should not be considered as an infringement of the UCPD Guidance because it is not misleading, and it is covered by a reputable European environmental label, resulting in an assumption that the product can be considered as environmentally friendly overall.</p>

1.2.1.17 **German ecolabel**

<p>Geographical scope of the product</p>	<p>The German ecolabel covers products in the following countries:</p> <p>Australia, Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Korea, Republic of, Luxembourg, Netherlands, New Zealand, Norway, Poland, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom, United States.</p>
<p>Products/services covered</p>	<p>This scheme is applicable to products and services such as appliances, building products, cleaning products, electronics, forest products/paper, machinery & equipment, packaging, textiles, tourism, transportation, waste management & recycling.</p>
<p>Overall description of the claim</p> <ul style="list-style-type: none"> -text/image/logo -type of product -Life cycle phase 	<p>The German ecolabel consists of three basic elements:</p> <ol style="list-style-type: none"> 1. The symbol of the United Nations Environmental Programme in the form of a blue ring with a laurel wreath and a blue figure with outstretched arms in the middle. 2. The surrounding text specifying the main environmental properties of the product carrying the label, e.g. because energy-saving or low-noise. 3. Indication of the product's central protection goal, e.g. "it saves resources". The product groups are currently classified into four different protection goals which are selected according to the environmental benefits of the product carrying the logo: "protects the climate", "protects the water", "protects the resources" and "protects the environment and the health".
<p>Vague claim (=not compliant with UCPD Guidance)</p> <ul style="list-style-type: none"> - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance) without giving</i> 	<p>The claim would not be considered vague as it is very clear on its environmental message, both with the surrounding text specifying the environmental benefits of the product and the specific protection goal clearly stated at the bottom of the image.</p>

<p><i>any further explanation</i></p>	<p>Furthermore the UNEP symbol reinforces the environmental aspect of the claim.</p>
<p>Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that:</i></p> <p><i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i></p> <p><i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i></p> <p>– <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i></p>	<p>The analysis to determine whether the logo would be objectively misleading or not needs to be based on its three elements. The objective is clearly stated: the scheme aims at awarding products and services which are of considerable benefit to the environment and meet high standards of serviceability and health and occupational protection.</p> <p>The surrounding text and the protection goal reflect real and truthful environmental benefits of the product, reinforced by the use of the UNEP symbol.</p> <p>While the use of the logo would conceivably make consumers believe that the scheme is an UNEP initiative, UNEP's authorisation to the Environmental Ministry for the use of the logo confirms its endorsement.</p> <p>On that basis, it would conceivably be considered that the German ecolabel is not objectively misleading.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD) – <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i></p> <p>Is there evidence readily accessible/available?</p>	<p>The data required by the ecolabel scheme for granting the use of the logo would ensure the substantiation of the claim. The use of the logo is meant to quickly provide the consumer with information about the environmental benefit of a product. Products and services must meet high standards of environmental and health protection as well as usability.</p> <p>A feasibility study is carried out before issuing an inspection order (also referred to as basic criteria document).</p> <p>Each product is evaluated on the basis of criteria such as the efficient use of raw materials in manufacture or use, a long product life and sustainable disposal, and as little toxic contamination and electromagnetic radiation as possible.</p> <p>These standards are also communicated through the surrounding text and protection goal of the logo. Applicants are certified against the ecolabel's criteria before using the label and conformity with these criteria is assessed prior to its use.</p> <p>Each inspection order for a specific product includes several requirements, compliance with which has to be verified</p>

	<p>by an independent and accredited certifier, thus certification requirements apply on a case-by-case basis. All applications received are double checked by desk research.</p> <p>The authorisation for the use of the UNEP logo has been confirmed.</p>
<p>Subjective misleading practice</p> <p>– <i>The UCPD guidance provides that:</i></p> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim would not be considered subjectively misleading as it refers to the United Nations Environment Programme on the basis of an authorisation by the United Nations Environment Programme, which represents a public interest that the organisation wants to convey: the protection of the environment. The German ecolabel is linked to this public interest.</p> <p>The significance of the logo is to help consumers identify the organisation. The Blue Angel would not be considered as misleading consumers as the logo reflects the endorsement by UNEP and the environmental objective supported by UNEP.</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers.</i></p> <p><i>In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> – <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> – <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> – <i>if the claim does not cover the product's</i> 	<p>The objective is clearly stated. The objective of the scheme is to award products and services which are of considerable benefit to the environment and meet high standards of serviceability and health and occupational protection.</p> <p>These standards are incorporated into the label and communicated through the surrounding text and protection goal of the logo. Specifications and requirements are clear and sufficiently detailed as well as easy to understand. Clear and reliable identifying symbol with a definite information value:</p> <ul style="list-style-type: none"> – the "because" in the logo clearly states why the respective product has been ecolabelled;

<p><i>entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i></p>	<ul style="list-style-type: none"> - The consumer can see the essential environmental features from the surrounding text („because...“); - German ecolabel - certified products show the plausible ecological and/or health benefit.
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>There is a full certification scheme behind the logo which is presented and analysed under the labels/scheme section.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>The existence of an authorisation for the use of the UNEP logo by the Ministry of Environment has been communicated to the project team. However, no documentary evidence of the authorisation has been provided. The website of The German ecolabel states that:</p> <p>“Due to the fact that the German ecolabel logo has been modelled after the UN symbol and the United Nations Environment Programme (UNEP) logo, it has a strong international impact and a high credibility.”</p> <p>Therefore, the claim reflects a practice of authorised use of the logo and that there is an endorsement of the label and the logo.</p> <p>For that reason, the logo would plausibly be considered in line with Annex I of the UCPD as it reflects a truthful endorsement of the public label scheme.</p>
<p>Is the claim in line with the UCPD guidance?</p>	<p>The German ecolabel claim is interpreted as clear, accurate and not vague. The use of the logo including the UNEP emblem reflects environmental performance of the product and the endorsement by the International organisation.</p>

1.2.1.18 **Get £100 minimum trade in for your old laptop and peace of mind for recycling responsibly**

Geographical scope of the product	UK, Western Europe
Products/services covered	Notebooks
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a textual claim with the wording "Get £100 minimum trade in for your old laptop and peace of mind for recycling responsibly". It is applicable to all notebooks.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would conceivably be considered vague. No further information is provided.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered objectively misleading: The claim does not refer to the product as such, it aims at promoting consumer behaviour to recycle.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	No, there is no further substantiation/scientific evidence accessible or available. The website refers to the nomination of the company as one of the best global green brands in 2012. However, no information on the product or the implementation of this initiative has been found.
Is there evidence readily accessible/available?	
Subjective misleading practice - <i>The UCPD guidance provides that:</i> <i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i> <i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i>	The claim would conceivably be considered subjectively misleading as it states that the consumer will have "peace of mind for recycling responsibly" by bringing in an old laptop in exchange. This could potentially lead to the impression that returning an old laptop would be enough for recycling and that the consumer does not need to take further actions to have peace of mind. There is no additional information on the

<p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p>	<p>recycling scheme behind it (e.g. how is the disposal and treatment of laptop managed) when the consumer hands the laptop nor on the environmental performance of the product.</p>
<p>Impact of such claims on consumers</p> <p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim is clear; however accuracy could not be assessed as we could not gather information on the implementation of the recycling initiative.</p> <p>It is applicable to the product itself, more specifically regarding the end of life stage.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>N/A</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim is considered as not in line with the UCPD guidance as it does not provide information on evidence and could be subjectively misleading.</p>

1.2.1.19 **Green energy**

Geographical scope of the product	Western Europe
Products/services covered	Household electricity services
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a text with the following wording: 'green energy'.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would be considered vague, as it refers to a generic term 'green' which alludes to environmental objectives without any more information. Furthermore the introduction of the word 'energy' broadly refers to the type of services offered by the service provider, without specifying any further details (e.g. what type of energy, whether the company is a generator or only a distributor, how the energy is produced, etc.).
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered objectively misleading. The service provider's website gives detailed information related to the environmental benefit of the services offered and how they contribute to environment and biodiversity protection. In particular, the website contains 'environmental figures' which show that 87% of all energy (electricity) produced by the service provider derives from renewable sources, i.e. hydro energy, wind, sun and sewage sludge energy. The same figures also indicate reduced rates of emissions released into ambient air by the service provider's facilities/plants. While it is recognised that hydrologic power plants construction has an impact on nature, the website points to the fact that the service provider has not been subject to any environmental fines for the past years. Furthermore, the company applies a restoration and compensation policy financing projects with the aim to ensure the conservation of protected or endangered species. According to the website, the service provider dedicated annually an amount of approximately EUR 45 million. This information is also in the annual sustainability reports, available on the website.

	<p>A number of hydropower plants operated by the service provider are integrated in the environmental management system. A number of production and grid facilities are checked and certified by external auditors in line with relevant standards.</p> <p>In addition, since 2009, all thermal and power plants of the service provider comply with criteria of a certification scheme.</p> <p>It is worth noting the distinction between the energy generated and the energy supplied to the consumer. According to the Sustainability report for 2012, although a certain percentage (13%) of energy generated by the service provider does not come from renewable sources, 30% of energy supplied by the service provider comes from 'unknown origin' (composition includes 48% fossil fuels and 26% nuclear power).</p> <p>On another page, the website states that the service provider "...supplies its customers with energy from 100% hydropower" which seems to contradict all the above-mentioned information.</p> <p>The service provider has also adopted an 'Environmental mission statement' where it lists environmental principles on which it focuses its activities. The service provider undertakes numerous measures and actions to increase environmental performance of its services.</p> <p>On that basis, the claim 'green energy' would not be considered as objectively misleading.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>Based on the information contained on the website, the detailed figures on the environmental performance of the service provider and the information required for certification of the service provider's facilities, it is assumed that the service provider has further scientific evidence to sufficiently support the claim and would be ready to present it, if the claim was challenged.</p>
<p>Subjective misleading practice</p>	<p>The claim would be conceivably considered as subjectively misleading.</p>

<p>– <i>The UCPD guidance provides that: The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>Although the service provider gives information on the environmental performance of the energy services, the consumer could be misled to believe that all services offered by the service provider are 'green' and environmentally safe, whereas 30% of energy supplied comes from 'unknown origin' including 48% of fossil fuels and 25% of nuclear power. Furthermore, 13% of energy generated does not come from renewable sources (i.e. it comes from hard coal, natural gas and oil, which are more harmful to the environment than renewable sources of energy).</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> <i>– whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> <i>– whether the claim refers to a company (applying to all its products) or only to certain products;</i> <p><i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i></p>	<p>The claim would not be considered clear or accurate.</p> <p>It would not be clear for the average consumer whether the claim covers energy generation or energy supply and the difference in the percentage related to renewable sources. In addition, the impact on biodiversity should be recognised and evaluated in relation to the actions undertaken to compensate for the losses.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes, the 2012 sustainability report states "At the end of 2012, 64% of our power plant capacity and 100% of grid facilities were certified."</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> – unauthorised use of logos – false approval or endorsement by public or private bodies – falsely claiming to be a signatory of a code of conduct – falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>The use of the certification logo is authorised for eight out of the more than 100 facilities of the producer.</p>

<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would conceivably be considered vague, not clear and not accurate. In addition, although it would not be considered objectively misleading, and the evidence provided seems sufficient to support the claim, it would be considered subjectively misleading as the consumer could be misled into believing that the full amount of energy produced – and not just a part of it – is based on renewable sources.</p> <p>For these reasons, the claim could not be considered in line with the UCPD guidance.</p> <p>Should the claim include a percentage in the text (for example 70% Green Energy), then the consumers would get enough information for making their choice without being misled.</p>
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1.2.1.20 **Hygienic water logo**

Geographical scope of the product	Western Europe
Persons targeted	All
Products/services covered	Shower heads
Overall description of the claim -text/image/label -type of product -Life cycle phase	The hygienic water logo with a description of the support given by the producer to this organisation.
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim is specific; it indicates that the producer of the shower heads supports the hygienic water organisation; an organisation that aims to provide access to hygienic water in developing countries. 1 GBP from every branded Eco Showerhead purchased will go to supporting hygienic water projects, with a 10.000 GBP minimum guaranteed which will be used to enable communities in Madagascar to gain access to safe water and sanitation.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that: The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides. - In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The hygienic water organisation was contacted in order to analyse the conditions of their certification scheme or procedure to grant the use of the logo, and discretely discussed their relationship with the producer. They confirmed that the claim was truthful. However, the producer was a corporate partner only in 2007-08. There was a contract in place and in return of using the logo, the producer would donate the agreed underwritten amount of 10.000 GBP, based on a 1 GBP donation for every Eco Shower head sold in that period. They stated that there shouldn't be any current marketing about an ongoing partnership. Unless the showerhead that has been described by the Mystery Shopper has not been sold during more than 5 years which is the prescription period (which is unlikely for this product), the use of the label should be regarded as incorrect and misleading.
Substantiation/scientific evidence (Article 12 of the UCPD)	The organisation confirmed that the use of the label was correct for 2007-08 and that the producer had fulfilled the conditions,

<p>– Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</p> <p>Is there evidence readily accessible/available?</p>	<p>but the marketing should have stopped.</p>
<p>Subjective misleading practice</p> <p>– The UCPD guidance provides that:</p> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The current practice of marketing with the hygienic water label should be considered as subjectively misleading, since the (limited) contribution of the producer to the NGO for the showers heads had long been terminated.</p> <p>Since the financial support was a limited effort, such effort should not be abused during subsequent years.</p> <p>Consumers may be influenced by the environmental/ethical claim.</p>
<p>Clarity and accuracy of the claim</p> <p>– The UCPD Guidance provides that:</p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> – <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> – <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> – <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim should be considered inaccurate, since the partnership was terminated in 2008.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes, to the hygienic water label.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> – unauthorised use of logos 	<p>Yes, unauthorised use of hygienic water logo in 2013.</p>

<ul style="list-style-type: none"> - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	
<p>Does the claim follow the UCPD guidance?</p>	<p>Based on the available information, the branded Shower heads should not have used the hygienic water logo since 2008, and such use should be considered misleading, a prohibited practice under Annex I of the UCPD and therefore contrary to the UCPD guidance.</p>

1.2.1.21 **If you believe in the future, invest in it. With the [fund]**

Geographical scope of the product	Europe
Persons targeted	All (investors)
Products/services covered	An investment fund; allegedly, the sub-fund seeks capital growth by investing at least two thirds of its total assets in corporate shares in accordance with the investments of the company's open-ended environmental theme funds.
Overall description of the claim -text/image/label -type of product -Life cycle phase	Textual claim: "If you believe in the future, invest in it. With the [fund]"
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The textual claim is vague. The benefit of the product for the environment is unclear. It does not explain why this Fund is green, what investments it goes to or what ethical criteria it has for its investments on environmental initiatives. An investment is, by its own nature, for the future. The reference to "green future of this world" is not clear if there is an environmental benefit generated by the investment or an interesting financial investment in a booming future sector: environmental services and industries. There is clearly an ambiguity in the statement.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The website contains a report with key investor information, which states that this selection is a compartment seeking capital growth by mainly investing its assets in shares and any other equity-related securities corresponding to the fund's thematic investments, including Agriculture, Clean energy, Timber and Water. These themes have a strategic weight that can be modified according to market trends. The strategic modifications of the portfolio are influenced by the expected growth in certain sectors due to environmental legislation and requirements in certain countries which are expected to generate results in booming shares of companies that depend on that trend (i.e. cleaner energy in China due to new laws). From the information available on the website it may conceivably be concluded that the expected benefit is rather referring to the benefit of the investor regarding development in environmental

	sector activities, rather than a direct benefit for the environment. While there is no information on the benefits, it cannot be stated that the claim is misleading or untruthful.
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> – <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>Substantiating documentation about the strategy and composition of the fund has been requested from the company but not received.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> – <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>There is certain ambivalence in the examination of "subjective misleading practice".</p> <p>Many candidate investors will expect an interesting financial return created by 'environmental related developments in the market' and growth of related industries. If that is their concern, the perceived practice should not be considered as misleading (if indeed an interesting return is the aim of the trader). On the other hand, certain investors may intend to invest in view of a "better, environmental world" as a decisive criterion of choice.</p> <p>The impact of a claim on the choice of a consumer is an important criterion in the assessment of allegedly misleading environmental claims, and it must be kept into consideration that investors with an environmental concern will usually have a double aim of a personal financial benefit and a general environmental benefit.</p> <p>Unless substantiating information about the investment strategy of the investment fund and the composition of the fund is received, it must be conceivably assumed that an environmental concern is not the foremost purpose of the company, and the claim may thus be considered as subjectively misleading.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> – <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to</i></p>	<p>The claim should be considered as unclear and not accurate. It is not clear how an investment through the examined fund may be regarded as being "an investment in the future" that can be linked to an "environmental" fund. The combination of</p>

<p><i>be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>this wording is ambiguous.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>Given the absence of information and substantiation of the claim, it would be conceivably considered as not in line with the UCPD guidance.</p> <p>The claim should be perceived as vague and inaccurate, ambiguous in relation to the environmental benefit of the financial product and thus subjectively misleading.</p>

1.2.1.22 **Image and sound award – Best product**

1.2.1.23 **Image and sound award - Green TV**

Geographical scope of the product	Southern Europe
Products/services covered	Televisions
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim is the use of a label "Image and sound award Award" and two textual claims: 1. "Best product 2011-2012" 2. "Green TV". A term is written on a blue background with stars, much resembling the EU logo.
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim is vague. It refers to the product as a Best Product in the category "Green TV". Detailed information about the award of the reviewed product is no longer available on Image and sound website since the award was granted in 2011-2012. However, comparable information is available about a different television model of the same manufacturer, that received the award in 2013.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that: The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides. - In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The label should as such not be regarded as objectively misleading, since the award was indeed granted to this TV model. A leaflet of the manufacturer refers to an energy rating of A++, solar powered remote control, zero watt power switch, recyclable packaging. On the image and sound website, it is explained that the current award of the 2013 model is based on the energy consumption of the television model and the use of environment friendly materials for the circuit boards. Thus, the applied criteria are vaguely stated. The statement that such Award has been granted should be considered as truthful and thus not objectively misleading. However, where the label promotes the television as being a Best Product Green TV, while there are no transparent environmental criteria available, and the award was granted by magazines, the claim should be regarded as having lack

	of substance and therefore as objectively misleading.
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> – <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The award was indeed granted and this fact as such should not be further substantiated.</p> <p>Whether or not the product should therefore be considered as a “Green TV” is insufficiently substantiated on the image and sound website. Details are not available. Furthermore no information is provided on the comparative claim related to the Award of the Best Product.</p> <p>A leaflet of the manufacturer refers to an energy rating of A++, solar powered remote control, zero watt power switch, recyclable packaging.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> – <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product (“environmentally friendly, green, nature’s friend, ecological, sustainable”); greening of brand names or of a product’s name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The Image and sound award label is not based on scientific methods or tests by certified agents. The label is granted by magazines performing tests based on criteria that are not transparent.</p> <p>Stating to the consumer that this is a best product in this category is conceivably to be regarded as a statement that is not sufficiently substantiated.</p> <p>Furthermore, the label gives a strong impression to the consumer of being an official EU label, which is not the case. The wording on a blue background with the ‘European’ stars should conceivably be regarded as confusing and misleading.</p> <p>The label may have a strong impact on consumers since it may be understood as an official label.</p> <p>The Image and sound label/award scheme for this product should be considered subjectively misleading.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> – <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> – <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> 	<p>The label is not clear, nor accurate. The indication of a Best Product quality is not substantiated.</p> <p>Furthermore, the impression that an official EU organisation may be involved is not clear, nor accurate.</p>

<ul style="list-style-type: none"> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No, there is no such reference although the organisation makes use of an Award agreement and Copyright agreement that sets out the conditions for the authorised use of the label.</p> <p>However, it might give the impression that an official EU organisation may be involved. This could result in a false belief that a public body approved or endorsed the product, which is not the case (Annex I, sub 4° UCPD).</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The use of the image and sound award label should conceivably be regarded as not in line with the UCPD guidance, because the consumer may be induced to believe that the product is certified by an official EU organisation, which is not the case.</p> <p>Furthermore, the product is labelled as a Best Product Green TV whereas no transparent environmental criteria have been applied and the assessment of the product has been done by mere magazines. Such practice would conceivably be regarded as objectively misleading.</p>

1.2.1.24 **Liquid Mercury Free logo**

1.2.1.25 **Liquid Mercury Free**

Geographical scope of the product	Western Europe
Products/services covered	Light bulbs/lamps
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a logo and a textual claim. The words 'Liquid Mercury Free' are combined with a crossed drop-shaped figure on a green background.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would not be considered vague as it refers to a specific environmental characteristic of the product, i.e. the product does not contain liquid mercury.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered as objectively misleading as the producer's website contains information that its Compact Fluorescent Lamps (CFL) are liquid mercury free and that Amalgam is used instead. This information is also confirmed in the Sustainability Report 2009-2010, available on the producer's website. The website contains information regarding the environmental problems of liquid mercury and the advantages of using Amalgam, a stable solid alloy of mercury. The website states: "Mercury is considered to be a naturally occurring toxic element that poses health hazards to human beings and damages to the environment. However, compact fluorescent lamps (CFL) require mercury vapour for efficient operation. Nowadays, technological advancement has allowed CFL to deliver high quality illumination performance with Amalgam, an eco-form of mercury. As liquid mercury poses potential danger in case of lamp breakage, Amalgam is getting popular for use in CFL made by social responsible manufacturers."
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> Is there evidence readily accessible/available?	Based on the information contained on the website stating that CFL lamps are liquid mercury free, it is assumed that the producer has enough scientific evidence to support the claim and would be ready to present it, if the claim was challenged.
Subjective misleading practice	The logo used by the claim would

<p>– The UCPD guidance provides that: The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</p> <p>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</p> <p>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</p> <p>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</p> <p>Impact of such claims on consumers</p>	<p>conceivably be considered as subjectively misleading.</p> <p>While the text of the claim seems to contain truthful information about the environmental performance of the product (i.e. the product is liquid mercury free), the logo used generates the impression that it is a label with a certification scheme behind it.</p> <p>The logo does not correspond to any labelling scheme and therefore the claim could be considered subjectively misleading the consumer, not on the product characteristics but on the use of the logo as a certification scheme.</p>
<p>Clarity and accuracy of the claim</p> <p>– The UCPD Guidance provides that: Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</p> <ul style="list-style-type: none"> – whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable); – whether the claim refers to a company (applying to all its products) or only to certain products; – if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers; 	<p>The claim would be considered as clear and accurate as it would be clear for the consumer that the claim covers CFL lamps and not all lamps manufactured by the producer. In addition, it would be also clear for the consumer that the claim relates only to the product itself and not to its components (e.g. packaging). Furthermore it would be considered clear that the environmental performance is limited to the absence of liquid mercury.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>The shape of the logo gives the impression of the claim to be a certification scheme. However, it is not.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> – unauthorised use of logos – false approval or endorsement by public or private bodies – falsely claiming to be a signatory of a code of conduct – falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>NA</p>
<p>Does the claim follow the UCPD</p>	<p>The claim would be considered as clear,</p>

guidance?	accurate and not vague. While the claim contains truthful and substantiated information about the environmental performance of the product related to the lack of liquid mercury, it would conceivably be considered subjectively misleading as the logo gives the impression of a certification scheme. For these reasons, the claim is considered not in line with the UCPD guidance.
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1.2.1.26 **Make taste, not waste**

Geographical scope of the product	Northern Europe,
Products/services covered	Coffee makers
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a textual claim with the wording 'make taste no waste'.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would not be considered vague. It clearly presents a specific environmental benefit of the product, i.e. that the product produces less waste and does not contribute to producing "non-biodegradable" waste. This comparative message compels the consumer to act responsibly towards the environment rather than buying non-biodegradable pods.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that: The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides. - In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered as objectively misleading. The claim would not be considered as untruthful as it is objectively true that the press French coffee machines produce less waste compared to other coffee machines. Making the coffee with it does not require the use of paper filters or coffee pods, therefore creating less waste. Complementing the information, the website informs that the press French coffee maker is produced with recycled materials. While one could consider that the claim is an exaggeration (no waste does not mean no waste at all), it is generally true that it generates less waste and enables the consumer to reduce its ecological footprint. Indeed, the statement that it does not produce waste is an exaggeration as there is always waste in the form of coffee grounds or the coffee maker itself once it is disposed of. Furthermore, the coffee maker is produced by implementing sustainable manufacturing processes.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	After not identifying evidence on the website, the producer was contacted; however no substantiation of the claim has been identified through the producer's website or contacts with the producer.

<p>Is there evidence readily accessible/available?</p>	<p>However, the French Coffee Press has been selected as the most environment friendly coffee maker by the international media and has been highly awarded by the most prestigious international and Danish design awards.</p> <p>It is assumed that the company has scientific evidence available to be presented if the claim was challenged.</p>
<p>Subjective misleading practice</p> <p>– <i>The UCPD guidance provides that:</i></p> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim would not be considered subjectively misleading.</p> <p>The claim rightly gives the consumer the impression that the product has a specific environmental benefit which relates to lower generation of waste. The consumer would understand that by using it, he/she contributes to the reduction of his/her environmental footprint.</p>
<p>Clarity and accuracy of the claim</p> <p>– <i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> – <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> – <i>whether the claim refers to a company (applying to all its products) or only to certain products; if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim seems to be clear in relation to the environmental benefits of the product. The claim refers to the environmental benefits related to the method of preparation of the coffee which generates less waste. Additional information on the website shows that, in addition, the environmental benefits refer as well to the recycled material the coffee maker is produced off.</p> <p>The claim could be considered not 100% accurate but not misleading. The statement that it does not produce waste is an exaggeration since "no waste" in reality does not mean no waste at all. There is always waste in the form of coffee grounds or the coffee maker itself once it is disposed. However, it is generally true that it generates less waste and enables the consumer to reduce its environmental footprint.</p>

Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)	N/A
Reference to relevant Annex 1 prohibited or black listed practices in UCPD: <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	N/A
Does the claim follow the UCPD guidance?	<p>The claim would not be considered vague. It would be clear but not accurate as the claim that it does not produce waste is an exaggeration since "no waste" in reality does not mean any waste at all. While there is always waste in the form of coffee grounds or the coffee maker itself once it is disposed, it is true that it generates less waste and enables the consumer to reduce its ecological footprint.</p> <p>The claim would not mislead the consumer on its environmental benefits. Therefore, the claim would be considered in line with the UCPD guidance.</p>

1.2.1.27 **New windows. We are getting free energy!**

Geographical scope of the product	Western Europe
Persons targeted	All
Products/services covered	Glass for windows
Overall description of the claim -text/image/label -type of product -Life cycle phase	The statement is a dialogue between fictional characters. "[Character's names] on energy efficient windows. Have you seen them over the road? New windows. We are getting free energy! Free energy? It has to do with the glass. It captures warm and keep from heating"
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance)</i>	The claim is specific: the benefit is energy efficiency due to the qualities of glass that captures warmth.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that: The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides. - In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The company has a Facebook page and a general website explaining its brand and its claims. It explains that advanced coating technology captures warmth from natural daylight to help heat the home. The manufacturer states that it also pays attention to a manufacturing process with low environmental impact (CO2 emissions, use of recycled materials), which might have certain aspects related to energy performance and energy savings during production process in addition to other elements. The website contains a video explaining the features to consumers. The maximum benefits of the product are obtained with triple glazing, and this is explained by the company on its website.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	The manufacturer claims that thermal insulation of the windows is more than three times greater than that of single glazed units and at least 25% more efficient than most installed double glazed units.
Is there evidence readily accessible/available?	The company states that its glass will make it easier to achieve A+ energy rating for windows, depending on the frame of the window (but in order to achieve A+, triple glazing is needed). This rating is indicated on the Window Energy label

	<p>which is similar to the EU’s energy label for household appliances, and is officially recognised in the UK.</p> <p>The company states that it has been recognised as one of the UK’s Greenest Companies by the Sunday Times (we could not retrieve that statement). The website states that the glass has been granted the Business Commitment to the Environment award. However no link to or further explanation of that award is provided on the website.</p> <p>The products carry the CE mark, but that does not seem sufficient to claim environmental benefits (the requirements for the CE mark are average in an environmental context).</p> <p>Window companies state that by using this glass the consumer would be able to receive A ratings for energy efficiency (based on the criteria of BFRB which approved the product).</p> <p>Based on the available information, the claim may be considered as justified, if certain conditions are fulfilled (e.g. the frame of the window, triple glass etc.).</p>
<p>Subjective misleading practice</p> <p>– <i>The UCPD guidance provides that: The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>Taking all the indications of the environmental performance into consideration, including the technical description, the awards, the approval by energy efficient window suppliers, it can be reasonably considered that there is no subjective misleading practice.</p>
<p>Clarity and accuracy of the claim</p>	<p>The claims on energy saving appear clear</p>

<ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>and accurate.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No, although indirectly, the Window Energy label granted to window suppliers using this glass, provides a form of certification.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claims regarding energy saving are clear and accurate, and it seems that these are sufficiently substantiated through reports, indirect certification, awards granted by organisations and basic technical explanations.</p> <p>The claim is considered as being in line with UCPD guidance.</p>

1.2.1.28 On-pack recycling label

Geographical scope of the product	UK and Western Europe
Products/services covered	Clothing, on-pack recycling label
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a logo and a textual claim. The word "recycle" is combined with a heart-shaped half circle.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would be considered vague and general. It purely states that the consumer should recycle but does not give further explanation and could be interpreted as if it is a recycled product.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered objectively misleading as such since it does not contain any false or untruthful information but merely invites the consumer to recycle the material.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	No substantiation/ scientific evidence have been found accessible.
Is there evidence readily accessible/available?	
Subjective misleading practice - <i>The UCPD guidance provides that:</i> <i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i> <i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i> <i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by</i>	The logo contains a heart-shaped half circle which suggests to the consumer that s/he positively contributes to human health and/or environmental protection. This would not be considered subjective misleading since it only stresses the added value of recycling. However, the term "recycle" could lead consumers to certain confusion as to whether it refers to the product indicating that it contains recycled components or it is a recycled product as a whole. Consumers not paying attention to the nuance could take the decision to buy the product because they think it is made of

<p>75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>recycled materials which they otherwise may not have bought. There is a need to be explicit and clearly define if the product is made of recycled material or whether it could be recycled.</p> <p>Furthermore the claim should specify the procedures and facilities to carry out the recycling. Therefore the claim can only be used in countries where there are collections schemes.</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that: Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim is displayed on the packaging of clothing.</p> <p>It would not be considered clear if the logo and the textual claim are only applicable to the packaging or also to the cloths themselves.</p> <p>The term "recycle" could lead consumers to believe that the product contains recycled materials. Consumers with low level of English or not paying attention to the nuance, could take the decision to buy the product which they otherwise may not have bought.</p> <p>The lack of accuracy is also reflected in the absence of specific reference to collection schemes or procedures for recycling in each relevant country.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>N/A</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim is considered vague and general. It does not provide further information, especially regarding substantiation and evidence. It would conceivably be considered subjectively misleading as it leads consumers to believe that it refers to a recycled product. Furthermore, it is not clear whether it covers the entire product or the packaging only.</p> <p>Thus, the claim is considered not in line with the UCPD guidance.</p>

1.2.1.29 **Order now and receive for free the solar-powered phone charger, worth 49,99 Euros**

Geographical scope of the product	Belgium, Western Europe
Products/services covered	Mobile phones
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a textual claim with the wording "[Company], order now and receive for free the solar-powered phone charger, worth 49.99 Euros."
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would conceivably be considered vague. It is a promotion linked to another product (solar powered charger). There is no environmental performance directly related to the product itself.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered as objectively misleading. It intends to affect the consumer conduct by offering another product which draws its power from renewable sources. Every phone is delivered with a charger for free. The claim could potentially be considered misleading as all phones are delivered with a charger and there would not be a comparative benefit. However this is not related to environmental considerations. The difference in this case is that the charger is solar-powered. Both products could be considered components of one single product and therefore, the environmental benefit of the charger can be considered an environmental performance of the phone. The environmental benefit of a solar powered charger responds to a real performance of the charger which is linked to the phone. The claim would therefore not be considered untruthful or objectively misleading.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	No further substantiation/scientific evidence have been found accessible or available.
Is there evidence readily accessible/available?	
Subjective misleading practice	The claim would conceivably be considered subjective misleading as it states that the

<p>– The UCPD guidance provides that:</p> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>consumer will receive a "free the solar-powered phone charge".</p> <p>The consumer might think that s/he contributes to protecting the environment by buying this type of mobile phone. However the phone can be charged with any type of charger. The environmental benefit of using the solar powered charger is derived from the charger and it is not linked to the mobile phone itself.</p>
<p>Clarity and accuracy of the claim</p> <p>– The UCPD Guidance provides that:</p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> – <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> – <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> – <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim would be considered clear and accurate. The environmental benefit is linked to the charger and does not refer to the product directly.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Not available</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> – unauthorised use of logos – false approval or endorsement by public or private bodies – falsely claiming to be a signatory of a code of conduct – falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>Not available</p>

Does the claim follow the UCPD guidance?	<p>The claim would conceivably be considered not covered under the UCPD guidance as it does not provide information or evidence of any environmental performance of the product itself.</p> <p>It would be considered objectively and subjectively misleading for consumers who might believe that they contribute to protecting the environment by buying the product.</p>
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1.2.1.30 Packaging removal logo

Geographical scope of the product	Western Europe
Products/services covered	Carpet
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a logo: an enclosed circle containing two interlocking arrows (white and green) following a vertical axis.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would be considered vague. It could be considered as suggesting environmental performance of the product or its packaging (e.g. related to recycling since the two arrows are presented in a circular form). However the claim does not further specify details of such environmental performance.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would conceivably be considered as subjectively misleading. The website of the producer does not contain any reference to/information about the logo. The website of the organisation which administers the use of the logo informs that placing the logo on products indicates that a company has joined the packaging removal scheme and that the producer contributed financially to the development and functioning of a packaging recycling and recovery system in a Member State in question. However, this does not automatically mean that the packaging of the product is fully recyclable. In addition, placing the logo on the product's packaging does not indicate any environmental performance of the product itself. Since the claim does not refer to any particular environmental benefit of the product (or its packaging), it would be assessed as subjectively misleading.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	It is considered that the producer would be able to prove his financial contribution to the packaging removal scheme. Otherwise, no substantiation or scientific evidence has been identified to support the environmental performance of the product pretended by the claim.
Is there evidence readily accessible/available?	
Subjective misleading practice	The Packaging removal logo provides an

<p>- The UCPD guidance provides that:</p> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>impression on the consumer that the product implements environmental benefits. The colour green is linked to environmental objectives. However, this logo does not entail any certification system that would guarantee the achievement of environmental characteristics such as the being recyclable.</p> <p>Consequently, it would be conceivably considered that this claim is subjectively misleading the consumer as to the environmental benefit of the product (or its packaging).</p>
<p>Clarity and accuracy of the claim</p> <p>- The UCPD Guidance provides that:</p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim would not be considered clear or accurate since, firstly, for an average consumer it would not be clear whether the claim would cover the product itself or its other components (e.g. packaging). Secondly, it would not be clear whether the claim covers only the product in question or all products manufactured by the producer.</p> <p>The claim does not respond to any environmental performance of the product and therefore it is not accurate.</p> <p>The financial contribution to a packaging recycling system that is legally binding is a positive behaviour of the company but the logo is not clear on the message it reflects.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes - Packaging removal</p> <p>The Packaging removal is a certification scheme of members contributing financially to the packaging recycling and recovery system. It does not certify any environmental performance of the companies' products.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies 	<p>The use of the packaging removal logo is authorised for the members contributing to the scheme.</p>

<ul style="list-style-type: none"> - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would be considered as vague, not clear, not accurate, and subjectively misleading therefore it could be conceivably stated that it does not follow the UCPD Guidelines.</p>

1.2.1.31 **Planet First, This box is made out of 85% recycled material**

Geographical scope of the product	Denmark, Northern Europe
Products/services covered	Packaging of microwave ovens (all types)
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a logo and a textual claim. The text states "This box is made out of 85% recycled material". Next to the text, a logo is included which consists of a yellow circle with the wording "Planet First". The logo and the textual claim are framed by a yellow oval.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would not be considered vague. While "Planet First" as a standalone message could be considered vague, it is complemented by a specific statement on its environmental benefit "this box containing the microwave oven is made of 85% recycled material".
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	Even though the claim clearly refers to the box without misleading the consumer about the product contained, the claim would conceivably be considered objectively misleading as it has not been possible to find confirmation of the truthfulness of this claim. It does not provide or refer to any additional information to assess if the claim is true. The website does not include information on Planet First in relation to this specific claim.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> Is there evidence readily accessible/available?	No evidence or reference to evidence is provided and the same holds for substantiation or scientific evidence regarding the truth of the claim.
Subjective misleading practice - <i>The UCPD guidance provides that:</i> <i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i> <i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable");</i>	In addition, the claim would conceivably be considered subjective misleading as the Planet First claim could potentially lead consumers to believe that the environmental performance of the product (the box) covers the whole life cycle and other benefits than 85% recycled material (e.g. resource efficiency, CO2 emissions, ...). This is even more possible nowadays, when the majority of boxes are made out of recycled paper.

<p>greening of brand names or of a product's name.</p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that: Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim is clear, however it is not possible to assess if it is accurate, as there is no further information contained.</p> <p>The claim is applicable to all types of microwave ovens from the same producer. The claim does not cover the whole product but only the packaging, as clearly specified by the claim. The products themselves are not recyclable.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>N/A</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would conceivably be considered not in line with the UCPD guidance as it does not provide information nor evidence that allows assessing its truthfulness and would conceivably be considered objectively and subjectively misleading. There is no substantiation or any information found that would enable to assume that the producer has readily accessible scientific evidence.</p>

1.2.1.32 **Renewable energy label**

Geographical scope of the product	Germany, W Europe
Products/services covered	Energy (electricity)
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim is the renewable energy label
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The use of the label is not considered vague. The label is a warranty that renewable energy sources are being used (supplied and generated) in conformity with the requirements of the renewable energy scheme.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The use of the label should not be considered as misleading. The award of the renewable energy certificate to the supplier is under review since 2011
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> Is there evidence readily accessible/available?	The renewable energy certification is awarded after thorough examination of the requirements. As such it can be assumed that the award of the certificate is based on solid substantiation. According to the certification model, the company must warrant the contractual delivery of renewable electricity to their customers in accordance with detailed requirements (which are less severe than the Supply model of the scheme), and it must focus on initiation efforts for the increase of renewable energies in Germany through their own organisational and financial initiatives for the funding or construction of new eco-electricity plants. Initiated plants must be operational within a period of 5 years. The obligations are set forth in annual reviews or plans. The fulfilment of the initiation obligations is reviewed in each certification year, after 6

	months, and after the year end (retrospect). The detailed requirements can be complex.
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The use of the label would not be assessed as subjective misleading practice.</p> <p>The supplier under review did not only obtain the right to use the renewable energy label, but it is also entitled to use the labels, as well as other labels.</p> <p>The organisation examined the green electricity of several suppliers in Germany and stated that the offer of the supplier under review was very good.</p> <p>The use of the label may have an impact on environment-aware consumers.</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The use of the label is clear and accurate.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes, reference to the renewable energy label.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct 	<p>The use of the label is authorised.</p>

has been endorsed by a public or private body	
Does the claim follow the UCPD guidance?	The use of the renewable energy label is in line with the UCPD guidance.

1.2.1.33 Responsible forest management logo

Geographical scope of the product	United Kingdom, W Europe
Products/services covered	Skin creams
Overall description of the claim -text/image/label -type of product -Life cycle phase	The responsible forest management label is used on the packaging; the responsible forest management number is not readable.
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance)</i>	The use of the responsible forest management label cannot be considered as a vague claim. The label states within the area of the label that it applies to the packaging.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	This product line is also distributed by different companies and contains a similar Aqua Complete hydrating cream. Although the responsible forest management number on the package could not be found, the examined products collected in other countries had the responsible forest management label. The packaging and producer company that use the responsible forest management label on the packaging has the responsible forest management licence. The contractor requested substantiating information to the distributor and the producer. However, information on the certificate could not be obtained. However, on the basis of comparative information, it is assumed that for other countries the use of the label may be deemed correct.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	The submission of substantiating evidence, i.e. the responsible forest management certificate of the packager, was promised by the producer but not received after several requests. The use of the label is currently not substantiated but it is assumed that it is used correctly, as it is the case in other countries that could be verified.
Is there evidence readily accessible/available?	
Subjective misleading practice - <i>The UCPD guidance provides that:</i> <i>The environmental claim is misleading because it</i>	Assuming that the packager was indeed licensed to use the responsible forest management label, there is no subjective misleading practice.

<p><i>deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The responsible forest management label states clearly that it applies to the packaging; therefore a consumer could not be induced to believe that other natural qualities of the serum would be set forth with the sign of the responsible forest management tree.</p> <p>The limited meaning of the label should be considered as clear.</p> <p>For further information on the environmental criteria required by the responsible forest management, please see the detailed information of the responsible forest management scheme assessment.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>As stated above, the responsible forest management label indicates that it applies to the packaging, and therefore the use of the label is sufficiently clear and accurate.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes, to the responsible forest management logo.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>On the basis of the review of several products of the same supplier, it is assumed that the packager was entitled to use the responsible forest management label, although the requested evidence</p>

	<p>was not received.</p> <p>Under this assumption, the use of the label should not be regarded as objectively or subjectively misleading, and should be regarded as in line with the UCPD.</p>
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1.2.1.34 'Risparmio Energetico' and

1.2.1.35 ... '10 year warrant on the digital inverter compressor'

Geographical scope of the product	Italy and Southern Europe
Products/services covered	Refrigerators (all types)
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of two textual claims. The textual claims and one logo. One claim is stating "Risparmio Energetico" (Energy Saving) and supports the logo consisting of a power cable with a fuse at the end in the form of a circle and a leaf. The colour of the logo is green. The second textual claim states "10 year warrant on the digital inverter compressor".
Vague claim – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim "Risparmio Energetico" would conceivably be considered vague. It does not specify how and how much energy is saved, nor does it specify a baseline. The second claim is concrete and it is an environmental claim as it refers to a part of the product that ensures energy savings. It states that there is a 10 year warrant on the digital inverter compressor.
Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that: The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> – <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The "Risparmio Energetico" claim in combination with the logo would conceivably be considered objectively misleading. The claim is applied to all types of refrigerators, including the US types which are more energy consuming. There is no information on the baseline used for measuring the energy saving. The second claim is not objectively misleading. The producer's Digital Inverter Compressor varies its power and running speed according to the cooling requirements and therefore ensures uniform cooling and consuming less energy. There is an environmental benefit that has been classified as A+++ in the energy label. However, the 10 year warranty itself is not a clear environmental claim; it aims at ensuring that the same energy efficiency is maintained during 10 years. The relationship with the energy saving "Risparmio energetico" claim placed side

	by side would not seem clear
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> – <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>There is no further substantiation/scientific evidence accessible or available.</p> <p>No evidence on the relation between both claims and whether the digital inverter compressor is related to the energy saving potential of the refrigerator.</p> <p>The claim would conceivably be considered not substantiated</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> – <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The "Risparmio Energetico" claim in combination with the logo would conceivably be considered subjectively misleading as there is no evidence provided to sustain the claim. Consumers might think that by buying the fridge they would contribute to protect the environment or save energy when buying any type of refrigerator from the producer, including those of the type that consume more.</p> <p>Furthermore, the second claim is not clear whether it would be considered an environmental claim as it is a warranty of a component of the product with an environmental performance which is not mentioned in the claim.</p> <p>Placing two claims and logos side by side would be considered confusing as it is not clear whether they are linked or not. It would conceivably be considered subjectively misleading as indicating that the product is guaranteed to save energy for 10 years when the energy saving is not substantiated for all products.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> – <i>The UCPD Guidance provides that: Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i> – <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> 	<p>The "Risparmio Energetico" claim in combination with the logo could be considered sufficiently clear. However, there is no further information available to allow an assessment confirming that it is accurate. It is displayed on the product itself and it is clear that it only concerns the energy performance of the product.</p> <p>The warranty claim is clear. It refers to the digital inverter compressor, although some concerns could be raised on the way both logos are put together.</p>

<ul style="list-style-type: none"> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Not available</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>Not available</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claims would conceivably be considered not fully in line with the UCPD guidance as it does not provide information or evidence to substantiate them and could plausibly be considered objectively and subjectively misleading. They would conceivably be considered not accurate.</p>

1.2.1.36 **Scandinavian Ecolabel**

Geographical scope of the product	Northern Europe
Products/services covered	Baby nappies
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of the Scandinavian ecolabel and a textual claim. The words are combined with a figure of a white animal on green background in an enclosed circle.
Vague claim – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would conceivably be considered vague as it refers to a generic term 'Eco' (as a part of a word 'Ecolabel') implying an overall environmental performance of the product without stating what is the environmental benefit.
Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> – <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered as objectively misleading as it reflects truthful environmental benefits of the product. The website of the producer contains information about the Scandinavian ecolabel awarded for the product in question. The website informs that the product's environmental impact during the key stages of its lifecycle is examined by the Scandinavian ecolabel examination board and that the producer works on minimising the environmental impacts of the product at all stages, e.g. by the choice of supplier, manufacturing process, materials and packaging. The website awarding the voluntary scandinavian ecolabel indicates a list of standards that sanitary products (including baby nappies) need to fulfil in order to be awarded the logo. Fulfilment of those standards (related, inter alia, to raw materials, components and chemicals used for the production of the product and its packaging, waste management of the product, etc.) indicates that the product concerned has low environmental impact associated with the production and low climate effect. Since environmental benefits of the product are assessed and certified by an independent certifying body, it would be considered that the claim is not objectively misleading.
Substantiation/scientific evidence (Article 12 of the UCPD) – <i>Traders must have scientific evidence</i>	From the information contained on the website of the producer and the certifying organisation, it could be considered that

<p><i>to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i></p> <p>Is there evidence readily accessible/available?</p>	<p>the claim is substantiated and that the trader has enough scientific evidence to support the claim, should it be challenged.</p> <p>In this context it is noteworthy that the fulfilment of the Scandinavian ecolabel standards must be reviewed by the examination board periodically.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>Although the claim would be considered vague, it would not be considered subjectively misleading.</p> <p>The logo of the claim is green, which is generally linked to environmental performance. It includes the image of an animal, reiterating this impression of environmental objectives.</p> <p>The impression given by the logo is confirmed by the information available. The claim is not objectively misleading and reflects the environmental performance of the product in its whole life cycle.</p> <p>Therefore, it is considered that the consumer would not be misled as to the environmental benefits of the product.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> 	<p>The claim would be assessed as clear and accurate. From the website of the producer, it is clear that the logo covers all nappies manufactured by the producer. It would be also clear that the logo refers not only to the product itself but also to its packaging.</p>

<ul style="list-style-type: none"> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes – Scandinavian ecolabel</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>The Scandinavian ecolabel logo is used on the product and it is an authorised use of the logo.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim could be assessed as vague, however it would not be considered as objectively and subjectively misleading as information about environmental benefits of the product is available on the websites of the producer and the certification organisation. The claim would be considered as clear and accurate.</p> <p>Therefore the claim would follow the UCPD guidance.</p>

1.2.1.37 **[Brand] Technology, Ecology, Flexibility, Design equipped with a flat revolutionary LED disc...**

1.2.1.38 **..., the [Brand] Modular design provides a worthy alternative to the traditional and unfriendly halogen energy lighting**

Geographical scope of the product	Western Europe
Products/services covered	Light bulbs
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim refers to LED light bulbs and consists of a textual claim with the wording [Brand] Technology, Ecology, Flexibility, Design Equipped with a flat revolutionary LED disc, the [Brand] Modular design provides a worthy alternative to the traditional and unfriendly halogen energy lighting'. There are two different green claims in this text: 1. The wording "Ecology" applied to a LED disc. 2. The comparative claim: "a worthy alternative to traditional and unfriendly halogen energy lighting"
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claims would conceivably be considered vague as it refers to the "Ecological" value of LEDs without specifying what the environmental performance is and compares the product with competing ones without stating what the environmental advantage is. The terms "worthy alternative" to the "traditional and unfriendly halogen energy lighting" does not provide information about why halogen is unfriendly and what the advantage of LED is e.g. it saves energy or it is more energy efficient than the halogen lighting. Furthermore the environmental claim refers to a generic term 'Ecology' implying an overall environmental performance of the product without stating what is the environmental benefit.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that: The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually</i>	The claims would not be considered objectively misleading as it reflects truthful information. There exists information on the website of the producer comparing its LED light bulbs with halogen light bulbs and indicating that that the LED light bulbs are more energy efficient than halogen lighting.

<p><i>contains some pesticides.</i></p> <ul style="list-style-type: none"> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i> 	<p>Since LED light bulbs in general could objectively be considered more ecological because of their improved energy efficiency, it could be assessed that the claim would not objectively mislead consumers.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>Based on the information contained in the website, we assume that the trader has enough scientific evidence to support the claim and would be ready to present it, if the claim was challenged.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that: The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim would conceivably be considered as subjectively misleading.</p> <p>By stating 'Ecology', it would give the consumer a false impression that the product is wholly ecological or has an overall positive impact on the environment, whereas its main environmental performance relates exclusively to its energy efficiency. Even if the energy efficiency performance could be considered by some important enough to outweigh any other characteristics related to its life cycle, there are questions related to hazardous waste or toxicity that are not considered by the claim. For example LEDs might require a similar treatment of the waste to the one related to electronic products such as cell phones.</p> <p>On the other hand, the wording "worthy alternative to unfriendly halogen energy lighting" might lead consumers to believe that all halogen lighting is not friendly while there might be some waste disposal aspects that are better resolved.</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company</i> 	<p>The claims could possibly be considered unclear and not accurate.</p> <p>It is clear that the claim relates only to LED light bulbs designed according to the [Brand] technology by the producer. The claim, however, does not indicate the environmental performance of the product and refers to competing products with a vague wording "unfriendly".</p> <p>The energy efficiency performance of LEDs</p>

<p><i>(applying to all its products) or only to certain products;</i></p> <ul style="list-style-type: none"> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>is objectively true but the term Ecologic is not accurate as it does not refer to other issues of the entire life cycle of the LEDs where there might be some environmental concerns that should be exposed to consumers. For example the hazardous waste and the need for special waste management.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Not available</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>Not available</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claims would conceivably be considered vague, unclear and not accurate.</p> <p>They would not be assessed as objectively misleading. However, the use of a generic term 'Ecology' could potentially subjectively mislead consumers.</p> <p>Furthermore the wording "worthy alternative to unfriendly halogen energy lighting" is subjectively misleading.</p> <p>Consequently, the claim would conceivably be considered not fully in line with the UCPD guidance.</p>

1.2.1.39 **Sustainable cleaning label**

Geographical scope of the product	Eastern Europe
Products/services covered	All-purpose cleaner
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a logo and a textual claim. The words ‘...voluntary sustainability initiative’ and a reference to a website are combined with an Earth-shaped figure on a blue background on which a T-shirt, a glass and a clearing brush are present, accompanied by three white stars.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would conceivably be considered as vague. The term ‘sustainability’ associated with and the Earth-shaped figure would suggest that the product is characterised by its ecologically/ environmentally sustainable performance, however without specifying details of such performance.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would conceivably be considered objectively misleading. The logo can only be authorised for its use on products manufactured by companies complying with the sustainable cleaning. According to the website, the use of the logo by the producer of the product in question is authorised. It covers the whole life cycle of the products considered. However, in order to be awarded the certification (and the right to use the logo), companies which applied (as the producer of the product in question did) must apply the standards to a minimum of 75% of their production. In this sense it is not entirely clear whether the product in question itself complies with the standards. However, the producer’s website indicates great involvement on environment protection and sustainability. In particular, the Sustainability Report (available on the producer’s website) shows that the life cycle of all products manufactured by the producer (presumably also the product in question) is assessed (including the choice of ingredients of the product and its packaging, transportation, recycling, etc.). The Report also presents environmental performance of the producer’s production process (reduced emissions, less waste produced, etc.). The producer is a holder of several EU certifications.

	<p>Furthermore, the producer's website indicates environmental characteristics related to the products' sustainability such as: formula with natural ingredients, tensides that have a renewable vegetable origin, lack of damaging chemicals, reduced utilisation of packaging material, sustainable and energy-conscious production, etc.</p> <p>Based on the above, it could be considered that while the producer's website reflects certain environmental benefits, it is not clear that the standards are applicable to the product assessed. Therefore, the claim would conceivably be objectively misleading consumers about their sustainability characteristics.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>Based on the information contained on the website, all products are subject to a life cycle assessment which requires the gathering and evaluation of scientific information and evidence to support the claim that the producer would be ready to present, should the claim be challenged.</p> <p>However, the logo does not mean to reflect the content of those assessments but the compliance with the Standards. It is not substantiated whether the product in question belongs to the 75% of the products fulfilling this requirement.</p> <p>The claim would not be considered substantiated.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p>	<p>The claim would conceivably be considered subjectively misleading.</p> <p>Environmental performance of the product is substantiated in relation to the requirement of it undergoing life cycle assessment. However, it is not clear that the product complies with the sustainability requirements of the Standards, while the logo gives consumers an impression of compliance with environmental sustainability standards.</p> <p>For these reasons it is considered that the consumer would conceivably be misled as to the sustainable characteristics of the product.</p>

<p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim would not be considered as accurate as it is not entirely clear whether the claim covers only the product in question or the whole company producing it.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes - sustainable cleaning logo.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>The sustainable cleaning logo is used on the product and it is an authorised use of the logo.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would not be considered in line with the UCPD Guidelines. The claim would conceivably be considered vague, inaccurate and unclear.</p> <p>The producer provides information on certain sustainability characteristics and the environmental performance of the product. However, it would not be considered substantiated that the standards of the Standards are applicable to this specific product. The claim could therefore be considered objectively and subjectively misleading.</p>

1.2.1.40 Textile certification label

Geographical scope of the product	France, Western Europe
Persons targeted	Not specified
Products/services covered	Textiles (carpets)
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim is the use of the textile certification label. The label is accompanied by the statement: "tested for harmful substances according to Standard", however, it is not mandatory to include this statement with the label.
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The use of the label is not considered vague. The label is a warranty that known harmful substances are not present, or only up to a limited amount present in certain textiles, such as carpets (which are Class II of the categories of textiles under the scheme).
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The use of the label should not be considered as misleading. According to the register available on the website, this product is covered by a valid certificate. Textile certification is an independent test and certification system for all types of textiles tested for harmful substances – from threads and fabrics to the ready-to-use items. The prerequisite for textile products to be certified under the textile certification label is that all components of an article, without exception, comply with the required criteria - so not only the outer material, but also the sewing threads, linings, prints etc. and any non-textile accessories such as buttons, zips, rivets.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	The textile certification label is a test and certification system. The product is thoroughly tested (at least once in a three year period). It can be assumed that the award of the certificate is based on solid substantiation.
Is there evidence readily accessible/available?	
Subjective misleading practice	

<p>– <i>The UCPD guidance provides that:</i></p> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The use of the label should not be assessed as subjective misleading practice.</p> <p>The environmental performance of the product is linked to the absence of harmful substances.</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> – <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> – <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> – <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The use of the label is clear and accurate.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes, reference to the textile certification label</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> – unauthorised use of logos – false approval or endorsement by public or private bodies – falsely claiming to be a signatory of a code of conduct – falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>The use of the label is authorized.</p>
<p>Does the claim follow the UCPD</p>	

guidance?	The use of the textile certification label would be considered in line with the UCPD guidance.
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1.2.1.41 **The first ...**

1.2.1.42 **The first ecological footwear for kids! Growing up with nature!**

Geographical scope of the product	Southern Europe
Persons targeted	All
Products/services covered	Footwear
Overall description of the claim -text/image/label -type of product -Life cycle phase	<p>The claim consists of a textual claim with the wording "The first ecological footwear for kids! Growing up with nature!"</p> <p>The text contains two claims:</p> <ol style="list-style-type: none"> 1. The ecological nature of the shoes for children. The claim is used for a specific product line and it is complemented with the wording "Growing up with nature". 2. The producer states that the product with its environmental characteristic is the first one in the market (comparative claim). <p>The producer presents a European environmental label (flower) as well on its product labels, shoe boxes and on its website and states that it was the first Italian shoe manufacturer to receive that label.</p>
<p>Vague claim (=not compliant with UCPD Guidance)</p> <p>- <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i></p>	<p>The claim could plausibly be considered vague. The statement "ecological footwear" suggests that the product is characterised by its ecological performance, however without specifying details of such performance.</p> <p>A vague claim is contrary to the UCPD if the vague claim must be considered misleading, that is if the product cannot be regarded as beneficial for the environment in its entirety and in every step of the lifecycle of the product.</p> <p>In the present case we learned that the manufacturer is entitled to market the product under a European environmental label since 2001, for different lines of its products, which should be at first viewed as an indication that the product must indeed be regarded as environmentally performing and amongst the 10-20% most ecological products.</p> <p>Thus the vague claim may be regarded as not misleading in relation to their environmental performance and therefore acceptable.</p> <p>It is worth noting that footwear marketed by other manufacturers may well have</p>

	<p>characteristics beyond the requirements of this ecolabel (e.g. footwear of certain competitors may be made from natural products, may be naturally processed, with vegetable tanned leather, products made from recycled materials, etc. which does not seem to be the case for the examined footwear).</p>
<p>Objective misleading practice:</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance on objective misleading claims provides that:</i> <p><i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i></p> <p><i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i></p> <ul style="list-style-type: none"> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i> 	<p>The website of the manufacturer states that the shoe factory was the first Italian shoe manufacturer to receive the label (in 2001) and also states that heavy metals and toxic residues are absent, that metals and formaldehyde are minimised, that packaging comes from recycled material. The website also states that the company is the "leading" Italian ecological footwear producer.</p> <p>The statement that the product was the first to receive this ecolabel refers to the point in time when it was awarded, as well as its quality as "first class". Both interpretations of the term "first" are as such clarified on the website.</p> <p>Insofar it is a chronologic statement, the statement is correct for Italy. According to background document.</p> <p>There are merely 8 ecolabel licenses awarded for footwear, of which 4 in Italy. We checked the other countries and only a Swedish product may have been awarded the ecolabel in 2001 as well. As a chronologic statement, it seems acceptable.</p> <p>Insofar the term is used as "first class" or "leading" product, there is a comparative component. The purpose of this ecolabel is to ensure that the 10-20% overall most ecologic products of a certain product category are as such presented in the market. This positions the product in a leading situation.</p> <p>Some courts or enforcement bodies could assess this statement as innocent exaggeration. However, if it is demonstrated that other manufacturers market shoes with ecologic characteristics that go far beyond the characteristics of these shoes, the comparative claim could be assessed as misleading.</p> <p>Insofar as competing manufacturers would be able to prove that they market a</p>

	<p>product with more or more important ecologic characteristics, it can conceivably be stated that such manufacturers may file a complaint on the basis of misleading comparative advertising.</p> <p>The criteria are valid until 30 June 2015 (after an extension in 2013). Based on the certification, these statements may be regarded as truthful.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The database proves that the label was indeed awarded.</p> <p>The explaining statements are covered by this ecolabel, which leads us to believe that the statements are sufficiently proven in that framework, unless a manufacturer is able to prove that it markets a product with ecologic characteristics far beyond these statements.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The label has been awarded since 2001. The requirements for footwear under the Ecolabel involve much more criteria than the characteristics presented on the producer's website. The criteria involve an assessment of the entire lifecycle.</p> <p>Thus it is acceptable to state that the award entitles the producer to call the shoes an ecological product, even if there seem to be other products with higher environmental performance (see above).</p> <p>However, calling it the "first" or "leading" ecologic product may be considered as subjectively misleading if other manufacturers prove that they market a far more "ecologic product".</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.:</i> 	<p>The text referring to 'ecologic footwear' is as such neither clear nor accurate.</p> <p>The characteristics presented on the website are not all those taken into consideration for certification.</p> <p>Even though the consumer may believe that the product has characteristics</p>

<p><i>recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i></p> <ul style="list-style-type: none"> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>beyond the Ecolabel requirements (e.g. that recycled material is used), the fact that the label has been granted implies that the claim should not be regarded as misleading.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Yes there is reference to a European environmental label.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>We noticed that indeed the label has been awarded for different product lines of this manufacturer.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would conceivably be considered vague, but not necessarily misleading. The claim would be considered truthful as it is supported by an Ecolabel and there is basic information on the manufacturer's website about the reduced environmental impact of the product.</p> <p>Since the product has proved certified environmental benefits, the claim would not be considered as subjectively misleading.</p> <p>In relation to the claim of being a "first product" implying a quality statement that it is the "first class" product, the a European environmental label meaning that the product is between the 10-20% most environmentally friendly products confirms that position. Other manufacturers could claim that they market products with ecologic characteristics well beyond the Ecolabel's criteria, but it is not clear whether this could lead an enforcement body to consider the claim as misleading comparative publicity. From a chronological perspective that statement is true.</p> <p>For the above reasons it would be considered that the claim aligns with the UCPD guidance.</p>

1.2.1.43 **This commitment for nature etc.**

Geographical scope of the product	Austria, W Europe
Products/services covered	Clothing
Overall description of the claim -text/image/label -type of product -Life cycle phase	<p>The claim is an advertising slogan: "This commitment for nature and the environment mirrors the core values of [the company] and is a sign of ethical behaviour and environmental awareness. [The company] takes responsibility for people and nature and provides customers the ability to contribute their own part and to live with foresight."</p> <p>This claim is part of a magazine article. It must be regarded as a "company claim", claiming a global environmental awareness of the company as a whole.</p>
<p>Vague claim (=not compliant with UCPD Guidance)</p> <ul style="list-style-type: none"> - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i> 	<p>The claim would be assessed as vague. It is not indicated which general commitment for nature and environment is referred to, as it could be a company attitude in the area of the source of materials, the production process, waste management, nature conservation or even human rights.</p> <p>The article refers to the use of 'mainly' natural fabrics. What this 'mainly' ('überwiegend') exactly means is not clear at all. Further in the article reference is made to a specific segment 'modern organic', but this is not further specified and it concerns only a segment of the product line.</p>
<p>Objective misleading practice:</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance on objective misleading claims provides that:</i> <p><i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i></p> <ul style="list-style-type: none"> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i> 	<p>The claim would conceivably be considered objectively misleading as the items of the claim are not properly justified with information or other evidence.</p> <p>It could be considered untruthful as nothing indicates that the company takes a special environmental awareness. It does not provide any information on how consumers can contribute to the responsibility with people or nature.</p> <p>A "Sustainability Report for the [company]" can be downloaded from the company's website. The report contains rather vague statements ("we use synthetics only when we have to"). They</p>

	<p>state that they are “increasingly” using organic cotton in their collections.</p> <p>The claim is not substantiated with concrete information.</p> <p>On the other hand, an independent website that ranks brands is critical about this brand. The main reason is that there is no transparent information available.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>As stated above, there is no clear and detailed information available that make the general statements more concrete. There are no specific goals or achievements indicated. The consumer cannot make a clear choice on the basis of this information.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim must conceivably be regarded as subjectively misleading.</p> <p>The company image presented to the consumer would not be supported by clear evidence or information.</p> <p>The fact that a certain unknown percentage of clothes may result from organic sources should not be linked to a special environmental performance of the product.</p> <p>There seem to be insufficient elements that support a general 'environmental friendly' corporate image.</p> <p>No real environmental performance is argued while the consumer could be misled to buy the product due to the inexistent environmental performance.</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if</i> 	<p>As stated above, the vague claim should not be considered as clear or accurate.</p>

<p><i>the packaging is only partially recyclable);</i></p> <ul style="list-style-type: none"> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would conceivably be regarded as not in line with the UCPD guidance:</p> <p>It is a general and vague claim about the company policy, which would seem to be untrue as it is not supported by concrete information, and may be able to induce consumers to buy a product believing in the environmental awareness of the company's policies that are not substantiated.</p>

1.2.1.44 Tourism ecolabel

Geographical scope of the product	Europe, Africa, America, Asia.
Products/services covered	Hotel services
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a textual claim and a logo with a green key on blue background placed above the text. The tourism ecolabel is an international eco-label tourism facility that aims to contribute to the prevention of climate change and to sustainable tourism by awards and promoting good initiatives. The tourism ecolabel aims to change the practices and behaviours of actors, guests, enterprises, authorities, and local communities, and its desire is to involve them in increasing their responsibility toward their own environment. Currently it is available in Europe, Africa, America and Asia.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would conceivably be considered vague. The term is broad and refers to general green (i.e. environmental) benefits of services provided by the hotel. Similarly, the logo would refer to general environmental performance of the hotel, without specifying any details of such performance.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered as objectively misleading. The 'tourism ecolabel' certificate awarded to the hotel is available on the hotel's website. The certificate states that it is awarded to establishments that fulfil a list of environmental requirements publicly available in the 'tourism ecolabel' website. They are gathered in the International Baseline Criteria for hotels developed by a foundation environmental education. The list of establishments is available in the web as well and includes establishments of the hotel company in Poland selected as the basis for this assessment. Through that website consumers can learn what environmental benefits each hotel has.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	The hotel has documentation from the audit carried out by auditors from 'the tourism ecolabel' who awarded the certificate to the hotel. It contains evidence to support the environmental benefits of the product according to the claim.
Is there evidence readily	It would be available in case the claim is subject to challenge.

accessible/available?	
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim would not be subjectively misleading according to the assessment. The claim refers to environmental benefits of the hotel that have been audited and certified. The information relevant to the hotel specifies the criteria related to the environmental performance. Therefore, we consider that there would be no risk for the consumer to be misled by environmental performance of the hotel.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim would be considered to be clear and accurate as it refers to environmental standards applied specifically by the hotel company under consideration. The list of the environmental standards implemented by the hotel company in Poland is publicly available.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>Not available</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct 	<p>Not available</p>

has been endorsed by a public or private body	
Does the claim follow the UCPD guidance?	<p>The claim would conceivably be considered vague but clear and accurate. It would not be assessed as objectively and subjectively misleading as it indicates which environmental standards are fulfilled by the hotel and this information is available for consumers on the 'tourism ecolabel' website.</p> <p>For the above reasons, it would be concluded that the claim, although vague, could be considered in line with the UCPD guidance.</p>

1.2.1.45 **True Green**

Geographical scope of the product	W Europe
Persons targeted	All
Products/services covered	Light bulbs
Overall description of the claim -text/image/label -type of product -Life cycle phase	Logo "true green"
Vague claim (=not compliant with UCPD Guidance) – <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The logo with the wording 'true green' as such is vague. It is not possible to know what the environmental performance of the product holding the logo is. However, the impact of such claim would depend on whether the claim could be considered misleading or not.
Objective misleading practice: – <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1).</i> <i>Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> – <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered objectively misleading as, according to the website information, there are specific environmental benefits of the light bulb and therefore the claim could be considered truthful. The website of the producer states: "Compact fluorescent lamps (CFLs) are proven to use 80% less energy and be more environmentally friendly than traditional light sources. In fact, many countries have already implemented or are planning to introduce legislation to phase out incandescent light bulbs in favour of CFLs. Technological advancements have also enabled safer and higher quality CFLs to be developed which is a welcome response to the environmental issues surrounding the use of liquid mercury experienced by consumers using lower quality alternatives. Compared with incandescent bulbs, CFLs deliver incredible lighting performance while consuming 80% less power, and generate 80% less CO2. CFLs also emit less heat than incandescent bulbs, contributing to a reduction in energy consumption from air-conditioning units and further reducing CO2 emission that causes global warming. In addition to impressive lighting performance, CFLs also typically last 8 to 15 times longer than traditional incandescent bulbs, reducing the amount of replacement bulbs a fitting will need throughout its lifetime and

	<p>subsequently reducing wastage and landfill.”</p> <p>Furthermore, other benefits are related to benefits in disposal (because there is no liquid mercury involved): “With due consideration for materials and product recovery at the end of a product’s life, the CFL lamp recovery rates are at present at 82%, which is 12% higher than the WEEE Directive standard for CFLs.”</p> <p>The amalgam used in the CFLs contains only a small amount of chemically bound mercury in stable solid form. Mercury vapour does not release until it reaches around 100°C under atmospheric pressure, this safer technology also prevents land and water contamination from mercury leakage even if the lamps are not properly recycled. In addition to the mercury being more stable, there is only a tiny amount of it. CFL lamps provide excellent illumination performance at minimal mercury levels, on average less than 2mg per lamp, well under the 5mg limit for mercury set by the EU environmental regulation, and less than in other household items such as button cell batteries and thermometers. All producer’s lamps are compliant with the EU RoHS directive on the use of hazardous substances in electrical and electronic equipment.</p> <p>Furthermore, the use of these lamps has an impact on the emissions from electricity generation plants. According to statistics released by the US Environmental Protection Agency, 70% of power plants are coal fired and burn fossil fuel for energy. In general, such a plant would emit 10mg of mercury to produce enough electricity to run an incandescent bulb, compared to just 2.4mg of mercury to run a CFL for the same amount of time.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> 	<p>Scientific information is not readily available. However, the website contains detailed information about the impact of the technological innovation. The use of amalgam, the main basis of the claim, is further explained. And the website refers to the dangers of mercury.</p> <p>Based on the detailed information on the</p>

<p>Is there evidence readily accessible/available?</p>	<p>website, it can be assumed that further substantiating information may be available.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The label "True Green" is a private label. It is not certified by third parties.</p> <p>However, an average consumer may believe that "Tree green" is a certified label.</p> <p>It cannot be excluded that a substantial number of consumers believes that the product has been certified by third parties, and thus the use of the confusing label may conceivably be regarded as misleading.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product</i> 	<p>Insofar that the claim is a logo which looks like a label, it may be regarded as inaccurate in that consumers may be induced to believe that the label is certified by third parties.</p>

<i>characteristics the claim exactly covers;</i>	
Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)	No, however there is a confusing use of the label "True green".
Reference to relevant Annex 1 prohibited or black listed practices in UCPD: <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	No, however there is a confusing use of the label "True green".
Does the claim follow the UCPD guidance?	The use of the logo "True green" would conceivably be regarded as not in line with the UCPD. A substantial number of consumers may be induced to believe that the claim is subject under a certification scheme and that the product's environmental standards and performance have been certified by third parties, which is according to the information available not the case.

1.2.1.46 **With organic cotton**

Geographical scope of the product	Italy, South Europe
Products/services covered	The general product line is baby nappies.
<p>Overall description of the claim</p> <ul style="list-style-type: none"> -text/image/label -type of product -Life cycle phase 	<p>The claim is composed of two complementary claims: the first is the textual claim "<u>with</u> organic cotton" on the package of the product.</p> <p>The claim implies that the producer's nappies are made out of organic cotton.</p> <p>The second claim is included as information linked to a small asterisk after the claim.</p> <p>On a different part of the package the asterisk is explained as following: "the Outer cloth contains organic cotton".</p> <p>In Italian: "il rivestimento esterno contiene cotone biologico".</p> <p>Some packages show a drawing of the nappy with arrows explaining the different parts of it.</p>
<p>Vague claim (=not compliant with UCPD Guidance)</p> <ul style="list-style-type: none"> - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i> 	<p>The first claim would not be considered vague as it specifically informs that the nappies are made out of organic cotton.</p> <p>The statement "contains organic cotton" would, however, be considered vague, as it does not indicate what percentage of the organic cotton it contains, which part of the nappy contains 'how much' organic cotton.</p> <p>Although it is clear that not the entire product is made of organic cotton, it should at least have been specified how much organic cotton makes up the relevant part.</p>
<p>Objective misleading practice:</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance on objective misleading claims provides that:</i> <p><i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i></p> <ul style="list-style-type: none"> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the</i> 	<p>It may be accepted that the product contains some organic cotton, and as such the claim would not be objectively misleading or incorrect.</p> <p>It should be noted that the use of the term 'organic' in connection with textiles is not regulated in EU legislation (as it is the case for foodstuffs), and that the textile labelling regulations are concerned with the used fibres but not the processing thereof.</p>

<p><i>basis of evidence which can be verified by the competent authorities</i></p>	
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The claim is not substantiated.</p> <p>The website of the manufacturer states that organic cotton is used for the production of the nappies, but there are no further substantiating statements.</p> <p>The website does not specify what is the percentage of organic cotton that it contains, or which part of the nappy exactly contains "how much" organic cotton, or where it is sourced or how it is processed. It is not clear if the claim is certified according to a recognised standard for 'organic cotton'.</p> <p>The response to our questions by the producer confirmed the use of organic cotton but did not provide more information on the percentage or the distribution of the organic cotton in the different parts of the nappy.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The general claim "with organic cotton" could conceivably be assessed as subjectively misleading.</p> <p>The consumer is induced to believe that the nappy is fully made of organic cotton or that it is at least substantially made of this material.</p> <p>After a purchase, when a consumer reads the statement referred to by the asterisk, the consumer will only find out that just an unclear part may contain an unclear amount of the biologic cotton and only in the outside part of the nappy.</p> <p>The overall impression about the product may conceivably be regarded as subjectively misleading.</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p>	<p>The claim should be assessed as unclear and inaccurate.</p>

<ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim must conceivably be regarded as not in line with the UCPD guidance, since the statement would be considered vague and none of the parts could be considered accurate. It may induce an erroneous impression on the composition of the product that is solely (and partially) rectified after reading a statement referred to with an asterix.</p> <p>It could thus conceivably be regarded as subjectively misleading.</p>

1.2.1.47 **[Company] recycles!**

1.2.1.48 **Did you know you can recycle your [company] capsules?"**

Geographical scope of the product	Portugal, South Europe
Products/services covered	Coffee machines with capsules
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim is a textual claim composed of two statements: 1. [Company] recycles! 2. Did you know you can recycle your [company] capsules?"
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would not be considered vague. It states that the company's capsules can be recycled by the trader and by the consumer, which is a specific statement (that is furthermore explained on the producer's Portuguese and international website).
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that: The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides. - In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim is issued in several countries. The examined claim was specifically issued in Portugal, and thus we examined whether the company provides a clear recycling method for Portuguese customers. The company created recycling systems to build its capacity to collect used capsules or organise capsule retrieval systems in several countries. These collection systems require consumers to bring it to specific collection points (such as the company's boutiques or local partners including retail and municipal waste). The Recycling@Home initiative, applied in certain countries, includes the service of doorstep collection at the domicile of consumers. The company states that its capsules are made from aluminium, which is infinitely recyclable. After use it continues to retain all its properties, which makes it possible to recycle it into new aluminium products. By collecting and recycling used capsules the environmental impact is reduced. Furthermore, the following is stated on the general website: "Our focus is to make it as easy as possible for our Club Members to return used capsules for recycling. In 2009, we committed to putting collection systems in place to triple our capacity to recycle used

	<p>capsules to 75% by 2013. In 2012, 25 markets had systems in place to collect used capsules. Our global collection capacity reached 76,4%, with about 14,000 dedicated collection points worldwide. "</p> <p>In certain countries, the used capsules can be collected in accessible collection places.</p> <p>The website provides a factsheet in pdf: "Perfecting packaging solution", mentioning the collection points per country. It states that there are 270 collection points in the company's boutiques, retail partners, in offices and in community waste recycling centres.</p> <p>Collection points can be found on the website with a search system and maps.</p> <p>It seems that the company has a substantial recycling scheme in place with more than 200 recycling points in Portugal. Even though there are no guarantees from an objective point of view, the claim may be considered as truthful.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The company's website clearly indicates which recycling points exist in all relevant countries. The existence of the network of recycling points is accepted. No further substantiation is required.</p> <p>However, there is not much information about the recycling processes and the percentage recovered and re-used or the capacity to collect used capsules in percentages. The information is not fully substantiated.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine</i></p>	<p>The statement that "you can recycle your capsules easily" may be deemed confusing and thus misleading for a consumer who does not immediately examine the exact meaning of the statement.</p> <p>A customer may believe that he will be able to recycle his own capsules, i.e. re-use them by being able to refill the capsule. Such understanding would not only imply an environmental advantage, but an additional financial incentive, since the capsules are considered expensive in general, and some consumers would like</p>

<p>claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>to be able to fill such capsules with grounded coffee of their own choice.</p> <p>That would however be an erroneous belief, since a consumer is only able to recycle the capsules in an abstract manner, as part of a collective recycling program.</p> <p>The general claim may have an impact on consumers who are environment-conscious. However, if the claim is erroneously perceived as a possibility to refill specific capsules, the impact would be even more important.</p>
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>Insofar as the company has set up a general recycling system, the claim may be perceived as clear and accurate. However, the phrase that "you" can recycle "your" capsules should be regarded as unclear and possibly inaccurate, at least possibly confusing.</p> <p>The claim may be rephrased in a more cautious and abstract manner, without a reference to "your capsules".</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim could be perceived as objectively truthful insofar the company has indeed created a recycling network. However, the claim would not be considered fully substantiated and would conceivably be perceived as subjectively misleading and confusing, where the used wording may induce to an expectation</p>

	<p>about the recyclability and reusability of specific capsules. This confusion may have been avoided with a more careful wording.</p> <p>The claim could therefore conceivably be considered not in line with UCPD Guidance.</p>
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1.2.1.49 **100 % recycled lining**

Geographical scope of the product	Western Europe
Products/services covered	Footwear
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim is a textual claim with the following wording: '100 % recycled lining'.
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim would not be considered vague as it refers to a specific environmental benefit of the product, i.e. the fact that its lining is made in 100% from recycled material.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be considered objectively misleading. The producer specifies on his website that the lining of the footwear in question is made from 100% recycled PET derived from recycled plastic bottles. Hence, the producer additionally specifies what kind of material is recycled for the purposes of producing the lining (PET derived from recycled plastic bottles). As such, the claim could not mislead an average consumer in relation to the environmental performance of the product. Moreover, the producer's website indicates further environmental benefits of the product, e.g. that laces are made from 100% organic cotton and that outsole is manufactured from 42% recycled rubber. Furthermore, the website contains information about the producer's overall engagement for sustainable production. This information additionally increases environmental performance of the product.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	Based on the information contained on the website and in particular on detailed information on the amount (100%) and type (PET derived from recycled plastic bottles) of recycled material used to manufacture the lining, it is assumed that the trader has further scientific evidence to sufficiently support the claim and would be ready to present it, if the claim was challenged.
Is there evidence readily accessible/available?	
Subjective misleading practice - <i>The UCPD guidance provides that:</i> <i>The environmental claim is misleading because it</i>	The claim would not be considered as subjectively misleading. The claim specifically refers to a particular environmental benefit of the product and

<p><i>deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>such benefit is further clearly confirmed by the producer on the website. In addition, it is assumed that the producer would have sufficient evidence to support the claim, if it was challenged. Therefore, it could not be assumed that the claim would subjectively mislead an average consumer.</p>
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> <i>– whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> <i>– whether the claim refers to a company (applying to all its products) or only to certain products;</i> <p><i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i></p>	<p>The claim would be considered clear and accurate.</p> <p>It would be clear that the claim (i) relates solely to one component of the product, i.e. the lining and (ii) that it covers footwear from the particular collection of the producer, i.e. [product/service].</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>N/A</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> – unauthorised use of logos – false approval or endorsement by public or private bodies – falsely claiming to be a signatory of a code of conduct – falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>N/A</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim would be considered concrete (not vague), clear and accurate. As the claim relates to a specific environmental benefit of a product and that benefit is</p>

	<p>further confirmed and specified by the producer on his website, it would be assessed that the claim could not objectively and subjectively mislead a consumer. It is also considered that the producer has sufficient information in the website that can only be based on additional technical or scientific evidence which could be provided to sufficiently support the claim, if the claim was challenged.</p> <p>Therefore, it would be considered that the claim follows the UCPD guidance.</p>
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1.2.1.50 **20 refuse sacks from bio plastics in granular form**

Geographical scope of the product	Southern Europe (Italy, Malta)
Persons targeted	All
Products/services covered	Home products (refuse sacks for separate waste collection) The producer owns the patents for the manufacture of bio plastics in granular form. It is used by companies that undertake to produce bags in accordance with the defined technical protocol, which guarantees their quality, with its appropriate licence No. and with indications to the consumer about the type of food waste to put in it and the minimum recommended basic weight values.
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim consists of a text with the wording "20 refuse sacks in ..." and the logo ...™. Furthermore, the sacks indicate that they are "biodegradabile e compostabile". Bio plastics in granular form is indicated as a logo. It is also a technology and a product developed and produced by an Italian company.
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim is not vague since there is clear reference to the technology that is used, to the product covered and to the characteristics of the bags. However the text of the claim is not clear and could potentially be interpreted as calling consumers to refusing waste recycling.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities.</i>	The website of the manufacturer provides all necessary substantiation and scientific evidence, and therefore there is no objective misleading practice. The company produces and markets a broad family of innovative bioplastics obtained thanks to proprietary technologies in the field of starch, cellulose, vegetable oils and their combinations. Bioplastics are materials whose properties and characteristics of use are very similar to those of traditional plastics, but at the same time, they are biodegradable and compostable according to the European standard UNI EN 13432, the most important reference for the technical material manufacturers, public authorities,

	<p>composters, certifiers and consumers.</p> <p>Due to the characteristics of biodegradability and compostability, these products allow to optimise waste collection and management, to reduce environmental impact and to contribute to the development of virtuous systems with significant advantages along all the production-consumption-disposal cycle.</p> <p>The website claims that compostable bags are used around the world, helping communities save the environment and save money. The compostable plastic bags are made from renewable plant materials like sunflowers and corn starch. The organic waste is therefore used as resources, not wastes. Composting is a controlled process of biodegradation, where organic substances and materials are broken down into simpler substances through the action of enzymes from microorganisms. If this process is complete, the initial organic substances are entirely converted into simple inorganic molecules such as water, carbon dioxide and methane. Biodegradation is part of the earth's natural life cycle, which is based on carbon.</p> <p>Furthermore, the website indicates that by utilising readily available methods of composting and anaerobic digestion (AD) the methane emissions that caused GHG emissions are either avoided or captured.</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The evidence is readily accessible and available on the manufacturer's website. The product has been certified in several countries and seems to match the requirements of European standards in this area.</p> <p>The production is subject to a life cycle assessment as well (all detailed information are included on the manufacturer's website).</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p>	<p>There is no subjective misleading practice.</p> <p>The trademark/logo refers to compostable and biodegradable material, which seems sufficiently explained and substantiated.</p>

<p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	
<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that:</i></p> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> <i>– whether the claim covers the whole product or only one of its components (e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> <i>– whether the claim refers to a company (applying to all its products) or only to certain products;</i> <i>– if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claim is sufficiently clear and it would seem accurate.</p> <p>The claim just mentions the material of the product and the compostable and biodegradable characteristics which are clear claims. No vague or generic expressions or images are used in the claim.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>There is no reference to third party certification bodies on the product packaging.</p> <p>The explaining text on the website refers to European standards.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> – unauthorised use of logos – false approval or endorsement by public or private bodies – falsely claiming to be a signatory of a code of conduct – falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>No.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claim is not vague since it contains just the reference to the product material and the official logo created by the manufacturer</p>

	for the product. In this sense the claim seems neutral and objective and could be considered in line with UCPD guidance.
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1.2.1.51 **95% of natural origin**

Geographical scope of the product	Europe – the sample is from North Europe
Persons targeted	Female consumers
Products/services covered	Female body moisturiser (skin cream).
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claim is submitted to our review as a label but it is a logo, not a label, with a certification scheme behind it. The logo shows "95%" written in green on top of the circle. At the bottom of the circle it states "of natural origin" in purple and in the middle there is a green leaf. The product is from a specific line by the producer.
Vague claim (=not compliant with UCPD Guidance) - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claim is precise. It includes a percentage of the ingredients of natural origin.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that: The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides. - In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	According to the website, the product contains 95% natural ingredients, and it is free from chemical or non-natural ingredients such as silicones, parabens, and colourants. ¹⁰ The whole product line is explained on the website, with a video movie explaining the use of specific natural ingredients and presentations by the producer's scientific experts. They refer to tests by independent organisations. A FAQ section answers additional questions. At first view there is no reason to reject these statements, but on the other hand we don't notice objective statements. The ingredients of the product are: Aqua, Glycerin, Alcohol Denat., Caprylic/Capric Triglyceride, Cetearyl Alcohol, Hydrogenated Vegetable Oil, Octyldodecanol, Glyceryl Stearate Citrate, Methylpropanediol, Dicaprylyl Ether, Glyceryl Stearate, Propylene Glycol, Argania Spinosa Kernel Oil, Aloe Barbadensis Leaf Juice, Tocopherol, Sodium Carbomer, Xanthan Gum, Methylisothiazolinone, Linalool, Limonene, Citronellol, Benzyl

¹⁰ The information provided: "and it is free from chemical or non-natural ingredients such as silicones, parabens, and colourants" has nothing to do with the claim '95% natural ingredients'. It "stigmatizes" some ingredients that are safe.

	<p>Alcohol, Butylphenyl Methylpropional, Alpha-Isomethyl Ionone, Geraniol, Parfum.</p> <p>The use of the term "natural ingredients" is uncertain, as the term "natural" does not fall under the definitions for food products regulated by EU law such as "organic". Thus, the criteria to define an ingredient as of "natural origin" are uncertain.</p> <p>ISO is working on defining "natural" and "organic" in the context of cosmetics.¹¹</p>
<p>Substantiation/scientific evidence (Article 12 of the UCPD)</p> <ul style="list-style-type: none"> - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i> <p>Is there evidence readily accessible/available?</p>	<p>The producer's website claims that the product has been tested by independent third parties, but there are no further explanations or documentation supporting it.</p> <p>According to the Cosmetics Regulation, evidence of claims must be kept in the Product Information File, which should be accessible to control authorities.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p> <p>Impact of such claims on consumers</p>	<p>The claim is presented through a logo which looks like a label with the green leaf and the wording "95% of natural origin". The average consumer may believe that this is an official, third-party certified label.</p> <p>However, the label seems private and only used by that producer. The website does not refer to any official certification by third parties, or to any label or scheme issued by third parties.</p> <p>The use of the label type of logo, which may induce consumers to believe that it is granted and certified by third parties, is subjectively misleading.</p> <p>Furthermore, the consumer could be confused about the term "from natural origin" (which is not covered by Article 23 (1) and (2) of Regulation (EC) 834/2007 on organic production and labelling of organic products and repealing Regulation (EEC) 2092/91).</p> <p>The claim "From natural origin" might not exclude the processing of certain ingredients. The label and the statement may conceivably be considered as misleading as to their meaning and may confuse consumers.</p>

¹¹ http://www.iso.org/iso/home/store/catalogue_tc/catalogue_detail.htm?csnumber=62503

<p>Clarity and accuracy of the claim</p> <p><i>The UCPD Guidance provides that: Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The label is not clear as to its meaning, or as to the certifier of the label (if any), nor is it accurate, since it does not specify whether ingredients have been processed by "unnatural" methods or substances.</p>
<p>Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)</p>	<p>No.</p>
<p>Reference to relevant Annex 1 prohibited or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>The producer's website does not state whether or not the logo is a certified third-party logo. The marketing cannot be regarded as an explicit false endorsement. However, the logo may be regarded by certain consumers as an official, certified logo, which does not seem to be the case. After thorough examination, it cannot be excluded that enforcement bodies or courts would consider that the manufacturer falsely claims that the product has been endorsed by a public or private body.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The label is not sufficiently clear on the environmental benefit of the product, since it refers to the "natural origin" of the product, a term that is not defined, and it makes no statement on the processing of ingredients.</p> <p>The label may be considered subjectively misleading, since consumers may confuse the environmental performance of the product with the environmental value of competing products that (correctly) refer to their organic origin.</p> <p>Furthermore, consumers may be misled by the value of the label in itself, which may be regarded as a logo certified by third parties, even if not intentional. It would be too severe to state that the manufacturer intentionally claimed falsely that the product has been endorsed by a public or private body (although certain authorities or courts may come to such decision).</p> <p>The label would conceivably be considered as not in line with the UCPD guidance.</p>

1.2.1.52 **99% of the ingredients come from biological sources. Scent 100% of biological origin.**

1.2.1.53 **Does not contain Silicons or parabens.**

Geographical scope of the product	Southern Europe
Products/services covered	Shampoos
Overall description of the claim -text/image/label -type of product -Life cycle phase	The claims consist of a single text with the wording '99% of the ingredients come from biological sources. Does not contain Silicons or parabens. Scent 100% of biological origin.'
Vague claim - <i>Examples for vague and general environmental benefits of a product: "environmentally friendly, green, nature's friend, ecological, sustainable" (p. 43 UCPD Guidance</i>	The claims would be considered concrete and not vague. They indicate the specific environmental benefit of the product, i.e. that almost all its ingredients as well as its scent come from biological sources. The claims also clearly state that the product does not contain the chemical products silicons and parabens.
Objective misleading practice: - <i>The UCPD Guidance on objective misleading claims provides that:</i> <i>The environmental claim is misleading because it contains false information and is therefore untruthful, in relation to one of the items of the list provided for by Article 6(1). Example: use of the term "biodegradable" when that is not the case (e.g. on a product for which no tests have been carried out); use of the term "pesticides-free" when the product actually contains some pesticides.</i> - <i>In conjunction with Article 12 of the Directive, this means that any environmental claims must be made on the basis of evidence which can be verified by the competent authorities</i>	The claim would not be assessed as objectively misleading. The website refers to paraben-free, silicone-free, colourant free and 100% naturally derived fragrance. It also states that the scent is of biological origin. Furthermore, it claims the product is certified by two certification schemes (specialised in cosmetic products). The information stated in the claim is confirmed through the brand's website and the websites of both certification schemes whose logos appear on the product's bottle. The information does not clarify the environmental benefits of the use of biological sources (e.g. use of organic fertilisers) and it is assumed the consumer knows them.
Substantiation/scientific evidence (Article 12 of the UCPD) - <i>Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in the case that the claim is challenged (p. 41 UCPD guidance)</i>	According to the website, the claims could be considered as substantiated. The information in the producer's website is linked to several certification schemes. It is assumed that those schemes would require producers to provide scientific information for the product to be awarded the two certifications.
Is there evidence readily accessible/available?	The first certification scheme is an independent monitoring and certification organisation with government oversight

	<p>that guarantees transparency for organic beauty products. This certification assures that bottles are recyclable and formulas contain no colourants, no parabens, have 100% natural fragrance and are dermatologically tested. Furthermore, at least 95% of the ingredients must be of natural origin.</p> <p>The second certification guarantees that products contain natural and organic components certified by an independent organisation. Ingredients produced by organic farming means they are not altered by chemical agents such as synthetic pesticides and fertilisers. The product contains 99% natural origin ingredients and 10.4% organically farmed ingredients.</p> <p>Before products receive the above certifications, they are scientifically examined according to the relevant standards of the 2 certification schemes. Therefore, it is considered that the producer has the scientific evidence readily accessible to support the claim, if it was challenged by consumers or competent authorities.</p>
<p>Subjective misleading practice</p> <ul style="list-style-type: none"> - <i>The UCPD guidance provides that:</i> <p><i>The environmental claim is misleading because it deceives or is likely to deceive the average consumer, even if the information contained therein is factually correct.</i></p> <p><i>Example: advertisement showing a car in a green forest; use of natural objects (flowers, trees) as symbols; use of vague and general environmental benefits of a product ("environmentally friendly, green, nature's friend, ecological, sustainable"); greening of brand names or of a product's name.</i></p> <p><i>Example: a manufacturer of a washing machine claims that his new model reduces water usage by 75%. This may have been true in certain laboratory conditions but within an average home environment it only reduces water by 25%.</i></p> <p><i>Example: a food product is claimed to be produced in an environmentally friendly manner, based on a label or certification scheme which in fact only ensures that the farmer complies with the environmental baseline under EU law (cross-compliance).</i></p>	<p>The claim could be considered potentially subjectively misleading based on the possible misuse of "bio".</p> <p>The words "organic, biological, ecological" and related abbreviations/derivatives such as "bio" and "eco" are often used for non-food products such as cosmetics, cleaning products or textiles. These terms are protected in EU legislation for food products, which means they can only be used when complying with the organic farming regulation¹². No such rules in EU legislation are currently applicable to non-food products. However, the rules applicable to food products may have generated expectation on consumers that all "bio products" are organically farmed and certified according to a recognised standard. Consumers are unlikely to know that the protection of the terms in Article 23 of the Organic Farming Regulation only refers to food products. The use of the</p>

¹² Regulation (EC) n°834/2007, Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91, OJ L 189. 20.7.2007

Impact of such claims on consumers	protected term in the labelling of non-food items is therefore creating consumer confusion ¹³ . In addition, the provisions of Regulation 834/2007 on organic production and labelling of organic products, even if legally speaking not applicable to these types of non-food products, may have generated expectations on the consumers regarding the meaning of the above mentioned terms. The claims would make consumer believe that ingredients are 99% organic certified according to a recognised standard. They refer to the 99% of ingredients from biological sources when in reality they are natural ingredients and only 10.4% are organically farmed.
<p>Clarity and accuracy of the claim</p> <ul style="list-style-type: none"> - <i>The UCPD Guidance provides that:</i> <p><i>Clarity and accuracy of the claims are important criteria for the assessment by national enforcers. In particular, it should be mentioned in a way to be clear for the average consumer:</i></p> <ul style="list-style-type: none"> - <i>whether the claim covers the whole product or only one of its components(e.g.: recyclable packaging where the content is not recyclable or a part of the packaging if the packaging is only partially recyclable);</i> - <i>whether the claim refers to a company (applying to all its products) or only to certain products;</i> - <i>if the claim does not cover the product's entire life cycle, which stage of the lifecycle or the product characteristics the claim exactly covers;</i> 	<p>The claims would conceivably be considered as not being clear and accurate.</p> <p>It would be clear for the consumer that the claims relate to the characteristics of the product in question, including its ingredients and even the bottle (recyclable) where the shampoo is packaged. It is also evident that the claims relate to the particular product in question coming from the producer, not to all of its products. However, it is unclear the organically farmed origin of the ingredients of the product, which in reality only are 10% of them.</p> <p>The claims could plausibly be assessed as not clear and accurate because of the unclear distinction in the textual claim between natural sources and biological or organic farmed sources.</p>
Reference to third party certification body (not a formal requirement under the UCPD and its guidance document)	Yes
Reference to relevant Annex 1 prohibited	The logo is used on the bottle; it is an

¹³ The report "Evaluation of the EU legislation on organic farming" also examined whether there is a case for the inclusion of additional products under the scope of the Regulation, such as non-food products partly made from agricultural raw materials (e.g. textiles, cosmetics) or products closely related to agriculture (e.g. beeswax, maté, essential oils)? The report concluded that the scope of the Regulation is mostly adequate to match the current needs of organic farming supply and distribution chains, but is not fully adequate to meet the needs of consumers of organic products. Private standards and international initiatives exist which are developing harmonised and accepted minimum criteria for the regulation of such products. For example, in the case of cosmetics an ISO working group exists which is aimed at defining valid organic claims for these sectors. http://ec.europa.eu/agriculture/evaluation/market-and-income-reports/2013/organic-farming/chap6_en.pdf - http://ec.europa.eu/agriculture/evaluation/market-and-income-reports/organic-farming-2013_en.htm

<p>or black listed practices in UCPD:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies - falsely claiming to be a signatory of a code of conduct - falsely claiming that a code of conduct has been endorsed by a public or private body 	<p>authorised use of the logo.</p>
<p>Does the claim follow the UCPD guidance?</p>	<p>The claims would not be considered vague, but they could credibly be considered unclear and not accurate in relation to the real nature of the ingredients.</p> <p>The term "bio" should reflect organically farmed products but from the information on the website it appears that only 10,4% of the product's ingredients are organically farmed and certified according to 2 recognised standards, whereas it is claimed that '99% of the ingredients come from biological sources'. The claims on the product's bottle do not coincide with the information on the environmental performance of the product provided by the producer, and therefore the claims could conceivably be assessed as not true and objectively misleading. They could also be plausibly considered subjectively misleading as the consumer may believe that 99% of the ingredients are organic.</p> <p>For the above reasons, we consider that the claims would conceivably be considered not in line with the UCPD guidance.</p>

1.2.2 Assessment against the voluntary food labelling guidelines

1.2.2.1 Energy label for windows

1. General description of the label/logo	
Name of the scheme	Window Energy Label
Country of scheme origin	It originated in the United Kingdom.
Geographical scope <ul style="list-style-type: none"> - <i>Is it a cross- country scheme?</i> - <i>If yes, what other countries does it operate in?</i> 	It is a national scheme.
Public or private scheme <i>A scheme is not considered public unless it explicitly states this on the website and it is operated by a public body</i>	Private scheme. The Window Energy Label is not a statutory requirement, but a voluntary label to allow consumers to make informed decisions on the energy performance of competing products.
Type of scheme <i>A certified scheme is one where a third party has verified the product meets the scheme requirements. A self-declared scheme is one where there is no third party verification. - <i>If it is a certified scheme, are the contact details of the certifying body provided?</i></i>	The scheme is a certified scheme. It is in first instance based on a Simulation with a Certified Simulator. At a later stage, the simulation and the manufacturing systems are audited by one of four Independent Agencies. The contact details of the four certifying bodies (Independent Agencies) are provided on the website.
Persons targeted	Manufacturers and distributors (retailers/installers) of windows.
Product/services covered	Windows as a whole, as a specific configuration of glass and frame.
Product/services covered according to the categories of the study	Windows.
Policy areas covered	Energy performance
Current number of members/participants/products	4392 total live licences, and 925 authorised retailers.
Aim	The aim of the use of the label is to allow consumers to make informed decisions on the energy performance of competing window products. However, the label fulfils more and more functions in the framework of the Building Regulations (as a means of proof of certain minimum requirements) in the UK.
Description of the label/logo	This label will display the following information: <ol style="list-style-type: none"> 1. The rating level – A, B, C, etc... 2. The energy rating e.g. -3kWh/(m²·y) in this example the product will lose 3 kilowatt hours per square metre per year.

	<ol style="list-style-type: none"> 3. The window U value e.g. $1.4\text{W}/(\text{m}^2\cdot\text{K})$ 4. The effective heat loss due to air penetration as L e.g. $0.01\text{ W}/(\text{m}^2\cdot\text{K})$ 5. The solar heat gain e.g. $g=0.43$ <p>It will determine how well a product will perform the functions of:</p> <ul style="list-style-type: none"> • Helping you contain and conserve heat within your building in the winter • Keeping out the wind • Resisting condensation • Contributing to improved sound insulation
2. Scheme participation and development	
<p>Open under transparent and non-discriminatory criteria:</p> <p><i>This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in some instances). The criteria do not discriminate against participants who are willing to participate and could meet the criteria.</i></p> <ul style="list-style-type: none"> - <i>Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements?</i> 	<p>The criteria for the calculation of the rating are transparent and open to the public. They are available on the website.</p> <p>Technical formulas for calculation are presented and are complex; however the meaning of the formulas would be clear for consumers that are interested in the issue.</p> <p>The scheme criteria are open to suppliers from other countries than the U.K., if their products are supplied within the U.K. The U.K. climate conditions are however applicable.</p>
<p>Supervisory structure</p> <p><i>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the organisations involved should be documented and publicly available.</i></p> <ul style="list-style-type: none"> - <i>Does the scheme have a supervisory structure which allows for the contribution of all concerned stakeholders?</i> 	<p>A Board of Directors comprising representatives of industry and trade associations' representatives is the body allowing for the stakeholder participation in the scheme.</p> <p>Consumer organisations are not involved.</p>
<p>Participation of all concerned stakeholders</p> <p><i>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</i></p> <ul style="list-style-type: none"> - <i>Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development?</i> 	<p>In addition to the Board there is an Advisory Committee which is formed of trade association members representing all types of window framing materials as well as glass unit manufacturers.</p>
<p>Scheme requirements developed by technical committees of experts</p> <p><i>Scheme requirements should be developed by</i></p>	<p>The criteria are based on standards and scientific data developed by industry and trade associations' representatives. Industry</p>

<p>technical committees of experts and submitted to a broader group of stakeholders for inputs.</p> <ul style="list-style-type: none"> - Are the scheme requirements developed by technical committees and submitted to groups of stakeholders for input? 	<p>stakeholders are involved.</p>
<p>Participation of concerned stakeholders in the development of inspection criteria</p> <p><i>Managers of schemes should ensure the participation of concerned stakeholders in the development of inspection criteria and checklists, as well as in the design and determination of thresholds for sanctions</i></p> <ul style="list-style-type: none"> - Are concerned stakeholders included in the development of inspection criteria, checklists or/and in the development of thresholds? 	<p>Inspections are based on the scheme's criteria, thus industry stakeholders are involved.</p>
<p>Feedback mechanisms to regularly review rules and requirements</p> <p><i>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</i></p> <ul style="list-style-type: none"> - Are there feedback mechanisms to regularly review rules and requirements? - Is there a feedback form for comments on the website? 	<p>The Window Energy Label operates an ISO 9001 QMS, and as such it is required to process customer feedback, typically in the form of emails or letters.</p>
<p>Change to scheme requirements</p> <p><i>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</i></p> <ul style="list-style-type: none"> - Are changes to the scheme requirements made only when justified? 	<p>Essentially the energy rating equation is governed by the climatic condition for the U.K. This would be re-assessed as and when required.</p>
<p>3. Scheme requirements and corresponding claims</p>	
<p>3.1 clarity and transparency of scheme requirements</p>	
<p>Social environmental economical and/or legal objectives clearly stated</p> <ul style="list-style-type: none"> - Does the scheme clearly state the objectives? 	<p>The objectives are environmental and energy savings; furthermore the role of the scheme is taken into consideration in certain legal frameworks (Building regulations).</p>
<p>Claims and requirements linked to the objectives of the scheme</p> <ul style="list-style-type: none"> - Are claims and requirements clearly linked to the objectives? 	<p>The rating will indicate the global 'energy performance' of a window; the requirements for a good rating are linked to the objective of the scheme. The scheme does not set requirements for the use of the label; it provides a rating.</p>
<p>The scope of the scheme for products and/or processes are clearly defined</p> <ul style="list-style-type: none"> - Is the scope of the scheme (i.e. the type of products or processes it covers) clear? 	<p>The Energy Window label refers simply to the energy performance of a specified and defined window configuration (glass and frame) and offers no guarantee or</p>

	certification of other aspects of window performance.
<p>Scheme specification clear sufficiently detailed and easily understandable</p> <ul style="list-style-type: none"> - Are the scheme requirements/specifications available on the website for free? - Are the specifications clear and understandable? - Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme? 	<p>The requirements for registration and the requirements for the ratings are available on the website for free.</p> <ul style="list-style-type: none"> - The specifications for the ratings are clear and understandable, although the formulas will be complex for non-professionals. - Consumers, who want to understand the specifications that are required for positive ratings, will be able to understand the requirements.
<p>Further information</p> <ul style="list-style-type: none"> - Can consumers find further details on the scheme such as a website address, on the product packaging or at the point of sale? 	Yes, the website address is indicated on the energy label and the information provides more details on the scheme.
<p>Schemes to state that they require certification by an independent body</p> <ul style="list-style-type: none"> - Do the schemes state that they require certification by an independent body? 	<p>Yes. 4 Independent Agencies (IA's) have been approved.</p> <p>The IA's are responsible for auditing a prior simulation which has been undertaken by the applicant and his manufacturing systems to ensure that the applicant will be in a position to provide consumers with a product which has been rated under the scheme.</p>
3.2 Evidence base of scheme claims and requirements	
<p>Objective and verifiable evidence and scientifically sound documentation</p> <ul style="list-style-type: none"> - Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation? - Are the documents on which the claims are based freely available on the schemes website? 	<p>The formulas that are used to calculate the rating are presented on the website.</p> <p>The global formula contains several parameters, in a combination of the total window, and not simply the glass or frame values. Parameters are Window Solar Factor, Window Thermal Transmittance, and Window Air Leakage. In the calculations, several existing standards are used.</p> <p>Air leakage tests results from accredited laboratories are taken into consideration.</p>
<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - Is the scheme operating in different countries and regions? <p>If yes</p> <ul style="list-style-type: none"> - Does it adapt its requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts? 	The label is only valid in the United Kingdom. All ratings are based on the British climate.
<p>Indication, whether, and if so, where and to what extent</p>	The criteria go beyond any legal requirements. However, the label can be

<p>specifications go beyond the relevant legal requirements</p> <ul style="list-style-type: none"> - <i>Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable?</i> 	<p>used in order to demonstrate compliance with certain minimum requirements under the UK Building Regulations that have been developed on the basis of this Label and its criteria.</p>
<p>3.3 Additional requirements under UCPD¹⁴</p>	
<p>Reference to relevant UCPD Annex 1 prohibited practices:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies 	<p>Unauthorised use of an official Window Energy label is and will be reported to the relevant local Trading Standards Office for appropriate legal action.</p> <p>The holder of a Window Energy label is not a member and no claim shall be made that the holder is a member. The holder will be considered a participant in the scheme.</p> <p>The Window Energy label may be freely used in advertising and promotional literature provided that it refers only to the specific and defined window configuration.</p>
<p>4. Scheme certification and inspections</p>	
<p>4.1 Impartiality and independence of certification</p>	
<p>Independent body accredited</p> <ul style="list-style-type: none"> - <i>Is the certification of compliance with the scheme requirements carried out by an independent body accredited?</i> - <i>by which accreditation body the certifier is accredited.</i> <p><i>Certification of compliance with the scheme requirements should be carried out by an independent body accredited:</i></p> <ul style="list-style-type: none"> - <i>by the national accreditation body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or</i> - <i>by an accreditation body signatory to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF).</i> 	<p>There are 4 Independent Agencies acting as certifiers.</p>
<p>Open to certification without the imposition of geographical restrictions</p> <p><i>Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?</i></p>	<p>The available information does not indicate that the scheme is open to foreign accredited certification bodies.</p>

¹⁴ We consider only additional requirement under UCDP that can be assessed in a scheme is related to the prohibited practices.

4.2 Inspections	
<p>Inspection effective, clear, transparent based in documented procedures and relate to verifiable criteria underlying the claims made by the certification scheme</p> <ul style="list-style-type: none"> - <i>Does the website provide clear and documented procedures for inspections of scheme participants?</i> - <i>Does unsatisfactory inspection results lead to appropriate action?</i> - <i>Are regular inspections of scheme participants carried out?</i> 	<p>The website, insofar publicly available, does not provide clear and documented procedures for inspections of scheme participants.</p> <p>It is clear that registered window manufacturers are subject to an annual audit.</p> <p>This audit is undertaken by an appointed Independent Agent. These audits are scheduled. The key purpose of the audit is to ensure that the product being supplied to the market is the same product (configuration of component parts) that was originally assessed and registered.</p>
<p>Frequency of inspection.</p> <ul style="list-style-type: none"> - <i>Is the frequency of inspections based on previous inspection results, inherent risks, and existence of internal audits?</i> - <i>Is the minimum inspection frequency determined by the scheme supervisor?</i> 	<p>Annually.</p>
<p>Systematic evaluation of the results of inspection</p> <ul style="list-style-type: none"> - <i>Is there systematic evaluation of the results of inspections?</i> 	<p>The annual inspections result in an evaluation of the characteristics of the product samples versus the awarded energy rating.</p>
<p>Unannounced inspection used as a general rule</p> <ul style="list-style-type: none"> - <i>Are unannounced inspections and inspections at short notice used as a general rule?</i> 	<p>No, the inspections are scheduled.</p>
<p>Inspections and audits based on publicly available guidelines, checklists and plans</p> <ul style="list-style-type: none"> - <i>Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented?</i> - <i>Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims?</i> 	<p>This documentation is not publicly available.</p>
<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - <i>Are the procedures dealing with non-compliance clear and documented?</i> 	<p>Unauthorised use of an official Window Energy label is and will be reported to the relevant local Trading Standards Office for appropriate legal action.</p> <p>Deliberate and fraudulent use of any official Window Energy label by a registered label license holder will result in all current Energy Window labels issued to the label license holder being suspended until the registered company demonstrates control.</p> <p>The holder of a Window Energy label is not a member and no claim shall be made that the holder is a member.</p>

	The Window Energy label may be freely used in advertising and promotional literature provided that it only refers to the specified and defined window configuration relevant to the label.
<p>Knock out criteria</p> <p><i>Knock-out criteria should include at least non-fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.</i></p> <ul style="list-style-type: none"> - <i>What are the knock out criteria?</i> - <i>What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body)</i> 	<p>Unauthorised use of an official Window Energy label is and will be reported to the relevant local Trading Standards Office for appropriate legal action.</p> <p>Deliberate and fraudulent use of any official Window Energy label by a registered label license holder will result in all current Energy Window labels issued to the label license holder being suspended until the registered company demonstrates control.</p> <p>The holder of a Window Energy label is not a member and no claim shall be made that the holder is a member or otherwise.</p>
<p>Inspection focus</p> <ul style="list-style-type: none"> - <i>Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes?</i> 	Yes, the inspections are focused on the 'energy performance' of the relevant windows.
<p>Qualification of auditors /inspectors</p> <p><i>Are auditors/inspectors impartial qualified and competent?</i></p> <p><i>Do they have the relevant knowledge in the specific sector?</i></p> <p><i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i></p> <p><i>Are the auditor skills described in the scheme specifications?</i></p>	The auditors/inspectors are linked to the Independent Agents, which are accredited organisations. These inspectors receive a specific training.
5. Costs	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on the operators?</i></p>	No, not publicly available.
6. Conclusions on the Scheme Requirements	
<p>Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: <i>participation and development, clarity and transparency and</i></p>	Industry stakeholders seem sufficiently involved in the operations and decision making of the scheme's organisers. Consumer organisations or environmental organisations are however not involved.

<p><i>certification and inspection?</i></p>	<p>Customers have the right to provide feedback, on the other hand.</p> <p>The criteria of the rating system seem scientific and are based on existing standards. The meaning of the ratings will be clear for consumers who are interested in this rating system.</p> <p>Certification and inspection is done frequently (once per year), by qualified inspectors under accreditation.</p> <p>In general it can conceivably be stated that the scheme is compliant with the main principles of the guidelines, although the major drawback seems to be the lack of sufficient stakeholder involvement (consumer and environmental organisations) and the transparency of the inspection rules.</p>
<p>7. Mutual recognition and benchmarking /overlap with other schemes</p>	
<ul style="list-style-type: none"> - <i>Is there a mutual recognition and/or benchmarking with other schemes?</i> - <i>Does the website link to other relevant schemes?</i> 	<p>There is overlap with standards and mechanisms in the framework of the Building Regulations.</p>

1.2.2.2 German Ecolabel

1. General description of the label/logo	
Name of the scheme	German Ecolabel
Country of scheme origin	Germany
Geographical scope – <i>Is it a cross- country scheme?</i> – <i>If yes, what other countries does it operate in?</i>	Australia, Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Korea, Republic of, Luxembourg, Netherlands, New Zealand, Norway, Poland, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom, United States
Public or private scheme <i>A scheme is not considered public unless it explicitly states this on the website and if it is operated by a public body</i>	Public scheme
Persons targeted	Government purchasers, Individual consumers, retailers
Product/services covered	Products and services such as appliances, building products, cleaning products, electronics, forest products / paper, machinery & equipment, packaging, textiles, tourism, transportation, waste management & recycling.
Product/services covered according to the categories of the study	Appliances, building products, cleaning products, electronics, forest products / paper, machinery & equipment, textiles, tourism, transportation.
Policy areas covered	The policy areas covered are climate, water, resources, and environment and health.
Current number of members/participants/products	11,700 products and services in about 125 product categories
Aim	The website states that “[t]he German ecolabel promotes the concerns of both environmental protection and consumer protection. Therefore, it is awarded to products and services which - from a holistic point of view - are of considerable benefit to the environment and, at the same time, meet high standards of serviceability and health and occupational protection” available online.

<p>Description of the label/logo</p>	<p>The logo consists of three basic elements:</p> <ul style="list-style-type: none"> • The environmental symbol of the United Nations in the form of a blue ring with a laurel wreath and a blue figure with outstretched arms in the middle. • The surrounding text specifying the main environmental properties of the product carrying the label, e.g. because energy-saving or low-noise. • Indication of the product's central protection goal, e.g. "it saves resources". <p>The product groups are currently classified into four different protection goals: "protects the climate", "protects the water", "protects the resources" and "protects the environment and the health".</p> <p>For the picture of the logo please see introduction.</p>
<p>2. Scheme participation and development</p>	
<p>Open under transparent and non-discriminatory criteria:</p> <p><i>This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in some instances). The criteria do not discriminate against participants who are willing to participate and could meet the criteria.</i></p> <p>– Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements?</p>	<p>The standard and criteria setting process (inspection order) are transparent and open to the public. They are available on the website:</p> <p>The scheme criteria are open to foreign manufacturers and service providers, willing to comply with the scheme requirements. They currently amount for 15% of the contract holders.</p>
<p>Supervisory structure</p> <p><i>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the organisations involved should be documented and publicly available.</i></p> <p>- Does the scheme have a supervisory structure which allows</p>	<p>The following institutional structure includes a supervisory body that enables stakeholder's contribution:</p> <ul style="list-style-type: none"> • The Environmental Label Jury is an independent decision-making body composed of representatives from environmental and consumer associations, trade unions, industry, trade, crafts, local authorities, science, media, churches and federal states. The Jury decides on the products and services to be ecolabelled as well as on the underlying Basic Award Criteria and the respective compliance verifications.

<p><i>for the contribution of all concerned stakeholders?</i></p>	<p>Further to this institution, the scheme counts with the supervisory role of the public bodies and the label-awarding agency.</p> <p>The Supervisory structure includes several stakeholders as representatives in the Environmental Jury which hence are participating in the decision making process on the Basic Award Criteria.</p>
<p>Participation of all concerned stakeholders</p> <p><i>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</i></p> <p>- <i>Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development?</i></p>	<p>The system foresees certain stakeholder participation but it is not open to all stakeholders concerned as consultations are generally only carried out within Germany.</p> <p>Stakeholders consulted are companies, consumer associations, experts / consultants, governmental agencies / representatives, industry associations, producers, suppliers, workers' associations, and unions. However, the general public can submit new proposals for the development of new Basic Award Criteria through the website.</p> <p>Further, stakeholders are consulted within the inspection order (Basic Awards Criteria) setting process through an expert hearing. The hearing includes the consumer centres in Germany, as well as two environmental NGOs. However there is no "open" stakeholder consultation foreseen (e.g. online) where everybody can submit his/her comments.</p>
<p>Scheme requirements developed by technical committees of experts</p> <p><i>Scheme requirements should be developed by technical committees of experts and submitted to a broader group of stakeholders for inputs.</i></p> <p>- <i>Are the scheme requirements developed by technical committees and submitted to groups of stakeholders for input?</i></p>	<p>Yes, a German public body develops the technical criteria or Basic Award Criteria (stated in the inspection order). In addition, the label has a technological progress committee. According to an interviewee, a feasibility study is carried out before issuing an inspection order (also referred to as basic criteria document). During this process, concerned stakeholders such as producers, independent experts and retailers are consulted.</p> <p>Stakeholders are involved firstly through the expert hearing during the inspection order process and secondly at the stage of the inspection order approval as representatives of the Environmental Jury.</p>
<p>Participation of concerned stakeholders in the development of</p>	<p>N/A, as the label does not carry out on-site or similar inspections.</p>

<p>inspection criteria</p> <p><i>Managers of schemes should ensure the participation of concerned stakeholders in the development of inspection criteria and checklists, as well as in the design and determination of thresholds for sanctions</i></p> <ul style="list-style-type: none"> - <i>Are concerned stakeholders included in the development of inspection criteria, checklists or/and in the development of thresholds?</i> 	
<p>Feedback mechanisms to regularly review rules and requirements</p> <p><i>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</i></p> <ul style="list-style-type: none"> - <i>Are there feedback mechanisms to regularly review rules and requirements?</i> - <i>Is there a feedback form for comments on the website?</i> 	<p>Each inspection order (setting Basic Award Criteria) is reviewed every 3-4 years and the standard is reviewed as needed.</p> <p>The general public can submit new proposals for the development of new Basic Award Criteria. The process is clearly indicated on the website.</p> <p>A feedback mechanism for comments is established.</p>
<p>Change to scheme requirements</p> <p><i>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</i></p> <ul style="list-style-type: none"> - <i>Are changes to the scheme requirements made only when justified?</i> 	<p>According to the interviewee, changes to the schemes are possible but only made when justified. Changes to the scheme (Basic Award Criteria) can be suggested by the public and will be assessed by the above-mentioned institutions.</p> <p>Each inspection order (which sets the basic award criteria) has a limited period of validity (3-4 years). One year before the end of the time span, the Federal Environment Agency decides if a revision is needed (technically or adoption to new legal requirements). If that would be the case, the certifier would cancel the existing agreements. After the publication of the new inspection order the companies can reapply.</p>
<p>3. Scheme requirements and corresponding claims</p>	
<p>3.1 clarity and transparency of scheme requirements</p>	
<p>Social environmental economical and/or legal objectives clearly stated</p> <ul style="list-style-type: none"> - <i>Does the scheme clearly state the</i> 	<p>The objective would seem clearly stated. The objective of the scheme is to award products and services which are of considerable benefit to the environment</p>

<p><i>objectives?</i></p>	<p>and meet high standards of serviceability and health and occupational protection.</p>
<p>Claims and requirements linked to the objectives of the scheme</p> <p>– <i>Are claims and requirements clearly linked to the objectives?</i></p>	<p>All scheme requirements are linked to the objective of the scheme.</p> <p>For example, awarding criteria to products or services related to energy consumption is much more stringent compared to legal standards for similar product and services. Each product/service is evaluated on the basis of criteria such as the efficient use of raw materials in manufacture or use, a long product life and sustainable disposal, and as little toxic contamination and electromagnetic radiation as possible. Products and services must meet high standards of environmental and health protection as well as usability.</p> <p>These standards are incorporated into the label and communicated through the surrounding text and protection goal of the logo.</p>
<p>The scope of the scheme for products and/or processes are clearly defined</p> <p>– <i>Is the scope of the scheme (i.e. the type of products or processes it covers) clear?</i></p>	<p>The scope would seem clearly defined as the scheme is applicable to a broad range of products and services such as appliances, building products, cleaning products, electronics, forest products / paper, machinery & equipment, packaging, textiles, tourism, transportation, waste management & recycling.</p>
<p>Scheme specification clear sufficiently detailed and easily understandable</p> <p>– <i>Are the scheme requirements/specifications available on the website for free?</i></p> <p>– <i>Are the specifications clear and understandable?</i></p> <p>– <i>Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme?</i></p>	<p>The award process for existing Basic Award Criteria, as well as for the development of new Basic Award Criteria would seem clear and easily available as it is linked to the inspection order procedure and laid out in the website.</p> <p>It does not involve physical inspections but requires the involvement of all above-mentioned institutions as described under section 2</p> <p>Further information regarding the reliability of the label is included</p> <p>Specifications and requirements would also seem clear and sufficiently detailed as well as easily understandable. The website describes:</p> <p>Clear and reliable identifying symbol with a definite information value:</p> <ul style="list-style-type: none"> ▪ The “because” in the logo clearly states why the respective product has been ecolabelled.

	<ul style="list-style-type: none"> ▪ The consumer can see the essential environmental features from the surrounding text („because...“) <p>German ecolabel -certified products show the plausible ecological and/or health benefit</p> <ul style="list-style-type: none"> ▪ Clear and impartially reviewed environmental features ensuring consistent quality ▪ Clear and neutral label for products and services which by comparison with conventional products have less negative impact on the environment ▪ help to conserve resources during production ▪ require less resources in use and disposal ▪ do not contain substances harmful to health or the environment ▪ nevertheless perform their functions (serviceability) on a high quality level <p>They are sufficiently detailed for consumers to understand. Further, each inspection order includes more specific criteria for the individual product.</p>
<p>Further information</p> <ul style="list-style-type: none"> - <i>Can consumers find further details on the scheme such as a website address, on the product packaging or at the point of sale?</i> 	<p>Further information can be found on the website which includes detailed information for consumers, FAQs and contact details.</p>
<p>Schemes to state that they require certification by an independent body</p> <ul style="list-style-type: none"> - <i>Do the schemes state that they require certification by an independent body?</i> 	<p>Certification by an independent body is required.</p> <p>Each inspection order for a specific product includes several requirements, whose compliance have to be verified by an independent and accredited certifier, thus certification requirements apply on a case-by-case basis.</p> <p>All applications received are double checked by desk research and not by physical inspections as the name of the order might lead to interpret.</p>
<p>3.2 Evidence base of scheme claims and requirements</p>	
<p>Objective and verifiable evidence and scientifically sound documentation</p> <ul style="list-style-type: none"> - <i>Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation?</i> - <i>Are the documents on which the claims are based freely available on</i> 	<p>Applicants are certified against the ecolabel’s criteria before using the label. The duration of the certification linked to the award scheme is 12 to 24 months and conformity is assessed on a pass/fail basis.</p> <p>The claims are based on the compliance with the basic award criteria:</p>

<i>the schemes website?</i>	
<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - <i>Is the scheme operating in different countries and regions?</i> <p><i>If yes</i></p> <ul style="list-style-type: none"> - <i>Does it adapt its requirements in line with the relevant local agro-ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts?</i> 	<p>The German ecolabel is a State environmental label which also operates in other countries and regions. However, the baseline is German law. There is no adaptation of requirements to countries and regions.</p>
<p>Indication, whether, and if so, where and to what extent specifications go beyond the relevant legal requirements</p> <ul style="list-style-type: none"> - <i>Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable?</i> 	<p>All award criteria go beyond legal requirements.</p> <p>The legal requirements are just the baseline and fulfilling these is not enough for a product to obtain the label. The inspection orders include on a case-by-case basis what are the specific requirements that have to be fulfilled.</p>
<p>3.3 Additional requirements under UCPD</p>	
<p>Reference to relevant UCPD Annex 1 prohibited practices:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies. 	<p>The scheme itself would not be consider misleading consumers in terms of the environmental claims of the products. The logo is specific to the scheme and it is only awarded after a certification process where environmental standards are assessed.</p> <p>One of the parts of the logo is the symbol of the United Nations environmental programme and consumers could perceive that it is endorsed by this International Institution.</p> <p>We have received information that the use of the UNEP symbol has been authorised and therefore it is not misleading or against the prohibited practices of Annex I to the UCPD.</p>
<p>4. Scheme certification and inspections</p>	
<p>4.1 Impartiality and independence of certification</p>	
<p>Independent body accredited</p> <ul style="list-style-type: none"> - <i>Is the certification of compliance with the scheme requirements carried out by an independent body</i> 	<p>Conformity with German ecolabel standard is verified by an independent organization (third party) following ISO 17011 Accreditation, ISO / IEC Guide 65 Product</p>

<p>accredited?</p> <ul style="list-style-type: none"> – by which accreditation body the certifier is accredited. <p>Certification of compliance with the scheme requirements should be carried out by an independent body accredited:</p> <ul style="list-style-type: none"> – by the national accreditation body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or – by an accreditation body signatory to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF). 	<p>Certification.</p> <p>Each inspection order for a specific product includes several requirements, of which compliance has to be verified by an independent and accredited certifier.</p> <p>Competent review of, for example, measuring and test results, declarations of conformity or formulation documents, is carried out by the certifier.</p> <p>The public body in charge has entrusted the certifier since 1978 with the task of awarding the German eco-label. It is understood that the certifier acts as a certification body appointed by the State according to Regulation 765/2008.</p>
<p>Open to certification without the imposition of geographical restrictions</p> <p><i>Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?</i></p>	<p>It is an open scheme that provides certification without any imposition of geographical restrictions.</p>
<p>4.2 Inspections</p>	
<p>Inspection effective, clear, transparent based in documented procedures and relate to verifiable criteria underlying the claims made by the certification scheme</p> <ul style="list-style-type: none"> – Does the website provide clear and documented procedures for inspections of scheme participants? – Does unsatisfactory inspection results lead to appropriate action? – Are regular inspections of scheme participants carried out? 	<p>The label does not carry out on-site or similar inspections.</p> <p>The inspection order containing the Basic award criteria for the products do not relate to any actual "on site" inspection.</p>
<p>Frequency of inspection.</p> <ul style="list-style-type: none"> – Is the frequency of inspections based on previous inspection results, inherent risks, and existence of internal audits? – Is the minimum inspection frequency determined by the scheme supervisor? 	<p>As the label does not carry out on-site or similar inspections, there is no frequency established. Applicants are certified against the Basic Award criteria set in the inspection order before using the label. The duration of the certification is 12 to 24 months and conformity is assessed on a pass/fail basis.</p>
<p>Systematic evaluation of the results of inspection</p>	<p>The label does not carry out on-site or similar inspections.</p>

<ul style="list-style-type: none"> - <i>Is there systematic evaluation of the results of inspections?</i> 	
<p>Unannounced inspection used as a general rule</p> <ul style="list-style-type: none"> - <i>Are unannounced inspections and inspections at short notice used as a general rule?</i> 	<p>The label does not carry out on-site or similar inspections.</p>
<p>Inspections and audits based on publicly available guidelines, checklists and plans</p> <ul style="list-style-type: none"> - <i>Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented?</i> - <i>Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims?</i> 	<p>The label does not carry out on-site or similar inspections.</p>
<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - <i>Are the procedures dealing with non-compliance clear and documented?</i> 	<p>The procedures are not publicly available but they are clearly documented and implemented. According to the interviewee, generally, in cases of non-compliance the certifier firstly contacts the producer formally and asks for clarification of the non-compliance. Secondly, if the reply of the company is not satisfactory and the latter has not remedied the non-compliance, the use agreement with the German ecolabel gets cancelled.</p>
<p>Knock out criteria</p> <p><i>Knock-out criteria should include at least non- fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.</i></p> <ul style="list-style-type: none"> - <i>What are the knock-out criteria?</i> - <i>What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body)</i> 	<p>There are two forms of knock-out criteria:</p> <p>Firstly, a general knock-out criterion is if the product is socially controversial (for example associated with racism, etc.)</p> <p>The second knock- out criterion is if the product does not fulfil the individual award criteria established for the specific product.</p> <p>The first knock out criteria leads to non-issue of the logo, the second one to cancellation of the use agreement (see above).</p>
<p>Inspection focus</p> <ul style="list-style-type: none"> - <i>Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes?</i> 	<p>N/A as the label does not carry out on-site or similar inspections.</p>

<p>Qualification of auditors /inspectors</p> <p><i>Are auditors/inspectors impartial qualified and competent?</i></p> <p><i>Do they have the relevant knowledge in the specific sector?</i></p> <p><i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i></p> <p><i>Are the auditor skills described in the scheme specifications?</i></p>	<p>N/A as the label does not carry out on-site or similar inspections.</p>
<p>5. Costs</p>	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on the operators?</i></p>	<p>Upon filing the application, the certifier charges to all applicants without discrimination a one-time handling fee of 250 Euros.</p> <p>An additional handling fee of 150 Euros can be charged if licensees apply for extension of the right to use the eco-label.</p> <p>Once the contract on the use of the environmental label is concluded the applicant shall pay an annual fee which is graded depending on the total annual sales of the German ecolabel labelled products or services sales covered by the Basic Award Criteria Document. The grading scale is publicly available in the website.</p>
<p>6. Conclusions on the Scheme Requirements</p>	
<p><i>Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: participation and development, clarity and transparency and certification and inspection?</i></p>	<p>The participation and development requirements are generally in line with the voluntary products and foodstuff guidelines. The scheme would allow for stakeholder participation (even if the consultation is not open to the general public). Its requirements are developed by technical committees and changes are only done when justified and participants are given notice one year in advance.</p> <p>The requirements regarding "clarity and transparency" of the scheme and the evidence base would seem to be in line with the EU voluntary products and foodstuff guidelines:</p> <ul style="list-style-type: none"> • The objectives are clearly stated and

	<p>the requirements linked therewith.</p> <ul style="list-style-type: none"> • The scope would seem clearly defined and the specifications available on the website. • Further, certification by an independent body is required. • In addition, regarding evidence, the criteria are freely available on the internet and go beyond legal requirements. <p>The requirements on certification and inspections would conceivably be considered not applied since the scheme does not carry out on-site inspections. However, investigations would be carried out through desk research and direct contacts.</p>
<p>7. Mutual recognition and benchmarking /overlap with other schemes</p>	
<ul style="list-style-type: none"> - <i>Is there a mutual recognition and/or benchmarking with other schemes?</i> - <i>Does the website link to other relevant schemes?</i> 	<p>Cooperation with: Several national Eco-labels, European worldwide.</p>

1.2.2.3 Image and sound award – Best product Green TV

1. General description of the label/logo	
Name of the scheme	Image and sound Award European Green TV 2013-2014
Country of scheme origin	Portugal
Geographical scope – <i>Is it a cross- country scheme?</i> – <i>If yes, what other countries does it operate in?</i>	The 'scheme' is a cross-country scheme. It is based on an assessment by 50 special interest magazines from 20 European countries.
Public or private scheme <i>A scheme is not considered public unless it explicitly states this on the website and if it is operated by a public body</i>	Private scheme.
Type of scheme <i>A certified scheme is one where a third party has verified the product meets the scheme requirements. A self-declared scheme is one where there is no third party verification.</i> – <i>If it is a certified scheme, are the contact details of the certifying body provided?</i>	This is not a certified scheme in the usual meaning of this term. It is an award system by which a certain product is elected as the "best green TV" of a certain year. The product is tested by magazines that are members of the panel and a detailed test report is made. The choice is made by the panel. Member magazines may nominate an initial shortlist of products that are to be considered at the Panel's Awards voting sessions, held during the annual General Meeting. The shortlisted products are debated in more detail.
Persons targeted	All consumers
Product/services covered	Televisions
Product/services covered according to the categories of the study	Televisions
Policy areas covered	Environment, energy.
Current number of members/participants/products	Not applicable: only one product per year.
Aim	The aim is to award a product that is chosen as the best product of its category, to enable the manufacturer to promote the product and to enable consumers to have a more informed choice taking into account the environmental performance of the product.
Description of the label/logo	The logo refers to the image and sound Award "Best product" of a certain year (e.g. 2011-2012). The logo refers to a term on a blue background with stars, clearly referring to the official EU logo. It then specifies the category: Green TV.

	It then specifies the name of the awarded product (e.g. brand + product number).
2. Scheme participation and development	
<p>Open under transparent and non-discriminatory criteria:</p> <p><i>This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in some instances). The criteria do not discriminate against participants who are willing to participate and could meet the criteria.</i></p> <ul style="list-style-type: none"> - Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements? 	<p>The criteria are not clearly specified on the website or in a downloadable document. It is not clear for the consumer on which basis the product has been elected.</p> <p>The website contains a page on the winning product, where it is explained that it is the best product in view of its energy consumption and the use of environmental friendly materials in the printed circuit boards.</p> <p>The criteria are thus not entirely transparent.</p>
<p>Supervisory structure</p> <p><i>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the organisations involved should be documented and publicly available.</i></p> <ul style="list-style-type: none"> - Does the scheme have a supervisory structure which allows for the contribution of all concerned stakeholders? 	No information available.
<p>Participation of all concerned stakeholders</p> <p><i>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</i></p> <ul style="list-style-type: none"> - Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development? 	Not all concerned stakeholders participate in this scheme. Specific specialised magazines decide on the award. The detailed rules of this procedure for selecting the magazines that will shortlist the possible products are not transparent.
<p>Scheme requirements developed by technical committees of experts</p> <p><i>Scheme requirements should be developed by technical committees of experts and submitted to a broader group of stakeholders for inputs.</i></p> <ul style="list-style-type: none"> - Are the scheme requirements developed by technical committees and submitted to groups of stakeholders for input? 	The detailed requirements, if they exist internally, are not transparent.
<p>Participation of concerned stakeholders in the development of inspection criteria</p> <p><i>Managers of schemes should ensure the participation of concerned stakeholders in the development of inspection criteria and checklists, as well as in the design and determination of thresholds for sanctions</i></p> <ul style="list-style-type: none"> - Are concerned stakeholders included in the 	There are no ongoing inspections. The award is granted after tests performed by concerned magazines and debates. This is an award, granted once a year.

<p>development of inspection criteria, checklists or/and in the development of thresholds?</p>	
<p>Feedback mechanisms to regularly review rules and requirements</p> <p><i>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</i></p> <ul style="list-style-type: none"> - Are there feedback mechanisms to regularly review rules and requirements? - Is there a feedback form for comments on the website? 	<p>There is no specific mechanism in place for feedback.</p>
<p>Change to scheme requirements</p> <p><i>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</i></p> <ul style="list-style-type: none"> - Are changes to the scheme requirements made only when justified? 	<p>There is no transparency regarding the scheme requirements or changes thereof.</p>
<p>3. Scheme requirements and corresponding claims</p>	
<p>3.1 clarity and transparency of scheme requirements</p>	
<p>Social environmental economical and/or legal objectives clearly stated</p> <ul style="list-style-type: none"> - Does the scheme clearly state the objectives? 	<p>The objectives are not clearly stated for the general public. Apparently, the product that was elected in 2011, and which was assessed as an example under this scheme, was awarded best in the green category on the basis of its limited energy consumption, the use of materials for the printed circuits, the recyclable packaging and the solar powered remote control.</p>
<p>Claims and requirements linked to the objectives of the scheme</p> <ul style="list-style-type: none"> - Are claims and requirements clearly linked to the objectives? 	<p>There is no transparent link between the objectives and the requirements.</p>
<p>The scope of the scheme for products and/or processes are clearly defined</p> <ul style="list-style-type: none"> - Is the scope of the scheme (i.e. the type of products or processes it covers) clear? 	<p>The scope of products is clear: televisions.</p>
<p>Scheme specification clear sufficiently detailed and easily understandable</p> <ul style="list-style-type: none"> - Are the scheme requirements/specifications available on the website for free? - Are the specifications clear and understandable? - Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme? 	<p>The scheme requirements/specifications are not detailed for the public.</p>
<p>Further information</p> <ul style="list-style-type: none"> - Can consumers find further details on the scheme such as a website address, on the product packaging or at the point of sale? 	<p>No.</p>

<p>Schemes to state that they require certification by an independent body</p> <ul style="list-style-type: none"> - <i>Do the schemes state that they require certification by an independent body?</i> 	<p>No, this scheme does not state this.</p>
<p>Objective and verifiable evidence and scientifically sound documentation</p> <ul style="list-style-type: none"> - <i>Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation?</i> - <i>Are the documents on which the claims are based freely available on the schemes website?</i> 	<p>No, the award criteria are not transparent.</p>
<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - <i>Is the scheme operating in different countries and regions?</i> <p><i>If yes</i></p> <ul style="list-style-type: none"> - <i>Does it adapt its requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts?</i> 	<p>No, there are no clear requirements and thus no region-specific requirements.</p>
<p>Indication, whether, and if so, where and to what extent specifications go beyond the relevant legal requirements</p> <ul style="list-style-type: none"> - <i>Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable?</i> 	<p>The 'award scheme' does not refer to legal requirements.</p>
<p>3.3 Additional requirements under UCPD¹⁵</p>	
<p>Reference to relevant UCPD Annex 1 prohibited practices:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies 	<p>An award agreement and Copyright agreement specifies the authorised use of the logo.</p>

¹⁵ We consider only additional requirement under UCDP that can be assessed in a scheme is related to the prohibited practices.

4. Scheme certification and inspections	
4.1 Impartiality and independence of certification	
<p>Independent body accredited</p> <ul style="list-style-type: none"> - <i>Is the certification of compliance with the scheme requirements carried out by an independent body accredited?</i> - <i>by which accreditation body the certifier is accredited.</i> <p><i>Certification of compliance with the scheme requirements should be carried out by an independent body accredited:</i></p> <ul style="list-style-type: none"> - <i>by the national accreditation body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or</i> - <i>by an accreditation body signatory to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF).</i> 	No, there is no accredited body involved.
<p>Open to certification without the imposition of geographical restrictions</p> <p><i>Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?</i></p>	No, there are no accredited bodies involved.
4.2 Inspections	
<p>Inspection effective, clear, transparent based in documented procedures and relate to verifiable criteria underlying the claims made by the certification scheme</p> <ul style="list-style-type: none"> - <i>Does the website provide clear and documented procedures for inspections of scheme participants?</i> - <i>Does unsatisfactory inspection results lead to appropriate action?</i> - <i>Are regular inspections of scheme participants carried out?</i> 	No, there are no regular inspections.
<p>Frequency of inspection.</p> <ul style="list-style-type: none"> - <i>Is the frequency of inspections based on previous inspection results, inherent risks, and existence of internal audits?</i> - <i>Is the minimum inspection frequency determined by the scheme supervisor?</i> 	There are no regular inspections.
<p>Systematic evaluation of the results of inspection</p> <ul style="list-style-type: none"> - <i>Is there systematic evaluation of the results of inspections?</i> 	There are no regular inspections.
<p>Unannounced inspection used as a general rule</p> <ul style="list-style-type: none"> - <i>Are unannounced inspections and inspections at short notice used as a general rule?</i> 	There are no regular inspections.
<p>Inspections and audits based on publicly available guidelines, checklists and plans</p>	There are no regular inspections.

<ul style="list-style-type: none"> - Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented? - Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims? 	
<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - Are the procedures dealing with non-compliance clear and documented? 	<p>No. The most important compliance rule is that the product that has been awarded must be put on the market and must be sold in minimum 10 European countries no later than October 1st of the year of the Award. Breach of that rule may result in a penalty of 60.000 euro.</p>
<p>Knock out criteria</p> <p><i>Knock-out criteria should include at least non-fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.</i></p> <ul style="list-style-type: none"> - What are the knock out criteria? - What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body) 	<p>Not relevant for this award scheme.</p>
<p>Inspection focus</p> <ul style="list-style-type: none"> - Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes? 	<p>Not relevant for this award scheme.</p>
<p>Qualification of auditors /inspectors</p> <p><i>Are auditors/inspectors impartial qualified and competent?</i></p> <p><i>Do they have the relevant knowledge in the specific sector?</i></p> <p><i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i></p> <p><i>Are the auditor skills described in the scheme specifications?</i></p>	<p>Not applicable to this award scheme.</p>
5. Costs	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on the operators?</i></p>	<p>No.</p>

6. Conclusions on the Scheme Requirements

Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: *participation and development, clarity and transparency and certification and inspection ?*

No, the scheme is not a classic label scheme with clear requirements or certification procedures. The label is merely an award scheme for a chosen product, without transparent criteria. For the specific product considered, the criteria are related to environmental considerations such as energy savings and materials used.

Nevertheless the use of a label with the wording "Best product" and "Green TV" by an organisation that carries the European blue flag with stars in it may conceivably be regarded as most confusing and misleading for consumers who may be inclined to believe that the label is granted by an official European organisation.

In general, the scheme does not follow the guidelines.

7. Mutual recognition and benchmarking /overlap with other schemes

- *Is there a mutual recognition and/or benchmarking with other schemes?*
- *Does the website link to other relevant schemes?*

No, there are no links with other schemes.

1.2.2.4 Renewable energy label

1. General description of the label/logo	
Name of the scheme	Renewable energy label
Country of scheme origin	Germany
Geographical scope – <i>Is it a cross- country scheme?</i> – <i>If yes, what other countries does it operate in?</i>	Germany (electricity products marketed to electricity customers in Germany).
Public or private scheme <i>A scheme is not considered public unless it explicitly states this on the website and if it is operated by a public body</i>	Private
Type of scheme <i>A certified scheme is one where a third party has verified the product meets the scheme requirements. A self-declared scheme is one where there is no third party verification.</i> – <i>If it is a certified scheme, are the contact details of the certifying body provided?</i>	The scheme is a certified scheme. The contact details of the certifying/ label awarding agency and the auditors are made available.
Persons targeted	Suppliers of electricity, consumers (private and commercial) as end users.
Product/services covered	Eco-electricity.
Product/services covered according to the categories of the study	Energy.
Policy areas covered	Energy.
Current number of members/participants/products	79 products of 60 suppliers
Aim	Promotion of new renewable energy plants.
Description of the label/logo	The logo consists of the following basic elements: <ul style="list-style-type: none"> • A green square referring to green source of energy with a word written in white letters, where the letter "o" is in the shape of an electric socket. • A white frame on the bottom of the green square, where another word is written in green letters.
2. Scheme participation and development	
Open under transparent and non-discriminatory criteria: <i>This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in some instances). The criteria do not discriminate against participants who are willing</i>	The criteria are transparent and open to the public. They are available on the website. The scheme criteria are open to German and foreign suppliers with a product marketed in Germany and willing to comply with the scheme requirements.

<p>to participate and could meet the criteria.</p> <ul style="list-style-type: none"> - Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements? 	
<p>Supervisory structure</p> <p><i>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the organisations involved should be documented and publicly available.</i></p> <ul style="list-style-type: none"> - Does the scheme have a supervisory structure which allows for the contribution of all concerned stakeholders? 	<p>The following institutional structure includes a supervisory body that enables stakeholder's contribution:</p> <p>The Board of the Association consists of 2 members representing the hosting organisations (consumer organisation and scientific organisation). These are elected by the Assembly of Members in a secret election.</p> <p>The Association has an Advisory Council, consisting of representatives of the economic sector or market, the energy scientific community, the consumer organisations and other stakeholder's representatives.</p> <p>Every member of the Advisory Council must guarantee neutrality in the framework of ongoing certification processes.</p>
<p>Participation of all concerned stakeholders</p> <p><i>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</i></p> <ul style="list-style-type: none"> - Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development? 	<p>In principle, the various stakeholders represented in the Advisory Council are involved in the scheme development.</p>
<p>Scheme requirements developed by technical committees of experts</p> <p><i>Scheme requirements should be developed by technical committees of experts and submitted to a broader group of stakeholders for inputs.</i></p> <ul style="list-style-type: none"> - Are the scheme requirements developed by technical committees and submitted to groups of stakeholders for input? 	<p>Yes, scheme requirements are developed in cooperation with a scientific research organisation. Moreover, stakeholders from the energy market are invited to contribute to the criteria development process.</p>
<p>Participation of concerned stakeholders in the development of inspection criteria</p> <p><i>Managers of schemes should ensure the participation of concerned stakeholders in the development of inspection criteria and checklists, as well as in the design and determination of thresholds for sanctions</i></p> <ul style="list-style-type: none"> - Are concerned stakeholders included in the development of inspection criteria, checklists or/and in the development of thresholds? 	<p>Suppliers of products that are subject to certification are invited to contribute to the criteria development process. Involvement of consumer and scientific organisations is assured by the two host organisations.</p>
<p>Feedback mechanisms to regularly review rules and requirements</p>	<p>Criteria are reviewed annually and suppliers and host organisations are involved in this process. Greater changes</p>

<p><i>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</i></p> <ul style="list-style-type: none"> - <i>Are there feedback mechanisms to regularly review rules and requirements?</i> - <i>Is there a feedback form for comments on the website?</i> 	<p>in requirements are also discussed with the Advisory Council.</p>
<p>Change to scheme requirements</p> <p><i>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</i></p> <ul style="list-style-type: none"> - <i>Are changes to the scheme requirements made only when justified?</i> 	<p>Yes, changes to the schemes are only made when justified. Every year, the experts examine the Criteria and assess whether it must be adapted, in order to continuously adjust the labelling criteria to developments in the eco-electricity market and energy policy. Suppliers with certified products receive a draft version of the updated criteria and are invited to give feedback on an annual workshop.</p>
<p>3. Scheme requirements and corresponding claims</p>	
<p>3.1 clarity and transparency of scheme requirements</p>	
<p>Social environmental economical and/or legal objectives clearly stated</p> <ul style="list-style-type: none"> - <i>Does the scheme clearly state the objectives?</i> 	<p>The objective is clearly stated. It is to indicate to the general public that a certain electricity product is produced from renewable energy sources and that the product contributes to the construction of new renewable energy plants.</p> <p>It is necessary to protect the public with the use of the label that will certify the purchase of green energy.</p> <p>The label aims at providing transparency in the eco-electricity market. In that context, the right to use the renewable energy label is granted only to those products which fulfil the criteria set.</p>
<p>Claims and requirements linked to the objectives of the scheme</p> <ul style="list-style-type: none"> - <i>Are claims and requirements clearly linked to the objectives?</i> 	<p>The objective of the scheme is to award electricity products which engender an environmental benefit.</p> <p>Eco-electricity products must fulfil two requirements for this purpose. They must carry out contractual delivery of electricity produced from renewable energy sources; and make a contribution to increasing electricity production from renewable energies which go beyond existing capacities and, as far as possible, the impact of the current regulatory framework conditions such as governmental support measures.</p> <p>All scheme requirements are linked to the objective of the scheme: the source of produced or purchased energy is the key</p>

	<p>criterion.</p> <p>Moreover, the labelling criteria encompass two further important elements. They require:</p> <ul style="list-style-type: none"> - minimisation of the negative ecological effects of production plants. - independent verification of information provided by electricity suppliers for certification and product information provided to customers.
<p>The scope of the scheme for products and/or processes are clearly defined</p> <ul style="list-style-type: none"> - <i>Is the scope of the scheme (i.e. the type of products or processes it covers) clear?</i> 	<p>Yes, the scope is clearly defined as being applicable to energy deriving from environment friendly sources.</p>
<p>Scheme specification clear sufficiently detailed and easily understandable</p> <ul style="list-style-type: none"> - <i>Are the scheme requirements/specifications available on the website for free?</i> - <i>Are the specifications clear and understandable?</i> - <i>Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme?</i> 	<p>Specifications and requirements are available on the website for free; they are clear and sufficiently detailed as well as quite understandable (there is a short version available only in German and a more detailed version, both in German and English).</p>
<p>Further information</p> <ul style="list-style-type: none"> - <i>Can consumers find further details on the scheme such as a website address, on the product packaging or at the point of sale?</i> 	<p>The label is not applied to physical products but can be presented on company documents, brochures, and websites. The label as such does not contain a reference to a website.</p> <p>Companies that provide an "environmental" web page where they present the renewable energy label, usually provide a link or reference to the website.</p> <p>Further information can be found on the website which includes detailed information for consumers, FAQs and contact details.</p>
<p>Schemes to state that they require certification by an independent body</p> <ul style="list-style-type: none"> - <i>Do the schemes state that they require certification by an independent body?</i> 	<p>Certification (verification) by an independent body is required.</p>
<p>3.2 Evidence base of scheme claims and requirements</p>	
<p>Objective and verifiable evidence and scientifically sound documentation</p> <ul style="list-style-type: none"> - <i>Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation?</i> - <i>Are the documents on which the claims</i> 	<p>Yes, products are certified for compliance with the abovementioned criteria before the right to use the label is granted. The certification is valid for 12 months and conformity is assessed on a pass/fail basis.</p>

<p>are based freely available on the schemes website?</p>	<p>The certified suppliers and their certified products are listed on the website and the source of their electricity is indicated. Their contact address is listed.</p>
<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - <i>Is the scheme operating in different countries and regions?</i> <p><i>If yes</i></p> <ul style="list-style-type: none"> - <i>Does it adapt its requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts?</i> 	<p>This is not applicable as the label is only used for German consumers. However the 'green electricity' for certified products is often produced abroad.</p>
<p>Indication, whether, and if so, where and to what extent specifications go beyond the relevant legal requirements</p> <ul style="list-style-type: none"> - <i>Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable?</i> 	<p>Legal requirements are the minimum base-line for the criteria catalogue. All important defined criteria go beyond the legal requirements (delivery of renewable energy, contributing to the construction of new plants, environmental criteria).</p>
<p>3.3 Additional requirements under UCPD¹⁶</p>	
<p>Reference to relevant UCPD Annex 1 prohibited practices:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies 	<p>No. A logo of its own is used which does not intend to claim a false endorsement by another public or private body. The scheme does not mislead consumers based on an unauthorized use of logo or a false approval by public authorities. It is a scheme with a real structure behind it.</p>
<p>4. Scheme certification and inspections</p>	
<p>4.1 Impartiality and independence of certification</p>	
<p>Independent body accredited</p> <ul style="list-style-type: none"> - <i>Is the certification of compliance with the scheme requirements carried out by an independent body accredited?</i> - <i>by which accreditation body the certifier is accredited.</i> <p><i>Certification of compliance with the scheme requirements should be carried out by an independent body accredited:</i></p> <ul style="list-style-type: none"> - <i>by the national accreditation body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or</i> - <i>by an accreditation body signatory to the multilateral recognition arrangement (MLA) for</i> 	<p>Conformity with the criteria is verified by an independent organization (third party). Currently there are four different bodies involved in the verification process.</p> <p>Each inspection order, targeting a specific product, involves several requirements. Compliance with these requirements has to be verified by an independent and accredited certifier.</p> <p>In addition there is a separate organisation for the accreditation. Auditors have to document their independence of the electricity industry and their professional experience.</p>

¹⁶ We consider only additional requirement under UCPD that can be assessed in a scheme is related to the prohibited practices.

<p>product certification of the International Accreditation Forum (IAF).</p>	
<p>Open to certification without the imposition of geographical restrictions <i>Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?</i></p>	<p>In principle yes.</p>
<p>4.2 Inspections</p>	
<p>Inspection effective, clear, transparent based in documented procedures and relate to verifiable criteria underlying the claims made by the certification scheme</p> <ul style="list-style-type: none"> - <i>Does the website provide clear and documented procedures for inspections of scheme participants?</i> - <i>Does unsatisfactory inspection results lead to appropriate action?</i> - <i>Are regular inspections of scheme participants carried out?</i> 	<p>Fulfilment of the labelling requirements must be proved by the eco-electricity suppliers for each calendar year. This means, for example, that the quantity of eco-electricity produced or sold for contractual delivery to customers is to be aligned with their use at the end of the year in all cases. Within the process of applying for the label, the planning for how the requirements are to be fulfilled in the calendar year ahead must be explained. The review serves as documentation for the new certification year, as it is a realistic product configuration that is actually planned by the supplier. It also provides the public with this information by being transparently displayed on the website.</p> <p>In a mid-year balance the real developments must be shown compared to the plans. The final proof that the requirements of the label were fulfilled must be given for each calendar year in retrospect.</p> <p>The checking of this information involves several different steps:</p> <p>Within the preview process, the eco-electricity suppliers must provide the necessary information and data in the form of standardised data sheets.</p> <p>At least in the case of initial certification, the corresponding statements are to be validated by independent experts; for this purpose the experts prepare an audit report. In the review independent experts check and validate the data provided by the eco-electricity producers and suppliers or collect the required information themselves. Based on this, the experts draw up an audit report.</p>

	<p>The administration office assesses the planning reports of the suppliers (preview), the retrospective audit reports of experts (review) and the mid-year balance, arranging, where appropriate, for any open questions to be resolved. It is then decided whether the application is successful and, where appropriate, whether label certification should be withdrawn, taking into account the experts' recommendation in the process. The eco-electricity suppliers commit themselves within the framework of the certification contract to disclose all necessary documents to enable information needed for certification to be checked if necessary. This includes documents of suppliers and distribution partners.</p>
<p>Frequency of inspection.</p> <ul style="list-style-type: none"> - <i>Is the frequency of inspections based on previous inspection results, inherent risks, and existence of internal audits?</i> - <i>Is the minimum inspection frequency determined by the scheme supervisor?</i> 	<p>The auditing process includes annual on-site inspections at the supplier's office, if considered necessary by the auditor.</p> <p>Production plants are verified only through official documentation.</p> <p>The duration of the certification is 12 months and conformity is assessed on a pass/fail basis.</p>
<p>Systematic evaluation of the results of inspection</p> <ul style="list-style-type: none"> - <i>Is there systematic evaluation of the results of inspections?</i> 	<p>Only as part of the annual auditing process.</p>
<p>Unannounced inspection used as a general rule</p> <ul style="list-style-type: none"> - <i>Are unannounced inspections and inspections at short notice used as a general rule?</i> 	<p>Not necessary in the case of electricity products.</p>
<p>Inspections and audits based on publicly available guidelines, checklists and plans</p> <ul style="list-style-type: none"> - <i>Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented?</i> - <i>Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims?</i> 	<p>Inspections are based on the guidelines laid out in the criteria catalogue, freely available on the website:</p>
<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - <i>Are the procedures dealing with non-compliance clear and documented?</i> 	<p>The certification contract between the eco-electricity suppliers and the scheme owner provides for appropriate penalties should there be infringements against the</p>

	<p>criteria.</p> <p>Detailed information about such sanctioning is not available to the general public.</p>
<p>Knock out criteria</p> <p><i>Knock-out criteria should include at least non-fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.</i></p> <ul style="list-style-type: none"> - <i>What are the knock out criteria?</i> - <i>What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body)</i> 	<p>The certification contract between the eco-electricity suppliers and the scheme owner provides for appropriate penalties should there be infringements against the criteria.</p> <p>In case of serious breaches of criteria, the label can be withdrawn also retroactively.</p> <p>Detailed information about such sanctioning is not available to the general public.</p>
<p>Inspection focus</p> <ul style="list-style-type: none"> - <i>Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes?</i> - 	<p>Not applicable</p>
<p>Qualification of auditors / inspectors</p> <p><i>Are auditors/inspectors impartial qualified and competent?</i></p> <p><i>Do they have the relevant knowledge in the specific sector?</i></p> <p><i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i></p> <p><i>Are the auditor skills described in the scheme specifications?</i></p>	<p>As stated above, auditors must have sufficient professional experience in the field of electricity labelling.</p>
<p>5. Costs</p>	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on the operators?</i></p>	<p>Cost for certification is provided on demand for interested suppliers.</p>
<p>6. Conclusions on the Scheme Requirements</p>	
<p><i>Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: participation and development, clarity and transparency and certification and inspection?</i></p>	<p>The participation and development requirements are generally in line with the voluntary products and foodstuff guidelines. The scheme allows for stakeholder participation. Technical committees are also involved in the development of the scheme requirements. Changes to the scheme are only made when justified and participants are</p>

	<p>granted one year transitional period in case of significant criteria changes.</p> <p>The requirements relating to "clarity and transparency "of the scheme and regarding the evidence base are in line with the voluntary products and foodstuff guidelines:</p> <ul style="list-style-type: none"> • The objectives are clearly stated and the requirements, which go beyond legal obligations, linked therewith. • The scope is clearly defined and the specifications available on the website. • Further, certification by an independent body is required. • In addition, regarding evidence, the criteria are freely available on the internet and go beyond legal requirements. <p>The requirements on certification and inspections are only partly applied since on-site inspections can only be limited for the nature of the product in the field of electricity labelling. Most verifications are based on the review of documents (such as documents of suppliers and distribution partners).</p>
7. Mutual recognition and benchmarking /overlap with other schemes	
<ul style="list-style-type: none"> - <i>Is there a mutual recognition and/or benchmarking with other schemes?</i> - <i>Does the website link to other relevant schemes?</i> 	<p>Yes, with several schemes.</p>

1.2.2.5 Responsible forest management logo

1. General description of the label/logo	
Name of the scheme	Responsible forest management logo
Country of scheme origin	The need for a system that could credibly identify well-managed forests as source of responsibly produced forest products, was first identified during a meeting of a group of timber users, traders and representatives of environmental and human rights organisations in California USA, in 1990.
Geographical scope – <i>Is it a cross- country scheme?</i> – <i>If yes, what other countries does it operate in?</i>	Worldwide, representative offices in 50 countries and certifies forests in 80 countries.
Public or private scheme <i>A scheme is not considered public unless it explicitly states this on the website and if it is operated by a public body</i>	Private
Type of scheme <i>A certified scheme is one where a third party has verified the product meets the scheme requirements.</i> <i>A self-declared scheme is one where there is no third party verification.</i> – <i>If it is a certified scheme, are the contact details of the certifying body provided?</i>	The scheme is a certified scheme where a third party verifies whether the product meets the scheme requirements. Contact details of the certifying bodies, in 50 countries worldwide, are available through the website of the organisation. However the certifying bodies need to obtain accreditation in line with its accreditation requirements. In addition certifying bodies are required to follow detailed standards for evaluation of the applicants. Moreover, Accreditation Services International is responsible for checking certification body compliance with the rules and procedures through a combination of field and office audits.
Persons targeted	Manufacturers, processors and traders of forest products, consumers, whether business, government or end consumer.
Product/services covered	Timber, non-timber forest products and ecosystem services. Wood based and non-timber forest products from virgin and/or reclaimed materials including the primary industry sector (harvesting, pre-processing) or in the case of recycled materials, reclamation sites, the secondary sector (primary and secondary manufacturing), and the tertiary sector (trading, wholesale, retail, print services).

Product/services covered according to the categories of the study	Forest and timber products, including Hardwood floors, toilet paper rolls, packaging (including packaging of cosmetics/skin creams), etc.
Policy areas covered	Sustainable use of raw materials, sustainable forest management, protection of natural resources.
Current number of members/participants/products	(As of 22 November 2013) Worldwide in 80 countries with 28403 certificates. Companies can apply for a national membership and/or an international membership.
Aim	<p>The responsible forest management label promotes environmentally responsible, socially beneficial and economically viable management of the world's forest by establishing a worldwide standard of recognized and respected Principles of Forest Stewardship. According to the website: environmentally appropriate forest management ensures that the harvest of timber and non-timber products maintains the forest's biodiversity, productivity and ecological processes; Socially beneficial forest management helps both local people and society at large to enjoy long term benefits and also provides strong incentives to local people to sustain the forest resources and adhere to long-term management plans; Economically viable forest management means that forest operations are structured and managed so as to be sufficiently profitable, without generating financial profit at the expense of the forest resource, the ecosystem, or affected communities.</p> <p>Certification of such management systems provides a credible guarantee to customers that products that are sold with a specific certificate code are originating from well-managed forests, controlled sources, reclaimed materials, or a mixture of these. Certification therefore facilitates the transparent flow of goods made from such materials through the supply chain.</p> <p>Compliance with the standards provides a consistent, international basis for independent, third party verification of claims about the sourcing of wood/fibre material and products. It enables</p>

	suppliers to demonstrate compliance with public or private procurement policies and specifications.
<p>Description of the label/logo</p>	<p>The logo consists of five elements:</p> <ol style="list-style-type: none"> 1. A line representing a checkmark passing into a tree (white against a green background or vice versa). 2. The abbreviated name of the organisation and website. 3. The indication of the products composition (100%, mix or recycled). 4. A standard claim (e.g. 'paper from responsible sources'). 5. The licence code referring to the certified producer or supplier.
2. Scheme participation and development	
<p>Open under transparent and non-discriminatory criteria:</p> <p><i>This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in some instances). The criteria do not discriminate against participants who are willing to participate and could meet the criteria.</i></p> <ul style="list-style-type: none"> - <i>Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements?</i> 	<p>The statutes state the following: <i>It shall promote equitable access to accreditation and certification, and shall avoid discrimination against small-scale Certification Bodies or forest operations.</i></p> <p>The standard setting process and criteria (inspection order) are open to the public. The website provides the global certificates.</p> <p>These documents contain Prices and Conditions (P&C) that need to be respected in order to be qualified as a certified forest or supplier. Especially the P&C for the certificate are stated in general accessible terms so they are easily understandable for consumers. However these are global P&C.</p> <p>These certificates are issued by certification bodies worldwide, conducting audits of applicants. These P&C can be adapted to regional and national conditions and should be controlled by the certifying bodies.</p> <p>The website provides a list of downloadable global, national and regional standards of the P&C which are the basis for the certification.</p> <p>Forest owners, managers, manufacturers, processors or traders can apply for certification of their products. The</p>

	<p>certified scheme is open for all willing to comply, no limitations have been identified.</p> <p>The main evaluation process is an in depth review of the forest management systems and their results on the ground. The certification body sends a team of experts to assess if the certification requirements are met.</p> <p>Smallholders, communities, indigenous people and forest owners who practice low intensity management can find the forest management certification assessment to be disproportionately expensive and complex for their situation. For this reason, they have a dedicated program for supporting these operations, which provides streamlined certification requirements, technical guidance, specialised training and other resources, to bring the benefits of certification to small and community producers.</p>
<p>Supervisory structure</p> <p><i>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the organisations involved should be documented and publicly available.</i></p> <p>- <i>Does the scheme have a supervisory structure which allows for the contribution of all concerned stakeholders?</i></p>	<p>The Statutes and other documents pertaining to the decision making process are available on the website for download.</p> <p>The responsible forest management label falls under an international membership association governed by its members. These members may be organisational - meaning that they represent an institution or organisation, i.e. an NGO- or individual.</p> <p>Members are from diverse backgrounds and include representatives of environmental and social non-governmental organisations, the timber trade, forestry organizations, indigenous people's organisations, community forestry groups, retailers and manufacturers, and forest certification organizations, as well as individual forest owners and interested parties.</p> <p>Members apply to join one of three chambers – environmental, social and economic – sub-divided into northern and southern sub-chambers. Each chamber holds 33.3% of the weight in votes; and within each chamber votes are weighted to ensure that north and south each hold</p>

	<p>50% of the votes. This guarantees that influence is shared equitably between different interest groups and levels of economic power.</p> <p>The General Assembly of Members is the highest decision-making body. Motions are proposed by one member, and seconded by two more, voted on by members, weighted according to the north-south chamber structure.</p> <p>The Board of Directors is accountable to the members. It is made up of nine elected representatives.</p> <p>In collaboration with the Global Network, the Director General is responsible for the day-to-day management.</p> <p>To make sure the certification bodies operate in line with rules, they are checked or accredited. They are the only global forest certification system to have an integrated accreditation program that systematically checks its certification bodies.</p> <p>There is an organisation responsible for checking certification body compliance with rules and procedures through a combination of field and office audits. All accredited certification bodies must meet the accreditation requirements.</p> <p>In the same way that certification bodies carry out annual checks on holders of forest management and chain of custody certificates, the certifying organisation carries out annual checks on the certification bodies, through office and field audits. Past and upcoming accreditation assessments can be seen on the certifying organisation website.</p>
<p>Participation of all concerned stakeholders</p> <p><i>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</i></p> <ul style="list-style-type: none"> - <i>Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development?</i> 	<p>As mentioned above, the General Assembly brings together all members. Membership is open to all stakeholders, individuals or institutions. All members have the right to attend the General Assembly. Within this framework, they can formulate, submit and vote on General Assembly motions which fundamentally affect the way that it is run.</p> <p>The organisation is democratic based on</p>

	<p>consensus. It has a balanced voting structure to ensure that all voices are heard. The General Assembly is divided into three chambers – social, economic and environmental. When individuals and organisations apply to become members, they must choose to join one of these three chambers.</p> <p>Each chamber is further divided into a Northern and Southern sub-chamber, and votes are weighted equally between each chamber, as shown in the diagram included above. The votes of organisational members are also weighted to reflect the fact that organisational members represent more people than individual members.</p>
<p>Scheme requirements developed by technical committees of experts</p> <p><i>Scheme requirements should be developed by technical committees of experts and submitted to a broader group of stakeholders for inputs.</i></p> <ul style="list-style-type: none"> - <i>Are the scheme requirements developed by technical committees and submitted to groups of stakeholders for input?</i> 	<p>Yes, all standards and policies are developed by the Policy and Standards Unit. Proposals for development of new normative documents may come from any stakeholder. They often originate from membership motions passed at the General Assembly, or the Board of Directors. Stakeholders are invited to comment on proposals before they are presented to the Board of Directors for adoption.</p> <p>An internal Steering Committee is established to oversee the process and a working group to provide technical input and advice during the entire development or revision process of a normative document. Representation within the different working groups established is balanced between environmental, social and economic participants. Interested stakeholders are invited to actively participate in a consultative forum.</p> <p>The Policy and Standards Unit develops the draft normative document in collaboration with each working group. Public stakeholder consultation is carried out on the first public draft and, where needed, on following draft versions before the working group is ready to recommend a final draft for approval by the Board of Directors.</p> <p>The website states that it actively seeks input from members and other stakeholders. Current normative</p>

	<p>documents are reviewed and where necessary revised according to a regular cycle. The revision process is implemented following the same requirements as the development process of a new normative document.</p> <p>They state that it follows the Code of Good Practice for Setting Social and Environmental Standards produced by a global association for social and environmental standards systems.</p>
<p>Participation of concerned stakeholders in the development of inspection criteria</p> <p><i>Managers of schemes should ensure the participation of concerned stakeholders in the development of inspection criteria and checklists, as well as in the design and determination of thresholds for sanctions</i></p> <p>– Are concerned stakeholders included in the development of inspection criteria, checklists or/and in the development of thresholds?</p>	<p>The procedures for inspections for the certificates are defined in a document.</p> <p>These inspections aim to evaluate the compliance of the products and processes to the standards.</p> <p>As mentioned above, all standards and policies are developed through procedures that allow stakeholder participation, including these procedures for inspections:</p> <ul style="list-style-type: none"> • There is a procedure document (The Development and Revision of Normative Documents) describing the development and revision of Normative documents. The objective of this Procedure is to provide a clear and unambiguous methodology to develop, review, and revise <u>all normative documents</u> in the Normative Framework in order to promote stability and predictability within the system. To achieve this objective the procedure requires robust levels of stakeholder participation in order to ensure a high level of transparency; Incorporates fairness, and checks and balances; Complies with international best practices for standards setting. Furthermore, special considerations for inclusion of stakeholders from Southern Countries are promoted in this document. • There is a document (Process requirements for the development and maintenance) which describes the process requirements for national standards including a stakeholder consultation forum phase.

<p>Feedback mechanisms to regularly review rules and requirements</p> <p><i>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</i></p> <ul style="list-style-type: none"> - Are there feedback mechanisms to regularly review rules and requirements? - Is there a feedback form for comments on the website? 	<p>See above information concerning stakeholder participation.</p> <p>There is no feedback form on the website.</p> <p>There is a procedure document (The Development and Revision of Normative Documents) describing the development and revision of Normative documents. This procedure provides a public consultation phase for developing and revising normative documents in order to engage a broader cross section of stakeholders.</p> <p>However, the above mentioned document describing process requirements for the development and maintenance of national standards includes a stakeholder consultation forum phase.</p>
<p>Change to scheme requirements</p> <p><i>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</i></p> <ul style="list-style-type: none"> - Are changes to the scheme requirements made only when justified? 	<p>The General requirements for accredited certification bodies does not state anything on the justification of changes to certification requirements, however it does mention that changes to the certification requirements need to be reported within 30 days to all clients.</p>
<p>3. Scheme requirements and corresponding claims</p>	
<p>3.1 clarity and transparency of scheme requirements</p>	
<p>Social environmental economical and/or legal objectives clearly stated</p> <ul style="list-style-type: none"> - Does the scheme clearly state the objectives? 	<p>The objective is clearly stated. To promote the responsible management of forests, by providing the assistance required to achieve an environmentally appropriate, socially beneficial and economically viable use of natural resources and provision of ecosystem services, to avoid deterioration or misuse of such resources, or of the ecosystems or surrounding communities.</p>
<p>Claims and requirements linked to the objectives of the scheme</p> <ul style="list-style-type: none"> - Are claims and requirements clearly linked to the objectives? 	<p>The objective of the scheme is to award forest-products originating from responsibly managed forests. This implies two main levels of certification. On the one hand the certification of the forest management, on</p>

	<p>the other hand the certification of the chain of custody of the product, meaning that despite the processing of the product the composition of the forest-products originating from responsible forest management remained intact.</p>
<p>The scope of the scheme for products and/or processes are clearly defined</p> <ul style="list-style-type: none"> - <i>Is the scope of the scheme (i.e. the type of products or processes it covers) clear?</i> 	<p>Yes, the scope is clearly defined as being applicable to all types of forest including natural forests, plantations and other (i.e. non-forest) vegetation types.</p> <p>In terms of products and services, the P&C cover the production of wood and non- timber forest products, the forest conservation and protection, ecosystem services and other uses. Ecosystem services include the sequestration and storage of carbon which contributes to the mitigation of climate change.</p>
<p>Scheme specification clear sufficiently detailed and easily understandable</p> <ul style="list-style-type: none"> - <i>Are the scheme requirements/specifications available on the website for free?</i> - <i>Are the specifications clear and understandable?</i> - <i>Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme?</i> 	<p>The requirements for the scheme are available for free on the website for both the global certification and the certification. The national and regional certification standards are also available for free on the website. It is not clear if for the other type of certification there are as well national and regional certification standards.</p> <p>These documents clearly state the P&C that are required to be eligible for the certifications with sufficient detail.</p> <p>However, given the large amount of normative documents, the different levels of standards (global, regional, national, complementary) the different types of certifications and the accreditation requirements for certifying bodies, it could be argued that it might be difficult for consumers to easily find a specific document.</p> <p>Although all relevant documents are clear, detailed and available on the website and there is also a complete Policy and Standards Documents Catalogue. The overall impression of the normative framework could be considered complex and somewhat confusing to consumers.</p>
<p>Further information</p> <ul style="list-style-type: none"> - <i>Can consumers find further details on the scheme such as a website address, on the product packaging or at the point of sale?</i> 	<p>Yes, the label indicates the website and a product code. Example for packaging</p>

<p>Schemes to state that they require certification by an independent body</p> <ul style="list-style-type: none"> - <i>Do the schemes state that they require certification by an independent body?</i> 	<p>The scheme states that the certifications are provided by accredited certification bodies. However, it could not be assessed easily whether these bodies are independent, given the large amount of accreditation conditions and interpretation guidelines.</p>
<p>3.2 Evidence base of scheme claims and requirements</p>	
<p>Objective and verifiable evidence and scientifically sound documentation</p> <ul style="list-style-type: none"> - <i>Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation?</i> - <i>Are the documents on which the claims are based freely available on the schemes website?</i> 	<p>All evaluation procedures are documented and reports are drafted by the certification body's personnel:</p> <p><u>Certification Type 1</u></p> <p>The main evaluation process is an in depth review of the forest management systems and their results on the ground. The certification body sends a team of experts to assess social, economic and environmental conditions at the forest under evaluation. At the end of the evaluation, the assessment team reports to the forest manager any areas where management does not meet the applicable requirements, known as 'non-conformities'. If these are minor non-conformities, the certification body can issue a certificate, on condition that actions will be taken to deal with the non-conformities. If these are major non-conformities, the certification body will not issue a certificate until the non-conformities have been solved.</p> <p>The documents on which the certification is based on the P&C which are available on the website. The certificates are registered and can be consulted in the database of registered certificates. Since the P&C are drafted at a global level these are formulated in rather general terms. More detailed criteria and requirements can be found at a national or local level.</p> <p><u>Certification Type 2</u></p> <p>For a product to be claimed as certified there must be an unbroken chain of certified organizations covering every change in legal ownership of the product from the certified forest up to the point where the product is finished or sold in retail. The Standard for Chain of Custody Certification document is freely available to everyone through the website.</p>

<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - <i>Is the scheme operating in different countries and regions?</i> <p><i>If yes</i></p> <ul style="list-style-type: none"> - <i>Does it adapt its requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts?</i> 	<p>The scheme is active in different countries and regions.</p> <p>The process for developing the standards follows the requirements set out in the procedure document named "Process requirements for developing and maintenance of National Standards".</p> <p>The Forest Management Program advises Groups (SDGs) as they work through the process of developing a National Standard. This process requires the addition of indicators, verifiers, norms, guidance and in some cases interpretations to the P&C.</p> <p>The Policy and Standards Committee that has been delegated by the Board of Directors to approve Regional and National Standards meets and makes a decision over a pre-approved standard. The website provides an overview of approved National and Regional standards. There is a list available and documents can be downloaded by everyone.</p> <p>The website also states that "You can also download the standards from each country webpage."</p> <p>However, the above seem to apply mostly for the one of the 3 certification types and it could not be assessed whether and to what extent there are national standards for the other certification.</p>
<p>Indication, whether, and if so, where and to what extent specifications go beyond the relevant legal requirements</p> <ul style="list-style-type: none"> - <i>Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable?</i> 	<p>Legality is held as an essential but not necessarily sufficient step towards sustainable forest management worldwide.</p> <p>Principle 1 of the P&C requires forest managers to comply with all applicable laws and regulations in the country of harvest, and with international treaties.</p> <p>The statutes state: <i>The Organization shall seek to complement national legislation and international treaties and agreements promoting environmentally appropriate, socially beneficial and economically viable</i></p>

	<i>forest management.</i>
3.3 Additional requirements under UCPD¹⁷	
Reference to relevant UCPD Annex 1 prohibited practices: <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies 	No. A logo of its own is used which does not intend to claim a false endorsement by another public or private body. The scheme does not mislead consumers based on an unauthorized use of logo or a false approval by public authorities. It is a scheme with a real structure behind it.
4. Scheme certification and inspections	
4.1 Impartiality and independence of certification	
<p>Independent body accredited</p> <ul style="list-style-type: none"> - <i>Is the certification of compliance with the scheme requirements carried out by an independent body accredited?</i> - <i>by which accreditation body the certifier is accredited.</i> <p><i>Certification of compliance with the scheme requirements should be carried out by an independent body accredited:</i></p> <ul style="list-style-type: none"> - <i>by the national accreditation body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or</i> - <i>by an accreditation body signatory to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF).</i> 	<p>The website states that "To make sure the certification bodies operate in line with our rules, they are checked or accredited. [...] is the only global forest certification system to have an integrated accreditation program that systematically checks its certification bodies."</p> <p>There is a delegated accreditation body which runs the Accreditation Program according to international standards and based on the specific requirements of the Certification Scheme.</p> <p>Its activity does not constitute an accreditation within the meaning of Article 2(10) of Regulation (EC) No. 765/2008 of the European Parliament and of the Council of 9 July 2008. Nor does it constitute proof of any audit that may be required by the European Union or any of its Member States with regard to the sustainability criteria set out in Article 17(2) to (5) of Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009. It bases its assessment and accreditation of certification bodies exclusively on privately set standards, and they do not comprise an assessment or accreditation by public authorities.</p> <p>The scheme owner sets the general requirements for accredited certification bodies, applying the ISO/IEC Guide 65:1996 (E)</p>
<p>Open to certification without the imposition of geographical restrictions</p> <p><i>Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?</i></p>	<p>It is an open scheme that provides certification without any imposition of geographical restrictions.</p> <p>The scheme owner reserves the right to</p>

¹⁷ We consider only additional requirement under UCDP that can be assessed in a scheme is related to the prohibited practices.

	temporarily request higher surveillance frequencies from certification bodies for certain geographical areas or certification services that are deemed “challenging” as the result of an internal risk assessment.
4.2 Inspections	
<p>Inspection effective, clear, transparent based in documented procedures and relate to verifiable criteria underlying the claims made by the certification scheme</p> <ul style="list-style-type: none"> - Does the website provide clear and documented procedures for inspections of scheme participants? - Does unsatisfactory inspection results lead to appropriate action? - Are regular inspections of scheme participants carried out? 	<p>The procedures for inspections for the certificates are defined in documents.</p> <p>Non-compliance leads to Corrective Action Requests, suspension or withdrawal of the certificate. Infringing companies are listed in the website.</p> <p>Certificates are valid for five years. The accredited certification body will conduct annual surveillance audits to verify continued compliance with certification requirements.</p>
<p>Frequency of inspection.</p> <ul style="list-style-type: none"> - Is the frequency of inspections based on previous inspection results, inherent risks, and existence of internal audits? - Is the minimum inspection frequency determined by the scheme supervisor? 	<p>Non-compliances may be the subject to a Corrective Action Request. These non-compliances need to be corrected within a timeframe.</p> <p>Action taken to correct a major non-compliance may continue over a period of time which is longer than 3 months. This shall be verified through a specific verification audit or a document review.</p> <p>The certification body shall determine whether the corrective action has been appropriately implemented within its timeframe.</p> <p>Inspections should occur at least annually.</p>
<p>Systematic evaluation of the results of inspection</p> <ul style="list-style-type: none"> - Is there systematic evaluation of the results of inspections? 	<p>The certification body shall document its finding and conclusions for each audit in an audit report following a reporting procedure.</p>
<p>Unannounced inspection used as a general rule</p> <ul style="list-style-type: none"> - Are unannounced inspections and inspections at short notice used as a general rule? 	<p>Unannounced inspections are not mentioned in the procedures.</p>
<p>Inspections and audits based on publicly available guidelines, checklists and plans</p> <ul style="list-style-type: none"> - Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented? - Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims? 	<p>Yes they are available on the website. The inspection criteria are closely linked to the requirements of the scheme and the corresponding claims.</p>
<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - Are the procedures dealing with non-compliance clear and documented? 	<p>The procedures describe in detail how non-compliance should be dealt with.</p>

Knock out criteria

Knock-out criteria should include at least non-fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.

- *What are the knock-out criteria?*
- *What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body)*

The knock out criteria are slightly different depending on which certification type is aimed for:

Type 1

Certification bodies make certification decisions based on their evaluation of the forest management enterprise's conformity with the requirements specified in the applicable Standard and related normative documents.

The occurrence of five or more major non-conformities in one surveillance evaluation shall be considered as a total breakdown of the company's management system and the certificate shall be suspended.

A non-conformity shall be considered major if, either alone or in combination with further non-conformities, it results in, or is likely to result in a fundamental failure:

1. To achieve the objectives of the relevant Criterion, or
2. In a significant part of the applied management system

The cumulative impact of a number of minor non-conformities may represent a fundamental failure or total breakdown of a system and thus constitute a major non-conformity.

Type 2

Certification bodies shall make certification decisions based on their evaluation of the Chain of Custody operation's compliance with each applicable requirement specified in the relevant certification standards.

The occurrence of five or more major non-compliances in a surveillance audit shall be considered as a breakdown of the company's Chain of Custody system and the certificate shall be suspended immediately.

Non-compliance shall be considered major

	<p>if, either alone or in combination with further non-compliances, it results in, or is likely to result in a fundamental failure to achieve the objective of the relevant requirement in the Chain of Custody operations within the scope of the evaluation. Such fundamental failure shall be indicated by non-compliance which:</p> <ol style="list-style-type: none"> 1. continue over a long period of time, or 2. are repeated or systematic, or 3. affect a wide range of the production, or 4. are not corrected or adequately responded to by the responsible managers once they have been identified.
<p>Inspection focus</p> <p>- <i>Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes?</i></p>	<p>Yes. The certification body carries out a surveillance audit to monitor the certificate holder's continued compliance with the applicable requirement of the relevant Certification standards.</p>
<p>Qualification of auditors /inspectors</p> <p><i>Are auditors/inspectors impartial qualified and competent?</i></p> <p><i>Do they have the relevant knowledge in the specific sector?</i></p> <p><i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i></p> <p><i>Are the auditor skills described in the scheme specifications?</i></p>	<p>The General requirement for accredited certification bodies – application of ISO/IEC Guide 65:1996 (E) sets the qualifications required for the personnel responsible for the surveillance audits.</p> <p>Forest management evaluation teams always include:</p> <ul style="list-style-type: none"> - A qualified forest management lead auditor who is registered with the Accreditation Program - At least one team member who is fluent in the main language of the district/state in which the evaluation takes place, or a designated independent interpreter. - At least one team member who is resident in the country in which the evaluation takes place or in a nearby country with similar forest conditions. - An auditor with the experience and qualification to evaluate all aspects of the principles and criteria under assessment during the surveillance audit, taking account of the scale and complexity of the area to be assessed. <p>Chain of Custody evaluation teams always include:</p> <ul style="list-style-type: none"> - A qualified lead auditor who is

	<p>registered with the Accreditation Program</p> <ul style="list-style-type: none"> - At least one team member who is fluent in the language of the area in which the evaluation takes place, or a designated independent interpreter: - At least one team member who has knowledge of the critical characteristics of the operational processes under evaluation
5. Costs	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on the operators?</i></p>	<p>Yes. Firstly, there is a list with member fees.</p> <p>Additionally there is an annual administration fee (AAF) for certificate holders. Information is available on the website, in the 'Annual Administration Fee Policy' document.</p> <p>The AAF is an annual fee charged to accredited certification bodies calculated on a "per certificate" basis.</p> <p>The purpose of the AAF is to support the core operations of the system, both at national and international level, including among other:</p> <ol style="list-style-type: none"> 1. multi-stakeholder governance mechanisms; 2. Development of policy standards; 3. Marketing and market development activities; 4. Trademark protection; 5. Communication and dissemination of information; 6. Decentralised support structures in key countries or regions; <p>Certification bodies shall identify the AAF on their invoices to certificate holders. The AAF Policy will be reviewed annually and if necessary revised to remain consistent with any new strategy and or policy or account inflation.</p>
6. Conclusions on the Scheme Requirements	
<p><i>Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: participation and development, clarity and transparency and certification and inspection?</i></p>	<p>The participation and development requirements are generally in line with the voluntary products and foodstuff guidelines. The scheme allows for stakeholder participation (even if the consultation is not open to the general public). Its requirements are developed</p>

	<p>by technical committees. Changes to the scheme are only done when justified and participants are given notice in advance.</p> <p>The requirements relating to "clarity and transparency" of the scheme and regarding the evidence base are in line with the voluntary products and foodstuff guidelines:</p> <ul style="list-style-type: none"> • The objectives are clearly stated and the requirements linked therewith. • The scope is clearly defined and the specifications available on the website. • Furthermore, certification by independent bodies is required and this is carried out by different accredited certifiers. Guidelines for the certifying bodies are provided • In addition, regarding evidence, the criteria are freely available on the internet and go beyond legal requirements. • The scheme requirements are adapted to other countries. <p>The scheme provides for performance of on-site inspections carried out by certified bodies.</p> <p>It can be concluded that the scheme follows generally the voluntary products and foodstuff guidelines.</p>
7. Mutual recognition and benchmarking /overlap with other schemes	
<ul style="list-style-type: none"> - <i>Is there a mutual recognition and/or benchmarking with other schemes?</i> - <i>Does the website link to other relevant schemes?</i> 	<p>Yes.</p>

1.2.2.6 Scandinavian ecolabel

1. General description of the label/logo	
Name of the scheme	Scandinavian ecolabel
Country of scheme origin	Nordic countries (Denmark, Finland, Iceland, Norway, Sweden)
Geographical scope – <i>Is it a cross- country scheme?</i> – <i>If yes, what other countries does it operate in?</i>	Yes. Besides the abovementioned 5 Nordic countries, the product under consideration (baby nappies) is sold internationally. According to the official website of the producer’s group, the market of the product comprises: The Nordic Region, France, Italy, the Middle East, Eastern Europe, Russia, Greece and China. Market leader in the Nordic region and nappy brand number one in Russia (2009).
Public or private scheme <i>A scheme is not considered public unless it explicitly states this on the website and if it is operated by a public body</i>	Public scheme
Type of scheme <i>A certified scheme is one where a third party has verified the product meets the scheme requirements.</i> <i>A self-declared scheme is one where there is no third party verification.</i> – <i>If it is a certified scheme, are the contact details of the certifying body provided?</i>	This Scandinavian ecolabel is an ISO 14024 type 1 Ecolabelling system and is a third-party control organ. The scheme is a certified scheme for products that fulfil certain environmental requirements. Links and contact details of all national ecolabelling organisations, as well as contact details for the Board are available online.
Persons targeted	Government purchasers, Individual consumers, retailers
Product/services covered	Today there are 63 product and service groups/types criteria, covering thousands of products and services, from detergents and car tires to hotels and restaurants who can apply for the Scandinavian ecolabel. According to the website , those products and services are: Alternative dry cleaning, Appliances, Base module , Batteries (Primary), Biofuel Pellets, Candles, Car and boat care products, Chemical building products, Chemical module, Cleaning agents for use in the food industry, Cleaning Products, Cleaning services, Closed Toilet Systems, Coffee filters, Compost bins, Computers, Copy and

	<p>printing paper, Cosmetic products, De-icers, DID-list, Dishwasher detergents, Dishwasher detergents for professional use, Dishwashers, Disposable bags, tubes and accessories for health care, Disposables for food, Durable wood Alternative to conventionally impregnated wood, Fabric cleaning products containing microfibers, Filmforming floor care products, Floor coverings, Fuel, Furniture and fitments, Grease-proof Paper, Grocery Stores, Hand Dishwashing Detergents, Heat pumps, Hotels and youth hostels, Imaging equipment, Indoor paints and varnishes, Industrial cleaning and degreasing agents, Laundries/ Textile Services, Laundry detergents and stain removers, Laundry detergents for professional use, Machines for parks and gardens</p> <p>Outdoor furniture and playground equipment, Panels for the building, decorating and furniture industry, Paper envelopes, Photographic developments services, Printing Companies, Rechargeable batteries and battery chargers, Refrigerators and freezers, Restaurants, Sanitary Products, Small houses, apartment buildings and pre-school buildings, Solid Biofuel Boilers, Stoves, Textiles, skins and leather, Tissue paper, Toner cartridges, Toys, TV and Projectors, Washing machines, Vehicle Tyres, Vehicle wash installations, Windows and exterior doors, Writing Instruments.</p>
Product/services covered according to the categories of the study	Appliances, building products, cleaning products, forest products / paper, machinery & equipment, personal hygiene, beauty & baby products, tourism, transport
Policy areas covered	The policy areas covered are energy usage, climate aspects, water usage, source of raw materials, use of chemicals, hazardous effluents, packaging, and waste.
Current number of members/participants/products	Today there are 63 product groups and over thousands of Ecolabelled products and services on the Nordic market. At the end of December 2012 they had approximately 2,100 licence holders. About 2/3 of these are services , such as hotels, supermarkets, car washes and printers, and one third of the licences are for products . However, each product licence can include lots of products, which means that the number of Scandinavian Ecolabelled products is many times more than the number of licences.
Aim	The long-term objective of the Scandinavian

	<p>ecolabel is sustainable production and consumption.</p> <p>The Scandinavian ecolabel website states that “[the] Scandinavian ecolabel trademark is an effective and simple marketing tool that is a guarantee that products have fulfilled stringent environmental and climate criteria. The Scandinavian ecolabel symbolizes our work towards a sustainable consumerism and production, which are key factors in achieving a sustainable society.”</p> <p>Moreover, there is a short presentation of the aim on the website: “The purpose of the official Scandinavian ecolabel is to have a voluntary common ecolabelling which contributes to reducing the impact of everyday consumption on the environment. The Scandinavian ecolabel examines the environmental effect of goods and services during the entire life cycle from raw ingredients till waste. It places stringent demands on climate and the environment but also requirements on function and quality.”</p>
<p>Description of the label/logo</p>	<p>The logo consists of two basic elements:</p> <ul style="list-style-type: none"> • The symbol of a green sphere with a white animal. The Scandinavian ecolabel is a registered trademark protected by national and international law. All rights to the label remain the property of the Scandinavian Ecolabelling organisations. • The surrounding text, or equivalent text in other languages, follows the curved outline of the top of the label. If the licensee wishes to use several approved language versions, the text should be placed around the label. The text is printed in upper case using the Helvetica type face, regular, and semi bold. Spacing and font size should be adapted to the size of the label. • Each licence has a unique licence number for use in combination with the label. The licence number is placed below the label. • The name of the product group or the voluntary information text, provided for in the relevant criteria document, must be adapted in terms of size to the label and placed below the label. Type face Helvetica or Arial, regular, semi

	<p>bold.</p> <p>When the green colour is not used, the label may be printed in black and white (maximum 50% raster). The Label may be printed in black or green on a light, uncoloured or unbleached background with the Scandinavian ecolabelling logotype taking the same colour as the background. The wording of the label must be black or green, or, against a dark background, white. Deviations from the stipulated colours may only be made in special cases with the prior permission of the ecolabelling organisation.</p> <p>The ecolabel must be sufficiently large that the words, the licence number and, where applicable, the product group name are easily legible (minimum 6 pt).</p> <p>A smaller ecolabel may also be permitted if the term "name of product group" and the licence number are written in a legible size next to the label. For the picture of the logo please see introduction.</p>
<p>2. Scheme participation and development</p>	
<p>Open under transparent and non-discriminatory criteria:</p> <p><i>This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in some instances). The criteria do not discriminate against participants who are willing to participate and could meet the criteria.</i></p> <p><i>– Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements?</i></p>	<p>The standard setting process and criteria are transparent and open to the public. Requirements are laid out for each product (commodity or service) in a criteria document and available on the website</p> <p>Any manufacturer or even sole distributor (i.e. importer, dealer, distributor or similar) in the Nordic countries may apply for a licence. In the case of a distributor, the manufacturer also has to sign the application and thus agree to follow the criteria and relevant regulations</p> <p>The scheme criteria are open to foreign manufacturers and service providers, willing to comply with the scheme requirements.</p>
<p>Supervisory structure</p> <p><i>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the</i></p>	<p>The Board consisting of members from each national Ecolabelling Board decides on Nordic criteria requirements for products and services.</p> <p>The ecolabelling organisations issue, following approval by the Board, criteria for the ecolabelling of a number of products (commodities and services).</p> <p>The criteria are the same in all Nordic</p>

<p><i>organisations involved should be documented and publicly available.</i></p> <p>- <i>Does the scheme have a supervisory structure which allows for the contribution of all concerned stakeholders?</i></p>	<p>countries, applicable in all Nordic countries, and no country can develop its own criteria or product groups.</p> <p>When a product is granted a Scandinavian ecolabel in one Nordic country, the company can even apply, through a simple application procedure, for a Scandinavian ecolabel in the other Nordic countries. Registering the licence in the other Nordic countries allows the Scandinavian ecolabel to be used on a larger market.</p> <p>This Scandinavian ecolabel has a new product development organisation from December 2012.</p>
<p>Participation of all concerned stakeholders</p> <p><i>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</i></p> <p>- <i>Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development?</i></p>	<p>Yes, the system foresees certain stakeholder participation. The website briefly describes the following procedure: "Experts from the Scandinavian ecolabelling organisations develop proposals for criteria. Other experts are often called upon to give their views, and these can represent other environmental organisations, industry or the government. Before the Board finalises the criteria, they are sent out for review. They are also available to the general public on the national organisations' websites."</p> <p>In case the criteria for a certain product group are not available, the general public can submit new proposals for the development of new Product Groups through the website.</p>
<p>Scheme requirements developed by technical committees of experts</p> <p><i>Scheme requirements should be developed by technical committees of experts and submitted to a broader group of stakeholders for inputs.</i></p> <p>- <i>Are the scheme requirements developed by technical committees and submitted to groups of stakeholders for input?</i></p>	<p>Yes</p>
<p>Participation of concerned stakeholders in the development of inspection criteria</p> <p><i>Managers of schemes should ensure the participation of concerned stakeholders in the development of inspection criteria</i></p>	<p>Sampling and analysis, inspection and/or examination are carried out as specified in the criteria document for the relevant product group.</p> <p>Unless specified otherwise in the criteria document, laboratories must be independent</p>

<p><i>and checklists, as well as in the design and determination of thresholds for sanctions</i></p> <ul style="list-style-type: none"> - <i>Are concerned stakeholders included in the development of inspection criteria, checklists or/and in the development of thresholds?</i> 	<p>and competent. The applicant is responsible for documentation and liable for any costs that may arise.</p>
<p>Feedback mechanisms to regularly review rules and requirements</p> <p><i>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</i></p> <ul style="list-style-type: none"> - <i>Are there feedback mechanisms to regularly review rules and requirements?</i> - <i>Is there a feedback form for comments on the website?</i> 	<p>Yes, according to the website, to ensure that a Scandinavian ecolabelled product or service is at the cutting edge from an environmental point-of-view, criteria are continually evaluated and revised.</p> <p>As product development progresses and new scientific discoveries are made, the criteria are reviewed in order to continue the process of reducing a product or service's environmental impact.</p> <p>Approximately every three to five years, the criteria documents are reviewed and new versions of criteria documents are then issued. The period of validity of criteria is indicated in the criteria document.</p> <p>Products carrying a Scandinavian ecolabel licence must apply and fulfil the new criteria requirements. In this way, Scandinavian ecolabel led products and services are continuously being improved.</p> <p>The general public can submit new proposals for the development of new Product Groups – in case the criteria for a certain product group are not available- through the website.</p> <p>It could not be easily assessed if the personal web accounts for licence holders functions as a feedback mechanism, or just to facilitate applications in product fields where criteria are recently revised.</p>
<p>Change to scheme requirements</p> <p><i>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</i></p> <ul style="list-style-type: none"> - <i>Are changes to the scheme requirements made only when justified?</i> 	<p>Applications for licence are valid for 12 months. The requirements stipulated in the main version of the criteria document valid at the time of application must be met. Changes to regulatory requirements or chemical classifications may affect licensing conditions during the validity period.</p> <p>As described above, a license is valid for the period during which the associated criteria document is valid. When the validity period of the criteria document ends and a new revised document is adopted by the Board, products must fulfil the new criteria and companies must re-apply for a licence.</p> <p>The licensee is informed of the new</p>

	<p>requirements in good time, according to the time plan set out in the criteria document (usually one year -at the latest- before the expiry date of the licence that has already been issued) and will then be given the opportunity to renew the licence.</p> <p>It appears that changes to the scheme requirements are made in order to follow product development progress and new scientific discoveries.</p>
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3. Scheme requirements and corresponding claims

3.1 clarity and transparency of scheme requirements

Social environmental economical and/or legal objectives clearly stated

– *Does the scheme clearly state the objectives?*

There are multiple references, throughout different sections of the website, and related websites.

Those references include:

- The Scandinavian ecolabel is characterised on its website as “a comprehensive ecolabel”. It is briefly stated that when developing criteria, the scheme takes the whole life cycle of the product under consideration, as well as all its related environmental issues. It is specifically stated that “climate considerations are thus a key element of the assessment. Some criteria contain requirements linked directly to the climate, such as those concerning use of fossil fuels or energy consumption during manufacture. In other criteria, the requirements can be less obvious, such as vehicle tyres, for example, where the requirement for low rolling resistance leads to lower fuel consumption, which in turn reduces the impact on the climate.” Furthermore, it is explained that the more important the climate issue is judged to be for a particular product group, the stricter and more extensive the requirements become in that area.

- Environmental and climate concerns are making more consumers and companies re-think their buying and production processes. The Nordic market is among the most environmentally progressive regions in the world. There is a need for more environmentally-sound products in this marketplace. One of the best and fastest ways to promote these products is by carrying the Scandinavian ecolabel.

- This Scandinavian ecolabel was also initiated as a practical tool for consumers to help them actively choose environmentally-

	<p>sound products. Under the subtitle “Benefits of Scandinavian ecolabel” it is stated that “[the] Scandinavian ecolabel trademark is an effective and simple marketing tool that is a guarantee that products have fulfilled stringent environmental and climate criteria. The Scandinavian ecolabel symbolizes our work towards a sustainable consumerism and production, which are key factors in achieving a sustainable society. We have many examples that illustrate how our Scandinavian ecolabel trademark has strengthened companies’ own marketing and selling campaigns. World-leading companies have Scandinavian ecolabelled products. A growing number of procurements (tenders) are using the Scandinavian ecolabelling criteria as environmental requirements, and the Scandinavian ecolabel licence as documentation that the requirements are met.”</p> <p>A related website states that: “The purpose of the official Scandinavian ecolabel is to have a voluntary common ecolabelling which contributes to reducing the impact of everyday consumption on the environment. The Scandinavian ecolabel examines the environmental effect of goods and services during the entire life cycle from raw ingredients till waste. It places stringent demands on climate and the environment but also requirements on function and quality.”</p> <p>It seems that a more concentrated presentation would be even more comprehensive for the public. It could be argued that having to acquire information from multiple sources renders a less clear message.</p>
<p>Claims and requirements linked to the objectives of the scheme</p> <p>– <i>Are claims and requirements clearly linked to the objectives?</i></p>	<p>The objective of the scheme is to achieve a sustainable society through increasing sustainable consumerism and production. All scheme requirements are linked to the objective of the scheme.</p> <p>For example, the website states that, when developing criteria, the scheme takes the whole life cycle of the product under consideration, as well as all its related environmental issues. It is specifically stated that “climate considerations are thus a key element of the assessment. Some criteria contain requirements linked directly to the climate, such as those concerning use of</p>

	<p>fossil fuels or energy consumption during manufacture. In other criteria, the requirements can be less obvious, such as vehicle tyres, for example, where the requirement for low rolling resistance leads to lower fuel consumption, which in turn reduces the impact on the climate.” Furthermore, it is explained that the more important the climate issue is judged to be for a particular product group, the stricter and more extensive the requirements become in that area.</p>
<p>The scope of the scheme for products and/or processes are clearly defined</p> <ul style="list-style-type: none"> - <i>Is the scope of the scheme (i.e. the type of products or processes it covers) clear?</i> 	<p>Yes, the scope is clearly defined on the website, where all the detailed criteria documents for all the product groups are available and freely accessible to anyone.</p>
<p>Scheme specification clear sufficiently detailed and easily understandable</p> <ul style="list-style-type: none"> - <i>Are the scheme requirements/specifications available on the website for free?</i> - <i>Are the specifications clear and understandable?</i> - <i>Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme?</i> 	<p>Yes, the scheme requirements/specifications for every product group are available on the website for free.</p> <p>Specifications and requirements seem clear and sufficiently detailed as well as easily understandable.</p> <p>It would be considered sufficiently detailed for consumers to understand.</p>
<p>Further information</p> <ul style="list-style-type: none"> - <i>Can consumers find further details on the scheme such as a website address, on the product packaging or at the point of sale?</i> 	<p>On the product under consideration (the producer’s Comfort 4 nappies) website there is further information available: “[Company] Comfort has the Scandinavian ecolabel – a guarantee that the nappies contain no lotions, ointments, moisturising creams or perfumes. (...) We continuously work to minimise our environmental impact at all stages, for example through our nappy manufacturing processes, our choice of suppliers, materials, designs, fit and packaging. So whichever [company] nappy size you choose, you’re making a sound environmental choice. [Scandinavian ecolabel Logo]”.</p>
<p>Schemes to state that they require certification by an independent body</p> <ul style="list-style-type: none"> - <i>Do the schemes state that they require certification by an independent body?</i> 	<p>Certification by an independent body is required.</p> <p>The national ecolabelling organisations are the certifiers in their respective countries. Information on the composition and function</p>

	<p>of each national ecolabelling organisation could be found on the national websites, although it could be argued that this information does not seem detailed enough.</p>
<p>3.2 Evidence base of scheme claims and requirements</p>	
<p>Objective and verifiable evidence and scientifically sound documentation</p> <ul style="list-style-type: none"> - <i>Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation?</i> - <i>Are the documents on which the claims are based freely available on the schemes website?</i> 	<p>Applicants are certified against the ecolabel's criteria before using the label. The duration of the certification linked to the award scheme is indicated in each criteria document for every product group and conformity is assessed on a pass/fail basis.</p> <p>The claims are based on the compliance with the product group criteria which are available on the website for free and are clear, sufficiently detailed and easily understandable. These criteria are verified through inspections and compliance assessment requires scientific evidence and sound documentation.</p>
<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - <i>Is the scheme operating in different countries and regions?</i> <p><i>If yes</i></p> <ul style="list-style-type: none"> - <i>Does it adapt its requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts?</i> 	<p>The criteria are the same in all the Nordic countries. The choice of criteria is made by the Board with representatives from each country. A product or service that has been granted the Scandinavian ecolabel in one of the countries can be marketed in the other Nordic countries without an additional application process. However there is a small administration process for registering the product in each country.</p> <p>Registering the licence in the other Nordic countries allows the Scandinavian ecolabel to be used on a larger market. An application for such registration is made on the same form as for a licence application or on the separate form. Applications for registration must always be signed by the licensee, even in those cases in which another company is making the application.</p> <p>To extend the licence to other Nordic countries through registration, a series of documents must be submitted to the secretariats in the countries in question. The ecolabelling organisation in receipt of the application checks all the requirements in the relevant criteria document and any further national requirements that have been indicated on the application form. Special national requirements are stipulated for nearly all product groups. These must be</p>

	<p>fulfilled for a registration to be granted approval. In such cases, licence applications should include documentation showing that these requirements are met.</p> <p>The option to apply for a licence in a single Nordic country alone is still available for certain product groups. Information on these product groups is to be found on the website of the national ecolabelling organisation.</p> <p>Companies located outside the Nordic countries make applications to the national ecolabelling organisation of the primary market. There is no adaptation of requirements to countries and regions.</p>
<p>Indication, whether, and if so, where and to what extent specifications go beyond the relevant legal requirements</p> <p>– <i>Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable?</i></p>	<p>No information available (website and direct contact)</p>

3.3 Additional requirements under UCPD

Reference to relevant UCPD Annex 1 prohibited practices:

- unauthorised use of logos
- false approval or endorsement by public or private bodies

The Scandinavian ecolabel uses a logo of its own which does not intend to claim a false endorsement by another public or private body.

The Regulations for the Scandinavian ecolabelling of products state:

"The Scandinavian ecolabel is a registered trademark protected by national and international law. All rights to the label remain the property of the Scandinavian ecolabelling organisations. These in turn grant companies, for a limited period of time, the right to use the ecolabel on and in respect of products that have been granted an ecolabelling licence.

Licensees are required to show due respect to the logotype as such. This means that they must not distort, allow other images to impinge upon, write text over, or in any other way alter the appearance of the label. The ecolabel may not be included within, or form a part of, the logotypes of either the company or its products.

The ecolabel may not be used in such a way that it may be interpreted as forming part of the general profile of the company (unless the company's entire product range is covered by the licence) or of the company's other, non-ecolabelled products. The licensee may not market other products in the Nordic countries under the same trade name or under a similar trade name that may be confused with that of the ecolabelled product.

Products that are to be processed or form part of other products must not be labelled if this might subsequently be misleading. Such products may only be marketed as ecolabelled on covers, packaging, product catalogues, in marketing material and similar.

The licensee is responsible for ensuring that the rules governing the use and presentation of the ecolabel are followed in all labelling, marketing and advertising of the ecolabelled product. Furthermore, national legislation in respect of marketing must be followed, and ICC's rules for environmental advertising and marketing communications observed. The ecolabelling organisations reserve the right to inspect use, and, as necessary, require changes of the licensee."

4. Scheme certification and inspections	
4.1 Impartiality and independence of certification	
<p>Independent body accredited</p> <ul style="list-style-type: none"> - <i>Is the certification of compliance with the scheme requirements carried out by an independent body accredited?</i> - <i>by which accreditation body the certifier is accredited.</i> <p><i>Certification of compliance with the scheme requirements should be carried out by an independent body accredited:</i></p> <ul style="list-style-type: none"> - <i>by the national accreditation body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or</i> - <i>by an accreditation body signatory to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF).</i> 	<p>Certification seems to be awarded by the national ecolabelling organisations, which are responsible for issuing the licence.</p> <p>Each national ecolabelling organisation administers the ecolabelling scheme on assignment from the national authorities and functions as a local office and national secretariat, having the responsibility for criteria development, licensing, marketing and audits.</p>
<p>Open to certification without the imposition of geographical restrictions</p> <p><i>Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?</i></p>	<p>The certification is carried out by the national ecolabelling organisations and the scheme is open to any manufacturer or even sole distributor (i.e. importer, dealer, distributor or similar) in the Nordic countries. In the case of a distributor, the manufacturer also has to sign the application and thus agree to follow the criteria and relevant regulations. The scheme criteria are open to foreign manufacturers and service providers, willing to comply with the scheme requirements. Companies located outside the Nordic countries make applications to the national ecolabelling organisation of the primary market.</p>
4.2 Inspections	
<p>Inspection effective, clear, transparent based in documented procedures and related to verifiable criteria underlying the claims made by the certification scheme</p> <ul style="list-style-type: none"> - <i>Does the website provide clear and documented procedures for inspections of scheme participants?</i> - <i>Does unsatisfactory inspection results lead to appropriate action?</i> - <i>Are regular inspections of scheme</i> 	<p>Before a licence is issued, the ecolabelling organisation will normally pay an inspection visit to the applicant and/or the manufacturer. On-site inspections mean to verify that the requirements have been fulfilled. During the inspection the data used in calculations, original copies of submitted documentation, measurement certificates, purchasing statistics and the like confirming adherence to the requirements must be available for examination. Inspection visits</p>

<p><i>participants carried out?</i></p>	<p>may be conducted at both end manufacturers and subcontractors.</p> <p>The licensee is obliged to prepare and submit annual reports to the ecolabelling organisations, as indicated in the criteria document for the relevant product group.</p> <p>The ecolabelling organisation that has granted the ecolabelling licence/registration may, through follow-up on-site inspections or random sampling, ensure that the licensed product fulfils the specified requirements. Such inspection visits may be made to the licensee, manufacturer, supplier, importer, wholesaler or retailer without prior notice.</p> <p>Random samples may be taken at points of sale and analysed by an impartial laboratory. If this process reveals that the requirements are not fulfilled, Scandinavian ecolabelling will require the licence holder to pay the costs of analysis.</p> <p>If inspection reveals non-compliance, the ecolabelling organisation that issued the licence may under-take additional inspection or may require the licensee to carry out changes to the product, process or quality system. The licensee shall be informed in writing of any decision to require such changes. Changes must be implemented within a reasonable timeframe from the date on which the ecolabelling organisation gave notice of the requirement.</p> <p>If inspection reveals that the provisions of the criteria document have not been met, the ecolabelling organisation that issued the licence may instruct the licensee to implement immediate measures to ensure that the requirements are met. Such measures must be implemented within fourteen (14) days of the ecolabelling organisation's demands. Alternatively, the ecolabelling organisation that issued the licence may instruct the licensee to cease all use of the label, even in subsequent stages of the retail chain. The licensee is liable for any costs incurred by the withdrawal of incorrectly ecolabelled products.</p>
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<p>Frequency of inspection.</p> <ul style="list-style-type: none"> - <i>Is the frequency of inspections based on previous inspection results, inherent risks, and existence of internal audits?</i> - <i>Is the minimum inspection frequency determined by the scheme supervisor?</i> 	<p>Inspections are carried out:</p> <ul style="list-style-type: none"> (a) Before granting a licence following an application. (b) Every year, in the form of submitting annual reports to the ecolabelling organisation. (c) Without prior notice, as a follow-up to ensure that the licenced product fulfils the specified requirements.
<p>Systematic evaluation of the results of inspection</p> <ul style="list-style-type: none"> - <i>Is there systematic evaluation of the results of inspections?</i> 	<p>The results of inspections are systematically evaluated; there is sufficient follow-up of the inspection results as these may lead to additional inspection, requiring the licence to carry out changes to the product within a specific time or to implement immediate measures to ensure that the scheme requirements are met.</p> <p>Alternatively, the ecolabelling organisation that issued the licence may instruct the licensee to cease all use of the label, even in subsequent stages of the retail chain.</p> <p>The ecolabelling licence may be revoked if the holder of the licence or the product fails to meet the requirements stipulated in these regulations, in the relevant criteria document or in laws and ordinances relating to the product.</p> <p>The above applies correspondingly to those companies that hold registrations.</p>
<p>Unannounced inspection used as a general rule</p> <ul style="list-style-type: none"> - <i>Are unannounced inspections and inspections at short notice used as a general rule?</i> 	<p>Follow-up inspections to ensure that the licenced product fulfils the specified requirements are made without prior notice.</p> <p>Random samples may also be taken at points of sale and analysed by an impartial laboratory.</p>
<p>Inspections and audits based on publicly available guidelines, checklists and plans</p> <ul style="list-style-type: none"> - <i>Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented?</i> - <i>Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims?</i> 	<p>There are relevant provisions in the Regulations for the Scandinavian ecolabelling of products Adopted by the Board.</p> <p>The criteria documents seem to provide adequate, publicly available guidelines and checklists for the inspections.</p> <p>The inspections are made to check compliance with the scheme requirements as they are set in each criteria document.</p>

<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - <i>Are the procedures dealing with non-compliance clear and documented?</i> 	<p>The procedures dealing with non-compliance as described above seem clear and documented, although all the procedural details are not publicly available in an exhaustive manner.</p>
<p>Knock out criteria</p> <p><i>Knock-out criteria should include at least non- fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.</i></p> <ul style="list-style-type: none"> - <i>What are the knock-out criteria?</i> - <i>What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body)</i> 	<p>Non-compliance with the scheme requirements as stipulated in every individual criteria document leads to non-issue of the licence.</p> <p>Non-compliance with the scheme requirements as stipulated in every individual criteria document and with any subsequent changes or immediate measures requested after a follow-up inspection, leads to revocation of the licence.</p>
<p>Inspection focus</p> <ul style="list-style-type: none"> - <i>Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes?</i> 	<p>Check may be conducted to ensure that the licenced products continue to fulfil the Scandinavian Ecolabel requirements after a licence has been granted.</p>
<p>Qualification of auditors /inspectors</p> <p><i>Are auditors/inspectors impartial qualified and competent?</i></p> <p><i>Do they have the relevant knowledge in the specific sector?</i></p> <p><i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i></p> <p><i>Are the auditor skills described in the scheme specifications?</i></p>	<p>No information available through internet or direct contact.</p>
<p>5. Costs</p>	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on the operators?</i></p>	<p>This Scandinavian ecolabel has an application fee of 2000 Euro. This fee covers among other things the administration of the application. The application fee is not refundable in the event of non-approval of the application.</p> <p>If the product is manufactured outside the Nordic countries, an additional fee is charged to cover travel expenses for an audit. This fee is not charged if the product is manufactured in the Nordic countries.</p>

	<p>Once the licence has been granted, there is an annual fee based on the product or service's turnover. There are different fee structures for products and for services. The licence fee is payable annually for the right to use the ecolabel in the Nordic market. The licence fee is payable in advance. It is based on the turnover of the ecolabelled product and may be regulated or adjusted in the following year. Information on turnover must be supplied, as required by the ecolabelling organisation, without delay at the start of each new calendar year.</p> <p>Should information on turnover not be provided by the 1st April at the latest, the ecolabelling organisation has the right to debit an estimated licence fee based on data from previous years. A financial penalty of EUR 1000 (one thousand) is also payable. This estimated licence fee is to be adjusted to take account of any late arriving turnover fees, the financial penalty exempted. Failure to supply data on turnover, or to pay the licence fee, constitutes grounds for revocation of the licence.</p> <p>A licensee wishing to amend the contents or extend the scope of the licence must pay an amendment fee, and any adjusted licence fee, for the work thus carried out by the ecolabelling organisation.</p> <p>Ecolabelling Sweden receives funding from the government and through its licensing fees from companies, normally 0.3% of the annual turnover from the labelled product. Its financial resources are used for the development of new criteria, control of products and services, and marketing.</p>
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6. Conclusions on the Scheme Requirements

<p>Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: <i>participation and development, clarity and transparency and certification and inspection?</i></p>	<p>The scheme requirements are in line with the voluntary guidelines for labelling of foodstuff. The long-term objective of the Scandinavian ecolabel is clearly stated as aiming to achieve a sustainable society through increasing sustainable production and consumption.</p> <p>The Scandinavian ecolabel trademark is considered as a simple marketing tool that guarantees that products have fulfilled stringent environmental and climate criteria. The Scandinavian ecolabel is characterised as</p>
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	<p>a comprehensive ecolabel.</p> <p>The standard setting process and criteria are transparent and open to the public. Requirements are laid out for each product (commodity or service) in a criteria document and available on the website.</p> <p>There is a supervisory structure: In addition to the Board of members, the Scandinavian ecolabel has a new organisation from December 2012.</p> <p>The system foresees certain stakeholder participation mainly based on the experts from the Scandinavian ecolabelling organisations. Before the Board finalises the criteria, they are sent out for review to experts. They are also available to the general public on the national organisations' websites.</p> <p>The Scandinavian ecolabelled product or service is required to be at the cutting edge from an environmental point-of-view and therefore criteria are continually evaluated and revised. Approximately every three to five years, the criteria documents are reviewed and new versions of criteria documents are then issued. The period of validity of criteria is indicated in the criteria document.</p> <p>Applicants are certified against the ecolabel's criteria before using the label.</p> <p>Certification seems to be awarded by the national ecolabelling organisations, which are responsible for issuing the licence. Before a licence is issued, the ecolabelling organisation will normally pay an inspection visit to the applicant and/or the manufacturer. On-site inspections mean to verify that the requirements have been fulfilled. Inspections are carried out:</p> <ul style="list-style-type: none">(a) Before granting a licence following an application.(b) Every year, in the form of submitting annual reports to the ecolabelling organisation.(c) Without prior notice, as a follow-up to ensure that the licenced product fulfils the specified requirements
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7. Mutual recognition and benchmarking /overlap with other schemes

- *Is there a mutual recognition and/or benchmarking with other schemes?*
- *Does the website link to other relevant schemes?*

Yes, with several schemes.

1.2.2.7 Sustainable cleaning charter

1. General description of the label/logo	
Name of the scheme	Sustainable cleaning charter
Country of scheme origin	The scheme is a voluntary tool offered to companies that may become members. Its membership totals 37 National Associations in 42 countries (mainly in Europe), covering more than 900 companies (including national affiliates) ranging from small and medium-sized enterprises to large multinationals, and active both in the consumer goods market and the professional (industrial and institutional) cleaning market.
Geographical scope <ul style="list-style-type: none"> - <i>Is it a cross- country scheme?</i> - <i>If yes, what other countries does it operate in?</i> 	<p>Yes. The Charter's scope, as currently defined, applies only to companies operating in the European Union plus Iceland, Lichtenstein, Norway and Switzerland. The Charter is also open for imported products manufactured outside Europe under the condition that the responsible companies fulfil all Charter obligations.</p> <p>On the Charter's website there is a list of all the companies that participate in the scheme, freely accessible to everyone. In addition to that, the website is available in 29 versions (all EU member states, except from Croatia and Cyprus – that could be covered through the Greek version- plus versions for Iceland, Norway and Turkey). This website is the one mentioned in the logo as a surrounding text and is a service provided to consumers to help them understand the broad range of cleaning and maintenance products available, the benefits each type of product offers, and how to get the best results from them in a safe and environmentally responsible way. It has a separate section devoted to the Charter. This website is an initiative of two European industry associations.</p>
Public or private scheme <i>A scheme is not considered public unless it explicitly states this on the website and if it is operated by a public body</i>	Private scheme
Type of scheme	Although there is a preliminary phase of 'self-assessment', this is only limited to

<p><i>A certified scheme is one where a third party has verified the product meets the scheme requirements.</i></p> <p><i>A self-declared scheme is one where there is no third party verification.</i></p> <p><i>- If it is a certified scheme, are the contact details of the certifying body provided?</i></p>	<p>the time prior to applying to the scheme and only gives access to training (via the training section of the Charter extranet). There is an on-line application form for access to the Charter Training Area.</p> <p>The scheme is a certified scheme. Companies wishing to enter the scheme first train for the implementation of the Essential Charter Sustainability Procedures and verify internally their compliance. Then they call for "external" verification and they apply for the 'Charter Entrance Check'. There is an on-line application procedure for the Entrance Check, freely available to the public through the webpage.</p> <p>Companies pay for the external verifier's visit during which he checks whether the company has installed the Essential Charter Sustainability Procedures. When it is verified that all activities are properly implemented the company can become an "official" Charter participant.</p>
<p>Persons targeted</p>	<p>Individual consumers, retailers</p>
<p>Product/services covered</p>	<p>All product categories of the soaps, detergents and maintenance products industry, in both the household and industrial and institutional sectors: soaps, detergents, maintenance products, cleaning systems.</p>
<p>Product/services covered according to the categories of the study</p>	<p>Cleaning Products</p>
<p>Policy areas covered</p>	<p>The Sustainable cleaning charter is a voluntary life cycle-based framework that promotes a common industry approach to sustainability practice and reporting. It is open to all market players in the soaps, detergents and maintenance products industry. A wide variety of activities and initiatives are covered, ranging from the human and environmental safety of chemicals and products, to eco-efficiency, occupational health and safety, resource use and consumer information.</p> <p>Verified returns from companies demonstrate how the voluntary commitment of Charter members to continual improvement has yielded positive results, such as:</p> <ul style="list-style-type: none"> - Energy consumed per tonne of production -5.5%

	<ul style="list-style-type: none"> - CO2 emitted per tonne of production - 8.9% - Packaging per tonne of production - 1.5%
<p>Current number of members/participants/products</p>	<p>The Charter is open to all companies, whether a member or non-member of the scheme owner, and whether manufacturing, distributing, or placing on the market soaps, detergents, maintenance products or cleaning systems.</p> <p>It is relevant both to manufacturing companies placing products directly on the market ('Ordinary Members') and to retailers and distributors wishing to apply the Charter to private label products ('Associate Members').</p> <p>The website states that more than 200 companies have already joined the project, representing more than 85% of the total production output for Europe.</p> <p>A detailed list of all member companies and a brief description of their activities is available on the website.</p>
<p>Aim</p>	<p>The aim is to encourage the whole industry to undertake continual improvement in terms of sustainability and also to encourage consumers to adopt more sustainable ways of doing their washing, cleaning and household maintenance.</p> <p>The vision for sustainable development in practice, supported by the industry, is detailed in its Agenda for Sustainable Cleaning and is based on the three pillars of sustainable development: economic, environmental and social.</p> <p>In more details, according to Agenda for Sustainable Cleaning, sustainable development should be:</p> <ul style="list-style-type: none"> - Economically successful <p>It aims to encourage sustainable delivery, in free market conditions and based on sound science and ethical standards, of competitively priced household and industrial cleaning products that satisfy human needs and bring quality and comfort of life.</p> <ul style="list-style-type: none"> - Socially responsible

	<p>It aims to ensure, through a policy of voluntary continual improvement over and above basic legal requirements, that the household and industrial cleaning industry's role in guarding health, hygiene, safety and well-being among end-users and stakeholders is recognised and encouraged by society.</p> <p>- Environmentally sound</p> <p>It aims to bring about a voluntary progressive reduction in ecological impact and resource intensity, throughout the life-cycle, of household and industrial cleaning products.</p> <p>The Sustainable cleaning charter is the industry's concrete, proactive programme for translating the accepted concept of sustainable development into practical reality and actions.</p> <p>The Charter stipulates of a set of twelve Procedures which companies implement in their management systems. Six are 'essential' Procedures which have to be applied to a majority of the production, rising to twelve Procedures after three years. These are the threshold requirements for signing up to the Charter and are verified by an independent external verifier.</p> <p>The other six Procedures, which are 'additional', are added for the first re-verification three years after joining the Charter and for subsequent three-yearly re-verifications. Once the criteria are met and verified, companies are entitled to use the appropriate Charter logo, which certifies that the company is following sustainability principles, giving priority to improvements in people's safety, environmental friendliness, and to other key aspects of sustainability, without compromising product performance. Companies then have to report annually on 11 KPIs linked to the Procedures.</p> <p>The 6 Essential Procedures refer to raw material selection and safety evaluation, resource use policy, occupational health & safety management system, environmental management system, product recall, finished product safety evaluation. The additional Procedures</p>
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	<p>have to do with raw material and packaging supplier selection, packaging design and selection, distribution risk assessment, consumer and user information, product performance and product review and internal target setting.</p> <p>The KPIs (10 for the company logo and 11 for the other logo) set for industry reporting refer to various elements such as chemicals safety evaluation, occupational health and safety, use of poorly biodegradable organics, packaging used, consumed energy and CO2 emitted, consumed water, consumer and customer safety and information, waste.</p>
<p>Description of the label/logo</p>	<p>The Company logo consists of two basic elements:</p> <ul style="list-style-type: none"> • The symbol of a sphere with a light blue background with thin, darker blue, horizontal and vertical lines that intersect, looking like a tiled wall seen through a prism. Over this background there are three additional symbols, a t-shirt, a wine-glass and broom. The t-shirt is white and has a green sphere surrounded by a dark blue ring on it. The wine-glass is white with a green base and the broom is green with a white broomstick. Finally, on the top and both sides of this sphere there are three little white stars. This sphere is surrounded by a dark blue ring. • The upper side surrounding text/accompanying sentence "An ... voluntary sustainability initiative" and the bottom side surrounding text "<u>www....</u>". The Licensee may additionally provide a translation of the accompanying sentence in the language(s) of the country/countries where the packs will be sold. <p>The Other logo is the same as the Company logo with an additional surrounding green ribbon.</p> <p>Information and visuals of the logo are available on the Charter's website and in detail in the document 'Sustainable cleaning charter – Charter Update 2010 logos on packaging & promotion – Technical Specifications.</p> <p>In the Technical Specifications document</p>

	<p>it is recommended that the Company logo is positioned adjacent to the manufacturer's name or address and that the Other logo is positioned on the front of product packs.</p> <p>The logos must be in proportion to the pack size. The minimum size of the company logo circle (diameter) shall not be smaller than 10 mm. The minimum size of the Other logo inner circle (diameter) shall not be smaller than 8 mm. For both logos: The surface of the logos on pack shall be not smaller than 1% and not bigger than 5% of the pack size. The website address and accompanying sentence must be legible, using 6pt font size minimum. Charter logo colours must be faithfully followed (Green, Blue, and Black).</p> <p>Professional files of the logos (jpg and Illustrator format) can be downloaded from the protected member's section of the Charter website</p> <p>Only for execution of Charter logos in Sweden there is an extra phrase that can be placed under the logo as a whole, saying "We strive towards a better environment" (see Annex of Technical Specifications).</p>
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2. Scheme participation and development

Open under transparent and non-discriminatory criteria:

This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in some instances). The criteria do not discriminate against participants who are willing to participate and could meet the criteria.

- Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements?

Yes. The Charter is open to all companies, whether they are members or not and whether they manufacture, distribute, or market soaps, detergents, maintenance products or cleaning systems. It is relevant both to manufacturing companies placing products directly on the market as well to retailers and distributors wishing to apply the Charter to private label products.

The standard setting process and criteria are transparent and open to the public. Procedures, KPIs and Other criteria are laid down in documents, freely available to everyone on the website, on a specific and detailed 'Documentation' section.

The criteria are the same for all participants. Companies will be eligible for the Charter once they have put in place

	<p>the essential Procedures on at least 75% of their production and have committed themselves to put the additional Procedures in place on more than 75% of their production, within three years of their admittance to the Charter. For the Entrance Check the company must be verified on the six 'Essential Procedures' by an independent external verifier in order to provide assurance that the company does have the required processes in place, under control, and adequately applied. The other six Procedures (five in the case of the Charter version 2005), which are the 'Additional Procedures', have to be added for the first re-verification three years after joining the Charter and for every subsequent three-yearly re-verification.</p> <p>The only difference is that manufacturers join as 'Ordinary Members' and go through an Entrance Check and retailers and distributors join as 'Associate Members' and do not have to pass an Entrance Check but do have to commit to the rules of the scheme.</p> <p>Once a company has passed the Entrance Check, and signed up and committed to the rules of the Charter, it is entitled to use the Company logo and is required to report annually on the specified KPIs.</p> <p>Regarding the Other logo, the Environmental Safety Check tools and the Advanced Sustainability profiles for each major product group are also transparent and open to all willing companies. All the criteria and details on the processes used to develop the Procedures are freely available on the website.</p>
<p>Supervisory structure</p> <p><i>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the organisations involved should be documented and publicly available.</i></p> <p>- <i>Does the scheme have a supervisory structure which allows for the contribution of all concerned stakeholders?</i></p>	<p>As mentioned above, the scheme is managed and in that context provides the operational framework and initiates and encourages contribution of all concerned stakeholders.</p> <p>A more comprehensive overview of how this framework operates could be presented by acquiring additional information by them.</p>
<p>Participation of all concerned</p>	<p>It is mentioned on the website that, prior</p>

<p>stakeholders</p> <p><i>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</i></p> <ul style="list-style-type: none"> - <i>Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development?</i> 	<p>to launching the Charter initiative, they have consulted many stakeholders. Furthermore, there are regular dialogue opportunities with EU and national stakeholders. It is mentioned in several parts of the websites that with the publication of the Annual Sustainability Report, and the continuous effort to upgrade the scheme, they have excellent opportunities to continue this dialogue with stakeholders. Suggestions have been received and have already been addressed with the first major upgrade of the Charter in 2010. They continue to secure close dialogue with all interested parties on this ambitious scheme, its performance and delivery.</p> <p>In addition to that, in the documents of Procedures for product groups there is a specific mention of 'Timing' describing the timetable of consultations, finalisation, availability to the industry and preparation period for implementation.</p> <p>Finally, the release of reports, based on the annual reporting of member companies, creates a stream of information and suggestions exchange between all stakeholders. This was obvious during the preparation of the 2010 version.</p> <p>Based on the above, it would be accurate to say that a wide range of stakeholders is involved in several levels of the scheme development.</p>
<p>Scheme requirements developed by technical committees of experts</p> <p><i>Scheme requirements should be developed by technical committees of experts and submitted to a broader group of stakeholders for inputs.</i></p> <ul style="list-style-type: none"> - <i>Are the scheme requirements developed by technical committees and submitted to groups of stakeholders for input?</i> 	<p>Yes, it appears that all requirements are developed by groups with technical expertise.</p> <p>Furthermore, in the documents available there is a detailed description of the internal consultation and endorsement, as well as the Industry consultation and activation during which companies are asked to comment and provide their input on the relevance and technical feasibility of the proposed thresholds.</p>
<p>Participation of concerned stakeholders in the development of inspection criteria</p> <p><i>Managers of schemes should ensure the participation of concerned stakeholders in the</i></p>	<p>Yes, as mentioned above. The Entrance Check, the Procedures verification and the Procedures compatibility are carried out on the basis of the corresponding requirements as laid down in the</p>

<p><i>development of inspection criteria and checklists, as well as in the design and determination of thresholds for sanctions</i></p> <ul style="list-style-type: none"> - <i>Are concerned stakeholders included in the development of inspection criteria, checklists or/and in the development of thresholds?</i> 	<p>abovementioned documents.</p> <p>Furthermore, in the documents available there is a detailed description of the internal consultation and endorsement, as well as the Industry consultation and activation during which companies are asked to comment and provide their input on the relevance and technical feasibility of the proposed thresholds.</p>
<p>Feedback mechanisms to regularly review rules and requirements</p> <p><i>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</i></p> <ul style="list-style-type: none"> - <i>Are there feedback mechanisms to regularly review rules and requirements?</i> - <i>Is there a feedback form for comments on the website?</i> 	<p>Yes, as presented in the introduction and the field for 'stakeholder participation in scheme evolvement' from the outset, the Charter has been seen as a long term, living scheme that will continuously evolve over time to help steer sustainability practice for the whole sector. Regular upgrades of the Charter ensure that it continues to offer the most advanced sustainability assurance scheme for promoting best practice within the industry. The Charter update 2010 is the first major upgrade of the overall scheme. On a more specific level, a key component of the Sustainable cleaning charter is the commitment by all ordinary company members of the Charter to report annually on a set of Key Performance Indicators (KPIs). The results are collected and aggregated and published in the annual Activity & Sustainability Report, providing measurable evidence of the progress of the whole industry sector on a European level.</p> <p>The report sets out how the soap, detergent, and maintenance products industry is committed to continual improvement in its sustainability profile, at all stages of the product lifecycle through the Sustainable cleaning charter. It presents information on the performance of the industry as a whole in Europe with regard to social, economic, and environmental issues, based on KPIs applied throughout the product lifecycle. This allows to chart annually the industry's progress against the 2005 baseline data. The KPI reporting is also externally verified through a process of random audits. The scheme owner bears the cost of this verification from its Charter budget.</p> <p>The process of implementing the</p>

	<p>Procedures and measuring and reporting the KPIs helps to drive continuous improvement in sustainable production and consumption. As mentioned in the website, improvements can occur at all stages of the product life-cycle, from product specification, through manufacturing, to end-use and disposal. For example, safety improvements can come from selection of properly risk-assessed raw materials, adopting best practice in manufacturing systems, and increasing the use of on-pack guidance for consumers. Environmental improvements can include reducing use of resources, creating less waste, and emitting less carbon dioxide.</p>
<p>Change to scheme requirements</p> <p><i>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</i></p> <ul style="list-style-type: none"> - <i>Are changes to the scheme requirements made only when justified?</i> 	<p>Yes, as mentioned above, from the outset the Charter has been seen as a long term, living scheme that will continuously evolve over time to help steer sustainability practice for the whole sector. Regular upgrades of the Charter ensure that it continues to offer the most advanced sustainability assurance scheme for promoting best practice within the industry.</p> <p>As far as the product Procedures are concerned, in the Substantiation Dossier of each product group, there is a specific mention of 'Timing' describing the timetable of consultations, finalisation, availability to the industry and preparation period for implementation.</p>
<p>3. Scheme requirements and corresponding claims</p>	
<p>3.1 clarity and transparency of scheme requirements</p>	
<p>Social environmental economical and/or legal objectives clearly stated</p> <ul style="list-style-type: none"> - <i>Does the scheme clearly state the objectives?</i> 	<p>Yes, the objectives are clearly stated on the website.</p>
<p>Claims and requirements linked to the objectives of the scheme</p> <ul style="list-style-type: none"> - <i>Are claims and requirements clearly linked to the objectives?</i> 	<p>The objective of the scheme it to achieve a sustainable society through increasing sustainable consumerism and production.</p> <p>All scheme requirements are linked to the objective of the scheme:</p> <p>There is comprehensible table linking the relevant Life-cycle phase with the</p>

	<p>Procedures and with corresponding Charter Key Performance Indicators (KPIs), freely available to the public, on the Charter’s website.</p>
<p>The scope of the scheme for products and/or processes are clearly defined</p> <ul style="list-style-type: none"> - <i>Is the scope of the scheme (i.e. the type of products or processes it covers) clear?</i> 	<p>Yes, the scope is clearly defined on the website. It is clearly stated that it covers soaps, detergents, maintenance products or cleaning systems. There is also a detailed presentation of the function of the scheme, with a “How does it work?” section, as well as a FAQ section.</p> <p>However, it should be noted that when the “Company logo” is seen on a product, it means that this product was made by a Charter member-a company that has voluntarily committed to continuously improve its behaviour in sustainability and is independently verified. It certifies that the company which manufactured the product is following Charter update 2010 sustainability principles and it is not directly linked to the production of the specific product.</p>
<p>Scheme specification clear sufficiently detailed and easily understandable</p> <ul style="list-style-type: none"> - <i>Are the scheme requirements/specifications available on the website for free?</i> - <i>Are the specifications clear and understandable?</i> - <i>Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme?</i> 	<p>Yes, there is a complete, and understandable, documentation database freely available on the Charter’s website. All the operating rules, commitment material, guiding material on Procedures and KPIs and all the product Procedures are available in the latest revised version.</p>
<p>Further information</p> <ul style="list-style-type: none"> - <i>Can consumers find further details on the scheme such as a website address, on the product packaging or at the point of sale?</i> 	<p>On the website of the company producing the reference product under consideration there is further information available by clicking on the Charter logo: “[The Company] was the first mid-size company in 2005 represented by the charter for sustainable washing and cleaning. With this seal, consumers recognize at a glance that this product was developed and produced according to sustainable standards. Special care is placed on consumer-friendly and safe use.”</p> <p>However, it should be noted that when the “Company logo” is seen on a product, it means that this product was made by a Charter member-a company that has voluntarily committed to continuously improve its behaviour in sustainability and is independently verified.</p>

	<p>During the Charter Entrance Check (that leads to the award of the logo), each of the essential Procedures has to be applied to at least 75% of the total production output Three years after, during the Additional Procedure Check each Procedure has to be applied to more than 75 %, covering a growing percentage of the production output in the following years.</p> <p>So the "Company logo" certifies that the company which manufactured the product is following Charter update 2010 sustainability principles and it is not directly linked to the production of the specific product.</p>
<p>Schemes to state that they require certification by an independent body</p> <p>- <i>Do the schemes state that they require certification by an independent body?</i></p>	<ol style="list-style-type: none"> 1. Yes, certification by an independent body is required. According to the participation procedure, a company that passes the self-assessment phase is subject to external verification by an external verifier. If the Charter entrance check is successful the company formalises its participation by signing an official commitment letter and licence for use of the Charter visuals and send them both to the corresponding association. Upon acceptance, the company becomes an "Ordinary Charter Member" and can start using the Charter logo on its corporate material and on its packs. 2. There is a whole section of the website dedicated to verification, under the heading "Verifier Area", that includes a list of accredited verifiers for the Entrance Check and Additional Checks. 3. In order to become an accepted verifier and be able to perform the Charter Entrance Check, a verification company needs to be officially accredited by a national accreditation service (or any equivalent organisation). Subsequently, the verification company should accept the terms and conditions set out in the "Letter of Commitment". The verifier needs to sign this letter and has to fill in a detailed registration form. Both documents can be downloaded from the verifier's documentation section and should be returned. After approval you will

	become one of the accepted verifiers whom applying companies may select for the Charter Entrance Check.
3.2 Evidence base of scheme claims and requirements	
<p>Objective and verifiable evidence and scientifically sound documentation</p> <ul style="list-style-type: none"> - Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation? - Are the documents on which the claims are based freely available on the schemes website? 	Yes. All the relevant documents are freely available at the 'Documentation' section of the Charter's website and refer to objective and verifiable scientific evidence and documentation.
<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - Is the scheme operating in different countries and regions? <p><i>If yes</i></p> <ul style="list-style-type: none"> - Does it adapt its requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts? 	<p>The Charter's scope, as currently defined, applies only to companies operating in the European Union plus Iceland, Lichtenstein, Norway and Switzerland. The Charter is also open for imported products manufactured outside Europe under the condition that the responsible companies fulfil all Charter obligations.</p> <p>Adaptation of requirements in line with local conditions?</p> <p>Whether the requirements are adapted in line with local conditions can be clarified by acquiring additional information by them.</p>
<p>Indication, whether, and if so, where and to what extent specifications go beyond the relevant legal requirements</p> <ul style="list-style-type: none"> - Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable? 	The enhanced 2010 version of the scheme expressly state that it goes beyond legal requirements.
3.3 Additional requirements under UCPD	
<p>Reference to relevant UCPD Annex 1 prohibited practices:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies 	<p>The Charter scheme uses a logo of its own which does not intend to claim a false endorsement by another public or private body.</p> <p>The logos constitute trademarks and the Charter members are subject to signing a separate 'Licence Agreement'</p> <p>According to the document 'Sustainable cleaning charter – Charter Update 2010 logos on packaging & promotion – Technical Specifications "The use of the</p>

	<p>Charter update logos is covered by the original Licence Agreement and is permitted only to those companies officially committed to the Sustainable cleaning charter, version 2010. Conditions for use of these logos are clearly outlined in the Licence Agreement.”</p> <p>However, the use of the logo in products does not reflect their performance or the performance of all company’s products. It reflects the company’s performance on the management control of certain type of activities and the procedures are applicable to 75% of the production. It would be conceivably considered that the logo at the heart of the scheme is misleading.</p>
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4. Scheme certification and inspections
4.1 Impartiality and independence of certification

<p>Independent body accredited</p> <ul style="list-style-type: none"> - <i>Is the certification of compliance with the scheme requirements carried out by an independent body accredited?</i> - <i>by which accreditation body the certifier is accredited.</i> <p><i>Certification of compliance with the scheme requirements should be carried out by an independent body accredited:</i></p> <ul style="list-style-type: none"> - <i>by the national accreditation body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or</i> - <i>by an accreditation body signatory to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF).</i> 	<p>The scheme owner is an International Association with a structure corresponding to any legal entity of such kind.</p> <p>The Charter has its own verification process, more precisely; it has an independent control system, consisting of accepted verifiers who visit each participating company at the beginning - for the Charter Entrance Check - and subsequently every three years to check whether all Procedures are still in place. In addition, there are random checks whether the companies are correctly reporting on the KPIs.</p> <p>The verifiers are selected on a set of professional and fully transparent criteria and report on the individual company performances in a neutral way, through the protected Charter extranet reporting system, without any risk of internal and / or external influences.</p> <p>In order to become an accepted verifier and be able to perform the Charter Entrance Check, a verification company needs to be officially accredited by a national accreditation service (or any equivalent organisation). Subsequently, the verification company should accept the terms and conditions set out in the "Letter of Commitment". The verifier</p>
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	<p>needs to sign this letter and has to fill in a detailed registration form. Both documents can be downloaded from the verifier's documentation section and should be returned After approval, you will become one of the accepted verifiers whom applying companies may select for the Charter Entrance Check.</p>
<p>Open to certification without the imposition of geographical restrictions <i>Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?</i></p>	<p>The Charter's scope, as currently defined, applies only to companies operating in the European Union plus Iceland, Lichtenstein, Norway and Switzerland. The Charter is also open for imported products manufactured outside Europe under the condition that the responsible companies fulfil all Charter obligations. Of course the companies are more than welcome to extend the application of the management systems and other Charter related activities to other parts of their business operations, outside the Charter area. However, this is beyond the responsibility and control.</p>
<p>4.2 Inspections</p>	
<p>Inspection effective, clear, transparent based in documented procedures and related to verifiable criteria underlying the claims made by the certification scheme</p> <ul style="list-style-type: none"> - <i>Does the website provide clear and documented procedures for inspections of scheme participants?</i> - <i>Does unsatisfactory inspection results lead to appropriate action?</i> - <i>Are regular inspections of scheme participants carried out?</i> 	<p>Yes. The independent control system, consisting of the 'Entrance Check', the Procedures/KPIs Checks and the Procedures Checks carried out by independent accepted verifiers. In the 'Documentation' section of the Charter's website there are detailed documents, such as:</p> <ul style="list-style-type: none"> - Guidance to Entrance and Additional Procedure Checks - Procedure for the Charter Entrance and Procedure Checks by an Accepted Verifier - Random verification of compliance with Other criteria - Evidence requires - Procedure Compliance Check Tools for all product groups <p>It is stated in the 'Guidance to Entrance and Additional Procedure Checks' documents that "The Procedure Checks are not part of the certification exercise of any kind of management system... The Procedure Checks are not a Compliance Audit. They do not say anything about compliance with any regulations in place but focuses on the measurement of how [the company] maintain[s]</p>

management control over a set of pre-defined control activities...

The ultimate calculation and translation of [each company's] specific position is done through a complex mathematical model: the scoring card. Each Procedure contains a number of domains that are to be covered by the **verification**. Each domain is weighed against the other in order to reflect its relevance in relation to the Procedure.... A minimum score of 60% is required on each Procedure. A company that has been admitted to the Charter has to score within three years of admittance the same score (or higher) for the essential Procedure's and each of the additional Procedure's... during the Charter Entrance Check, each of the essential Procedures **has to be applied to at least 75% of the total production output**. Three years after, during the Additional Procedure Check each Procedure has to be applied to more than 75 %, covering a growing percentage of the production output in the following years."(emphasis added)

All requirements under the Procedures are rated and recorded by the independent verifier via a secured website called the Charter extranet. Such verifications form an integral part of the Charter. At the Entrance Check stage the company will be verified on the 'Essential Procedures', and at the first re-verification after three years the 'Additional Procedures' are added to the verification requirement. Verifications on all Procedures continue every three years subsequently. Safeguards are built in to ensure that neither the verifier nor the scheme owner can be influenced whilst the checks are being carried out.

There are 2 detailed graphic diagrams in the 'Procedure for the Charter Entrance and Procedure Checks by an Accepted Verifier' document, presenting the procedures. If the 'Entrance Check' evaluation has a negative outcome the possibilities are to conduct a possible evaluation with the verifier and to continue training, keeping them informed. In the case of the every-3-years

	<p>Procedure Checks, a negative inspection outcome also leads to the continuation of training and informing them, as well as to the obligation to redo the Procedure Check after one year the latest.</p> <p>Through the Charter extranet, they provides training modules so that companies can assess, improve and test themselves on their performance prior to the actual audit.</p> <p>In addition to the Procedure checks, the annual reporting on KPIs is also verified each year through a system of random audits of reporting companies, again by an independent external verifier.</p> <p>They have commissioned the external verifier to check the data gathering processes used for the collection of KPI data by Charter companies. The verifier verifies that the company's KPI data collection processes are well established and reliable and can be applied consistently from year to year.</p> <p>Similar external verification will also be conducted in the context of the enhanced version of Charter 2010 and its additional Procedure system (the product dimension). Random verifications of the appropriate implementation of the different Procedure requirements will be conducted.</p> <p>On the website there is also a list of accredited verifiers for the Entrance Check and Additional Procedure Checks, including links to each company's website.</p> <p>Overall, the website provides clear and documented procedures for inspections (verifications). These verifications are carried out regularly. Unsatisfactory results lead to further training and to the obligation to reapply for a new Check that should be carried out within a year.</p> <p>More details on the implications of unsatisfactory results can be acquired be contacting them.</p>
<p>Frequency of inspection.</p> <ul style="list-style-type: none"> - <i>Is the frequency of inspections based on previous inspection results, inherent risks,</i> 	<p>Inspections ("external verifications", reporting) are carried out:</p>

<p><i>and existence of internal audits?</i></p> <p>– <i>Is the minimum inspection frequency determined by the scheme supervisor?</i></p>	<p>(a) After a company has verified internally its compliance with the Essential Charter Sustainability Procedures and applies for 'Entrance Check', an external verifier visits the company and checks whether it has installed the Essential Charter Sustainability Procedures (Essential Procedures).</p> <p>(b) Every year, in the form of submitting annual reports on the Key Performance Indicators (KPIs), via the protected Charter Extranet.</p> <p>(c) Random checks are carried out in order to assess whether the companies are correctly reporting on the KPIs.</p> <p>(d) For the enhanced 2010 version, an external verifier controls the proper reporting on KPIs as well as compliance with Advanced Sustainability Profiles (Procedures) on random basis.</p> <p>(e) An external verifier visits the company every 3 years to check the implementation of the Additional Charter Sustainability Procedures (Additional Procedures).</p>
<p>Systematic evaluation of the results of inspection</p> <p>– <i>Is there systematic evaluation of the results of inspections?</i></p>	<p>Yes. The Key Performance Indicators (KPIs) are chosen to demonstrate progress on all domains of sustainability (economic social and environmental) and are specific for the detergent, cleaning and maintenance products' industry.</p> <p>It could be argued that the verification process and the annual report that every company-member submits, provides a progressive image of this company's performance. The website also refers to an evaluation for the sector performance as a whole: "By aggregating the individual company results into an annual sustainability report for the whole industry they are able to measure such progress."</p>
<p>Unannounced inspection used as a general rule</p> <p>- <i>Are unannounced inspections and inspections at short notice used as a general rule?</i></p>	<p>Unannounced inspections are foreseen but not as a general rule. The verification procedures are carried out in specific times as described above. The only non-predetermined procedure in terms of timing is the random checks that are carried out in order to assess whether the companies are correctly reporting on the KPIs.</p>
<p>Inspections and audits based on publicly available guidelines,</p>	<p>Yes. All the relevant documents are publicly available on the 'Documentation'</p>

<p>checklists and plans</p> <ul style="list-style-type: none"> - Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented? - Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims? 	<p>section of the website.</p> <p>The verification check's criteria are linked to the requirements of the scheme (Procedures and Procedures for product groups), as well as to the corresponding claims.</p>
<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - Are the procedures dealing with non-compliance clear and documented? 	<p>Yes. According to the available information, non-compliance leads only to further training and the obligation to repeat the Check within a year.</p>
<p>Knock out criteria</p> <p><i>Knock-out criteria should include at least non-fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.</i></p> <ul style="list-style-type: none"> - What are the knock-out criteria? - What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body) 	<p>Knock-out criteria are not apparent through the information available on the website. This could be further elaborated by acquiring information from them.</p>
<p>Inspection focus</p> <ul style="list-style-type: none"> - Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes? 	<p>Yes, in all cases of inspections ("external verifications", reporting), the aim is to check implementation of the Charter's Sustainability Procedures, Key Performance Indicators etc.</p> <p>In particular:</p> <p>(a) After a company has verified internally its compliance with the Essential Charter Sustainability Procedures and applies for "Entrance Check", an external verifier visits the company and checks whether it has installed the Essential Charter Sustainability Procedures (Essential Procedures).</p> <p>(b) Every year, in the form of submitting annual reports on the Key Performance Indicators (KPIs), via the protected Charter Extranet.</p> <p>(c) Random checks are carried out in order to assess whether the companies are correctly reporting on the KPIs.</p> <p>(d) For the enhanced 2010 version, an external verifier controls the proper reporting on KPIs as well as compliance with Advanced Sustainability Profiles (Procedures) on random basis.</p> <p>(e) An external verifier visits the company every 3 years to check the implementation of the Additional Charter Sustainability Procedures (Additional Procedures).</p>

	<p>It should be noted that as stated in the 'Guidance to Entrance and Additional Procedure Checks' document "The Procedure Checks are not part of the certification exercise of any kind of management system... The Procedure Checks are not a Compliance Audit. They do not say anything about compliance with any regulations in place but focuses on the measurement of how [the company] maintain[s] management control over a set of pre-defined control activities."</p>
<p>Qualification of auditors / inspectors</p> <p><i>Are auditors/inspectors impartial qualified and competent?</i> <i>Do they have the relevant knowledge in the specific sector?</i> <i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i> <i>Are the auditor skills described in the scheme specifications?</i></p>	<p>In the Q&A section of the website, under the heading "Quality Assurance" it is mentioned that "The verifiers are selected on a set of professional and fully transparent criteria and report on the individual company performances in a neutral way, through the protected Charter extranet reporting system, without any risk of internal and / or external influences."</p> <p>The verifiers are selected on a set of professional and fully transparent criteria and report on the individual company performances in a neutral way, through the protected Charter extranet reporting system, without any risk of internal and / or external influences.</p> <p>In order to become an accepted verifier and be able to perform the Charter Entrance Check, a verification company needs to be officially accredited by a national accreditation service (or any equivalent organisation). Subsequently, the verification company should accept the terms and conditions set out in the "Letter of Commitment". The verifier needs to sign this letter and has to fill in a detailed registration form. Both documents can be downloaded from the verifier's documentation section and should be returned After approval you will become one of the accepted verifiers whom applying companies may select for the Charter Entrance Check.</p> <p>There is a whole section of the website dedicated to verification, under the</p>

	heading "Verifier Area".
5. Costs	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on the operators?</i></p>	<p>The Q&A section, under the heading "Costs", mentions that: "The implementation costs of the Charter have been kept to a minimum. There are no registration costs for companies which are members of a National Association and the participating companies do not have to pay for the use of the logo. The verification costs will be modest as it is feasible to carry out the verification checks as little as one day if the company is well prepared. There are some artwork costs related to the change of the labels on packs necessary for the printing of the best / safe use information and the Charter logo. (...)</p> <p>The Licence is granted free of charge to distributors and other companies but if the manufacturing company is not a member of a national member association the supplier has to pay an annual administration fee of 1500 Euros. The distributor does not have to be a member of the scheme owner directly or a National Association member of the scheme owner, nor has to pay an annual administration fee."</p> <p>In addition to the above, there is a differentiation on the costs of the external verification procedure:</p> <ul style="list-style-type: none"> - under the "simple" 2010 version of the Charter, the company bears the cost of the external verifier's visit, in order for him to perform the Charter Entrance Check. - under the enhanced 2010 version of the Charter, they pay for the (initial) visit of the external verifier who controls the proper reporting on KPIs and compliance with Procedure. - under the enhanced 2010 version of the Charter, the company pays for the visit of the external verifier that is performed every 3 years.
6. Conclusions on the Scheme Requirements	
<p><i>Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: participation and development,</i></p>	<p>The schemes requirements allow for participation in the scheme development, including the definition of criteria for inspections. The requirements for the use</p>

<p><i>clarity and transparency and certification and inspection?</i></p>	<p>of the logo are not very clear as they do not refer to specific characteristics of the products. However, they are transparent as it is possible to find them out from the web. The scheme is based on a detailed inspection procedure with different phases and requirements.</p> <p>The scheme would conceivably be considered misleading as sustainability criteria assessed through the certification and inspection procedure do not need to be applied to all products. Compliance with requirements assessed in the Procedure Checks do not cover product compliance with any standards or regulations in place but focus on the company's performance according to a certain set of pre-defined control activities.</p> <p>Indeed during the Charter Entrance Check, each of the essential Procedures has to be applied to at least 75% of the total production output. Three years after, during the Additional Procedure Check each Procedure has to be applied to more than 75%, covering a growing percentage of the production output in the following years.</p> <p>Furthermore, there might be cases where the retailers and distributors could join the scheme as 'Associate Members' which would only require them to commit to the rules of the scheme while the producer might not have joined. As such, the products could carry out the logo without any relation to the performance of any criteria by the product itself or the criteria and principles of the Entrance Check by the manufacturer.</p> <p>In that sense, the scheme does not reflect the real performance of each product carrying the logo. It would be conceivably considered that the scheme does not fully comply with the voluntary products and foodstuff guidelines.</p>
<p>7. Mutual recognition and benchmarking /overlap with other schemes</p>	
<p>– <i>Is there a mutual recognition and/or benchmarking with other schemes?</i></p>	<p>"Synergies" with other schemes was a new development brought under the revision of 2010.</p>

– <i>Does the website link to other relevant schemes?</i>	
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1.2.2.8 Textile certification label

1. General description of the label/logo	
Name of the scheme	Textile certification label
Country of scheme origin	It originated in Germany and Austria
Geographical scope – <i>Is it a cross- country scheme?</i> – <i>If yes, what other countries does it operate in?</i>	It is a cross-country scheme. More than 8,500 manufacturers in over 80 countries currently participate to the certification (as of 12/2009).
Public or private scheme <i>A scheme is not considered public unless it explicitly states this on the website and if it is operated by a public body</i>	Private scheme
Type of scheme <i>A certified scheme is one where a third party has verified the product meets the scheme requirements.</i> <i>A self-declared scheme is one where there is no third party verification.</i> – <i>If it is a certified scheme, are the contact details of the certifying body provided?</i>	The scheme is a certified scheme. There are 15 authorised certification agencies, which are commissioned test laboratories and are a member of the Association. Certification is possible at every stage of the textile manufacturing chain and existing certificates from earlier production stages are recognised when an assessment is made in a later stage.
Persons targeted	Manufacturers and distributors of textiles or textile products, and leather.
Product/services covered	Textiles and leather products in every stage of the production process, from raw materials (fibres) to end products, as well as non-textile accessories in products (e.g. buttons). The standard is also applicable to mattresses and downs, foams, upholstery and other materials with similar characteristics.
Product/services covered according to the categories of the study	Textile (clothing).
Policy areas covered	Environment
Current number of members/participants/products	More than 8,500 manufacturers in over 80 countries currently participate in the certification.
Aim	The aim is to inform consumers that certain textile products from conventional production have undergone laboratory testing for harmful substances by using a label (with the text "Confidence in Textiles"- "Tested for harmful substances according to the Standards"). Textiles with this label are proven to remain below the set limit values for certain harmful substances. The certification does not declare anything

	<p>about other aspects of textiles, such as general safety or fair trade.</p> <p>At the same time the introduction of the standard established a globally standardised quality assurance system for manufacturers and retailers to take into account the vertical range of manufacture in the individual facilities of the textile and clothing industry and to compensate for regionally different evaluation standards for the potential risk of harmful substances. Furthermore, the organisation intends to level-out the different regulations existing in the involved countries through a global system.</p> <p>The use of the Textile certificate therefore documents compliance with human ecology quality towards subsequent production levels and end consumers.</p>
<p>Description of the label/logo</p>	<p>Slogan with a stylistic drawing of a sunflower.</p> <p>Sometimes complemented by additional wording. The certificate number and the name of the testing institute must be mentioned.</p> <p>The textile certification label is a trade mark.</p>
<p>2. Scheme participation and development</p>	
<p>Open under transparent and non-discriminatory criteria:</p> <p><i>This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in some instances). The criteria do not discriminate against participants who are willing to participate and could meet the criteria.</i></p> <ul style="list-style-type: none"> - <i>Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements?</i> 	<p>The criteria are transparent and open to the public. They are available on the website.</p> <p>The certification is open to suppliers in more than 90 countries, willing to comply with the scheme requirements.</p>
<p>Supervisory structure</p> <p><i>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the organisations involved should be documented and publicly available.</i></p>	<p>We could not obtain information on the supervisory structure.</p>

<p>- Does the scheme have a supervisory structure which allows for the contribution of all concerned stakeholders?</p>	
<p>Participation of all concerned stakeholders</p> <p>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</p> <p>- Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development?</p>	<p>Based on the provided information, not all concerned stakeholders are involved (no consumer or environmental organisations).</p>
<p>Scheme requirements developed by technical committees of experts</p> <p>Scheme requirements should be developed by technical committees of experts and submitted to a broader group of stakeholders for inputs.</p> <p>- Are the scheme requirements developed by technical committees and submitted to groups of stakeholders for input?</p>	<p>Yes, the requirements are developed by technical experts. However, stakeholders such as consumer organisations or environmental organisations are not involved.</p>
<p>Participation of concerned stakeholders in the development of inspection criteria</p> <p>Managers of schemes should ensure the participation of concerned stakeholders in the development of inspection criteria and checklists, as well as in the design and determination of thresholds for sanctions</p> <p>- Are concerned stakeholders included in the development of inspection criteria, checklists or/and in the development of thresholds?</p>	<p>We did not discern participation of all concerned stakeholders in the development of inspection criteria. Development of inspection criteria seems done, together with the development of the scheme criteria by institutes and industry players rather than consumer or environmental organisations.</p>
<p>Feedback mechanisms to regularly review rules and requirements</p> <p>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</p> <p>- Are there feedback mechanisms to regularly review rules and requirements?</p> <p>- Is there a feedback form for comments on the website?</p>	<p>We did not find nor receive information on such feedback mechanisms.</p>
<p>Change to scheme requirements</p> <p>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</p> <p>- Are changes to the scheme requirements made only when justified?</p>	<p>Yes, changes are made when new information regarding substances is available. In that case, a transition period will be applied.</p>

3. Scheme requirements and corresponding claims	
3.1 clarity and transparency of scheme requirements	
<p>Social environmental economical and/or legal objectives clearly stated</p> <ul style="list-style-type: none"> - Does the scheme clearly state the objectives? 	<p>The objective is to ensure absence or minimal presence of chemical substances in textiles, thus enabling consumers to identify which textiles are safe in that respect. This is a clear, and limited, objective.</p>
<p>Claims and requirements linked to the objectives of the scheme</p> <ul style="list-style-type: none"> - Are claims and requirements clearly linked to the objectives? 	<p>The claims and requirements are clearly linked to the objectives of the scheme. The requirements are focused on the absence or minimal presence of certain substances, which is tested through samples and production site visits.</p>
<p>The scope of the scheme for products and/or processed are clearly defined</p> <ul style="list-style-type: none"> - Is the scope of the scheme (i.e. the type of products or processes it covers) clear? 	<p>The scheme covers textiles, from raw materials (such as fibres), through the manufacturing process, up to end products, in virtually all retail product segments, from baby clothes, to home textiles, medical products, protective clothing, to socks and sun shading textiles.</p> <p>The different products are divided in 4 categories, each with their specific requirements (see above).</p>
<p>Scheme specification clear sufficiently detailed and easily understandable</p> <ul style="list-style-type: none"> - Are the scheme requirements/specifications available on the website for free? - Are the specifications clear and understandable? - Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme? 	<p>The scheme requirements are available on the website for free</p> <p>The specifications are technical, but clear and understandable for relevant professionals. They refer to presence/absence of substances in textile samples.</p> <p>The basic requirements are clear for consumers. On the top border of the general website, a button indicating "consumers" leads to consumer web pages. The issues of safety of textiles and the role of chemicals are explained, There are pages with FAQs. The website provides brochures, educational materials (including for children) and tips for purchasing textiles. Furthermore, there are information videos.</p>
<p>Further information</p> <ul style="list-style-type: none"> - Can consumers find further details on the scheme such as a website address, on the product packaging or at the point of sale? 	<p>No.</p>
<p>Schemes to state that they require certification by an independent body</p> <ul style="list-style-type: none"> - Do the schemes state that they require certification by an independent body? 	<p>Yes, commissioned institutes (laboratories) which are members of the Association perform examinations of written documents, and submitted test samples, and company audits.</p>

3.2 Evidence base of scheme claims and requirements

<p>Objective and verifiable evidence and scientifically sound documentation</p> <ul style="list-style-type: none"> - Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation? - Are the documents on which the claims are based freely available on the schemes website? 	<p>The claims are based on the compliance with the basic award criteria. The scheme claims that potentially harmful substances are not present in textiles or only with very limited values.</p> <p>The requirements are set forth by scientific organisations according to the current state of knowledge.</p> <p>The use of the label by a trader in textiles can only be granted once tests on submitted test samples and company visits are undergone. The organisation ensures that every certified company will be visited for inspection at least once in a period of 3 years.</p>
<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - Is the scheme operating in different countries and regions? <p>If yes</p> <ul style="list-style-type: none"> - Does it adapt its requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts? 	<p>The scheme is operating in different countries and regions.</p> <p>The requirements of the scheme are not adapted in line with local conditions, since the claim is based on the absence of generally considered harmful substances. One of the aims is to harmonise national requirements through a global system.</p>
<p>Indication, whether, and if so, where and to what extent specifications go beyond the relevant legal requirements</p> <ul style="list-style-type: none"> - Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable? 	<p>The testing for harmful substances includes:</p> <ul style="list-style-type: none"> - Illegal substances - Legally regulated substances - Known harmful (but not legally regulated) chemicals - As well as parameters for health care. <p>The requirements clearly exceed existing national legislation.</p>

3.3 Additional requirements under UCPD

<p>Reference to relevant UCPD Annex 1 prohibited practices:</p> <ul style="list-style-type: none"> - unauthorised use of logos - false approval or endorsement by public or private bodies 	<p>The regulations require a commitment to ensure that no further marking of the product with the Textile certification label takes place after the expiration or withdrawal of the authorisation to use the label. There is no explicit reference to the UCPD.</p>
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4. Scheme certification and inspections

4.1 Impartiality and independence of certification

Independent body accredited

- *Is the certification of compliance with the scheme requirements carried out by an independent body accredited?*
- *by which accreditation body the certifier is accredited.*

Certification of compliance with the scheme requirements should be carried out by an independent body accredited:

- *by the national accreditation body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or*
- *by an accreditation body signatory to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF).*

It is not entirely clear whether all certifiers have a legal accreditation in relation to examination of substances according to Regulation (EC) No 765/2008 or are signatories to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF).

The Belgian certifier is accredited under the personal protective equipment directive and construction materials directive (for carpets). The French certifier is also accredited.

Open to certification without the imposition of geographical restrictions

Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?

The scheme is open to certification by 15 qualified certification bodies only, and these have a restricted limited territorial authority to provide the certification (e.g. in France only one national certifier is exclusively authorised).

4.2 Inspections

Inspection effective, clear, transparent based in documented procedures and relate to verifiable criteria underlying the claims made by the certification scheme

- *Does the website provide clear and documented procedures for inspections of scheme participants?*
- *Does unsatisfactory inspection results lead to appropriate action?*
- *Are regular inspections of scheme participants carried out?*

The website does not contain detailed procedures for inspections, only some general guidelines.

At the time of the application, documents and test samples taken at the manufacturer's site are examined by the testing certifier. The manufacturer's quality control processes are audited.

The testing institute creates its own detailed procedures (which may also depend on the nature of the product). Test samples are taken during the period of validity of the certificate, and company visits may be undertaken (the aim is to have this done at least once in 3 years).

During the certificate's period of validity, the institute is authorised to undertake two random tests on certified products (taken as samples from the distribution chain or at company visits). The testing costs are chargeable to the certificate holder. If random testing reveals a deviation from the limit values on which the tests are based, an additional test will be undertaken on a different sample as a

	<p>check. The relevant costs are likewise charged to the certificate holder. If further deviations are found, the testing institute may withdraw the authorisation to label products with the mark with immediate effect.</p> <p>First on-site check: Before or shortly after issuing the first certificate the institute will check on-site the quality assurance measures in reference to the certification process. The institute is entitled to refuse or withdraw the certificate based on the results from this audit. The cost of this package is charged to the certificate holder.</p> <p>Each company needs to be checked at least in a three year frequency. Companies being certified the "advanced" version of the Textile certification label are audited regularly and in a shorter frequency in the context of this certification scheme and are therefore exempted from these additional checks and contributions.</p>
<p>Frequency of inspection.</p> <ul style="list-style-type: none"> - <i>Is the frequency of inspections based on previous inspection results, inherent risks, and existence of internal audits?</i> - <i>Is the minimum inspection frequency determined by the scheme supervisor?</i> 	<p>The institute may perform two compliance checks during the lifetime of the certificate (one year). To verify compliance with the required limit values the Association carries out annual product checks to the extent of at least 15% of all issued certificates.</p> <p>The control tests include</p> <ul style="list-style-type: none"> • verification of provided documents • laboratory tests on provided sample materials • laboratory tests on items with Textile certification label which are available in stores • laboratory tests on random product samples which are taken unannounced from certified companies <p>In addition to this, independent auditors check the production conditions in certified companies during site visits.</p>
<p>Systematic evaluation of the results of inspection</p> <ul style="list-style-type: none"> - <i>Is there systematic evaluation of the results of inspections?</i> 	<p>Yes.</p>
<p>Unannounced inspection used as a general rule</p> <ul style="list-style-type: none"> - <i>Are unannounced inspections and inspections at short notice used as a general rule?</i> 	<p>Yes, as described above.</p>

<p>Inspections and audits based on publicly available guidelines, checklists and plans</p> <ul style="list-style-type: none"> - <i>Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented?</i> - <i>Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims?</i> 	<p>The detailed rules of the inspections (taking and testing of samples, visits) are decided by the testing institutes. These are not publicly available.</p>
<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - <i>Are the procedures dealing with non-compliance clear and documented?</i> 	<p>The sanctions are clearly stated (withdrawal of the certificate and costs), but there is no detailed procedure available online.</p>
<p>Knock out criteria</p> <p><i>Knock-out criteria should include at least non-fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.</i></p> <ul style="list-style-type: none"> - <i>What are the knock out criteria?</i> - <i>What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body)</i> 	<p>If random testing reveals a deviation from the limit values on which the tests are based, an additional test will be undertaken on a different sample as a check. The relevant costs are likewise charged to the certificate holder. If further deviations are found, the testing institute may withdraw the authorization to label products with the mark with immediate effect.</p> <p>There is no reference to a notification of the authorities.</p>
<p>Inspection focus</p> <ul style="list-style-type: none"> - <i>Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes?</i> 	<p>Yes, because testing is focused on substances that are found in textiles.</p>
<p>Qualification of auditors /inspectors</p> <p><i>Are auditors/inspectors impartial qualified and competent?</i></p> <p><i>Do they have the relevant knowledge in the specific sector?</i></p> <p><i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i></p> <p><i>Are the auditor skills described in the scheme specifications?</i></p>	<p>Yes.</p> <p>The inspectors and auditors are linked to specialised institutes.</p> <p>Most or all certification bodies are accredited under European standards (e.g. in the field of protective clothing).</p> <p>The auditor skills are not described in the scheme specifications.</p>

5. Costs	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on to the operators?</i></p>	<p>The financial expense for certification consists of the licensing fee, costs for company audits by the commissioned testing institute as well as laboratory costs (depending on the scope of testing). Costs can be reduced if textiles are applied in a later stage of the production chain as only the added value has to be tested.</p> <p>A preliminary estimate can be obtained from the appropriate institute at any time. The licensing fee is not publicly available.</p>
6. Conclusions on the Scheme Requirements	
<p><i>Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: participation and development, clarity and transparency and certification and inspection?</i></p>	<p>Institutes and industry players are involved as stakeholder; these are the main participants in the development of criteria under the scheme. Consumer organisations and environmental organisations are not directly involved.</p> <p>The scheme's requirements seem clear and transparent. Detailed technical criteria are available on the website.</p> <p>Regarding certification and inspection, the scheme seems compliant with the voluntary food labelling guidelines.</p>
7. Mutual recognition and benchmarking /overlap with other schemes	
<ul style="list-style-type: none"> <i>– Is there a mutual recognition and/or benchmarking with other schemes?</i> <i>– Does the website link to other relevant schemes?</i> 	<p>There is a general link with legislation and standards in the field of personal protective equipment standards and the legislation on the labelling of textiles (fibres), as well as legislation on the use of certain substances in textiles.</p>

1.2.2.9 Tourism Ecolabel

1. General description of the label/logo	
Name of the scheme	The tourism ecolabel
Country of scheme origin	<p>The tourism ecolabel is a non-governmental, non-profit, independent Programme. It is recognised and supported by global organisations and is presently the largest global eco-label for accommodation and has a national administration centre in each participating country.</p> <p>A foundation for environmental education acts as the International Coordinator of the tourism ecolabel. This is a non-government, non-profit organisation promoting sustainable development through environmental education and is mainly active through its five environmental education programmes</p> <p>This foundation has one member organisation per country in charge of implementing the programmes nationally. When an organisation first joins it is an associate member. In order to become a full member, the organisation must fully implement at least two programmes within 3-5 years of membership. The foundation has currently 81 member organisations in 68 countries worldwide.</p>
Geographical scope <ul style="list-style-type: none"> - <i>Is it a cross- country scheme?</i> - <i>If yes, what other countries does it operate in?</i> 	<p>Yes. The website mentions that it is an eco-label awarded to over 2100 establishments in 41 countries worldwide.”</p> <p>At present The tourism ecolabel label is recognised in many countries such as Denmark, Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Dominican Republic, Estonia, France, Germany, Greece, Georgia, Italy, Jamaica, Japan, Jordan, Latvia, Lithuania, Malta, Morocco, Netherlands, Poland, Portugal, Puerto Rico, Russia, Romania, Spain, Sweden, Tunisia, Turkey, Ukraine.</p> <p>A list of countries in which the tourism ecolabel awarded hotels exist, is also available on the website.</p>
Public or private scheme	Private.
<i>A scheme is not considered public unless it explicitly states this on the website and if it is</i>	According to the foundation website that runs the tourism ecolabel Programme is a

<p><i>operated by a public body</i></p>	<p>non-government, non-profit organisation. They have one member organisation per country representing the foundation on the national level and in charge of implementing programmes nationally. Accordingly, there are National Operators of the tourism ecolabel, who are responsible for the programme, acting under the supervision of the foundation organisation of their country. Establishments that want to get awarded with the tourism ecolabel have to contact the National Operator in their country. If there is no National Operator in the country available then contact The tourism ecolabel International Coordinator.</p>
<p>Type of scheme</p> <p><i>A certified scheme is one where a third party has verified the product meets the scheme requirements. A self-declared scheme is one where there is no third party verification.</i></p> <p><i>– If it is a certified scheme, are the contact details of the certifying body provided?</i></p>	<p>It cannot be clearly identified, from the international website, whether the foundation is the sole certifier or if each National Operator has an individual awarding competence. Also, it is not very clear up to what extent the award of the label depends on a self-evaluation procedure performed by the scheme participants themselves, prior to the evaluation carried out by the National Operators.</p>
<p>Product/services covered</p>	<p>Leisure Organisations: Hotels, hotel chains, hostels, small accommodations (guest houses, ecolodges, bed and breakfast), conference and holiday centres, campsites, attractions, restaurants.</p>
<p>Product/services covered according to the categories of the study</p>	<p>Tourism accommodation services.</p>
<p>Policy areas covered</p>	<p>Environmental management, water, waste, energy, involvement and awareness of guests and staff, use of chemicals, open spaces, use of environmental friendly products, food and beverages.</p>
<p>Current number of members/participants/products</p>	<p>The website mentions that “The tourism ecolabel is an eco-label awarded to over 2100 establishments in 41 countries worldwide.”</p>
<p>Aim</p>	<p>According to the ‘Baseline Criteria for Hotels’ document “[t]he aim of the programme is to develop and manage an eco-label for leisure organisations. The tourism ecolabel is conducted as a certification programme intending to increase the awareness of the owners, staff stakeholders and clients of their potential for action towards environmental</p>

	and sustainability issues.”
Description of the label/logo	The label is a vivid blue square with a green key placed horizontally in the middle.
2. Scheme participation and development	
<p>Open under transparent and non-discriminatory criteria:</p> <p><i>This means that the specifications for complying with the scheme can easily be found. The criteria for complying with the scheme requirements are stated on the website in a transparent way (even if technical language is used in some instances). The criteria do not discriminate against participants who are willing to participate and could meet the criteria.</i></p> <p><i>– Are the criteria (if any) transparent and non-discriminatory and open to all willing and able to comply with the scheme requirements?</i></p>	<p>Yes. The tourism ecolabel Programme rests on 5 pillars:</p> <ul style="list-style-type: none"> • Education of staff, clients and owners towards increased sustainable development and environmental awareness in leisure establishments; • Environmental preservation by the reduction of the environmental impact of each establishment in the world scene • Economical management by the reduction of consumption meaning a reduction of costs; • Marketing strategy by the promotion of the tourism ecolabel label and the establishments using the tourism ecolabel icon; • Strengthening of the tourism and leisure branch by taking responsibility broader than then their individual establishments. <p>Getting awarded with the tourism ecolabel means that an establishment has fulfilled a list of requirements. These requirements are contained in imperative and guideline criteria. The Baseline criteria are freely available to everyone on the website.</p> <p>Furthermore, National Operators can adapt the Baseline Tourism ecolabel criteria, but only by strengthening them and/or adding guideline criteria.</p>
<p>Supervisory structure</p> <p><i>Schemes should have a supervisory structure which allows for the contribution of all concerned stakeholders in the chain in the development of the scheme and in decision-making in a representative and balanced way. Mechanisms for participation by stakeholders and the organisations involved should be documented and publicly available.</i></p> <p><i>- Does the scheme have a supervisory structure which allows for the contribution of all concerned stakeholders?</i></p>	<p>The foundation website mentions that “International meetings take place regularly to answer national operators’ questions and needs, and to assure international coherence and standards among The tourism ecolabel member organisations.”, but there is no additional and/or more specific information on the existence of a supervisory structure that allows for the contribution of all concerned stakeholders.</p>
Participation of all concerned stakeholders	It could not be assessed based on the information available on the international

<p>Managers of schemes operating in different countries and regions should facilitate the participation of all concerned stakeholders from those regions in scheme development.</p> <ul style="list-style-type: none"> - Are concerned stakeholders from all countries and regions where the scheme is operating involved in scheme development? 	<p>website.</p>
<p>Scheme requirements developed by technical committees of experts</p> <p>Scheme requirements should be developed by technical committees of experts and submitted to a broader group of stakeholders for inputs.</p> <ul style="list-style-type: none"> - Are the scheme requirements developed by technical committees and submitted to groups of stakeholders for input? 	<p>It could not be assessed based on the information available on the international website.</p>
<p>Participation of concerned stakeholders in the development of inspection criteria</p> <p>Managers of schemes should ensure the participation of concerned stakeholders in the development of inspection criteria and checklists, as well as in the design and determination of thresholds for sanctions</p> <ul style="list-style-type: none"> - Are concerned stakeholders included in the development of inspection criteria, checklists or/and in the development of thresholds? 	<p>It could not be assessed based on the information available on the international website.</p>
<p>Feedback mechanisms to regularly review rules and requirements</p> <p>Managers of schemes should adopt a continuous development approach where feedback mechanisms exist to regularly review rules and requirements in a participatory manner. In particular, scheme participants should be involved in the future development of the scheme</p> <ul style="list-style-type: none"> - Are there feedback mechanisms to regularly review rules and requirements? - Is there a feedback form for comments on the website? 	<p>It could not be assessed based on the information available on the international website.</p> <p>There is a sole mention of revision in the 'Baseline Criteria for Hotels' document, stating that "The international criteria will be revised every 3 years. This set of criteria is for the period 2012-2015."</p>
<p>Change to scheme requirements</p> <p>Changes to scheme requirements must be made only when justified, so as to avoid unnecessary adaptation costs for scheme participants. Scheme participants must be given appropriate notice of any change to the scheme requirements</p> <ul style="list-style-type: none"> - Are changes to the scheme requirements made only when justified? 	<p>It could not be assessed based on the information available on the international website.</p> <p>There is a sole mention of revision in the 'Baseline Criteria for Hotels' document, stating that "The international criteria will be revised every 3 years. This set of criteria is for the period 2012-2015."</p>
<p>3. Scheme requirements and corresponding claims</p>	
<p>3.1 clarity and transparency of scheme requirements</p>	
<p>Social environmental economical and/or legal objectives clearly stated</p> <ul style="list-style-type: none"> - Does the scheme clearly state the objectives? 	<p>Yes. It is clearly stated on the international website that it is an eco-label awarded to around 2300 establishments in 44 countries worldwide. The tourism ecolabel aims to:</p>

	<ul style="list-style-type: none"> • raise the awareness of leisure establishment staff and clients, • increase the use of sustainable methods of operation and technology, • run ecologically sound and responsible businesses, and thereby • reduce resource, energy usage”.
<p>Claims and requirements linked to the objectives of the scheme</p> <p>– Are claims and requirements clearly linked to the objectives?</p>	<p>Yes. The foundation website mentions that “The label is based on international criteria that reflect the various fields of tourism facilities (hotels, hostels, camp sites, conference and holiday centres), focus on environmental management, technical demands, and initiatives for the involvement of guests, staff and suppliers and cover:</p> <ul style="list-style-type: none"> • Water, Waste, Energy, • Involvement and Awareness of Guests, • Environmental Management, • Staff Involvement, • Use of Chemicals, • Open Spaces, • Food and Beverages.”
<p>The scope of the scheme for products and/or processes are clearly defined</p> <p>– Is the scope of the scheme (i.e. the type of products or processes it covers) clear?</p>	<p>Yes. The scope is clear and stated on the international website and the foundation website.</p>
<p>Scheme specification clear sufficiently detailed and easily understandable</p> <p>– Are the scheme requirements/specifications available on the website for free?</p> <p>– Are the specifications clear and understandable?</p> <p>– Are the specifications sufficiently detailed for consumers to understand the requirements for producers to enter the scheme?</p>	<p>Yes. The scheme requirements/specifications are available in their ‘Baseline’ version on the international website for free and are easily accessible to everyone.</p> <p>Furthermore, national scheme requirements are sometimes available in some of the national websites visited but not in all.</p> <p>The specifications are clear and understandable and presented as a checklist. It could be argued that they are simple enough not to require more information in order for consumers to understand and companies to enter the scheme.</p>
<p>Schemes to state that they require certification by an independent body</p> <p>– Do the schemes state that they require certification by an independent body?</p>	<p>It could not be assessed based on the information available on the international website.</p>
<p>3.2 Evidence base of scheme claims and requirements</p>	
<p>Objective and verifiable evidence</p>	<p>Yes. The evidence and documentation</p>

<p>and scientifically sound documentation</p> <ul style="list-style-type: none"> - Does the scheme claim to be based on objective and verifiable evidence and scientifically sound documentation? - Are the documents on which the claims are based freely available on the schemes website? 	<p>needed to verify compliance with the scheme is listed in the criteria document.</p> <p>The scheme requirements/specifications are available in their 'Baseline' version on the international website for free and are easily accessible to everyone.</p> <p>Furthermore, national scheme requirements are sometimes available in some of the national websites visited but not in all. For example, the checklist found in the Greek application form includes various administrative and environmental licences, documentation on product purchases, monthly register of energy consumption etc.</p>
<p>Adaptation of requirements to countries and regions</p> <p><i>Schemes operating in different countries and regions should adapt their requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts.</i></p> <ul style="list-style-type: none"> - Is the scheme operating in different countries and regions? <p>If yes</p> <ul style="list-style-type: none"> - Does it adapt its requirements in line with the relevant local agro- ecological, socio-economic and legal conditions, while ensuring consistent results across different contexts? 	<p>Yes. The criteria documents available on the International website are 'Baseline'. National Operators can adapt the Baseline Tourism ecolabel criteria, but only by strengthening them and/or adding guideline criteria.</p>
<p>Indication, whether, and if so, where and to what extent specifications go beyond the relevant legal requirements</p> <ul style="list-style-type: none"> - Does the scheme indicate to what extent their requirements go beyond the relevant legal requirements, including the areas of reporting and inspections, if applicable? 	<p>It could not be assessed based on the information available on the international website.</p>
<p>3.3 Additional requirements under UCPD</p>	
<p>Reference to relevant UCPD Annex 1 prohibited practices:</p> <ul style="list-style-type: none"> - unauthorized use of logos - false approval or endorsement by public or private bodies 	<p>The tourism ecolabel uses a logo of its own which does not intend to claim a false endorsement by another public or private body.</p>
<p>4. Scheme certification and inspections</p>	
<p>4.1 Impartiality and independence of certification</p>	
<p>Independent body accredited</p> <ul style="list-style-type: none"> - Is the certification of compliance with the scheme requirements carried out by an independent body accredited? - by which accreditation body the certifier is accredited. <p><i>Certification of compliance with the scheme requirements should be carried out by an</i></p>	<p>It could not be assessed based on the information available on the international website.</p> <p><i>It is probable that each National Operator carries out inspections, using a different kind of inspection body, but this was not</i></p>

<p><i>independent body accredited:</i></p> <ul style="list-style-type: none"> – <i>by the national accreditation body appointed by Member States according to Regulation (EC) No 765/2008, in accordance with relevant European or international standards and guides setting out general requirements for bodies operating product certification systems, or</i> – <i>by an accreditation body signatory to the multilateral recognition arrangement (MLA) for product certification of the International Accreditation Forum (IAF).</i> 	<p><i>possible to assess.</i></p>
<p>Open to certification without the imposition of geographical restrictions</p> <p><i>Is the scheme open to certification by any qualified and accredited certification body, without geographical restrictions?</i></p>	<p>It could not be assessed based on the information available on the international website.</p>
<p>Inspection effective, clear, transparent based in documented procedures and related to verifiable criteria underlying the claims made by the certification scheme</p> <ul style="list-style-type: none"> – <i>Does the website provide clear and documented procedures for inspections of scheme participants?</i> – <i>Does unsatisfactory inspection results lead to appropriate action?</i> – <i>Are regular inspections of scheme participants carried out?</i> 	<p>Information doesn't seem to be available on the International website but on one of the Member's organisation website.</p> <p><i>On the Criteria for Hotels, it is mentioned that "An application form must be completed and submitted along with appropriate documentation to the Tourism ecolabel office. When it can be confirmed that the imperative and part of the points criteria are met or expected to be met before the award or the given time frame, the conditions of being awarded The tourism ecolabel are met. Subsequently, the Tourism ecolabel office will be contacted to arrange a visit. The mission is undertaken by the Tourism ecolabel Secretariat or a person designated by the Secretariat. Cost of the visit is paid by Tourism ecolabel while all expenses for any consultancy, needed investments etc. is held by the company itself. During the visit it is observed whether all criteria are met in practice. After the visit and when all documentation has been submitted, the company's application is sent for approval at the steering committee, which makes the final approval on the award of The tourism ecolabel. The right to The tourism ecolabel is granted for a period of 12 months at a time; however, the Tourism ecolabel disarming is used if the fulfilment of the criteria is violated."</i></p>

	<p><i>On the Greek National Operator's website there is also a brief description of the application procedure and just a sentence on inspections: "Inspections are carried out to the awarded hotels in order to check their compliance with the criteria and especially in order to provide advice aiming at improving their environmental profile"</i></p>
<p>Frequency of inspection.</p> <ul style="list-style-type: none"> - <i>Is the frequency of inspections based on previous inspection results, inherent risks, and existence of internal audits?</i> - <i>Is the minimum inspection frequency determined by the scheme supervisor?</i> 	<p>It could not be assessed based on the information available on the international website.</p>
<p>Systematic evaluation of the results of inspection</p> <ul style="list-style-type: none"> - <i>Is there systematic evaluation of the results of inspections?</i> 	<p>It could not be assessed based on the information available on the international website.</p>
<p>Unannounced inspection used as a general rule</p> <ul style="list-style-type: none"> - <i>Are unannounced inspections and inspections at short notice used as a general rule?</i> 	<p>It could not be assessed based on the information available on the international website.</p>
<p>Inspections and audits based on publicly available guidelines, checklists and plans</p> <ul style="list-style-type: none"> - <i>Are the guidelines, checklists and plans for inspections of scheme participants publically available either on the website or other means? Are they implemented?</i> - <i>Are the inspection criteria closely linked to the requirements of the scheme and the corresponding claims?</i> 	<p>It could be presumed, based on sporadic information from some indicative National Operator's websites, that the guidelines, checklists and plans of the inspections follow the scheme criteria. The baseline criteria are freely available to everyone on the international website.</p> <p>The scheme requirements/specifications are available as 'Baseline criteria' on the international website for free and are easily accessible to everyone. Furthermore, national scheme requirements are sometimes available in some of the websites visited but not in all.</p>
<p>Clear and documented procedures for dealing with non-compliance</p> <ul style="list-style-type: none"> - <i>Are the procedures dealing with non-compliance clear and documented?</i> 	<p>No. Relevant information doesn't seem to be available on the International website.</p>
<p>Knock out criteria</p> <p><i>Knock-out criteria should include at least non-fulfilment of basic legal requirements in the area covered by the certification. Cases of non-compliance with adverse implications for health protection should be notified to the relevant authorities in accordance with regulatory requirements.</i></p> <ul style="list-style-type: none"> - <i>What are the knock-out criteria?</i> - <i>What do they lead to? (e.g. non-issue or withdrawal of the certificate, withdrawal of membership, reporting to the relevant official enforcement body)</i> 	<p>It could not be assessed based on the information available on the international website.</p> <p><i>On a national website it is mentioned that "The right to The tourism ecolabel is granted for a period of 12 months at a time; however, the Tourism ecolabel disarming is used if the fulfilment of the criteria is violated."</i></p>
<p>Inspection focus</p>	<p>Yes. It could be presumed, based on</p>

<p>- <i>Do inspections focus on analysing the verifiable criteria which underlie claims made by certification schemes?</i></p>	<p>sporadic information from some indicative National Operator's websites, that the guidelines, checklists and plans of the inspections are the scheme criteria.</p>
<p>Qualification of auditors / inspectors</p> <p><i>Are auditors/inspectors impartial qualified and competent?</i> <i>Do they have the relevant knowledge in the specific sector?</i> <i>Do they work for certification bodies that are accredited under the relevant European or international standards and guides for product certification schemes and for management system certification schemes?</i> <i>Are the auditor skills described in the scheme specifications?</i></p>	<p>It could not be assessed based on the information available on the international website.</p>
<p>5. Costs</p>	
<p><i>Are there publicly available membership fees?</i></p> <p><i>Are the discrepancies in fees charged to participants proportionate and justified?</i></p> <p><i>Are any costs savings from mutual recognition and benchmarking passed on the operators?</i></p>	<p>Relevant information doesn't seem to be available on the International website.</p> <p><i>According to the Danish section website, the annual fee per company is DKK 4.000 + 40 per. room. In addition, a start-up package with additional material on information, diploma and plaque will be included at the cost of DKK 1.000. Also, cost of the visit (inspection) is paid by The tourism ecolabel while all expenses for any consultancy, needed investments etc. is held by the company itself.</i></p> <p><i>According to the Greek National Operator's website there is an annual fee according to the company's scale, i.e. Hotels up to 100 rooms 150€, Hotels from 101 to 200 rooms 250€, Hotels from 201 to 300 rooms 300€, Hotels with over than 301 rooms 400€.</i></p>
<p>6. Conclusions on the Scheme Requirements</p>	
<p><i>Are the scheme requirements in compliance with the voluntary products and foodstuff guidelines regarding: participation and development, clarity and transparency and certification and inspection?</i></p>	<p>The structure of the scheme's operation system has an impact on the scheme's effectiveness and impact. The fact that the foundation acts as the International Coordinator of the Tourism ecolabel and at the same time there are National Operators that can adapt the criteria and are responsible for receiving applications and evaluating/inspecting applicants, raises the need for a centralised and coherent way of making information available to the public.</p> <p>At present, some information is available on the international website and the</p>

	<p>foundation website but this information could be considered “basic” and does not cover most of the essential aspects of the scheme’s operation, i.e. detailed procedure, information about inspections, fees, stakeholders participation.</p> <p>The international website provides links to all National Operator’s websites but each National Operator has a different structure on their website and the quantity of information provided is not always the same. Sometimes it can even be contradictory i.e. the Greek website states in its FAQ section that “The programme is carried out in 17 countries worldwide...”, whereas the international website states that “The tourism ecolabel is an eco-label awarded to around 2.300 establishments in 44 countries worldwide”.</p> <p>This has a practical but also substantial impact on the level of clarity and transparency of the scheme.</p> <p>Inspections seem to be carried out to the awarded hotels in order to check their compliance with the criteria and especially in order to provide advice aiming at improving their environmental profile. The scheme requirements/specifications are available as ‘Baseline criteria’ on the international website for free and are easily accessible to everyone. Furthermore, national scheme requirements are sometimes available in some of the websites visited but not in all. The rules and interpretation at national level of the baseline criteria are not clear for all countries.</p>
<p>7. Mutual recognition and benchmarking /overlap with other schemes</p>	
<ul style="list-style-type: none"> - <i>Is there a mutual recognition and/or benchmarking with other schemes?</i> - <i>Does the website link to other relevant schemes?</i> 	<p>It could not be assessed based on the information available on the international website.</p>



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