

(CNE: partners for the best of packaging)

## Environmental claims on product packaging

### *Position Note by the French National Council for Packaging (CNE in the French abbreviation)<sup>1</sup>.*

#### CONTEXT AND EXPLANATORY STATEMENT

The CNE states below its position on environmental claims on all product packaging in order to:

- Align practices in environmental information with what is required and,
  - Avoid misleading consumers.
- In 2011, following the Grenelle laws and after economic actors took environmental challenges into account, environmental information statements were made on products, especially on their packaging.
  - Tests in environmental labeling in 168 companies chosen by the French Ministry of Ecology, Sustainable Development, Transportation and Housing (MEDDTL in the French abbreviation)<sup>2</sup> started on July, 1<sup>st</sup> 2011. They will provide teachings on methods (reliability), data (availability), information (robustness), labeling format and consumer understanding.
  - The CNE is takes part in the work carried out by the ADEME<sup>3</sup>/AFNOR<sup>4</sup> platform which aims to establish frames of reference for each market. The need in fairness and clarity for environmental claims stated to consumers led CNE members to address advice in order to improve information accuracy and its relevance in communication.
  - The CNE points out that the law n°2009-967 from August 3<sup>rd</sup> 2009, called Grenelle I requires that "*consumers must have accurate, objective and thorough environmental information regarding the overall product-packaging characteristics*".
  - The CNE points out that consumers buy packaged products, not empty packages. The relative proportion of the package in the various environmental impacts of both the product and its packaging throughout the overall life cycle (including the use of the product) varies according to environmental indicators and families of products, but is generally small.
  - The European Commission is currently working on developing common environmental labeling between all member countries, based on their current work. By the second half-year of 2011, it will have launched a test on the European scale in order to help implement a consistent methodology .

#### POSITION

The CNE points out that environmental information and associated methodological approaches can only be considered in a European context or, to a certain extent, internationally. It recommends the implementation of a consistent European labeling that meets the requirements regarding the free movement of goods. It is relevant to underline that the Consumption code (articles L. 121-1 to L. 121-15-4) can punish environmental claims when they are **without basis** or **untruthful**. It also forbids and punishes **misleading advertisement** and

<sup>1</sup> Conseil National de l'Emballage (CNE).

<sup>2</sup> Ministère de l'Ecologie, du Développement Durable, des Transports et du Logement (MEDDTL).

<sup>3</sup> Agence de l'Environnement et de la Maîtrise de l'Energie (ADEME), *French Environment and Energy Management Agency*

<sup>4</sup> Association Française de Normalisation (AFNOR), *French Association for Standardization*

commercial practices. Similar arrangements exist in all countries of the European Union, in accordance with guideline n° 2005/29/CE on unfair commercial practices.

## Rules, standards and methods

- The CNE points out that environmental impacts assessments must be conducted with complete life-cycle assessment (LCA). They are based on standardized tools (ISO 14040 and 14044) available for the companies.

These assessments must be:

- Multi-step: from extracting raw materials and generating resources to end-of-life management and final elimination, without leaving out production stages and utilization.

- Multi-criteria: greenhouse effect, water eutrophication, air acidification, biodiversity...

- The CNE points out that the frame of reference<sup>5</sup> for good practices is the BP X 30-323 "general principles on environmental labeling for widely consumed products" and the frame of reference by markets approved or in the process of being approved by the ADEME and AFNOR must be tools of reference. The good practices frame of reference and associated assessment tools does not substitute a complete LCA that meets with the standards cited above.

- The CNE points out that waste prevention, source reduction and environmental impact of both the product and its packaging must be assessed on the complete packaging system.

- The CNE **asks actors to avoid using environmental impact indicators which refer to packaging only**. The CNE points out that, according to the Grenelle I law, information on environmental impacts must be about both the product and its packaging.

- The CNE is available for all companies in order to help them approach the environmental assessment of their packaged products in a methodological way.

## Communication

- The CNE points out that all communication must meet the requirements of the Grenelle I law and must be based on accurate (sincere, objective and complete), understandable and relevant information. If the environmental information does not meet those criteria, it shall not be stated.

Consumer understanding is essential: incomplete or faulty information which is therefore misleading must be proscribed.

The CNE advises actors to integrate definitions of terms related to the environment (biodegradable, sustainable, etc.) offered by the National Council for Consumption<sup>6</sup> and to rely on the practical guide for environmental claims<sup>7</sup> from the MEDDTL and the Ministry of the Economy, Industry and Employment and on advices adopted by the National council for consumption on July 6<sup>th</sup>, 2010 and December 15<sup>th</sup>, 2010.

- The CNE believes that all statements of environmental claims must meet the requirements of the ISO 14020 standard "Labels and environmental claims – General principles" and those that follow (including ISO 14021).

- The CNE points out that all communication based on a LCA requires a critical review, according to the standards related to the LCA previously cited.

- The CNE points out the existence of deontological rules for all environmental statements and advises actors to respect them, including the ones from the French Advertising Standards Authority<sup>8</sup> on sustainable development and offers marketers to consult this authority for further notice.

Paris, September 13<sup>th</sup>, 2011

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<sup>5</sup> <http://www.boutique.afnor.org>.

<sup>6</sup> Conseil National de la Consommation

<sup>7</sup> [http://www.bercy.gouv.fr/conseilnationalconsommation/guide\\_allegat\\_environ.pdf](http://www.bercy.gouv.fr/conseilnationalconsommation/guide_allegat_environ.pdf)

<sup>8</sup> Autorité de Régulation Professionnelle de la Publicité [http://www.arpp-pub.org/IMG/pdf/Recommandation\\_developpement\\_durable.pdf](http://www.arpp-pub.org/IMG/pdf/Recommandation_developpement_durable.pdf)

