

Green Claims and Green Brands

Is your company EmpCo-ready?



What is it about?

Do you advertise your company's environmental commitment or the eco-friendliness of your products? If so, you now have less than a year to prepare for the upcoming changes to the legal framework for advertising with environmental claims and sustainability labels. By **27 September 2026**, EU member states must transpose the Empowering Consumers Directive ("EmpCo" Directive (EU) 2024/825) into national law and enforce it. The German government presented a draft bill on 3 September 2025, so the implementation is already in full swing.



What rules do you have to follow?

The goal of the EmpCo Directive is to increase transparency in advertising with environmental claims, prevent greenwashing, and thereby protect consumers. It therefore imposes strict requirements on sustainability advertising.

The six key changes are as follows:

- Prohibition of unverifiable generic environmental claims**
Statements such as "climate-friendly", "CO2-neutral", "environmentally friendly", "eco", etc., will be prohibited in the future unless they are clearly and prominently specified on the same medium (e.g., the packaging) or are based on a so-called recognized excellent environmental performance (e.g., energy efficiency class).
- Prohibition of using (private) sustainability labels**
Labels, trust or quality marks that highlight an ecological or social aspect and are not based on a third-party certification scheme or established by public authorities may no longer be used in advertising.
- Requirement for a detailed implementation plan and third party verification for future environmental performance**
Statements such as "We will be climate-neutral by 2050" or "Net-zero by 2045" may only be made if they are based on a detailed implementation plan that needs to be regularly verified by an independent third-party expert.

- Prohibition of product-related advertising with CO2 compensation claims**
As of September 2026, product-related claims such as "climate neutral" or "CO2-reduced" will be prohibited if they are based on the offsetting of greenhouse gases.

- Clarification required regarding scope of environmental claims**
Claims about the entire product or business will be prohibited if they can only be substantiated for a certain aspect of the product or specific business segment.
- Prohibition of promoting compliance with legal requirements**
Presenting mandatory legal requirements that apply to all products within the relevant product category (like "This product complies with EUDR") as a distinctive feature of a specific offer will be prohibited.



What are the consequences of non-compliance?

In Germany, non-compliance may result in warnings and (preliminary) injunction proceedings initiated by competitors, environmental organizations, or consumer organizations, leading to avoidable costs. Green brands, perceived as environmental claims or sustainability labels, may no longer be used.



What can we do for you?

Since the transition to the new regulations may require significant lead time (e.g., adjustments to packaging and labels, coordination of marketing campaigns, certification of sustainability labels, and development and verification of an implementation plan), companies are well advised to start their preparations now. Contact us - we are happy to assist you!

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