



Green claims on cleaning products

With the increasing importance of sustainability, the demand for information on the sustainability aspects of a product also increases. Suppliers of cleaning products can communicate about this in different ways. For example, through a claim on the label, a website or other methods of advertising. Any statement or claim made in such communication must not be misleading for the user under any circumstances. Therefore legislation has been developed. This document, developed by the NVZ - Clean | Hygienic | Sustainable¹, serves to clarify the legal requirements to which green claims for cleaning projects are subject.

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Introduction

First of all, it is important to know that cleaning products placed on the market within the European Union must comply with strict legislation ensuring a high level of protection of human health and the environment. The environmental impact is therefore always taken into account in the product development of cleaning agents, regardless of any green claims or label a product might have. If a substance used in cleaning products poses an unacceptable risk to the environment, it will be banned for that use. It is also worth emphasising that cleaning products are essentially sustainable. This is partly because they contribute to good hygiene, which is crucial for good health. They also contribute to the maintenance and thus the longevity of our goods and buildings.

Thus, by definition, detergents are already sustainable. Nevertheless, there is a difference in the degree to which cleaning products can be sustainable. This can be communicated in advertisements. This communication can help the consumer or professional user to make an informed decision. However, it is important that these claims are reliable and in no way misleading for the potential user. This document addresses the legislation that ensures the reliability and honesty of advertisement, with a focus on green claims. It provides an overview of the legislation concerning green claims and also discusses a number of frequently used green claims in the field. If you have any questions on this subject that are not answered in this document, you can always contact the NVZ - Clean | Hygienic | Sustainable via info@nvz.nl or +31 30 6921880.

¹ The NVZ - Clean | Hygienic | Sustainable is the trade association of manufacturers and suppliers of detergents, cleaning agents, maintenance products and disinfection equipment. The NVZ functions as a knowledge centre in the field of the three values (clean, hygienic and sustainable).

Sustainability labels

In addition to claims or other advertising, manufacturers of cleaning products may also look to qualify for a sustainability label, from which the logo appears on the product packaging. For more information on the different ecolabels that exist for cleaning products, take a look at the NVZ document on ecolabels. This document can be found [here](#).



Figure 1 Overview of the 17 Sustainable Development Goals (SDGs) of the United Nations.

What is sustainable?

Sustainable cleaning products are often interpreted as *natural* cleaning products. However, *natural* does not always equate to sustainable, this will be explained later in this document. But what do we actually mean by sustainability? To answer this question, it is good to look at the 17 Sustainable Development Goals, (SDGs, see figure 1), of the United Nations. These goals show the challenges we face on our way to a more sustainable world and they make up the international sustainability agenda for the period 2015-2030. They clearly show that sustainability covers a wide range of issues. Environmental impact is an important one, nevertheless sustainability is also about other issues, such as good health, well-being and gender equality. In this document, the focus is on green claims which relate to the environmental impact, but sustainability claims can also cover other sustainability-related topics.

Legislation on fair advertising

In order to prevent unfair commercial practices, it is important to ensure the reliability and credibility of advertising. Legislation has been developed to this end. Below is explained which legislation is developed in Europe and how it is further implemented in the Netherlands.

Europe

Since 2005, the **Unfair Commercial Practices Directive** (2005/29/EC) has been in force within the European Union. The main purpose of this legislation is to ensure fair communication towards consumers. The directive applies to all products (both goods and services) offered on the European market. This directive does not provide specific rules regarding environmental and sustainability claims. However, the directive states that the following is considered a **misleading commercial practice**:

“Present legal rights of consumers as a distinctive feature of the trader’s offer”.

This means that it is not allowed to claim that a product complies with the applicable legislation². In addition, the European Commission has published guidance to the directive. This guidance specifically mentions a number of issues regarding green claims. Below are the relevant passages with explanation. The application of the Unfair Commercial Practices Directive to green claims can be summarised in two main principles:

- I. The general provisions of the Unfair Commercial Practices Directive, in particular Articles 6 and 7, require traders to present their green claims in a clear, specific, accurate and unambiguous manner in order to ensure that consumers are not misled.
- II. Article 12 of the Unfair Commercial Practices Directive requires traders to be able to substantiate their claims and, in the event that the claim is disputed, to present that evidence in an intelligible manner to the competent enforcement authorities.

Section 5.1.3. of the guidance gives some examples of claims that could be misleading. It also states the following: When assessing an environmental claim, the main environmental impacts of the product throughout its life cycle, including the supply chain, are relevant. **An environmental claim must relate to those aspects that are significant in terms of the environmental impact of the product.** Furthermore, claims should be clear and unambiguous in relation to the aspect of the product or its life cycle to which they relate. If an economic operator makes an environmental claim by highlighting only one of several environmental impacts of the product, the claim may be misleading within the meaning of Article 6 of the Unfair Commercial Practices Directive. Section 5.1.5 refers to Article 12 of the Unfair Commercial Practices Directive. It indicates that any claim (including environmental claims) should be based on **evidence that can be verified by the**

² This may be important for cleaning products. For example, if the claim biodegradable is used.

relevant competent authorities. In addition, it must be ensured that the documentation relating to the claims in the marketing **is up to date**, as long as the claims are used.

[The full guideline can be downloaded here.](#)

The Netherlands

In the Netherlands, there are two organisations that endorse the reliability of claims:

- I. The Dutch Food and Consumer Product Safety Authority (NVWA);
- II. and the Advertising Code Foundation (Stichting Reclame Code, SRC), via the Advertising Code Committee (Reclame Code Commissie, RCC).

The NVWA looks at compliance with laws and regulations on advertising. They have an enforcement role and can impose sanctions for companies that do not abide by these rules. The relevant laws and regulations in this context are national implementations of the European Directive described above.

In addition, in the Netherlands we have the SRC. This body takes care of the self-regulation of advertising. The SRC promotes responsible advertising with the objective of ensuring the reliability and credibility of advertising. The SRC developed the **[Dutch Advertising Code](#)**. Consumers as well as commercial companies and other organisations with a complaint about an advertisement can submit it to the independent Advertising Code Committee.

[You can submit a complaint to the Advertising Code Committee here.](#)

This complaint may be rejected or forwarded to the concerned advertiser. The advertiser then has 14 days to respond to the complaint. The response is shared with the complainant. If this does not lead to a solution the complaint will be treated during a session of the RCC. The decision then follows, usually within two to four weeks after the hearing. This written decision is shared with the parties involved and is accessible to everyone on the website of the SRC. If the complaint is upheld, the advertiser is advised to remove the advertisement. The Advertising Code Commission may also decide to send out an alert, in which case the decision is shared with the media by means of a press release. In practice, the recommendations of the Advertising Code Commission are almost always followed.

Environmental Advertising Code

The Dutch Advertising Code contains general rules on advertising. In addition, there are several special advertising codes, including the Environmental Advertising Code (Milieu Reclame Code, MRC). This Code consists of twelve articles and applies to all advertising messages implicitly or explicitly referring to environmental aspects related to the production, distribution, consumption or waste processing of products (both goods and services). Some of the most important points from the Environmental Advertising Code are given below:

- Environmental claims may not be misleading (Art. 2). In the explanatory notes to this article it is indicated that this often consists of over-emphasising the presentation of a small improvement as a breakthrough, while marginal improvements should also be presented as such;
- Environmental claims must be demonstrably accurate (Art. 3). The explanatory memorandum states that, given the current state of science, for many products it will be difficult to demonstrate that they are absolutely environmentally harmless. Great restraint is therefore required with respect to such absolute environmental claims;
- It may not be falsely suggested that comparable products do contain environmentally harmful components (Art. 5);
- Environmental symbols may only be used if the origin is clear and there can be no confusion about the meaning of the symbol (Art. 7);
- Environmental claims about waste collection and/or waste treatment are only permissible if the recommended method of collection or treatment is sufficiently available to the target group at which the environmental claim is aimed (Art. 10).

[The full Environment Advertising Code can be found here.](#)

Of course, in the event of (suspected) violation of the Environmental Advertising Code, a complaint can be submitted to the Advertising Code Committee (**[here](#)**).

Commonly used green claims

In sustainability advertisement, many different claims and statements can be made. Most important is that these green claims must always comply with the laws and regulations described above. A number of terms are used relatively often with regard to cleaning products. These are discussed below.

Biodegradable

When it comes to the environmental impact of a cleaning product, reference is sometimes made to the *biodegradability* of the product. A biodegradable substance is one that can be completely broken down under the influence of micro-organisms into the naturally occurring substances water, carbon dioxide and inorganic salts.

All detergents marketed in Europe must comply with the Detergents Regulation ((EC) No. 648/2004). This European legislation requires *that all surfactants in detergents and cleaning products must be biodegradable*, according to the test methods³ specified in the same legislation.

Surfactants are substances that have both a hydrophilic and a hydrophobic side. This allows them to loosen dirt from a surface and make it dissolve in water. In most cases, surfactants are the main component of a washing or cleaning product.

Sometimes a cleaning product is claimed to be “biodegradable” or, for example, “biodegradable according to the Detergent Regulation”, but as explained earlier in this document, a product may not claim to comply with the applicable legislation. It is therefore advised to be cautious with such claims.

Natural and biobased

In practice, *natural*, *renewable* and *biobased* often mean the same thing. The terms refer to the origin of ingredients. Ingredients can be synthetic (man-made) and based on e.g. petroleum. If ingredients are based on natural materials, they are often referred to as natural or biobased. The advantage of *biobased* or *natural* alternatives is that they are made from renewable raw materials, but they are not necessarily always more sustainable than substances based on fossil resources. For example, it is also important to ensure that the agricultural land needed for these raw materials does not endanger the food supply. Therefore, with the increasing use of bio-based and natural materials, it is important to assess the advantages, but also the possible disadvantages, in terms of sustainability with a thorough life cycle analysis.

In most markets, there is no legal definition of *natural* in relation to cleaning products. The methods for determining if something can be called biobased are specified in standards. At European level, standards are developed within

the European Standardisation Organisation CEN. These are published as EN standards. The CEN has also published standards for determining (the amount of) biobased material and the claims that may be made about this. Below is an overview of the important EN standards in the field of bio-based. More information can be found on [the CEN website](#).

- EN 16751:2016 - Bio-based products - Sustainability criteria
- EN 16785-1:2015 - Bio-based products - Bio-based content - Part 1: Determination of the bio-based content using the radiocarbon analysis and elemental analysis
- EN 16640 : 2017 - Bio-based products - Bio-based carbon content - Determination of the bio-based carbon content using the radiocarbon method
- EN 16848:2016 - Bio-based products - Requirements for Business to Business communication of characteristics using a Data Sheet
- EN 16935:2017 - Bio-based products - Requirements for business-to-consumer communication and claims
- EN 16785-2:2018 - Bio-based products - Bio-based content - Part 2: Determination of the bio-based content using the material balance method
- prEN 17035-2018 - Surface active agents - Bio-based surfactants - Requirements and test methods
- CEN/TR 17341:2019 - Bio-based products - Examples of reporting on sustainability criteria

Ecological and organic

The terms ecological and organic are often used interchangeably, but do not mean exactly the same thing. Organic refers to the farming method used to obtain goods. Ecological goes one step further and puts the entire planet at the centre of the production process. In other words, everything that can harm the ecosystem should be avoided during an ecological production process. The use of biological or ecological raw materials in cleaning products is not necessarily more sustainable. See also the explanation under the heading *Natural and biobased*. There is no legal definition (yet) for organic cleaning agents.

The term organic or biological is also sometimes used for products based on enzymes or micro-organisms. However, the correct term in this context is **microbiological**.

Recyclability of packaging

In (marketing) statements about packaging it is sometimes claimed that the packaging is **100% recyclable**. In practice, however, packaging is rarely if ever fully recyclable. There is always a part, such as the label or the cap, that is not (yet) recyclable, or at least not recycled. It would therefore be better to speak of **good recyclability**. When one does speak of complete recyclability, it would be better to speak of the recyclability of one of the components of the packaging, such as the bottle.

More information on the recyclability of packaging can be found on [the website](#) of the Dutch Sustainable Packaging Knowledge Institute (Kennisinstituut Duurzaam Verpakken, KIDV). The KIDV has developed a recycling check for rigid and flexible plastic packaging.

Bioplastic

The term bioplastic is often used for both naturally based plastics and biodegradable plastics. However, not all bioplastics are biodegradable and not all biodegradable plastics are made from natural resources. It is therefore important not to confuse them.

Biobased plastic is plastic that is not based on fossil resources, but on natural (renewable) materials. It exists in many different forms, a common one being Bio-PET. As with fossil plastics, careful selection of bio-based packaging material is required to ensure that a package meets the necessary safety requirements. Another challenge surrounding the use of Bio-PET is the sacrifice of agricultural land for sugar cane, from which Bio-PET is often produced. This consideration must be made carefully, because people all over the world still live in hunger. Biodegradable plastic can be composted. However, in most cases this is only possible in industrial composting facilities. Furthermore, this type of plastic is often not suitable for recycling and this can create an unclear situation for the consumer. While plastic collection and sorting starts with consumer behaviour and largely determines the (energy) efficiency of these waste systems.

To assist consumers in choosing the correct waste route for packaging, pictograms can be used to indicate the preferred route. In this context, the Netherlands has recently introduced a new pictogram that can be applied on compostable packaging certified under EN13432, which indicates that the packaging may be put in the organic waste container.

Wageningen Food & Biobased Research was commissioned by the Rijksdienst voor Ondernemend Nederland (RVO) to conduct extensive research into biobased and biodegradable plastics in 2017. The full report can be downloaded [here](#).

Safety and sustainability of natural cleaning products

The terms *natural*, *biodegradable* and *ecological* described above are often associated with safety. It is believed that these types of substances are inherently healthier, but the reality is: whether a substance is man-made (synthetic), imitated from nature or taken directly from nature, it says nothing about the level of safety. All cleaning products placed on the European market must comply with the same strict legislation that guarantees a very high level of safety.

In addition, it is often thought that natural or ecological cleaning products are by definition better for the environment than other products, but in practice this is not the case. All raw materials used in cleaning products, whether synthetic or natural, are subject to the same strict legislation, which also takes into account the impact on the environment. There is also another important point to take into account when formulating a product. Some detergents are classified as environmentally hazardous due to the substances they contain, but this does not necessarily make them less sustainable than other detergents in the same product category. In fact, they are sometimes even more sustainable.

Suppose a product contains 10% of substance X and therefore has the environmentally hazardous symbol. A comparable product contains only 5% of substance X and does not need to carry this symbol, but you need twice as much of that product to achieve the same result. Ultimately, therefore, the same amount of substance X ends up in the environment, but the product with only 5% required twice as much packaging material, which in turn means that the environmental impact of transport increases significantly. In terms of sustainability, a product with a higher concentration often scores better in these cases.

In view of the environmental impact, it is extra important not to discharge products with this symbol directly into the surface water.



Sustainable business operations

This document focuses on green claims related to the packaging and/or the composition of the product. In addition to the products put on the market by a supplier, the producer in question may also choose to make its internal operational management more sustainable. Claims about the product process and business operations are relatively rare. A company can, however, be certified for this. For more information on such company certifications, see the document on ecolabels. This document can be found [here](#).

Growing attention for Greenwashing

The term *greenwashing* means that companies pretend to be greener or more sustainable than they actually are in advertisements or other external communications. This is a form of deception. With the growing number of green claims, attention for *greenwashing* is also growing. In December 2019, the European Commission published its roadmap for the *New Circular Economy Action Plan*, an initiative to, among other things, fulfil the agreements in the Green Deal ([COM \(2019\) 640 final](#)). In this roadmap, the Commission indicated that it wants to take measures 'to tackle false green claims'.

In addition, the European Commission published a fact sheet on environmental claims in 2017.

Finally...

Claims and advertisements about sustainability are becoming increasingly common. Legislation in this area is continuously changing. This document will be revised on a regular basis to ensure that important changes in the laws and regulations are incorporated.