



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR JUSTICE AND CONSUMERS
Directorate B – Consumers
Director

Brussels,
JUST.B.1

Ms Christel Delberghe
Director-General of EuroCommerce
delberghe@eurocommerce.eu

Subject: Reply to Joint business statement - Grandfathering Clause - Empowering Consumers Directive

Dear Ms Delberghe,

Thank you for the statement sent on 10 December by EuroCommerce, also on behalf of the 17 business associations in copy, and registered under Ares(2025)11518534, in which you raise concerns about the practical implications of the application of the Directive (EU) 2024/825 from 27 September 2026 for products already lawfully placed on the market. We acknowledge the significance of your request concerning the management of remaining stock, including the possibility of allowing continued marketing of such products and a coordinated implementation approach.

Directive (EU) 2024/825¹ on empowering consumers for the green transition introduces targeted amendments to the Unfair Commercial Practices Directive (UCPD), the horizontal ‘consumer protection safety net’ to address misleading business-to-consumer commercial practices, including greenwashing practices. It will ensure that consumers are provided with better information at the point of sale on the durability and reparability of goods and the consumer’s legal guarantee rights. It will also strengthen consumer protection rules against greenwashing and early obsolescence practices.

The Directive entered into force on 26 March 2024. Member States must transpose its provisions by 27 March 2026. It shall apply from 27 September 2026, which is two and half years after the Directive’s entry into force. This means that from 27 September 2026, traders will need to ensure that their environmental claims and sustainability labels in a business-to-consumer context comply with the new provisions.

Where traders identify environmental claims or sustainability labels on packaging that would not comply with the new rules, they will have practical options to ensure compliance, such as covering or correcting claims by stickers or adding supplementary information at the point of sale.

¹ Directive - EU - 2024/825 - EN - EUR-Lex

The Commission services have recently published a Questions & Answers document² to facilitate a coherent application of the Directive, including on this topic.

In your statement, you further invoke the principles of legal certainty and non-retroactivity, with reference to C-181/20 and C-15/19. In this respect, it is important to recall that the ECGT Directive operates within the existing UCPD framework, which governs already unfair commercial practices affecting consumers' transactional decisions, including misleading environmental claims. However, it does not regulate products as such and focuses exclusively on how they are presented to consumers, including through marketing and commercial communications. The application date therefore concerns environmental claims and sustainability labels that are made or displayed towards consumers from 27 September 2026 onwards and is not imposing retroactively compliance requirements on products being placed on the market.

Enforcement of consumer law lies with national authorities. They will investigate and prioritise enforcement actions in light of the gravity of infringements. In doing so, they will assess whether traders have made reasonable and proportionate efforts to comply, including for products already on the market. National authorities will also be able to take into account proportionality, legal certainty and legitimate expectations. They will also be able to take transitional difficulties into account during the early stages of application.

As a next step, on 27 January 2026 we organise a workshop with the CPC authorities on this matter, to support a fair and effective enforcement across the Union.

You and the other 17 co-signatories have been invited to join the first part of this workshop, where you will have the opportunity to present the concerns on the topic directly to the national authorities in charge of the enforcement of the Directive.

Yours sincerely,

(e-signed)

Isabelle PERIGNON

Copy to co-signatories' business associations:

- AIM – European Brands Association,
- AISE – the Cleaning and Maintenance Products Industry,
- APPLiA – Home Appliance Europe,
- BusinessEurope,
- Cosmetics Europe – The Personal Care Association,
- eCommerce Europe,
- EDANA – the voice of Non-Wovens,
- EuroChambres,
- EUROPEN – Shaping a Sustainable Future for Packaging,
- FESI – Federation of the European Sporting Goods Industry,

²https://commission.europa.eu/document/download/3c257883-bb2a-4dd9-a6dc-501d587bb34f_en?filename=faq-empowering-consumers-gtd.pdf

- FoodDrink Europe,
- Independent Retail Europe,
- NATRUE – The International Natural and Organic Cosmetics Association,
- OPTA Europe – Organic Processing and Trade Association,
- SME United,
- TIE – Toys Industries of Europe,
- WFA – Word Federation of Advertisers.

