

**Subject: External alert about misleading recycling claims for marketing plastic water bottles across the EU.**

Dear members of the CPC-Network,

I am writing to you on behalf of BEUC - the European Consumer Organisation, to inform you that today, together with 14 of our member organisations from 13 European countries,<sup>1</sup> we are launching an external alert to the CPC-Network pursuant to Article 27 of EU Regulation 2017/2394 (the CPC Regulation).

The alert focuses on the recycling claims on plastic water bottles ("100% recyclable" and/or "made of 100% recycled plastic" and their variations, sometimes accompanied with green imagery) used by several traders operating across the EU. We consider these environmental claims to be highly misleading and to constitute widespread infringements with an EU-wide dimension of Directive 2005/29/EC (the Unfair Commercial Practices Directive - UCPD).

Specifically, we believe that these claims are vague, factually inaccurate, or otherwise not substantiated. They convey a misleading impression of "plastic circularity" which remains far from the reality and potential of the recycling process. Worse, they contribute to slowing down the green transition by presenting plastic as a sustainable option whereas its detrimental effects on the environment have been well-documented. Ultimately, they deter consumers from turning to more sustainable options (like tap water), wherever they can.

This alert also benefited from the technical expertise of our partners ClientEarth<sup>2</sup> and ECOS<sup>3</sup> (Environmental Coalition on Standards) with whom we diligently worked when collecting and assessing the evidence substantiating this alert (see Annex 1). This letter complements the alerts that we submitted on the IMI platform and builds on the findings and conclusions of the study *The legality of "100% recycled" and "100% recyclable" claims on water bottled in plastics – legal analysis under EU Directive 2005/29/EC (2023)* (see Annex 2) conducted by researchers of the University KU Leuven. As we are aware that the topic may be technical, we also attach a

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<sup>1</sup> EKPIZO and KEPKA (**Greece**), Association Consommation, Logement et Cadre de Vie (CLCV-**France**), Consumentenbond (**the Netherlands**), Altroconsumo (**Italy**), Organización de Consumidores y Usuarios (OCU-**Spain**), Zveza Potrošnikov Slovenije (ZPS - **Slovenia**), Tudatos Vásárlók Egyesülete (TVE-**Hungary**), DECO (**Portugal**), Асоциация Активни потребители/ Bulgarian National Consumer Association (BNAAC - **Bulgaria**), Federacja Konsumentów (**Poland**), Verein für Konsumenteninformation (VKI, **Austria**), Spoločnosť Ochrany Spotrebiteľov (S.O.S.) Poprad (**Slovakia**) and Kuluttajaliitto ry (**Finland**).

<sup>2</sup> [www.clientearth.org](http://www.clientearth.org)

<sup>3</sup> <https://ecostandard.org>

short technical Q&A document (Annex 3), which we hope will bring more explanations on the reasons we believe these claims may be misleading.

We call on the CPC-Network to:

- Start a coordinated enforcement action and publish a joint position. This step is essential not only to enforce the law against the concerned traders but also to provide a clear signal and guidance to the whole sector about the misleading nature of these claims.
- Request traders to stop misleading consumers by using such claims. Specifically:
  - Traders should stop using ambiguous language relating to recyclability, including “recyclable” and/or “100% recyclable”. Instead, traders should provide clear information on how consumers should correctly dispose of packaging in the market where the product is sold. For example, if the market in which the product is sold operates a separate collection recycling scheme, simple instructions about how to dispose of the item through the scheme according to local infrastructure is sufficient, as well as clearer and more helpful to a consumer than a “recyclable” or “100% recyclable” claim.
  - Where the product contains recycled plastic and traders choose to include this information on product labels, traders should be clear about the quantity of recycled material in the product as a whole, acknowledging all components. These amounts should reflect quantities of post-consumer recycled material only, relying on a robust chain of custody model (i.e., not on non-proportional mass balance approaches). When claiming that bottles are made of “100% recycled plastic”, traders should be able to substantiate this through a reputable and transparent third-party certification scheme.
  - Information about recycling provided should not imply that plastic beverage bottles have no impact on the environment or that they are otherwise sustainable. Circular imagery and generic environmental claims, statements, and imagery on labels and in accompanying advertising should not be permitted.

In line with the operational conclusions for co-operation between the CPC-Network and consumer organisations of October 2022<sup>4</sup>, we invite the European Commission and the CPC-Network to keep us informed about any relevant procedural steps taken by the Network. Should you decide to launch an investigation, we are ready and keen to provide our views at different stages of the procedure and to provide feedback on the commitments that the traders may propose to the CPC-Network, as foreseen under the CPC Regulation.

We remain at your disposal for any additional information you could need and to respond to any questions you could have.

Yours sincerely,

Ursula Pachl  
Deputy Director General

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<sup>4</sup> [https://commission.europa.eu/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/cooperation-consumer-organisations\\_en](https://commission.europa.eu/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/cooperation-consumer-organisations_en)

Accompanying documents:

- [Report](#): *Unbottling greenwashing - Lifting the lid on bottle recycling claims* (BEUC, ClientEarth, ECOS), November 2023.
- Annex 1: [Identified practices](#).
- Annex 2: [Accompanying legal study](#) "The legality of 100% recycled" and "100% recyclable" claims on water bottled in plastics – legal analysis under EU Directive 2005/29/EC", November 2023.
- Annex 3: Technical Q&A (Client Earth & ECOS) – November 2023.