

BERGSTRAND

Simplifying EU Compliance

What fashion and textile brands need to know

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Introduction

The European Union's legislative landscape is evolving rapidly, with new proposals, regulations, and requirements constantly emerging. Over the next few years, approximately ten new regulations will come into effect, directly impacting your brand. Further updates are also anticipated.

This complex and ever-changing legal environment demands quick action and thorough preparation to ensure compliance. We know that navigating sustainability regulations can feel overwhelming.

However, failure to comply or delaying necessary action can result in significant financial penalties, restricted access to markets, missed business opportunities, and a loss of consumer trust.

To mitigate these risks, brands must take a structured, proactive approach, gaining a deep understanding of their supply chains and implementing effective compliance strategies.

That's why we have created this guide—to provide you with the latest regulatory updates, simplify complex requirements, and help you stay informed as new laws are adopted. Our goal is to save you time and streamline your compliance efforts.

At Bergstrand, we understand that compliance is just the beginning of your sustainability journey.

With our team's diverse expertise and specialisations, we're here to support you at every step, helping you implement effective sustainability strategies and maintain compliance across your entire value chain.

Please note that the information provided in this handbook is for information only, and should not be taken as legal advice.

About Bergstrand

Bergstrand Consultancy started in 2017 to assist fashion, textile and sportswear brands on their sustainability journey without compromise on the creative vision.

Headquartered in Stockholm, we service iconic brands around the world in managing all aspects of sustainability and compliance, including strategy, requirements, reporting, and research and development. Our heritage in fashion gives our consultancy a unique perspective as we understand fashion sustainability through a design, product and marketing lens.

Contact us at info@bergstrand.co, or find out more at www.bergstrand.co

Explainers: understanding the context

To help you better understand the legislation and how it affects your brands, it helps to know the context for how the laws are made.

In this section, we help you understand:

- The difference between a regulation and a directive, and how to navigate the differences between them
- The phases of the legislative process so you know when you need to begin planning for the impact of the legislation
- About the EU institutions that pass the legislation so you know how you can affect incoming legislation

EXPLAINER —

What's the difference between a *regulation* and a *directive*?

When dealing with EU law, you may notice that some legal acts are called 'Regulations' while others are 'Directives.'

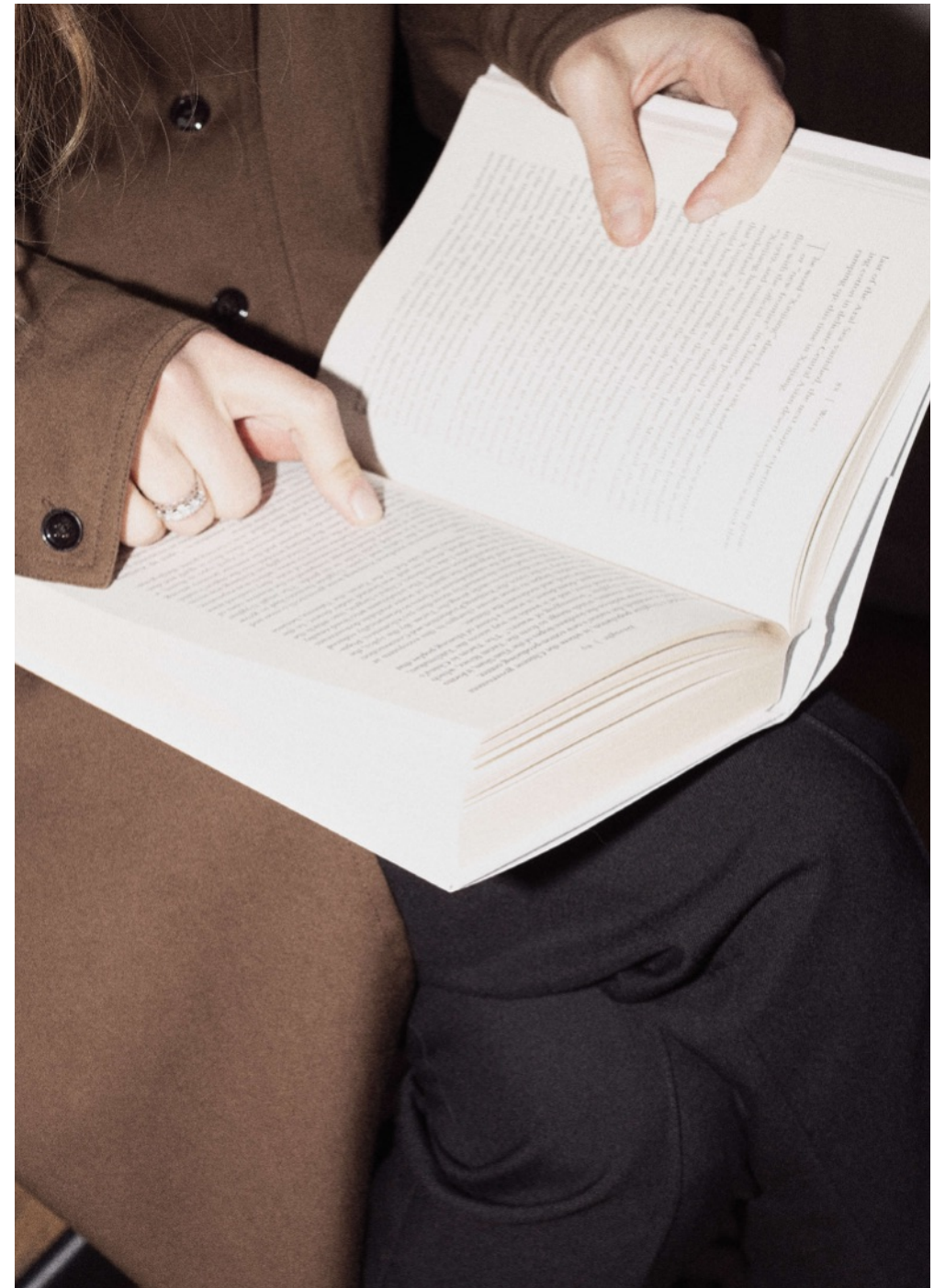
But what exactly is the difference?

Understanding this distinction is crucial to fully grasping how EU legislation may impact your brand.

A *Regulation* is a binding legislative act that applies uniformly across all EU Member States. It is directly applicable, meaning it takes effect immediately once in force, without requiring further action or implementation by national governments.

A *Directive*, by contrast, sets out a legal framework or minimum standard that all EU countries must achieve. However, each member state is responsible for translating the directive into its own national law, typically within two years. Once transposed into national legislation, the directive's provisions become legally binding for companies within that country.

In practical terms, this means your brand must comply with both EU regulations and the national laws that implement EU directives. Staying compliant requires keeping track of developments at both the EU and member state levels.





EXPLAINER —

About the legislative process—*what you need to do, when*

A basic understanding of the European Union's legislative process is essential for ensuring timely compliance.

Knowing the different stages—their significance, timelines, and how they impact your brand—will help you to develop a clear strategy and be ready when new laws take effect.

Below is a simplified overview of the key phases in this process and *what these steps mean for your brand*.

Draft phase — At this early stage, the law is still being formulated. While it's too soon to take concrete actions, it's wise to *start monitoring the topic* and related updates

Dialogue / Trialogue — This is when discussions and negotiations take place among the involved parties. This is your opportunity to *provide feedback and stay informed about potential changes*

Adoption — The final text of the law has been agreed upon. Now is the time to begin *organising your internal processes and preparing for compliance*

In Force — Although the law has been officially enacted, it is not yet applicable. Use this period to *ensure that all necessary measures are in place* for when the law takes effect. This period exists to make sure all the member states have the time to transpose it into their national laws

Applicable — The law is now in effect and legally binding. At this stage, non-compliance can lead to penalties, so *full adherence is required*

About the EU Institutions

Understanding the roles of the three key actors, the Council, the European Parliament, and the European Commission, can significantly help your brand in navigating the legislative landscape.

Knowing which institution is responsible for each part of the process provides clearer insight into potential impacts, helps you anticipate regulatory changes, and enables more effective engagement.

You will be able to identify the right channels for feedback, ultimately enhancing your ability to influence the laws that affect your business.

The Council — also known as the Council of Ministers, this body consists of 27 national ministers (one per member state), who primarily represent the interests of their own countries. While formally one single body, the Council meets in 10 different configurations depending on the topic under consideration. For example, environmental matters are discussed by the Environmental Council, which is composed of the environment ministers of each member state.

The Commission — The European Commission is composed of 27 Commissioners (one per member state), but unlike the Council, they do not represent their home countries. Instead, they are tasked with acting in the interest of the EU as a whole. Commissioners are appointed by the President of the Commission in agreement with the Council based on proposals of the Member States, and finally approved by the Parliament. On most matters, the Commission is the only institution that can initiate a legislative process through a proposal.

The Parliament — The European Parliament is one of the two main legislative bodies, alongside the Council. It is composed of 720 representatives of the citizens of the EU that are directly elected every 5 years. They do not represent their national parliament but instead sit in one of seven multinational political groups.



EU Laws that Fashion and Textile brands need to consider

There are a myriad of incoming legislations that will affect your brand. In this handbook, we have focused on those most pressing that brands need to action soon.

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There are additional legislations that will affect brands such as Packaging and Packaging Waste Regulation (PPWR), General Product Safety Regulation (GPSR), Corporate Sustainability Reporting Directive (CSRD), and Corporate Sustainability Due Dilligence Directive (CSDDD).

We hope to address these legislations in future editions of this handbook. Should you be interested in updates, be sure to sign up to our Compliance mailing list by contacting info@bergstrand.co

Eco-design for Sustainable Products — *ESPR*

REGULATION

INTENT OF THE LAW — to reduce the environmental impact of products throughout their entire life cycle from design to disposal

Eco-design for Sustainable Products — *ESPR*

For too long, products followed the same pattern: produce, use, discard. Fast fashion and throwaway culture thrived, filling landfills and polluting ecosystems. But campaigners, scientists, and industry experts agreed: addressing waste at the end of a product's life wasn't enough. The problem had to be tackled earlier, at the design stage.

The ESPR pushes for a system where waste is designed out completely to make products more durable, repairable, and recyclable from the beginning.

CURRENT STATUS — IN-FORCE since 18 July 2024

WHO THE LAW AFFECTS — every brand selling in the EU, including SMEs who can receive financial help to comply

KEY DEADLINES

2024 — 2026	Preparatory studies and stakeholders consultations
2026	The European Commission working on the specific eco-design criteria
Q2 2026	Ban on the destruction of unsold goods applies to large enterprises
2027	Publication of the eco-design criteria (through Delegated Acts)
2028	Compliance with the eco-design criteria & DPP requirements
2030	Ban on destruction of unsold goods extends to SMEs

How does this law affect my brand?

- DESIGN & PRODUCT DEVELOPMENT TEAMS — must create products that are durable, repairable, recyclable, and contain recycled materials while minimising hazardous substances and waste
- QUALITY CONTROL TEAMS — must verify compliance with durability, repairability, and recyclability standards
- MARKETING & BRANDING TEAMS — must ensure full transparency via Digital Product Passport (DPP) and accurate sustainability claims
- END-OF-LIFE MANAGEMENT — must comply with the ban on destroying unsold goods

Eco-design for Sustainable Products — *ESPR*

What responsibilities do I have?

A. ENSURING PHYSICAL PERFORMANCE REQUIREMENTS

Ensure your products comply with physical performance requirements (“ecodesign requirements”) such as but not exclusive to—

DURABILITY & LONGEVITY → Design garments to last

REPAIRABILITY & REUSABILITY → Enable easy repairs

RECYCLABILITY → Ensure materials used are easily recyclable

RECYCLED CONTENT → Set minimum levels of recycled materials in garments

HAZARDOUS SUBSTANCES → Avoid/minimise substances that block recycling or reuse

ENERGY & WATER EFFICIENCY → Reduce consumption in production and product care

WASTE REDUCTION → Minimise waste during production

B. REQUIREMENTS TO PROVIDE PRODUCT INFORMATION

DIGITAL PRODUCT PASSPORT (DPP): A digital record of the product’s key characteristics, storing relevant information on products’ sustainability

— The specific information requirements for product groups will be defined by the EU Commission

— e.g., data to be included, which data carries to use, its layout and positioning, period during which the DPP must be available

— It will also apply to products imported on the EU market and online marketplaces

— POTENTIALLY 16 categories of information contained including:

- Product Description
- Composition
- Supply chain
- Transport
- Documentation
- Environmental impact
- Social impact
- Impact on animals
- Circularity
- Health impact
- Information on the brand
- Communication/identification media
- Quantity
- Costs
- Usage and customer feedback
- Tracking and tracing after-sales

C. PREVENTING DESTRUCTION OF UNSOLD TEXTILES AND FOOTWEAR

— Brands must take all the necessary steps to prevent the destruction of unsold products

— Large companies from 2026 and medium-sized companies from 2030, when discarding unsold products, must disclose on their website:

- Number and weight of unsold products
- Reasons for discarding
- Measures taken to prevent the destruction of unsold consumer products

Eco-design for Sustainable Products — *ESPR*

What do I have to do to be compliant?

- DEVELOP A PREFERRED MATERIALS LIST — focus on high-quality, durable and easily recyclable materials
- IMPLEMENT TRACEABILITY SYSTEMS — track your materials' origins and ensure responsible sourcing
- ESTABLISH A SUPPLIER CODE OF CONDUCT — set clear environmental and ethical standards for your supply chain partners
- STAY UPDATED ON REGULATIONS — monitor the upcoming EU Delegated Acts for product-specific requirements as they relate to your assortment
- CONDUCT CONFORMITY ASSESSMENTS — ensure compliance with Ecodesign requirements, draw up the technical documentation, and affix the CE marking, if required
- ENHANCE LABELLING AND TRANSPARENCY — align with the EU Green Claims Directive and Empowering Consumers for the Green Transition Directive to start to prepare for the DPP
- SUSTAINABILITY STRATEGY — create internal guidelines and roadmaps to implement the ecodesign requirements effectively
- PLAN FOR END-OF-LIFE MANAGEMENT — develop solutions for textile-to-textile recycling, repair services, and extended producer responsibility (EPR) schemes to comply with the destruction ban

EU Textile Labelling Regulation

INTENT OF THE LAW — to empower customers with clear product information that allows them to make informed and sustainable choices with harmonised information across products and brands

EU Textile Labelling Regulation

Clothing labels have only been telling part of the story—listing fibres and production countries but leaving out key details. As consumers demanded more transparency and innovations in textiles advanced, these labels no longer kept up. Campaigners and industry experts argued that people had the right to know more: Was the fabric recycled? Was it responsibly sourced? Was it safe for sensitive skin?

CURRENT STATUS — IN-FORCE and applicable.

ABOUT THE REVISION — the European Commission announced intentions to revise the regulation in the EU Strategy for Sustainable and Circular Textiles; however, an official proposal has not yet been presented

WHO THE LAW AFFECTS — the current version of the regulation applies to all textile products and products containing at least 80% by weight of textile fibers or components that are available for purchase on the EU market. The scope is not expected to change following the revision, and footwear is not included under this regulation

KEY DEADLINES

- The official publication of the proposal for revision was initially expected in 2025. It has not been included in the Commission Work Programme for 2025 and is now anticipated in 2026
- However, brands selling in the market now must comply with the existing regulation

How does this law affect my brand?

- **DESIGN AND SOURCING TEAMS** — need to ensure materials meet labeling requirements by selecting appropriate fibers and accurately documenting their composition
- **SUPPLY CHAIN AND LOGISTICS TEAMS** — must maintain records of the material origins to facilitate traceability and, thus, labelling
- **MARKETING TEAMS** — must communicate transparently to consumers, ensuring that all the labels are accurate

EU Textile Labelling Regulation

What responsibilities do I have?

- You should place on the market only products that are appropriately labelled, marked or accompanied with the required documents in compliance with this regulation
- Labels must include:
 - The name and the percentage by weight of all the constituent fibers in descending order
 - Only the allowed fibre names to describe the fibre composition
 - Use of terms like '100%', 'pure' or 'all' only for products exclusively composed of the same fibre
 - The phrase 'contains non-textile parts of animal origin' where applicable
- Labelling must be durable, easily legible, visible and securely attached

What penalties exist for non-compliance?

The present version of the regulations does not include any penalty, although it includes the possibility for market surveillance authorities to conduct checks on the conformity of the fibre composition on textile products' labels

EU Textile Labelling Regulation

What do I have to do to be compliant?

- USE APPROPRIATE TESTS — conduct tests to accurately determine the fibre composition of textile products
- STAY INFORMED ON THE REGULATION — monitor updates regarding the proposed revision to actively prepare for compliance with new requirements
- IMPLEMENT TRACEABILITY SYSTEMS — track the origins of materials to facilitate accurate labelling and compliance
- SUPPLIER CODE OF CONDUCT — collaborate with your suppliers to know better your products and their integrity better
- ENHANCE TRANSPARENCY — be transparent about product composition and fibre percentages, also by aligning with directives like the EU Green Claims Directive and Empowering Consumers Directive
- USE ONLY PERMITTED FIBRE NAMES — stay updated on the list of allowed textile fibre names and ensure correct usage

Deforestation-free Products Regulation — *EUDR*

REGULATION

INTENT OF THE LAW — to prohibit the sale of products produced as a result of deforestation or forest degradation on the EU market

Deforestation-free Products Regulation — *EUDR*

Forests have been disappearing—cleared for agriculture, cattle grazing, and industry. This destruction fuels climate change, devastates biodiversity, and threatens indigenous communities. Campaigners and scientists warned that EU consumption was a major driver, with everyday products like coffee, chocolate, and leather carrying a hidden cost: deforestation. Existing efforts weren't enough, hence why the EU introduced the EUDR legislation.

CURRENT STATUS — IN-FORCE since 29 June 2023

WHO THE LAW AFFECTS — Every brand or importer operating in the EU market producing or importing products that come from cattle, cocoa, coffee, oil palm, rubber, soya and wood, listed in Annex I of the Regulation.

For example, if an EU company places **tanned leather** on the EU market for the first time, it will be considered an 'operator' under the EUDR and must conduct due diligence on its leather supply chain.

KEY DEADLINES

- 30 December 2025: obligations are imposed on all companies—operators, traders and exporters—that put the products concerned on the EU market or export them from the EU. On this, there is an exception for SMEs
- However, from 30 December 2026, applicable to SMEs meeting specific criteria, including:
 - Having a turnover exceeding €40 million
 - Employing more than 250 individuals, or
 - Having a balance sheet of more than €20 million

Products in Scope

- Raw hides and skins of cattle
- Tanned or crust hides and skins of cattle, without hair on, whether or not split, but not further prepared
- Leather of cattle, further prepared after tanning or crusting, including parchment-dressed leather, without hair on, whether or not split.

How does this law affect my brand?

- DESIGN AND SOURCING TEAMS — must work closely with suppliers to only source deforestation-free materials
- SUPPLY CHAIN AND LOGISTICS TEAMS — are required to collect and verify data, suppliers' geolocation, maintain accurate records and ensure traceability
- COMPLIANCE AND LEGAL TEAMS — will need to prepare and submit due diligence statements, register as an operator/trader, and ensure documentation is available on the EUDR Information System, ensure the contracts reflect compliance

Deforestation-free Products Regulation — *EUDR*

What responsibilities do I have?

- ENSURE YOUR PRODUCTS ARE DEFORESTATION-FREE — ensure traceability to the material source
- COMPLY WITH LOCAL LEGISLATION — products must be produced respecting the local legislation
- CREATE DUE DILIGENCE STATEMENTS — companies must undergo a due diligence procedure that involves:
 1. DATA ON THE PRODUCTS TO DEMONSTRATE COMPLIANCE. The data can include:
 - Description and type of product
 - Quantity of products produced
 - Country and dates of production
 - Geolocation of production area
 - Supplier details
 - Information to other operators and traders further down the supply chain
 2. RISK ASSESSMENT — documented assessment of the risks of deforestation, consider interval criteria, e.g.:
 - Presence of forests
 - Cooperation and consultation with indigenous populations
 - Other concerns, e.g. corruption, human rights violations
 3. RISK MITIGATION PLAN — if the risk assessment identifies a significant risk of deforestation, companies must take corrective action, such as conducting audits or requesting additional information to mitigate the risk

What penalties exist for non-compliance?

The member states define the penalties for non-compliance.

These penalties should include:

- Fines proportionate to the environmental damage and calculated to deprive who infringed the regulation of the economic benefit derived from non-compliance and of maximum 4% of the annual Union-wide turnover
- Confiscation of the relevant products
- Confiscation of the revenues gained from the transaction with the relevant products
- Temporary exclusion (max 12 months) from access to public funding
- Temporary prohibition from placing or making available on the market/exporting the relevant products (if several infringements)

Deforestation-free Products Regulation — *EUDR*

What do I have to do to be compliant?

- DATA COLLECTION — establish a structured process to collect, store, and manage all required compliance data, evidence and documents
- IMPLEMENT TRACEABILITY SYSTEMS — track materials' origins and ensure deforestation-free sourcing
- SUPPLIER CODE OF CONDUCT — set environmental and ethical standards for your entire value chain
- STAY UPDATED ON REGULATIONS — stay informed about updates to the country-risk benchmark system and adjust your risk mitigation strategies accordingly
- REGULARLY REVIEW YOUR RISK ASSESSMENTS AND MITIGATION PLANS
 - ensure you review and update your risk assessment as required, taking into account all the relevant criteria and new information
- ENHANCE LABELLING AND TRANSPARENCY — align with the EU Green Claims Directive and Empowering Consumer Directive
- PARTICIPATE IN CERTIFICATION SCHEMES & THIRD-PARTY VERIFICATION
 - participation in recognized certification schemes help demonstrate compliance in line with requirements

Regulation Prohibiting Forced Labour in the EU — *FLR*

REGULATION

INTENT OF THE LAW — to prohibit the sale of products produced as a result of forced labour on the EU market

Regulation Prohibiting Forced Labour in the EU — *FLR*

Forced labour remains one of the darkest realities of global supply chains, trapping millions in exploitation. Investigators and human rights groups exposed how workers were coerced through debt, threats, or state-imposed labour—yet products linked to these abuses still reached European markets. Existing rules weren't enough.

CURRENT STATUS — IN-FORCE since 13 December 2024

WHO THE LAW AFFECTS — It applies to every business placing products on the EU market or exporting from the EU, irrespective of size or sector

The term “product” includes any item that is valued in money and is the subject of a commercial transaction, including components and goods sold via distance and online sales

Support measures will be available for SMEs, such as national contact points for assistance, and training sessions

KEY DEADLINES

- The regulation will be fully applicable from 14 December 2027
- The regulation is currently in a transition period during which Member States must designate the competent authorities, and the Commission has to establish the Forced Labour Database, guidelines and risk indicators
- Member States are required to communicate their designated authorities to the Commission and other Member States by 14 December 2025

How does this law affect my brand?

- **DESIGN AND SOURCING TEAMS** — need to collaborate with suppliers to ensure raw materials and products are free from forced labour
- **SUPPLY CHAIN AND LOGISTICS TEAMS** — must collect and verify data, maintain accurate records, and ensure traceability to identify and prevent forced labour in your supply chain
- **COMPLIANCE AND LEGAL TEAMS** — will need to prepare to cooperate with authorities during investigations and ensure all necessary documentation is in place

Regulation Prohibiting Forced Labour in the EU — *FLR*

What responsibilities do I have?

There is a clear prohibition on placing or making available on the EU market, or exporting, any products made with forced labour. This includes both final products and components. Your responsibilities include:

- IDENTIFYING RISKS AND PREVENTING FORCED LABOUR — implement measures to identify and prevent risks of forced labour in your supply chain
- COOPERATION WITH AUTHORITIES — be prepared to cooperate with the authorities in case of an investigation

Notably, this regulation does not impose additional due diligence obligations. Enforcement is conducted through risk-based investigations by competent authorities.

What penalties exist for non-compliance?

The Member States will define effective, dissuasive and proportionate penalties for non-compliance. Penalties must be notified by 14 December 2026, one year ahead of the regulation's full applicability date.

Regulation Prohibiting Forced Labour in the EU — *FLR*

What do I have to do to be compliant?

- DATA COLLECTION — establish a structured process to collect, store, and manage all required compliance data, evidence and documents
- IMPLEMENT TRACEABILITY SYSTEMS — map and trace your supply chain to prove ethical sourcing
- SUPPLIER CODE OF CONDUCT — set environmental and ethical standards for suppliers to help mitigate the risks of forced labour
- STAY UPDATED ON REGULATIONS — monitor updates regarding the publication of Commission guidelines and the establishment of the national competent authorities
- CONSULT THE FORCED LABOUR RISK DATABASE — once available, regularly review the Commission database for updated and verifiable information on forced labour risks associated with specific regions or products
- REVIEW THE COMMISSION'S GUIDELINES— by 14 June 2026, the Commission will provide and regularly update guidelines on: due diligence practices, best practices to end and remediate forced labour, practical implementation of the regulation, and use of risk indicators. Be sure to consult these regularly to support your compliance efforts

Waste Framework Directive — *WFD*

INTENT OF THE LAW — to facilitate the separate collection, sorting, reuse and recycling of textiles, contributing to the creation of a circular economy for textiles across the EU

Waste Framework Directive — *WFD*

For years, Europe's waste problem grew—landfills overflowed, textiles were discarded instead of being reused, and food waste piled up. Campaigners and experts warned that existing efforts focused too much on disposal rather than prevention. The revised directive aims to address these shortcomings by shifting responsibility onto producers.

CURRENT STATUS — DIALOGUE — The European Commission announced intentions to revise the regulation in 2022, currently in dialogue phase

WHO THE LAW AFFECTS — The EPR scheme applies to all producers, regardless of size. Products in scope are apparel and clothing accessories, home textiles, and textile accessories. SMEs have an additional year to prepare for compliance

KEY DEADLINES

- September 2025: The official text of the revision has been adopted
- October 2025: publication in the Official Journal of the EU and entry into force
- 20 months after the entry into force: deadline for the Member States to transpose the law into their national law
- 30 months after the entry into force: deadline for Member States to establish national EPR schemes

How does this law affect my brand?

- **DESIGN AND SOURCING TEAMS** — integrate eco-design principles into product development
- **SUPPLY CHAIN AND LOGISTICS TEAMS** – Track product volumes and distribution. Maintain records to support EPR declarations and reporting obligations
- **COMPLIANCE AND LEGAL TEAMS** – ensure your brand is registered in each country where products are sold. Monitor national EPR requirements and meet reporting deadlines accordingly

Waste Framework Directive — *WFD*

What responsibilities do I have?

As a producer, your brand is responsible for the end-of-life stage of the products you sell, and you should thus contribute to the management of textile waste.

Textile EPR schemes require you to actively participate in financing and organising post-consumer textile waste handling.

Under EPR, you are required to:

- Register as a textile producer under the national EPR of each country where your products are sold
- Pay the fees to finance waste collection, sorting, reuse, and recycling
- The fees will be based on the eco-design criteria set by the ESPR and fast fashion practices

What penalties exist for non-compliance?

Fast fashion practices will be considered as 'maluses' when determining the fees brands have to pay.

Waste Framework Directive — *WFD*

What do I have to do to be compliant?

- REVIEW THE COMMISSION'S GUIDELINES — by 14 June 2026, the Commission will provide and regularly update guidelines on: due diligence practices, best practices to end and remediate forced labour, practical implementation of the regulation, and use of risk indicators. Be sure to consult these regularly to support your compliance efforts
- COLLECT DATA — establish a structured process to collect, store, and manage all required information on the volumes, categories, and material composition of textile goods you place on the market in each relevant country
- EDUCATE YOUR DESIGNERS — train product and design teams on eco-modulation principles, so they understand how design choices
- MONITOR COMPLIANCE DEADLINES AND UPDATES — track the implementation of the different EPR systems across the countries where your brand is active
- REGISTER AND PAY – ensure your brand is registered with the appropriate national EPR register and that the eco-modulated fees are submitted to the national Producer Responsibility Organisation (PRO)
- REGULARLY CONSULT THE AUTHORITIES' RESOURCES — the European Commission will provide support by gathering links to all the national websites to facilitate the process of registration

Empowering Consumers for the Green Transition

DIRECTIVE

INTENT OF THE LAW — to empower consumers with clear, reliable, and harmonised information on a product's durability, repairability, and sustainability performance. It tackles greenwashing, vague or misleading sustainability labels, and practices like early obsolescence.

It was originally designed to work alongside the Green Claims Directive.



Empowering Consumers for the Green Transition

Misleading green claims, unclear product sustainability credentials, and products designed to fail too soon have left consumers frustrated and misled. Many wanted to make sustainable choices but lacked clear, reliable information. At the same time, businesses genuinely committed to sustainability struggled to stand out amid greenwashing. Campaigners and consumer advocates pushed for change, arguing that without better rules, both shoppers and the green transition would suffer.

CURRENT STATUS — ON HOLD after the European Commission announced the withdrawal of the proposal in June 2025. While the proposal hasn't been formally withdrawn, its future is uncertain

WHO THE LAW AFFECTS — all brands operating in the EU, including non-EU companies selling in the EU market

It covers both physical goods and services

KEY DEADLINES

- By 27 September 2025 – The Commission must specify the design and the content of the harmonised label on commercial guarantees of durability through implementing acts
- By 27 March 2026 – Member States must transpose the directive into their national law
- From 27 September 2026 – The rules will apply to businesses

How does this law affect my brand?

- **DESIGN & PRODUCT DEVELOPMENT TEAMS** — need to design products with potential environmental impact and circularity in mind
- **SUPPLY CHAIN AND LOGISTICS TEAMS** — must provide traceable, verifiable supply chain data to substantiate sustainability claims by collecting evidence for environmental claims
- **QUALITY CONTROL TEAMS** — will need to validate environmental performance, durability, repairability, and lifespan through rigorous product testing
- **PACKAGING TEAMS** — must ensure that packaging truthfully represents the product's sustainability by avoiding misleading visuals or symbols without clear evidence
- **MARKETING & BRANDING TEAMS** — have to ensure all sustainability-related claims in advertising, product descriptions, and packaging are clear, substantiated, and non-misleading

Empowering Consumers for the Green Transition

What responsibilities do I have?

The Directive amends the Unfair Commercial Practices Directive and the Consumer Rights Directive, expanding brand responsibilities through:

1. PRE-PURCHASE INFORMATION REQUIREMENTS, including:

- Product durability
- Product repairability
- Availability of spare parts
- Repair options

2. ENVIRONMENTAL CLAIMS AND LABELLING, businesses must:

- *Substantiate all claims* with evidence
- *Avoid vague or overly broad terms*, (e.g., “eco-friendly”; “green”) unless clearly defined and backed up
- *Partial vs. whole product claims*: Do not imply that a product is sustainable if only one component is
- Only use reliable, *third-party certified environmental labels*
- Avoid promises of future environmental performance unless based on *verifiable commitments and measurable targets*

Empowering Consumers for the Green Transition

What do I have to do to be compliant?

- UNDERGO INDEPENDENT THIRD-PARTY VERIFICATION — before making any explicit environmental claim public, it must be submitted for verification by an independent third party
- PARTICIPATE IN CERTIFICATION SCHEMES & THIRD-PARTY VERIFICATION — verify your sustainability claims through independent third-party audits and certifications
- DATA COLLECTION — establish a structured process to collect and store credible evidence, scientific information, and data to back up your sustainability claims
- IMPLEMENT TRACEABILITY SYSTEMS — track materials' origins to be able to provide your consumers with accurate information
- ENSURE ACCESSIBILITY — the information you provide to your consumers on labels and online must be delivered in a clear and accessible way

What penalties exist for non-compliance?

The Directive sets minimum standards for penalties for non-compliance, for example, companies found in violation may face fines of up to 4% of their annual turnover in the relevant state, exclusion from public procurement or confiscation of revenues related to misleading or non-compliant claims.

However, it will be up to each member state to specifically define the penalties.

Green Claims Directive

INTENT OF THE LAW — by regulating how companies prove and communicate their environmental claims, the Green Claims Directive ensures that consumers receive reliable, comparable and verifiable environmental information.

It was designed to work alongside the Empowering Consumers for the Green Transition Directive.

Being naked is the #1 most sustainable option. We're #2.

Green Claims Directive

While the Empowering Consumers law tackles misleading marketing and unfair business practices more broadly, the Green Claims Directive will operationalise those rules by setting out how companies must prove and communicate environmental claims. With no clear rules on what qualified as “green,” brands could make bold claims without proof. This law will set out to change that by requiring companies to back up their claims with solid, science-based evidence, giving consumers confidence and levelling the playing field for businesses doing things right.

CURRENT STATUS — ON HOLD after the European Commission announced its withdrawal in June 2025. While the proposal hasn’t been formally withdrawn, its future is uncertain

WHO THE LAW AFFECTS — brands making explicit environmental claims or using voluntary environmental labels, all brands, except micro enterprises

Non-EU brands that make voluntary environmental claims directed at consumers in the EU are included in the scope.

KEY DEADLINES

As of now, the Green Claims Directive is on hold, and its future remains uncertain. Consequently, it is not possible to identify key deadlines or dates based on official EU communications. Any timelines are therefore indicative and may change if and when the proposal is revived or replaced.

How does this law affect my brand?

- **PACKAGING TEAMS** – ensure that packaging claims are scientifically verified and avoid using symbols, labels or colours that are not approved
- **MARKETING & BRANDING TEAMS** – ensure that all environmental claims in ads, product descriptions, and visuals do not contain vague terms and are clear, specific, scientifically substantiated and verified by a third party
- **SUSTAINABILITY TEAMS** – will need to conduct life cycle assessments to consider all the relevant environmental impacts in your claims
- **SUPPLY CHAIN AND LOGISTICS TEAMS** – must provide verifiable and traceable data on your supply chain

Green Claims Directive

What responsibilities do I have?

The Green Claims Directive builds upon the consumer transparency principles of the Empowering Consumers Directive, with a specific focus on the accuracy, substantiation, and communication of explicit environmental claims. As a brand, you must comply with the following key requirements:

1. SUBSTANTIATE YOUR ENVIRONMENTAL CLAIMS

You are required to back up any environmental claims with detailed, verifiable evidence. This includes:

- a. Clearly defining the *scope* of the claim and whether it applies to the entire product, a specific component, or your brand's overall activities
- b. Ensuring all claims are *verified by third-party independent experts before being published*
- c. Using widely recognised *scientific evidence* to support your claims
- d. Basing claims on *direct data*
- e. Taking a *full life-cycle perspective* by assessing and reporting the environmental impact across all stages of your product's life cycle, from raw material extraction to end-of-life
- f. Addressing all *key environmental factors*, including emissions, pollution, impact on biodiversity, etc
- g. Demonstrating environmental benefits that go *beyond existing legal obligations*

2. COMMUNICATE ENVIRONMENTAL CLAIMS WITH CAUTION, ACCURACY AND ACCOUNTABILITY

- *Avoid vague or misleading terminology* such as “eco,” “green,” “environmentally friendly,” “climate neutral,” and “sustainable” unless they are clearly defined, scientifically substantiated, and independently verified
- For claims about future improvements, you must include clear *targets, deadlines, and measurable roadmaps*
- If improvements in one area lead to negative impacts in another, *disclose the trade-offs*
- Make supporting information easily available—for example, through product packaging, QR codes, or online resources
- Each claim should be supported with information on:
 - The environmental aspects covered
 - Any EU or international standards used
 - The studies, datasets, and methodologies used
 - An explanation of how the environmental performance has been achieved
 - Contact details of the independent verifier
 - Tracking and tracing after-sales

3. USE APPROVED ENVIRONMENTAL LABELS

- All environmental labels must be part of an EU-approved or independently certified scheme
- Labels summarising environmental performance must be based on official EU scores/ratings
- Any new private or foreign public eco-labels need EU approval before being used

Green Claims Directive

What do I have to do to be compliant?

- UNDERGO INDEPENDENT THIRD-PARTY VERIFICATION — before making any explicit environmental claim public, it must be submitted for verification by an independent third party
- DATA COLLECTION — collect reliable and up-to-date information on each specific product to support your environmental claims
- IMPLEMENT TRACEABILITY AND TRANSPARENCY MECHANISMS — be prepared to demonstrate transparency in your supply chain if your claims relate to sourcing
- ENSURE ACCESSIBILITY — all supporting information for your environmental claims should be easily accessible and clear

What penalties exist for non-compliance?

Each member state will have to define some penalties for non-compliance. These may include fines, confiscation of the revenues from selling the products involved, and temporary exclusion from public funding.

EU Regulation on Fluorinated GHG

INTENT OF THE LAW — to regulate the usage of fluorinated gases (F-gases) which can be thousands of times more effective at trapping heat than CO₂

EU Regulation on Fluorinated GHG

Fluorinated greenhouse gases (F-gases) are powerful climate pollutants, often hundreds to thousands of times more potent than CO₂. Despite their small share of total emissions, they have an outsized impact on global warming. As their use expanded across industries, from refrigeration to packing, so did concerns about leakage, poor disposal, and limited oversight.

This regulation responds to growing pressure from scientists, regulators, and civil society to phase down F-gases and support the transition to safer, low-emission alternatives.

CURRENT STATUS — APPLICABLE since 11 March 2024

WHO THE LAW AFFECTS —it applies to all the fluorinated GHG that are listed in it and to all the products that contain them. For fashion brands, this is especially relevant when using foams, for example, in soles, midsoles, padding or protective packaging

KEY DEADLINES

- Originally proposed in 2022 as an update to the 2014 F-gas Regulation
- Officially adopted in February 2024
- Started to apply in March 2024

How does this law affect my brand?

- **DESIGN AND SOURCING TEAMS** — must collaborate closely with suppliers to ensure that all raw materials and products are free from fluorinated GHG
- **SUPPLY CHAIN AND LOGISTICS TEAMS** — are required to collect and verify data, and maintain accurate records to make sure you can prove compliance

EU Regulation on Fluorinated GHG

What responsibilities do I have?

The regulation prohibits placing on the EU market any footwear that contains fluorinated GHG listed in Annex I of the Regulation. This includes specific foams that contain hydrofluorocarbons (HFCs) with a global warming potential (GWP) of 150 or more.

What penalties exist for non-compliance?

States are responsible for defining the rules on the penalties for non-compliance with this regulation. These may include financial or criminal penalties and confiscation of the products.

EU Regulation on Fluorinated GHG

What do I have to do to be compliant?

- IMPLEMENT TRACEABILITY SYSTEMS — map and trace your supply chain to more easily verify whether any materials involve F-gases
- CREATE A SUPPLIER CODE OF CONDUCT — define clear chemical standards to further mitigate the risk of finding dangerous substances in your products
- COLLECT DATA — set up a robust system for gathering and storing data to demonstrate compliance if requested by authorities
- DEVELOP A PREFERRED MATERIALS LIST — prioritise high-quality and safe materials to avoid non-compliant products



Next steps

We hope this handbook has been helpful in helping you understanding the next steps to take on your sustainability and compliance journey.

We have to stress that the legislative frameworks everywhere are evolving rapidly, and new proposals and regulations are constantly emerging all around the world. This handbook is accurate at time of publication, but might not be by the time you read it again.

As a brand, you need to stay up to date on what legislations apply to you, and to know exactly what you need from your suppliers, partners, and testing facilities.

Compliance is a complex process and it can be difficult to go through it alone. At Bergstrand we stay continually up-to-date with the latest legislation, and apply them in practice to our global client base that spans fashion, textiles and sportswear.

Should you need assistance to ensure your brand can continue its journey unimpeded, we can help.

Contact info@bergstrand.co, or visit www.bergstrand.co for more information, or to sign up for our regular compliance updates.

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