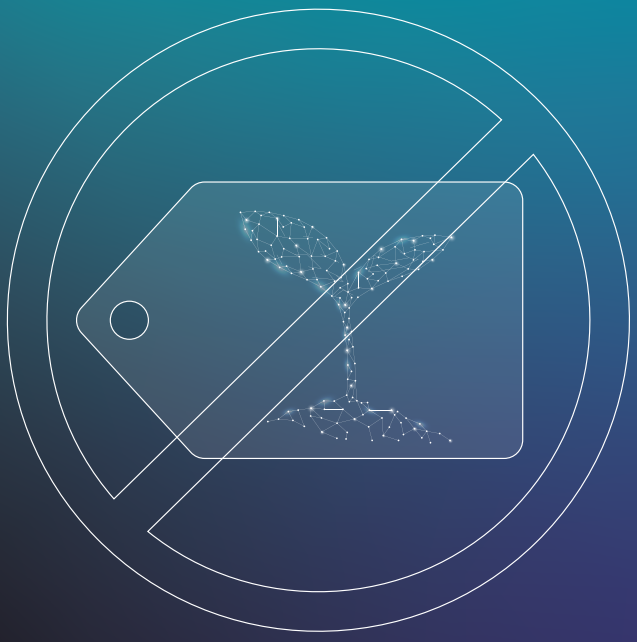
FUTURE
STARTS
ABOVE

GUIDELINES

Guidance on dealing with EU measures against Greenwashing – Empowering Consumers Directive (EmpCo)

Reviewing and preparing environmental and sustainability claims



BDLI

10/2026

Guidance for BDLI members in the aerospace, defence, civil aviation, equipment and materials sectors

Key points in 60 seconds



The revised EmpCo rules have applied since 27 September 2026. Consumer-oriented communication with the EU market must now be thoroughly reviewed.



Generic terms such as “green”, “environmentally friendly”, “climate-friendly” or “sustainable” must be avoided as a matter of course; any explanation must be clear, specific and appear on the same medium.



Product-related neutrality or reduction claims must not be based on greenhouse gas offsetting outside the value chain.



Claims about the future require verifiable commitments, a realistic implementation plan with measurable, time-bound targets, and independent monitoring.



B2B companies are also effectively affected if claims, data or visuals find their way into B2C communications or if national regulations extend to B2B.

Recommended immediate decision

Do not publish any new environmental claims until they have been approved by the Legal/Compliance department. Compile an inventory of existing claims, prioritise them according to risk and, where necessary, rectify them immediately.

This guidance does not replace legal advice in individual cases. In addition to the “Act against Unfair Competition (UWG)”, particular attention must be paid to the relevant provisions of the “Introductory Act to the Civil Code (EGBGB)”, sector-specific regulations and current case law and enforcement practice.

1. What the EmpCo Directive covers

Directive (EU) 2024/825 ("EmpCo") has been transposed into German law by two Acts. The provisions on unfair commercial practices, in particular those relating to environmental and sustainability claims, have been incorporated primarily into the UWG.[4] The new pre-contractual information requirements regarding durability, reparability, updates, guarantees and warranty rights have been incorporated primarily into the EGBGB.[5] The new provisions have applied since 27 September 2026.[1][2]

Key points	Key takeaway for practice
Date of application	**27 September 2026;** the German implementation is complete. Do not plan for a general phase-out period for existing advertising/packaging.[1]
Geographical scope	Relevant where there is a **commercial impact within the EU**, e.g. an EU target audience, products or services offered in the EU, EU contacts or an EU-focused social media presence.[2]
Communication	**Social media, websites, corporate websites, product/packaging, point of sale, brochures and other** promotional statements. Purely technical communication must be classified separately.[2]
B2B/B2C	The Directive is aimed at **B2C**. Nevertheless: bear in mind the broad B2C interpretation, differing national B2B scope and the passing on of claims along the supply chain.[1][2]

Seven red lines

- unqualified **generic environmental claims** without recognised outstanding environmental performance;
- **proprietary sustainability labels** or those not based on a certification scheme;
- **attributing a partial benefit** to the entire product or company;
- product-related climate/CO_2 neutrality or reduced climate impact based on **offsetting**;
- **advertising** characteristics that are **already required by law** as if they were unique features;
- **environmental comparisons** lacking a methodology, points of comparison, providers and an updating strategy;
- **claims about the future without** a public, verifiable plan and independent progress monitoring.

2. Application in the BDLI segments

What matters is not only who formulates the claim, but also where it subsequently appears and what overall impression the words, images, colours, symbols and context create.

Segment	⚠ Typical claim risks	A clear direction
Civil Aviation / Equipment and Materials 	SAF, "green flight", CO_2 calculator, offsetting, net zero, efficiency comparisons, electric or hydrogen-powered flights	State the SAF quantity and accounting method; explain the life cycle context; do not present the flight as carbon-neutral; disclose the comparison method.[2][3]
Space 	"sustainable space", green launch systems, zero-emission missions, reusable, debris prevention, climate-friendly Earth observation	Limit the claim to a specific activity; specify system boundaries and the life cycle; do not equate reuse with an overall environmental benefit; make future plans measurable.
Defence 	"green defence", sustainable platform, alternative fuels, energy efficiency, circularity, climate-neutral production	Document the B2B/public sector context; consider public discoverability; do not replace security/confidentiality limits with blanket claims; quantify specific aspects precisely.

Cross-sector translation rule

⚠ Risky shorthand	More robust form – only where evidence is provided
"sustainable component"	"Compared with [reference], the manufacturing process at the [location] plant, using method [X], requires xx per cent less energy over the period [Y]."
"CO_2-neutral"	No product-specific claim of carbon neutrality based on offsetting. Instead, state the emissions reductions achieved directly, specifying the scope, base year and methodology.
"emission-free drive"	"No direct CO_2 emissions are generated during operation at the point of use; manufacturing, energy supply and the remainder of the life cycle are not included."
"Recyclable"	Specify the material content, components, technical recyclability, and the actual recycling infrastructure and conditions.
"Net Zero by 2050"	A public plan setting out the baseline, scopes, interim targets, measures, resources, independent verification and progress report.

3. Example approval process

The aim is to produce a verifiable “claim file” prior to publication. Marketing remains responsible for communication; Engineering, Sustainability, Legal/Compliance and, where necessary, Procurement/Export Control provide the basis for approval.

1 Identify
Record all text, images, icons, labels and automatically generated variants on the website, social media, in brochures, quotations, data sheets, at trade fairs, in recruitment materials and partner kits.

2 Categorise
Mark for B2C relevance, EU market relevance, product/company relevance, present/future focus, comparison, labelling, offsetting and overall impression.

3 Provide evidence
Evidence must be available prior to publication: methodology, data source, system boundaries, basis/reference, time period, assumptions, uncertainties, audit report and the person responsible.

4 Formulation
Place necessary specifications and material limitations clearly and prominently alongside the claim on the same medium. Supplementary methodology and detailed supporting evidence may be linked.[3]

5 Approve
Dual-control principle: The functional department confirms the data; Legal/Compliance checks for prohibited content and misleading information; Communications checks that the overall impression is clear.

6 Monitor
Set expiry dates and review triggers: new data, changes to methodology, technological/market developments, new legislation, new case law or product changes.

Minimum content of the claim file



- final statement plus screenshot/medium and target audience
- responsible persons and approvers
- data set, method, system boundaries and version
- reference/baseline and comparison object
- key limitations and where they appear alongside the claim
- validity date, review date and withdrawal plan
- for supplier data: origin, assurance, obligation to update and right to audit

Always verify AI-generated or AI-edited environmental claims in the same way as claims created by humans. Verify figures, life cycle assessment (LCA) statements and sources against the original; do not delegate automatic legal approval.[2]

Claim triage and approval matrix

The Claims Team uses this matrix to prioritise the assessment. A "red" rating means: do not publish or escalate immediately; rephrasing alone will not rectify an inadmissible statement of facts.

Signal	Classification	Check question/action
"climate-neutral", "CO_2-neutral", "carbon positive", "offset" for product/service	RED	Is the claim based wholly or partly on offsetting? Discontinue the claim; communicate direct reductions separately and precisely.
"green", "sustainable", "environmentally friendly", "climate-friendly", "responsible"	RED	Remove the generic term or clarify it within the same medium; only cite recognised outstanding environmental performance where evidence is robust.
Proprietary leaf/planet/star icon with an environmental message	RED	Could this be interpreted as a voluntary sustainability label? Remove proprietary label; third-party labels only permitted if they use an approved certification system.
"Net Zero", "Zero Emission", "future fleet/technology"	RED/YELLOW	Is there a public plan, measurable interim targets, a timeframe, resources and independent monitoring in place? If not, remove.
"XX per cent less CO_2, energy and materials"	YELLOW	Are the basis for comparison, method, time period, system boundaries, consistency and updating clear and accessible?
SAF-related statement	YELLOW	Specify quantity, supply/book-and-claim model, production pathway, life cycle context and actual scope; do not describe an individual flight as "green" without qualification.[2][3]
Recycling, reparability, service life, reuse	YELLOW	Is the benefit comprehensive or limited to a part/phase? Have practical infrastructure and conditions been taken into account?
Objective technical indicator without environmental assessment	GREEN*	Document the source, version and context; check whether the imagery or headline nevertheless conveys an environmental claim.

* A "green" rating does not constitute automatic approval. The overall impression and general standard for misleading claims must still be assessed.

Escalation

Legal/Compliance must be involved in the following cases: offsetting; future promises; labels; Europe-wide campaigns; comparative advertising; new calculation methods; statements based on supplier data without contractual safeguards; significant limitations that cannot be placed directly alongside the claim

[1] "Empowering Consumers (EmpCo) – Background and implications for the BDLI", background paper provided, as per the document.

[2] Bird & Bird/ATAG, "Green Claims: An update on global developments and new rules in the EU", webinar handout, 2 September 2026.

[3] Air Transport Action Group (ATAG), "Sustainability Communications Guidebook – Navigating Environmental Claims Responsibly", September 2026.

[4] Third Act amending the Act against Unfair Competition, BGBl. 2026 I No. 43.

[5] Act amending the law on consumer contracts and insurance contracts, as well as the law on treatment contracts, BGBl. 2026 I No. 28.

Editor's note: Examples from the aviation sector in [2] and [3] have been applied to the space and defence sectors insofar as the same claim risks (partial aspect/overall product, future, comparison, label, supply chain data and overall impression) are concerned. This application is a practical derivation; it does not constitute a statement regarding sector-specific regulations.

12-point approval checklist

- [ ] 1. Does the average recipient understand the claim in a way that matches the supporting evidence?
- [ ] 2. Is the claim true, up to date, specific and free from exaggeration?
- [ ] 3. Is full evidence available prior to publication?
- [ ] 4. Are the product, component, activity, location, time period and life cycle phase clear?
- [ ] 5. Are the system boundaries, baseline, comparison and method transparent?
- [ ] 6. Are necessary specifications and material limitations displayed clearly and prominently alongside the claim on the same medium?
- [ ] 7. Are the images, colours, icons and layout consistent with the scope of the claim?
- [ ] 8. Is a statutory minimum standard not being promoted as a unique selling point?
- [ ] 9. Is any sustainability label used endorsed by the authorities or by a recognised certification scheme?
- [ ] 10. Is offsetting clearly distinguished from direct reductions and removals – and not the basis for a product neutrality claim?
- [ ] 11. Does a future-oriented claim meet the requirements for plans, targets, resources, monitoring and publication?
- [ ] 12. Are the owner, approvals, review date, data version and withdrawal procedure documented?

Notes

About the aerospace industry

The German aerospace industry, represented by the BDLI e. V., is an integral part of the European aerospace industry. As a key strategic industry, the sector plays a decisive role in the technological and economic sovereignty of the European Union. It promotes economic growth, technological innovation and international connectivity. In Germany alone, the industry contributes significantly to GDP with over 130,000 employees and an annual turnover of over 62 billion euros.

Over the decades, Europe has worked together with industry, member states and the European Union to achieve a leading position in the aerospace industry. This must be maintained and further expanded in the face of international competition. In view of far-reaching technological, political and industrial changes, this requires sustained investment in research and innovation.

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