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RESEARCH ARTICLE

The European Union Ecolabel as a Legal Instrument of Sustainable Consumption

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Abstract

The European Union Ecolabel occupies a distinctive position between environmental regulation, consumer law, market governance and moral philosophy. Established as a voluntary, publicly administered, multi-criteria certification system, it translates complex life-cycle assessments into a recognisable sign intended to inform consumer decisions and induce improvements in production. This study argues that the scheme must be understood neither as a simple marketing device nor as a substitute for mandatory environmental law. Rather, it is a form of institutionally mediated practical judgment whose legitimacy depends on epistemic reliability, fair distribution of responsibility, meaningful public participation and measurable ecological results. The analysis integrates Regulation (EC) No 66/2010 with the application of Directive (EU) 2024/825 in September 2026, the Ecodesign for Sustainable Products Regulation, the right-to-repair framework and public-procurement law. It then develops a normative assessment drawing upon intergenerational responsibility, justice as fairness, capabilities, discourse ethics and theories of collective action. Special attention is given to greenwashing, the ethical limits of consumer choice, unequal purchasing power, verification burdens, global supply chains and the distinction between relative product excellence and absolute ecological sufficiency. A four-dimensional model of legitimacy is advanced, requiring truthful claims, defensible substantive criteria, equitable accessibility and accountable institutional performance. The EU Ecolabel is shown to possess considerable potential as a legal infrastructure for sustainable consumption, but only when embedded within a broader transition that alters production standards, public purchasing, the durability of goods and the distribution of environmental burdens.

Keywords: EU Ecolabel, Environmental Ethics, Sustainable Consumption, Consumer Autonomy, Intergenerational Justice, Greenwashing, Public Law, Environmental Certification, Circular Economy, Distributive Justice.

1. Introduction: Environmental Choice as a Problem of Law and Moral Agency

Modern consumption is increasingly governed by decisions whose environmental consequences are remote from the place, time and knowledge of purchase. The acquisition of a textile product can engage water withdrawals, chemical processing, working conditions, transport emissions and eventual waste treatment across multiple jurisdictions. A tourist accommodation service may rely on electricity, heating, cleaning chemicals, food systems and local water resources. Ordinary purchasers cannot independently inspect these causal chains. What looks like an exercise of private preference is thus also participation in a distributed system of ecological effects. Environmental law must address not only what producers may place on the market but also how consumers can make sense of claims about products already permitted to circulate.

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The EU Ecolabel responds to this problem through a comparatively unusual legal mechanism. It does not generally command that every product satisfy the ecological standards of the label. Instead, a public legal framework defines criteria by product group, supplies verification arrangements and authorises qualifying operators to display an identifiable sign. The voluntary choice to apply coexists with binding rules concerning award, representation and control. The resulting structure resembles neither conventional command-and-control regulation nor an entirely private market signal. Its regulatory significance lies in establishing a common language of comparative environmental performance and attaching public authority to that language. [1]

Three questions follow. First, under what conditions may a state-backed label truthfully translate a multidimensional scientific evaluation into a simple consumer-facing representation? Second, does a programme that depends upon voluntary purchasing unjustly shift responsibility for ecological degradation away from producers and public institutions? Third, can relative improvement within a product category meaningfully advance sustainability when the absolute volume of production and consumption continues to grow? These are not collateral policy concerns. They determine whether environmental certification deserves the trust on which it depends.

The argument proceeds through doctrinal interpretation and normative reconstruction, rather than by claiming causal effects that the available data cannot establish. Legal provisions identify the architecture and limits of the scheme. Empirical reports illuminate its reach and evaluation difficulties. Ethical theory then identifies standards of justification that legislation alone does not exhaust. The central proposition is that the EU Ecolabel should be judged as an intermediary institution: its legitimate function is to make better ecological performance intelligible and verifiable while connecting individual market decisions to collective duties that remain enforceable independently of consumers' goodwill.

2. The Conceptual Distinction between Sustainable Consumption and Greener Purchasing

Sustainable consumption is frequently reduced to choosing a less harmful product among available alternatives. Such a description captures one dimension but suppresses others. A switch from a conventional detergent to a certified detergent may reduce a particular environmental burden per unit of service. It does not establish that the total quantity used is environmentally appropriate, that packaging volumes are sustainable or that consumption-related costs are fairly distributed. Sustainability therefore has at least three distinct dimensions: comparative efficiency, aggregate sufficiency and institutional justice. A mechanism designed predominantly for the first cannot, without further evidence, be represented as achieving all three.

Comparative efficiency concerns environmental performance relative to a relevant alternative. It permits meaningful differences in resource use, toxic emissions, durability and recyclability to influence purchasing. Aggregate sufficiency concerns the cumulative pressure of an economy upon ecological systems, including the possibility that increasingly efficient products may coexist with increasing total throughput. Institutional justice concerns who decides which burdens count, who bears the cost of change and who can access the resulting benefits. The analytical distinction matters because a public label can be successful at comparing products and still have limited influence on total material extraction. The United Nations Environment Programme's Global Resources Outlook 2024 highlights continuing increases in resource use and the risk of further expansion in extraction without systemic policy change. [2]

The sociology of consumption reinforces this point. Elizabeth Shove criticises accounts of environmental change that confine policy to attitudes, individual behaviour and choices while neglecting infrastructures, practices and conventions. Michael Maniates likewise identifies the political danger of defining ecological degradation as a sequence of failures by isolated consumers. Their arguments do not show that information is useless. They show that the informational approach becomes inadequate when it is treated as the primary explanation of social transformation. [3,4]

For legal theory, the issue is the proper level at which environmental responsibility is allocated. Consumers

[1]Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel, OJ L 27, 30 January 2010, pp. 1–19, in particular Arts 4, 6, 8–10; ELI: https://eur-lex.europa.eu/eli/reg/2010/66/oj.

[2]United Nations Environment Programme, International Resource Panel, Global Resources Outlook 2024 (UNEP, 2024), https://www.unep.org/en/publications/report/global-resources-outlook-2024.

[3]Elizabeth Shove, Beyond the ABC: Climate Change Policy and Theories of Social Change, Environment and Planning A 42(6) (2010), 1273–1285, https://doi.org/10.1068/a42282.

[4]Michael F. Maniates, Individualization: Plant a Tree, Buy a Bike, Save the World?, Global Environmental Politics 1(3) (2001), 31–52.

may have moral reasons to prefer a lower-impact product, but they ordinarily lack control over energy systems, chemical standards, product design and transportation networks. Producers possess greater control over some of these determinants, while regulators control the conditions under which the market operates. A credible sustainable-consumption regime therefore distributes responsibility according to power, knowledge and capacity to prevent harm. An ecolabel can lower the informational burden placed on individuals; it must not become a reason for weakening structural obligations imposed upon firms and public authorities.

3. From Product Information to Legal Authority: The Character of the EU Ecolabel

Regulation (EC) No 66/2010 establishes the contemporary framework for the EU Ecolabel, following earlier European schemes. Its design is explicitly voluntary for operators, yet participation is legally conditioned. Competent bodies designated by Member States evaluate applications, and specific ecological criteria are adopted for product groups by Commission measures. Operators receive a right to use the sign only for products satisfying the applicable requirements. The legal regime thus creates a regulated entitlement to make a particular public claim about the product rather than a general licence to advertise ecological virtue. [5]

This distinction is central to the legal character of certification. Private advertising ordinarily begins with a statement chosen by a trader and is subsequently constrained by rules against deception. The EU Ecolabel begins instead with an official structure defining the conditions under which a specified representation may legitimately be made. Public law operates upstream of the claim through criteria, assessment and award, as well as downstream through surveillance and control. The label is a visible endpoint of a larger administrative decision-making process. It embodies a limited delegation of credibility: consumers need not reproduce the technical assessment because independent institutions have undertaken specified verification tasks.

The scheme is not equivalent to a general governmental endorsement of a company. Article 9 ties the award to the product and product group and makes clear that obtaining the label does not displace ordinary environmental and other regulatory requirements. Consequently, a certified company may continue to manufacture uncertified goods; a certified textile product is not thereby proof that all the company's commercial practices are environmentally or socially exemplary. This separation between product-level claims and enterprise-level virtue is not merely semantic. It guards against converting a bounded technical finding into an unlimited reputational advantage.

The coexistence of voluntariness and official authority creates a valuable but fragile arrangement. Operators can elect not to enter the scheme, while the governing authority can set standards above basic legal compliance. This may stimulate differentiation and innovation, yet market incentives can also make the label unattractive where consumers are unaware of it or unwilling to pay for certified attributes. Voluntary regulation must accordingly be assessed in light of its relation to mandatory rules and its actual uptake. The more public institutions attach procurement advantages or reputational benefits to certification, the more essential become transparent criteria, fair access and effective review of administrative decisions.

4. Environmental Constitutionalism and the Legal Foundations of Sustainable Production

The EU Ecolabel is intelligible within the Union's broader commitment to environmental integration. Article 191 TFEU articulates objectives including preservation of environmental quality, protection of human health and prudent use of natural resources. It identifies precaution, prevention, rectification of environmental damage at source and the polluter-pays principle as foundations of environmental policy. Article 37 of the Charter of Fundamental Rights requires a high level of environmental protection to be integrated into Union policies and pursued in accordance with sustainable development. Neither provision should be treated as establishing an unrestricted individual entitlement to a particular certified product. Their significance here is principally interpretative and institutional. [6,7]

The precautionary principle is relevant when ecological evidence is incomplete but credible

[5]Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel, OJ L 27, 30 January 2010, pp. 1–19, in particular Arts 4, 6, 8–10; ELI: https://eur-lex.europa.eu/eli/reg/2010/66/oj.

[6]Consolidated version of the Treaty on the Functioning of the European Union, Art 191, OJ C 202, 7 June 2016, p. 132, https://eur-lex.europa.eu/eli/treaty/tfeu_2016/art_191/oj.

[7]Charter of Fundamental Rights of the European Union, Art 37, OJ C 202, 7 June 2016, p. 401, https://eur-lex.europa.eu/eli/treaty/char_2016/art_37/oj.

risks exist. A certification framework need not wait for perfect causal knowledge before excluding problematic substances or designing protective criteria. Yet precaution does not authorise arbitrary selection. Administrative decision-makers must articulate the evidence used, the significance of uncertainty and the relationship between regulatory means and environmental ends. The preventive principle favours reducing adverse impacts in product design and production processes before damage occurs. The polluter-pays principle counsels against financing environmental improvement principally through higher prices charged to ethically motivated purchasers while leaving avoidable pollution costs uninternalised by producers.

These principles are sometimes rhetorically fused, but each plays a separate role. Precaution concerns action amid uncertainty, prevention concerns the timing of intervention and polluter-pays concerns cost allocation. The EU Ecolabel expresses these principles unevenly. Criteria governing hazardous chemicals may serve precaution and prevention, whereas voluntary purchase alone does not ensure full implementation of polluter-pays. Indeed, a marketplace in which uncertified goods remain inexpensive because their environmental costs are externalised may undermine the competitive prospects of the better-performing alternatives. Certification cannot correct such market conditions without complementary legal measures.

Environmental constitutionalism also imposes a demand for policy coherence. A public sign associated with sustainable consumption should not be detached from rules governing durability, repair, waste, chemicals and misleading advertising. The constitutional function of the Ecolabel is thus not to elevate consumer virtue into a legal duty, but to give operational form to environmental protection in an area where regulatory communication matters. Its legitimacy ultimately depends on whether it helps integrate scientific assessment and public responsibility across policies rather than offering an attractive substitute for enforceable protection.

5. Life-Cycle Assessment and the Epistemology of Environmental Claims

A central attraction of the Ecolabel is that it takes account of environmental impacts across a product's life cycle instead of privileging a single visible attribute. Inputs, manufacturing, distribution, use and disposal may involve different forms of harm that cannot be fully represented by an isolated claim such as recyclable, low energy or natural. Product-group criteria can capture several of these dimensions and avoid some forms of burden shifting. For example, reducing energy use during manufacture may have limited significance if the altered design materially shortens the product's usable life. Equally, replacing one chemical may generate gains in toxicity while producing trade-offs elsewhere in the production chain.

Yet the life-cycle perspective is an analytical method rather than a source of moral certainty. Every assessment depends upon a functional unit, system boundaries, data quality, allocation methods, assumptions about use and end-of-life scenarios, and the relative importance assigned to multiple impacts. Some choices can be defended scientifically; others entail judgments about what consequences deserve priority. The fact that a methodology is systematic does not establish that the resulting hierarchy of products is uncontroversial. A legal institution responsible for translating expertise into a label should therefore present reliability as a reasoned, revisable achievement rather than as infallibility. [8]

Regulation 66/2010 and its implementing practice seek to make such judgments tractable by using group-specific criteria and periodic revision. The Commission explains that the criteria are informed by life-cycle evidence, encourage substitution of hazardous substances and may cover durability, reuse, recyclability and fitness for use. The scheme is identified by the Commission as the EU-wide Type I ecolabelling system consistent with ISO 14024. The label, however, is not the same as a complete environmental product declaration quantifying every impact for a particular unit. It communicates satisfaction of defined thresholds, not exhaustive ecological accounting. [9]

An epistemically responsible interpretation therefore resists two symmetrical errors. One error is scepticism that dismisses certification merely because scientific comparisons include judgments. The other is technocratic certainty that treats official verification as eliminating all uncertainty, disagreement and context. The appropriate position is conditional trust: the consumer may reasonably rely on robust public procedures while retaining the right to know their scope and limitations. That form of trust is especially important where the number of environmental labels

[8]Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel, OJ L 27, 30 January 2010, pp. 1–19, in particular Arts 4, 6, 8–10; ELI: https://eur-lex.europa.eu/eli/reg/2010/66/oj.

[9]European Commission, EU Ecolabel: Product Groups and Criteria, https://green-forum.ec.europa.eu/green-business/eu-ecolabel/product-groups-and-criteria_en; Regulation (EC) No 66/2010, Art 6.

increases and ordinary purchasers have neither the time nor the expertise to distinguish sophisticated verification from decorative imagery.

6. Criterion-setting as a form of Practical Moral Judgment

Determining what qualifies as excellent environmental performance involves more than collecting measurements. Suppose a product offers lower greenhouse-gas emissions but presents higher toxicity concerns, or is durable but expensive to repair. A regulator cannot derive a unique answer from raw measurements without identifying relevant comparison classes and deciding how to handle conflicts among attributes. These are exercises in practical judgment shaped by public purposes. They do not turn technical criteria into arbitrary moral preferences, but they make explicit the normative element present in supposedly neutral certification.

Regulation 66/2010 entrusts criterion development to an institutional process that includes the European Union Ecolabelling Board and participation by relevant interests. Such participation is significant because scientific disciplines, producers, consumers and environmental groups have access to different forms of experience and knowledge. An affected community may identify a water-related burden which an industry-wide emissions inventory tends to obscure. Consumer organisations may distinguish environmental requirements that can be meaningfully explained from criteria that appear precise but are likely to mislead. Participatory design can therefore improve the factual record as well as the legitimacy of the resulting judgments. [10]

Discourse ethics provides an illuminating standard. Habermas's account of democratic legality insists that legitimacy is connected to procedures in which those subject to collective decisions can participate through public reason. Applied to ecolabelling, this principle does not require every consumer to decide each numerical threshold. It does require open procedures, reason-giving, disclosure of relevant conflicts and the possibility of challenging assumptions. A technical consensus reached behind closed doors may be administratively efficient but cannot claim full democratic legitimacy merely because it is technically sophisticated. [11]

Procedural inclusion should nonetheless be evaluated rather than presumed. Producers with specialised staff may participate more consistently than small enterprises, consumer associations or organisations representing communities outside the Union. The governance question therefore includes resources for participation, accessible technical documentation and channels through which previously overlooked impacts can be raised. Public certification is best justified as a continuously revisable institutional settlement between evidence and values, not as a permanent declaration of an environmentally virtuous product.

7. The Architecture of Award, Verification and Continued Control

The award process converts product-group criteria into a concrete administrative result. Operators submit applications with supporting documentation to a competent body under the relevant jurisdictional rules. The competent body checks the documentation and compliance and, once the conditions are fulfilled, assigns the relevant registration information and enters into the prescribed arrangements governing use. National designation does not mean that every authority is free to define its own standards. The product-group criteria have a Union-wide basis, while competent bodies are responsible for evaluation and surveillance within the scheme. [12]

The legitimacy of this architecture depends substantially on independence. Under Article 4 of Regulation 66/2010, competent bodies must operate under arrangements ensuring independence, neutrality and reliable verification by a party independent of the operator being evaluated. Independence is not only a technical safeguard against fraudulent certification. It also protects public trust from the suspicion that economic interest determines the meaning of ecological performance. Where the same institution promotes the label, processes applications and monitors compliance, clear functional safeguards and transparency become especially important.

Article 10 prohibits false or misleading advertising and confusing uses of labels or logos and requires verification of continuing compliance, including checks following complaints and, where appropriate, random inspections. This continuing dimension corrects the misleading picture of certification as a once-and-for-all achievement. Products can change, suppliers

[10]Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel, OJ L 27, 30 January 2010, pp. 1–19, in particular Arts 4, 6, 8–10; ELI: https://eur-lex.europa.eu/eli/reg/2010/66/oj.

[11]Jürgen Habermas, Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy, translated by William Rehg (MIT Press, 1996).

[12]Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel, OJ L 27, 30 January 2010, pp. 1–19, in particular Arts 4, 6, 8–10; ELI: https://eur-lex.europa.eu/eli/reg/2010/66/oj.

can be replaced and criteria can be revised. A label's integrity depends on the ability of the competent body to identify divergence from the conditions originally examined and to respond proportionately through the available legal and contractual mechanisms. [13]

Procedural justice further requires that intervention be reasoned, predictable and open to legally available challenge. An operator should know what evidence is required, what deficiencies have been identified and the consequences of non-compliance. Consumers and competitors require accessible means of notifying suspected misuse. The system's moral authority would be compromised by arbitrary revocation no less than by indulgent enforcement. Publicly intelligible grounds for granting and withdrawing the right to display the flower logo are therefore intrinsic to the ethical quality of the scheme, not merely matters of efficient administration.

8. Relative Excellence, Category Boundaries and the Problem of Thresholds

The Ecolabel identifies environmentally preferable performance within designated product groups. The Commission describes the criteria as aiming, indicatively, at the most environmentally advanced segment of the market at adoption, commonly presented as the best ten to twenty per cent. This comparative approach makes sense for an instrument seeking to reward improvement beyond basic compliance. It also generates a problem often neglected in celebratory accounts: a superior product within a highly resource-intensive category may remain environmentally burdensome in absolute terms. [14]

Consider travel, textiles and interior products. A more efficient hotel may consume less water per guest-night than another hotel without settling whether the journey itself is necessary or how local water scarcity should constrain tourism. A certified item of clothing may meet stringent production requirements without answering whether the consumer needs an additional garment. A durable item of furniture may be preferable to a short-lived alternative but its purchase may nevertheless add to total household material accumulation. Comparative excellence therefore cannot establish the moral justification of consumption independently of quantity and context.

The distinction has direct implications for how certification is advertised. A product meeting Ecolabel criteria can properly be described as complying with those criteria; the label must not be inflated into proof that purchasing the product is invariably environmentally benign. The ecological desirability of an action depends partly on alternatives such as repair, sharing, reuse and non-purchase. A rigorous ethical account separates an evaluation of product attributes from an evaluation of the decision to acquire it. The former is within the Ecolabel's institutional competence; the latter requires information about needs, existing assets and cumulative effects that a product-group sign cannot ordinarily supply.

A concrete example of the temporal character of certification is Commission Decision (EU) 2026/66, which amended the validity periods of criteria and related assessment requirements for textiles, mattresses, furniture, footwear and certain floor coverings. Its legal significance lies not merely in the extension of deadlines but in the need to examine whether established thresholds remain ecologically justified. The difference between procedural continuity and substantive excellence should remain visible whenever criteria are prolonged. [15]

The European Commission's 2017 fitness check acknowledged a connected methodological limitation: the indicative benchmark of environmental excellence could not be verified through a uniformly agreed comparison methodology supported by comprehensive data, and extended validity periods could weaken the continuing claim to excellence. This should not be read as proof that the programme lacks environmental value. It shows why criteria should be revised with reference to market change and why public communication must distinguish an aspirational benchmark from a repeatedly demonstrated numerical percentile. [16]

9. Ethical Responsibility Toward Future Persons and Ecological Continuity

Intergenerational justice is an especially compelling framework for understanding sustainable consumption. Many product decisions generate effects whose temporal horizon exceeds the purchaser's own life. Persistent pollutants, greenhouse gases, habitat

[13]Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel, OJ L 27, 30 January 2010, pp. 1–19, in particular Arts 4, 6, 8–10; ELI: https://eur-lex.europa.eu/eli/reg/2010/66/oj.

[14]European Commission, EU Ecolabel: Product Groups and Criteria, https://green-forum.ec.europa.eu/green-business/eu-ecolabel/product-groups-and-criteria_en; Regulation (EC) No 66/2010, Art 6.

[15]Commission Decision (EU) 2026/66 of 23 December 2025 amending validity periods and related assessment and verification requirements for specified EU Ecolabel product groups, OJ L, 6 January 2026, https://eur-lex.europa.eu/eli/dec/2026/66/oj.

[16]European Commission, Report on the Review of Implementation of the EMAS and EU Ecolabel Regulations, COM(2017) 355 final, 30 June 2017; and Commission Staff Working Document, SWD(2017) 253 final.

conversion and depletion of materials can leave costs to persons who cannot participate in today's markets or decision-making processes. A legal label does not solve the problem of representing future generations, but it may make present activities answerable to evidence concerning long-term harm.

Hans Jonas's ethics of responsibility is relevant because modern technological power expands the scale and duration of the consequences of action. When ordinary consumption participates in technological systems capable of substantial ecological transformation, moral consideration cannot be confined to immediate personal benefit or consent between current market participants. Public authorities have reasons to demand credible precautions for harms that prospective victims cannot negotiate away. [17]

Rawlsian justice introduces a different but complementary concern. The thought that institutional arrangements should be acceptable under fair conditions of choice supports attention to intergenerational savings, distribution and the protection of basic interests rather than only to aggregate welfare. A society that obtains inexpensive products by imposing irreversible costs on successors may fail a demanding standard of impartial justification. Nevertheless, not every preference for a more efficient product amounts to a coherent scheme of fair savings. Such a scheme requires public decisions about energy systems, investment, waste and the preservation of ecological capacities. [18]

The Ecolabel's strongest contribution is therefore intermediate rather than ultimate. It can reduce asymmetry between immediate benefits and distant costs by requiring that selected life-cycle impacts be considered before a public claim is made. It can normalise the view that environmental consequences extending beyond the transaction are relevant to what counts as product quality. Its weakness is that the label does not itself define an ecologically sufficient aggregate level of consumption. Intergenerational responsibility requires the integration of certification with policies capable of limiting cumulative harm even when every individual market exchange appears rational or voluntarily chosen.

10. Consumer Autonomy, Informed Consent and the Right not to be Deceived

Environmental marketing raises a philosophical problem of autonomy. Market choice is not fully self-directed when relevant information is withheld, technically incomprehensible or falsified. An individual may choose freely among displayed products and yet be unable to evaluate material claims concerning toxicity, production emissions or durability. A credible ecolabel can enlarge practical agency by reducing the informational demands of comparison. It does not dictate the final preference; it supplies a justified reason that a person may choose to use or disregard.

Autonomy, however, should not be equated with the mere multiplication of labels. A crowded information environment can impose cognitive burdens that make consumers more dependent on superficial impressions. Where certification marks conflict or their requirements are opaque, information may be plentiful yet decision-making poor. A public scheme has special duties of semantic discipline: the scope of certification must be clear, the logo must not imply unlimited superiority and the criteria must remain intelligible through accessible explanations. These requirements connect consumer autonomy with truthfulness and the organisation of reliable knowledge.

Thaler and Sunstein's analysis of choice architecture helps explain why the physical and informational setting of purchasing matters. A label functions as a salient cue that can make one attribute easier to recognise. But the ethical acceptability of such a cue depends on whether it assists deliberation or exploits predictable cognitive shortcuts. A misleading sign is not rescued by the fact that it induces a desirable purchase; the moral problem lies in substituting manipulation for informed practical judgment. The official Ecolabel is defensible because its signalling role is coupled with prior criteria and independent verification, not because behavioural influence is inherently benign. [19]

The question of consent should also be placed in proportion. No realistic shopper can provide informed consent to every global consequence of manufacturing. The obligation to prevent serious pollution cannot be transferred to a customer through a package notice. Consumers deserve reliable information, but their limited attention is a condition institutions must accommodate, not an ethical defect for which individuals should be reproached. The Ecolabel advances autonomy most effectively when it compresses valid information without turning public

[17]Hans Jonas, The Imperative of Responsibility: In Search of an Ethics for the Technological Age (University of Chicago Press, 1984), https://doi.org/10.7208/chicago/9780226850337.001.0001.

[18]John Rawls, A Theory of Justice, revised edition (Harvard University Press, 1999).

[19]Richard H. Thaler and Cass R. Sunstein, Nudge: Improving Decisions About Health, Wealth, and Happiness (Yale University Press, 2008).

environmental duty into a permanent examination of consumer conscientiousness.

11. Greenwashing as a Violation of Epistemic and Commercial Justice

Greenwashing is commonly approached as a marketing offence, yet its moral significance is wider. Misleading environmental claims distort competition between firms, exploit consumers' environmental concern and corrupt the informational basis of public debate. When firms overstate ecological performance, the costs are borne not only by the deceived purchaser but also by operators investing in genuine improvement and by communities affected by continued damage. Repeated deception may diminish trust in sound environmental information generally. Delmas and Burbano identify institutional, organisational and individual drivers that help explain why these practices can persist even where environmental concern is widespread. [20]

The EU Ecolabel creates a possible counterweight by giving specific content to a public certification claim. Its protection against confusing imitation, its verification arrangements and its product-specific conditions all reduce the opportunity to exploit an undefined environmental identity. These safeguards do not guarantee that every certified claim is interpreted correctly. A trader can still imply that certification covers attributes, products or business activities beyond its actual scope. The border between accurate representation and reputational overreach must be continually defended through consumer law and administrative supervision.

The moral wrong is especially serious where companies advertise environmental responsibility to audiences who cannot inspect the underlying evidence. Such audiences include people making costlier purchasing decisions in order to avoid contributing to harm. Their preference is exploited when a false claim captures the premium associated with genuine improvement. In this respect, environmental deception is not simply a market inefficiency that regulators should tolerate whenever a seller's behaviour happens to stimulate demand for a greener category. It is a breach of the conditions under which public trust and fair competition can coexist.

Truthfulness must nevertheless be measured with appropriate specificity. A certified product might be better on several important indicators without being universally preferable on every imaginable environmental dimension. The ethically correct response is not to ban comparative claims but to prevent their uncontrolled expansion. The Ecolabel can help by coupling its symbol to published product-group criteria, by improving ways in which consumers can inspect those criteria and by ensuring that associated marketing does not transform a qualified finding into an absolute promise.

12. Directive (EU) 2024/825 and the new Legal Status of Environmental Representations

Directive (EU) 2024/825 substantially changes the legal environment in which sustainability labels and environmental claims operate. It amends the Unfair Commercial Practices Directive 2005/29/EC and the Consumer Rights Directive 2011/83/EU to strengthen protection against misleading practices and improve sustainability-related information. Member States were required to transpose the Directive by 27 March 2026 and to apply the implementing provisions from 27 September 2026. At the date of this study, October 2026, the application date has therefore passed; this is not merely a prospective reform. [21]

The amended blacklist prohibits displaying a sustainability label that is neither based on a qualifying certification scheme nor established by public authorities. The Directive's recitals specifically identify the EU Ecolabel as an example of a public-authority-established label. This matters because the legal order distinguishes a recognised public environmental signal from unverified private marks. The Directive also prohibits generic environmental claims where the trader cannot demonstrate recognised excellent environmental performance relevant to the claim, as well as claims extrapolating from a limited feature to an entire product or business. [22]

The connection with Regulation 66/2010 must be interpreted precisely. The 2024 Directive identifies compliance with the EU Ecolabel as a possible means of demonstrating excellent performance, but it does not transform the Ecolabel into an unlimited licence to make every green claim. Recital 10 explains, for example, that an environmental claim concerning an attribute not addressed by the relevant criteria cannot

[20] Magali A. Delmas and Vanessa Cuerel Burbano, The Drivers of Greenwashing, California Management Review 54(1) (2011), 64–87, https://doi.org/10.1525/cmr.2011.54.1.64.

[21] Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU, OJ L, 6 March 2024, especially Arts 1 and 4, Annex, and recitals 9–12, https://eur-lex.europa.eu/eli/dir/2024/825/oj.

[22] Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU, OJ L, 6 March 2024, especially Arts 1 and 4, Annex, and recitals 9–12, https://eur-lex.europa.eu/eli/dir/2024/825/oj.

be justified by the label alone; claims suggesting broader social responsibility may also exceed a certification that principally concerns environmental characteristics. The normative point is a rule of semantic proportionality: the breadth of an assertion must not exceed the evidence that supports it.

A particularly important addition concerns product-level neutrality assertions based on carbon offsets. The Directive blacklists claims that a product has a neutral, reduced or positive greenhouse-gas impact on the basis of offsetting. The intervention rejects a form of communicative substitution through which emissions arising from a product are represented as cancelled by activities elsewhere. The Ecolabel's broader life-cycle approach is consistent with scrutiny of actual product characteristics rather than unsupported narratives of perfect harmlessness. Nonetheless, the two instruments have separate legal functions: environmental qualification under the Ecolabel and control of commercial claims under consumer law must operate cumulatively.

13. The Unresolved Green Claims Proposal and the Limits of Legislative Anticipation

The Commission's proposal for a Directive on the substantiation and communication of explicit environmental claims, often referred to as the Green Claims proposal, has been discussed alongside the 2024 consumer-law reform. The two initiatives must not be conflated. The Commission's published account continued to describe the Green Claims proposal as pending in October 2026. Consequently, an analysis that presents all of its envisaged verification duties as already operative law would overstate the legal position. The applicable consumer-law framework includes the measures introduced by Directive 2024/825; the proposed additional regime requires separate consideration in light of its legislative status.[23]

The proposal nevertheless reveals a significant regulatory question. Can environmental claims be credibly governed only through ex post prohibitions against deception, or should particular forms of substantiation and independent evaluation be required before companies communicate them? The EU Ecolabel demonstrates one version of an ex ante solution: participation entails meeting defined criteria before use of the sign. More general environmental claims vary enormously, however, from quantitative statements about recycled material to narratives about organisational climate ambitions. The legal architecture appropriate to an officially established multi-criteria label need not be imposed mechanically on every specific statement supported by ordinary documentation.

An ethical appraisal must distinguish the benefits of verification from its transaction costs. Requirements can protect the public from unsupported assertions and protect serious firms from competitors profiting through exaggeration. Excessively complex procedures may nevertheless deter small businesses from making precise, substantiated claims or create a market dominated by expensive certification services. The relevant standard is not maximal paperwork but proportionate reliability. Riskier and broader claims warrant more demanding substantiation; narrow factual claims may be adequately assessed through simpler evidence and effective liability for deception.

This distinction also limits the idea that the Ecolabel should become the exclusive authorised language of environmental merit. A trustworthy public certification can serve as a benchmark without eliminating other verifiable mechanisms, including legally recognised national Type I programmes and genuinely specific claims. Environmental pluralism is valuable when it contributes differentiated, accurate information. It becomes objectionable when the abundance of signs undermines comparability or permits traders to manufacture credibility without independent scrutiny. Public legal design must therefore preserve a space for innovation in communication while refusing to surrender the meaning of environmental responsibility to commercial invention.

14. Ecodesign, Digital Product Passports and the Regulatory Complementarity of Instruments

Regulation (EU) 2024/1781 establishing a framework for ecodesign requirements for sustainable products significantly enlarges the legal context of the Ecolabel. Its structure allows product-related requirements concerning sustainability characteristics to be developed through delegated acts, while the Digital Product Passport framework can make specified information available through standardised, accessible records. It is important to distinguish the framework Regulation from particular product-group obligations: the existence of a passport architecture does not imply that every good circulating in October 2026 already

[23]European Commission, Green Claims: Proposal on Substantiation and Communication of Explicit Environmental Claims, official status listed as Pending on the Commission topic page, accessed 28 October 2026, https://environment.ec.europa.eu/topics/circular-economy-topics/green-claims_en.

carries a fully implemented passport with identical contents. [24]

The two instruments have complementary purposes. Ecodesign can establish binding minimum or performance requirements for covered product groups, while the Ecolabel can identify goods and services exceeding ordinary market standards on selected dimensions. A digital passport can provide a more detailed informational record than a visible logo. The Ecolabel remains an interpretative shortcut; the passport may furnish the underlying technical context for users, repairers, public purchasers and authorities when the relevant obligations apply. Their integration could connect ordinary consumer understanding with richer evidence without forcing every purchaser to inspect lengthy technical material.

Complementarity requires careful legal engineering. If minimum ecodesign requirements become more demanding, Ecolabel thresholds should be reviewed so that certified status continues to represent meaningful excellence rather than compliance with standards binding on all competitors. Conversely, legal designers should avoid imposing incompatible metrics through different instruments. The significance of durability, recycled content, reparability and chemicals should be assessed coherently where the same products are regulated under several regimes. Duplication without coherence imposes costs while confusing consumers about whether the standards describe the same characteristic.

From an ethical perspective, the passport also raises questions concerning access to information and technical capacity. More data does not guarantee greater practical understanding. A detailed product record may advantage professional purchasers and large firms while remaining obscure to households or small repair businesses. Appropriate design must therefore combine machine-readable detail, intelligible summaries, accessibility for persons with disabilities and safeguards against unjustified commercial secrecy. A credible system would treat the Ecolabel as a publicly recognisable synthesis that can be traced to more granular evidence, rather than as a substitute for the accountability that detailed records can supply.

[24]Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, OJ L, 28 June 2024, especially Arts 4, 5 and 9–12, https://eur-lex.europa.eu/eli/reg/2024/1781/oj.

15. Durability, Repair and the Ethics of Retaining Existing Goods

The transition from product efficiency to sustainable consumption cannot ignore the lifespan of goods. Products designed for early replacement can consume substantial resources even when their initial manufacture appears comparatively efficient. Durable design and accessible repair change the temporal structure of ownership: value is derived from continuing service rather than repeated acquisition. The Ecolabel's criteria can include durability and fitness for use, but the legal order also requires instruments addressing post-sale repair and the availability of services necessary to keep goods functional. [25]

Directive (EU) 2024/1799 on common rules promoting the repair of goods entered the operative stage of national application on 31 July 2026. The Directive provides a framework intended to make repair more accessible, subject to the specific scope of its provisions and the relevant categories of goods. It complements the Ecodesign framework and the 2024 consumer-information measures. A technically repairable product, a legally available repair service and a purchasing environment that recognises durability are separate components of a coherent sustainability policy. Their conjunction matters more than any one instrument in isolation. [26]

The ethical significance of repair is partly distributive. Households with limited disposable income can suffer disproportionately from products whose maintenance is deliberately difficult or whose spare parts are unavailable. Durability may lower long-term ownership costs even where acquisition costs are higher. A label concerned with ecological excellence should therefore avoid using a narrowly short-term price comparison to evaluate the practical accessibility of its products. Life-cycle affordability and the ability of ordinary users to preserve existing goods are relevant to how environmental improvement affects substantive freedom.

There is a deeper conceptual point. Consumer policy often presupposes a transaction in which an individual chooses which new item to buy. The more sustainable act may instead involve not entering a

[25]European Commission, EU Ecolabel: Product Groups and Criteria, https://green-forum.ec.europa.eu/green-business/eu-ecolabel/product-groups-and-criteria_en; Regulation (EC) No 66/2010, Art 6.

[26]Directive (EU) 2024/1799 of the European Parliament and of the Council of 13 June 2024 on common rules promoting the repair of goods, OJ L, 10 July 2024, especially Arts 1, 5 and 22, https://eur-lex.europa.eu/eli/dir/2024/1799/oj.

transaction at all. No credible Ecolabel should imply that replacement of a functioning item is preferable merely because a newly marketed model has been certified. The legal task is to ensure truthful product comparison while recognising a hierarchy of practices in which avoidance, maintenance, reuse and repair can sometimes outperform replacement. This is not a criticism of the Ecolabel's defined task; it is a reason to resist describing that task as the entirety of sustainable consumption.

16. Public Procurement and the Problem of Collective Purchasing Power

The ecological significance of consumer behaviour extends beyond private households. Public authorities purchase substantial quantities of goods and services and can influence supply chains through specifications, award criteria and contract performance requirements. Directive 2014/24/EU, Article 43, permits contracting authorities, subject to specified safeguards, to use labels as means of proof for relevant environmental, social or other characteristics. The label requirements must, among other conditions, relate to the contract's subject matter, rest on objectively verifiable and non-discriminatory criteria and emerge from an open and transparent procedure. The procurement regime also protects the consideration of equivalent labels and other legally relevant means of proof in the circumstances provided by the Directive. [27]

This framework illustrates how voluntary product certification can acquire indirect legal influence. A public purchaser cannot simply announce that only bearers of a favoured logo will ever be considered irrespective of procurement-law requirements. It may, however, define legitimate ecological performance requirements and use a qualifying label to simplify proof, while observing transparency, equal treatment and proportionality. Such use can increase the economic reward for companies improving environmental performance without converting certification into an unqualified regulatory monopoly.

Public procurement also shifts the normative focus from individual conscience to institutional stewardship. Where public funds are spent, authorities must justify the environmental and financial implications of their choices in terms of collective objectives. A public body may be better positioned than an isolated shopper to examine life-cycle costs, demand data, design contracts and evaluate market response. The Ecolabel can help public officials operationalise sustainability requirements, but it should be embedded in a reasoned procurement strategy attentive to actual use, maintenance, repair and disposal.

The ethical danger lies in treating the label as an automatic substitute for contextual judgment. A procurement procedure may require qualities that a particular product-group label does not assess, or the available certified supply may be too limited to ensure effective competition. Authorities should distinguish the evidential convenience of certification from the substantive obligation to procure responsibly. In this setting, the greatest public value of ecolabelling is achieved when independently established criteria inform contestable purchasing decisions rather than making their justification unnecessary.

17. Distributive Justice and the Unequal ability to Consume Sustainably

A model of sustainable consumption that presumes every person can purchase superior products risks reproducing existing inequalities. Price, geography, retail availability, housing conditions and access to repair determine the choices actually open to households. Where a labelled product carries a premium, affluent consumers may secure lower environmental burdens through market preference while poorer consumers are left with less desirable alternatives. The resulting inequality is especially troubling if the costs of pollution are already disproportionately borne by people with fewer resources to resist exposure or move away from it.

Rawlsian justice calls attention to the structure of institutions rather than only the fairness of isolated transactions. Amartya Sen's capability-oriented account adds that formal opportunities can be unequal in practice when persons possess very different real freedoms to act. Within an ecolabelling system, the ability to read a logo is not equivalent to the ability to purchase the product, obtain it locally, maintain it or choose a viable alternative. A label may expand informational liberty while leaving material access largely unchanged. [28] [29]

This observation does not entail that lower standards should be adopted solely to make certification cheaper. It calls for separating the standard of environmental merit from the policies necessary to make the resulting goods and services accessible. Procurement, targeted support for households, assistance for small producers,

[27] Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement, OJ L 94, 28 March 2014, pp. 65–242, Art 43, https://eur-lex.europa.eu/eli/dir/2014/24/oj.

[28] John Rawls, A Theory of Justice, revised edition (Harvard University Press, 1999).

[29] Amartya Sen, The Idea of Justice (Harvard University Press, 2009).

competition policy, enforceable minimum standards and durable product design can reduce the dependence of ecological improvement upon private wealth. The relevant ethical question is whether public institutions arrange the transition so that environmental benefits and compliance burdens are distributed fairly.

The distinction between price and cost is also important. A low purchase price may conceal high operating expenses, short product life or significant environmental damage imposed on third parties. A certified product that is initially more expensive could be less costly over time, but that possibility must be evidenced for the relevant category rather than presumed. Households constrained by immediate liquidity may be unable to benefit from long-run savings. A just sustainable-consumption policy must therefore address financing and access, not merely communicate the economic advantages that some consumers can already afford to realise.

18. Global Supply Chains, Environmental Displacement and the Borders of Justice

Products sold within the Union are often manufactured from materials extracted or processed outside it. The ecological assessment of a product must therefore account, as far as relevant criteria and available evidence permit, for impacts extending across territorial boundaries. Otherwise, the apparent reduction of domestic environmental burdens could conceal displacement to producing regions with weaker enforcement, less bargaining power or high dependence upon export income. A claim of environmental superiority that ignores relevant external effects risks combining scientific incompleteness with geographic injustice.

Iris Marion Young's social-connection model of responsibility is especially useful in this context. She argues that participants in structural processes producing unjust results can share forward-looking obligations to transform those processes even when particular individuals cannot be singled out as the sole cause. Applied to certified supply chains, the model rejects the notion that a consumer's act of choosing a labelled item exhausts her responsibility. Manufacturers, intermediaries, public authorities and purchasers have differently structured capacities to improve the conditions through which products are created and distributed. [30]

The Ecolabel is principally an environmental certification, not a comprehensive human-rights or labour-justice guarantee. The governing framework allows attention to health, safety, social and ethical aspects where appropriate, but the precise coverage depends on the adopted product-group criteria. A claim that every Ecolabel product is fair-trade, free from labour exploitation or globally just would therefore be unwarranted. The distinction is particularly important under the revised rules on generic environmental claims, which recognise that broad assertions of sustainability can encompass characteristics beyond ecological performance. [31] [32]

A defensible legal strategy should acknowledge both the capacity and the jurisdictional limits of certification. EU authorities can design transparent criteria that consider significant upstream impacts, require reliable evidence from operators and improve coordination with other supply-chain rules. They cannot responsibly imply that one logo fully resolves distributive conflicts embedded in global production. In philosophical terms, a product-centred environmental judgment is a contribution to transnational responsibility, not an all-purpose moral verdict on the conditions of international commerce.

19. SMEs, Costs of Certification and Equality of Market Access

The Ecolabel's credibility depends on demanding assessment, but assessment has a cost. Preparing technical documentation, obtaining test results, adapting production practices and maintaining evidence may be more difficult for microenterprises than for large corporations with specialist compliance teams. If only the largest operators can afford participation, an instrument designed to reward environmental excellence may accidentally function as a barrier to entry. This outcome would conflict with the commitment to open competition and may obscure genuine innovation by smaller producers.

The Union's own figures illustrate why the issue is practically significant. As of September 2026, 3,665 licences covered 121,083 products and services on the European Economic Area market. The Commission reported that approximately 62 per cent of licence holders were SMEs, while explicitly qualifying that

[30] Iris Marion Young, Responsibility for Justice (Oxford University Press, 2011), especially ch 4, pp. 95–122, https://doi.org/10.1093/acprof:oso/9780195392388.001.0001.

[31] European Commission, EU Ecolabel: Product Groups and Criteria, https://green-forum.ec.europa.eu/green-business/eu-ecolabel/product-groups-and-criteria_en; Regulation (EC) No 66/2010, Art 6.

[32] Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU, OJ L, 6 March 2024, especially Arts 1 and 4, Annex, and recitals 9–12, https://eur-lex.europa.eu/eli/dir/2024/825/oj.

percentage as an indicative figure based on partial company data. These numbers demonstrate non-trivial participation by smaller enterprises, but they do not establish that access is equally easy across company sizes or product groups. A licence can cover several products; product totals should not be confused with counts of independent market entrants. [33]

The appropriate ethical principle is equal opportunity to demonstrate real performance, not a guarantee of equal certification outcomes. Financial assistance, simplified administrative guidance, predictable timetables and technical support can help smaller applicants without diluting substantive criteria. Independent verification must remain credible; cost reductions should target unnecessary administrative burdens rather than remove evidence essential to the truth of the claim. Conversely, the programme should not assess credibility solely through the sophistication of an applicant's documentation if equivalent reliable evidence can be supplied through less expensive means.

This issue highlights an unavoidable tension between equality and stringency. Very demanding criteria may bring greater environmental gains among participants but reduce the number able to participate. Easier criteria may broaden uptake while weakening differentiation. No universal solution follows from either moral value alone. Decision-makers should make the trade-off visible, quantify administrative burdens where possible, monitor effects upon market structure and distinguish the ecological benefits of higher standards from any exclusion that is not justified by the programme's public purposes.

20. Evidence of Uptake and the Difference between Confidence and Environmental Results

The most recent Commission data, recorded for September 2026, identify 121,083 products and services under 3,665 EU Ecolabel licences. The figures represent the highest recorded totals in the Commission's published series, with growth since March 2026 of 4,391 products and 124 licences. They show the expansion of certification coverage, not a direct measurement of tonnes of emissions avoided, habitats restored or material extraction prevented. A serious assessment must avoid deriving net ecological benefit simply by multiplying the number of certified products by an unverified assumed saving. [34]

The September 2026 Eurobarometer similarly offers important but different evidence. The Commission reports that 46 per cent of respondents recognised the Ecolabel logo and that 81 per cent expressed confidence that certified products have lower environmental impacts than comparable products. The share reporting that they often or sometimes purchase products bearing the EU Ecolabel was also 46 per cent. These are measures of recognition, confidence and self-reported behaviour, not verified transaction records or measured changes in aggregate resource use. The distinction is necessary both for empirical integrity and for legal reasoning about the effectiveness of the scheme. [35]

A robust evaluation would ask several questions separately. Do certified products demonstrate better environmental performance than the relevant market comparator? Does certification cause firms to improve beyond changes that would have happened anyway? Does the existence of a label alter actual purchasing behaviour in measurable ways? Does the resulting change reduce total environmental pressures once displacement and rebound effects are considered? What is the cost per unit of improvement, and how are costs distributed? Different methodologies and data would be required to answer these questions. The existence of a reliable certification procedure cannot substitute for counterfactual evaluation of systemic outcomes.

The Commission's earlier fitness check is instructive because it treated enhanced performance of labelled products and the limited overall uptake of the system as distinct findings. It also identified difficulties in quantifying impacts and verifying the indicative excellence benchmark. The 2026 participation data show subsequent expansion, but they do not retrospectively answer every methodological limitation raised in 2017. The proper response is an agenda for transparent longitudinal evaluation rather than either unqualified celebration or categorical dismissal of the programme's achievements. [36]

[33]European Commission, EU Ecolabel Facts and Figures, September 2026, https://green-forum.ec.europa.eu/green-business/eu-ecolabel/businesses/eu-ecolabel-facts-and-figures_en (data as of September 2026).

[34]European Commission, EU Ecolabel Facts and Figures, September 2026, https://green-forum.ec.europa.eu/green-business/eu-ecolabel/businesses/eu-ecolabel-facts-and-figures_en (data as of September 2026).

[35]European Commission, Eurobarometer Shows Consumers' Growing Trust in EU Ecolabel, 8 October 2026, https://luxembourg.representation.ec.europa.eu/actualites-et-evenements/actualites/eurobarometer-shows-consumers-growing-trust-eu-ecolabel-2026-10-08_en; see also the Commission EU Ecolabel website for the September 2026 Flash Eurobarometer.

[36]European Commission, Report on the Review of Implementation of the EMAS and EU Ecolabel Regulations, COM(2017) 355 final, 30 June 2017; and Commission Staff Working Document, SWD(2017) 253 final.

21. Moral Psychology, Trust and the Paradox of the Reassuring Label

A trusted environmental label can reduce decision costs and support purchases consistent with moral commitments. It can also create a less obvious danger: the purchaser may regard the act of choosing a certified product as discharging a broader ecological obligation. This possibility is sometimes described in behavioural terms as moral licensing, though its actual prevalence in the Ecolabel context should not be asserted without specific evidence. The philosophical problem exists independently of whether a particular behavioural effect has been empirically quantified. Does making consumption appear responsible risk obscuring the ongoing desirability of consuming less?

The paradox is clearest where the label is presented as a sign of moral purity. Certification concerns compliance with a bounded standard, not the moral character of a purchaser. A person may buy a certified item unnecessarily; another may decline to purchase anything at all. The second decision may carry a smaller ecological footprint even though it produces no visible certification event. Public communication should resist turning the logo into a badge of personal innocence. Its useful meaning is that a product meets specified requirements, not that buying it absolves the buyer or the producer of further duties.

Trust should accordingly be understood institutionally, not sentimentally. It is reasonable to rely on independent assessment when the procedures are reliable, the findings are specific and errors can be corrected. It is unreasonable to ask purchasers for uncritical belief in a symbol merely because public authorities sponsor it. Trust is strengthened by admitting limits: criteria change, comparisons are conditional, environmental dimensions may conflict and certification may not measure all socially relevant harms. Transparency about uncertainty can protect authority more effectively than a claim of permanent infallibility.

This is also a matter of public ethics. An institution that encourages ecological concern has a responsibility not to exploit it. Communication ought to distinguish certified product quality from more general prescriptions for sustainable living, avoid exaggerated language and ensure that the public can verify what has been assessed. The moral authority of the Ecolabel rests on its being a disciplined representation of limited evidence. The paradox is overcome not by weakening the logo but by refusing to let an accurate sign become an inaccurate account of what ecological responsibility requires.

22. Ecological Pluralism and the Limits of Anthropocentric Evaluation

Environmental ethics contains competing accounts of why nature deserves protection. Anthropocentric approaches emphasise human health, welfare, resources and the interests of future persons. Ecocentric and biocentric approaches insist that ecological systems and living beings may have moral significance beyond their usefulness to humans. The Ecolabel's legal framework does not settle these philosophical controversies. It translates publicly agreed environmental objectives into criteria that can be applied to specific categories of goods and services. Yet decisions about habitat effects, toxic substances and resource use inevitably reflect views about which dimensions of nature warrant institutional attention.

The distinction is not merely theoretical. A product may achieve favourable climate performance while creating locally concentrated biodiversity impacts. A scheme that focuses on aggregate carbon metrics could neglect the moral significance of species, habitat relationships or vulnerable ecosystems. A multi-criteria approach can be more sensitive to such pluralism, provided that criteria are designed to identify significant trade-offs rather than simply aggregate unlike impacts into one apparently precise score. The normative aim should be reasoned responsiveness to diverse harms, not the pretence that every environmental value is commensurable.

Pluralism also affects the treatment of uncertainty. Some ecological damage is difficult to reverse, and evidence may arrive only after substantial losses occur. The precautionary principle offers a legal basis for considering serious uncertainty, while an ethics of responsibility supplies the moral concern for vulnerable persons and natural systems. But caution should be applied through publicly explainable criteria that remain proportionate and revisable. The mere invocation of ecological value cannot substitute for justification of particular thresholds, particularly where those thresholds affect the livelihoods of workers and producers. [37] [38]

A philosophically defensible label is therefore not one that claims to solve the entire problem of environmental value. It is one that makes its evaluative commitments visible, reflects multiple significant dimensions and

[37]Consolidated version of the Treaty on the Functioning of the European Union, Art 191, OJ C 202, 7 June 2016, p. 132, https://eur-lex.europa.eu/eli/treaty/tfeu_2016/art_191/oj.

[38]Hans Jonas, The Imperative of Responsibility: In Search of an Ethics for the Technological Age (University of Chicago Press, 1984), https://doi.org/10.7208/chicago/9780226850337.001.0001.

remains open to legitimate disagreement. The public should be able to understand whether a specific product-group decision primarily addresses emissions, chemical hazards, material cycles or a combination of factors. Such clarity permits ecological pluralism to inform democratic debate while preserving the reliability of the certification function.

23. Democratic Accountability and Polycentric Environmental Governance

The governance of ecological impacts rarely fits within a single administrative level. EU institutions adopt common criteria; national bodies implement the scheme; producers manage supply chains; consumers respond to information; public procurers organise collective purchasing; and international standards influence assessment methods. This multilayered architecture invites comparison with Elinor Ostrom's analysis of polycentric systems, in which multiple centres of decision-making can support collective action across scales. Such arrangements may promote experimentation and adaptation, but they also require coordination and mechanisms for accountability. [39]

For the Ecolabel, the advantage of polycentricity is that common legal requirements can coexist with practical knowledge held by national competent bodies and market participants. A local authority may identify patterns of non-compliance; a product association may supply technical information; civil society may raise concerns about overlooked environmental burdens. Shared EU criteria can prevent fragmentation while leaving space for implementation, monitoring and feedback. The difficulty is that fragmented enforcement can undermine the common meaning of a single logo if similar applications receive materially different scrutiny.

Democratic accountability therefore has several components. Criterion development should be transparent and open to appropriately resourced participation. National competent bodies should apply consistent verification standards. Complaints should be examined and relevant outcomes made understandable. The Commission should communicate the environmental rationale and review of criteria, while sufficiently detailed performance information should permit independent evaluation of the programme. These duties cannot be reduced to a generic aspiration to transparency. They require an identifiable chain from evidence and public deliberation to award, monitoring, revision and correction.

The role of market actors must also be kept in view. Producers have essential technical knowledge, but their participation can create risks of disproportionate influence over standards. Consumer organisations and environmental representatives can counterbalance industry expertise, provided their participation is effective rather than ceremonial. The most legitimate model is neither pure technocracy nor a plebiscite on scientific standards. It is institutionalised public reasoning supported by competent scientific examination, legal safeguards and enforceable duties of impartiality.

24. A Four-Dimensional Theory of Ecolabel Legitimacy

The preceding analysis permits a more precise theory of public environmental certification. Legitimacy should be evaluated across four connected dimensions: epistemic integrity, substantive ecological adequacy, distributive fairness and democratic accountability. These dimensions are analytically distinct because a programme may succeed on one while failing on another. A rigorously verified product can still impose significant aggregate burdens. An ecologically demanding scheme can still exclude small enterprises without adequate justification. A participatory procedure can still yield weak environmental standards. The moral justification of a public label cannot depend on any single strength compensating automatically for every deficiency.

Epistemic integrity asks whether claims are specific, verifiable, revisable and resistant to misleading extension. It includes the independence of assessment, the management of uncertainty and the accuracy of marketing connected to the sign. Substantive ecological adequacy asks whether the criteria address significant life-cycle impacts and remain ambitious in light of technology and the market. It requires attention to displacement between impacts and to the possibility that relative excellence may coexist with unsustainable aggregate consumption. These dimensions concern truth and environmental meaning respectively; neither can be inferred from popularity alone.

Distributive fairness asks who can obtain, use and benefit from certification and which groups pay for the transition. It covers SMEs, low-income consumers, vulnerable communities and impacts carried beyond the Union's borders. Democratic accountability

[39] Elinor Ostrom, Polycentric Systems for Coping with Collective Action and Global Environmental Change, Global Environmental Change 20(4) (2010), 550–557, https://doi.org/10.1016/j.gloenvcha.2010.07.004.

concerns the accessibility of reasons, participation in criterion-setting, impartial administration, effective complaints and the capacity to correct erroneous or outdated standards. The latter two dimensions concern the legitimacy of the institution's relationships with affected persons and communities. They cannot be replaced by proof that some environmental indicators improved.

The framework also supplies a method for resolving disagreements. A proposal to relax verification to expand participation should be tested against possible losses of truthfulness. A proposal to strengthen ecological thresholds should examine whether assistance can reduce unjustified exclusion. A proposed new criterion should be supported by both evidence of significant harm and a transparent account of its distributional implications. The four dimensions do not yield a mechanical formula, but they impose a discipline of reason-giving upon institutional design. This is their philosophical value: they transform an imprecise appeal to sustainability into a structured inquiry concerning what a public certification system is entitled to claim and to demand.

25. Reform Priorities: Integrity, Inclusion and Measurable Ecological Gains

A first reform priority is the regular and documented reassessment of product-group criteria. When technology or market practice changes, requirements that once distinguished exceptional products may become ordinary. Periodic review should consider not only scientific and technological developments but also evidence of real-world product performance and the emergence of new significant impacts. Where criteria are extended, the reasons for extension and any uncertainty concerning continued relative excellence should be publicly intelligible. The aim is to preserve the meaning of the award over time rather than merely to maintain administrative continuity.

A second priority is clearer linkage between the logo and the evidence that justifies it. Accessible online explanations can indicate which impacts the relevant product-group criteria address, their scope, their date of adoption and the competent body responsible for the award. Where digital product passport requirements become applicable, interoperable information could assist professional users and independent researchers in verifying relevant attributes. Such improvements should not overload the visible label with technical material. The visual signal should remain simple precisely because the supporting evidence is discoverable, structured and credible. [40]

A third priority is proportional assistance for applicants and purchasers facing structural barriers. Technical support for SMEs and clear administrative guidance can reduce unnecessary costs without compromising impartiality. Public purchasing can stimulate demand when label use complies with procurement law and the specified environmental characteristics genuinely serve the contract. Public authorities should also monitor whether ecolabelled products are available across regions and income groups, because broad sustainability objectives cannot depend exclusively on the disposable income of highly motivated consumers. [41]

A fourth priority is stronger evaluation of ecological outcomes. Product counts, licences and survey recognition should be published, but separately from verified environmental performance indicators. Research should use transparent comparators and acknowledge selection effects, rebound, uncertainty and data limitations. The Commission's earlier fitness check provides a valuable foundation for this distinction. The programme's effectiveness should be defended through demonstrable performance and accountable policy learning, rather than by interpreting increased confidence as a substitute for evidence of reduced harm. [42]

26. Objections and Replies: Is Ecolabelling Merely the Moralisation of Markets?

A fundamental objection holds that the Ecolabel merely moralises ordinary purchasing and leaves the prevailing structure of mass consumption untouched. There is substance to this criticism. A certification scheme can privilege the replacement of goods over the preservation of existing ones, convert ecological concern into a profitable brand attribute and invite affluent shoppers to express responsibility through higher expenditure. Where these tendencies dominate, the language of sustainable consumption may obscure the structural sources of environmental damage.

[40]Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, OJ L, 28 June 2024, especially Arts 4, 5 and 9–12, https://eur-lex.europa.eu/eli/reg/2024/1781/oj.

[41]Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement, OJ L 94, 28 March 2014, pp. 65–242, Art 43, https://eur-lex.europa.eu/eli/dir/2014/24/oj.

[42]European Commission, Report on the Review of Implementation of the EMAS and EU Ecolabel Regulations, COM(2017) 355 final, 30 June 2017; and Commission Staff Working Document, SWD(2017) 253 final.

Maniates and Shove provide reasons to regard purely individualised responses as politically incomplete.[43][44]

The objection, however, does not establish that accurate comparative information is undesirable. A person who must replace a worn product faces a real choice among alternatives. A public institution can improve the fairness and quality of that decision by preventing deception and identifying verifiable performance. The flaw lies in expecting the purchase to carry the entire moral and political burden of environmental transformation. A defensible Ecolabel can be a component of structural change if it complements binding ecodesign standards, repair rights, public procurement and rules against misleading claims rather than substituting for them.

A second objection concerns paternalism. Why should public authorities judge which products are environmentally preferable when consumers and firms might hold different values? The answer is not that regulators possess unlimited authority to impose a comprehensive ethical worldview. The Union already pursues legally recognised environmental objectives, and scientific harms cannot be made irrelevant by individual preference alone. A voluntary label leaves purchasers free to choose while imposing publicly contestable conditions upon the right to display an official sign. Its justification thus differs from coercing all consumers to adopt a particular lifestyle.

A third objection claims that technical criteria are inherently political and consequently unworthy of trust. The premise contains a partial truth: impact selection and the handling of trade-offs involve judgments. But the conclusion does not follow. Public institutions routinely make evaluative decisions through legal procedures constrained by evidence, participation, proportionality and review. The appropriate response to the political dimension is to improve those constraints, not to eliminate all meaningful certification. The Ecolabel becomes defensible precisely when its institutional basis permits scientific competence and democratic accountability to discipline one another.

27. Toward a just Architecture of Sustainable Consumption

The EU Ecolabel can be understood as a legal institution for coordinating knowledge, incentives and responsibility. It offers consumers an officially structured representation of relative environmental performance, gives producers an incentive to exceed certain minimum requirements and supplies public purchasers with a potential source of evidence for legitimate environmental requirements. Its effectiveness does not arise from the image of a flower alone, but from criteria, independent assessment, contractual conditions, market surveillance and legal controls against misleading representations. Those institutional features explain why the scheme can contribute to consumer autonomy without assuming that every purchaser must become an expert in ecological science.

The broader legal landscape in October 2026 reinforces this role while placing limits upon it. Directive 2024/825 subjects sustainability representations to more exacting consumer-law discipline; Regulation 2024/1781 provides a framework for product requirements and digital information; Directive 2024/1799 strengthens the position of repair; and public procurement law offers a legally bounded route for collective demand. The instruments are not interchangeable. Their value lies in allocating distinct responsibilities across the life of products, from design and manufacture to marketing, purchase, maintenance and eventual disposal. [45] [46] [47]

The philosophical challenge is to resist the false alternative between personal virtue and structural reform. Individual agency matters because actual decisions can avoid needless harm, express legitimate values and reward improved practices. Structural law matters because consumers do not determine the conditions of production, the distribution of purchasing power or the ecological limits within which markets must function. A credible approach to sustainable consumption places the two in a relationship of mutual support, without transferring public responsibility to private conscience. The Ecolabel is most useful when it makes one part of that relationship more trustworthy and comprehensible.

[43] Michael F. Maniates, Individualization: Plant a Tree, Buy a Bike, Save the World?, Global Environmental Politics 1(3) (2001), 31–52.

[44] Elizabeth Shove, Beyond the ABC: Climate Change Policy and Theories of Social Change, Environment and Planning A 42(6) (2010), 1273–1285, https://doi.org/10.1068/a42282.

[45] Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU, OJ L, 6 March 2024, especially Arts 1 and 4, Annex, and recitals 9–12, https://eur-lex.europa.eu/eli/dir/2024/825/oj.

[46] Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, OJ L, 28 June 2024, especially Arts 4, 5 and 9–12, https://eur-lex.europa.eu/eli/reg/2024/1781/oj.

[47] Directive (EU) 2024/1799 of the European Parliament and of the Council of 13 June 2024 on common rules promoting the repair of goods, OJ L, 10 July 2024, especially Arts 1, 5 and 22, https://eur-lex.europa.eu/eli/dir/2024/1799/oj.

This institutional perspective also changes the measure of success. A future European market in which nearly every product carries a persuasive environmental sign would not necessarily be sustainable. The relevant achievements would include verifiable reductions in harmful impacts, longer product lifetimes, fair access to lower-impact goods, accountable decisions over standards and improved ecological conditions that extend beyond the marketplace. Certification should be assessed against these objectives while remaining faithful to its narrower legal meaning. That is the appropriate ethical ambition for a public environmental label: not to confer innocence upon consumption, but to make particular claims more truthful and particular improvements more attainable within a just and enforceable framework of ecological responsibility.

28. References and Primary Legal Sources

Primary EU legislation and official documents

1. Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel, OJ L 27, 30 January 2010, pp. 1–19, in particular Arts 4, 6, 8–10; ELI: https://eur-lex.europa.eu/eli/reg/2010/66/oj.
2. Commission Decision (EU) 2026/66 of 23 December 2025 amending validity periods and related assessment and verification requirements for specified EU Ecolabel product groups, OJ L, 6 January 2026, https://eur-lex.europa.eu/eli/dec/2026/66/oj.
3. Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU, OJ L, 6 March 2024, especially Arts 1 and 4, Annex, and recitals 9–12, https://eur-lex.europa.eu/eli/dir/2024/825/oj.
4. Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, OJ L, 28 June 2024, especially Arts 4, 5 and 9–12, https://eur-lex.europa.eu/eli/reg/2024/1781/oj.
5. Directive (EU) 2024/1799 of the European Parliament and of the Council of 13 June 2024 on common rules promoting the repair of goods, OJ L, 10 July 2024, especially Arts 1, 5 and 22, https://eur-lex.europa.eu/eli/dir/2024/1799/oj.
6. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement, OJ L 94, 28 March 2014, pp. 65–242, Art 43, https://eur-lex.europa.eu/eli/dir/2014/24/oj.
7. Consolidated version of the Treaty on the Functioning of the European Union, Art 191, OJ C 202, 7 June 2016, p. 132, https://eur-lex.europa.eu/eli/treaty/tfeu_2016/art_191/oj.
8. Charter of Fundamental Rights of the European Union, Art 37, OJ C 202, 7 June 2016, p. 401, https://eur-lex.europa.eu/eli/treaty/char_2016/art_37/oj.
9. European Commission, Green Claims: Proposal on Substantiation and Communication of Explicit Environmental Claims, official status listed as Pending on the Commission topic page, accessed 28 October 2026, https://environment.ec.europa.eu/topics/circular-economy-topics/green-claims_en.
10. European Commission, Report on the Review of Implementation of the EMAS and EU Ecolabel Regulations, COM(2017) 355 final, 30 June 2017; and Commission Staff Working Document, SWD(2017) 253 final.
11. European Commission, EU Ecolabel Facts and Figures, September 2026, https://green-forum.ec.europa.eu/green-business/eu-ecolabel/businesses/eu-ecolabel-facts-and-figures_en (data as of September 2026).
12. European Commission, Eurobarometer Shows Consumers' Growing Trust in EU Ecolabel, 8 October 2026, https://luxembourg.representation.ec.europa.eu/actualites-et-evenements/actualites/eurobarometer-shows-consumers-growing-trust-eu-ecolabel-2026-10-08_en; see also the Commission EU Ecolabel website for the September 2026 Flash Eurobarometer.
13. European Commission, EU Ecolabel: Product Groups and Criteria, https://green-forum.ec.europa.eu/green-business/eu-ecolabel/product-groups-and-criteria_en; Regulation (EC) No 66/2010, Art 6.

Ethical, philosophical and interdisciplinary scholarship

14. Hans Jonas, The Imperative of Responsibility: In Search of an Ethics for the Technological Age (University of Chicago Press, 1984), https://doi.org/10.7208/chicago/9780226850337.001.0001.
15. John Rawls, A Theory of Justice, revised edition (Harvard University Press, 1999).
16. Amartya Sen, The Idea of Justice (Harvard University Press, 2009).
17. Iris Marion Young, Responsibility for Justice (Oxford University Press, 2011), especially ch 4, pp. 95–122, https://doi.org/10.1093/acprof:oso/9780195392388.001.0001.
18. Jürgen Habermas, Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy, translated by William Rehg (MIT Press, 1996).
19. Elinor Ostrom, Polycentric Systems for Coping with Collective Action and Global Environmental Change,

Global Environmental Change 20(4) (2010), 550–557, https://doi.org/10.1016/j.gloenvcha.2010.07.004.

20. Elizabeth Shove, Beyond the ABC: Climate Change Policy and Theories of Social Change, Environment and Planning A 42(6) (2010), 1273–1285, https://doi.org/10.1068/a42282.
21. Michael F. Maniates, Individualization: Plant a Tree, Buy a Bike, Save the World?, Global Environmental Politics 1(3) (2001), 31–52.
22. Magali A. Delmas and Vanessa Cuerel Burbano, The Drivers of Greenwashing, California Management Review 54(1) (2011), 64–87, https://doi.org/10.1525/cmr.2011.54.1.64.
23. Richard H. Thaler and Cass R. Sunstein, Nudge: Improving Decisions About Health, Wealth, and Happiness (Yale University Press, 2008).
24. United Nations Environment Programme, International Resource Panel, Global Resources Outlook 2024 (UNEP, 2024), https://www.unep.org/en/publications/report/global-resources-outlook-2024.