

## Position paper

### Inception Impact Assessment for a legislative proposal on substantiating green claims

The European Copper Institute (ECI) welcomes the European Commission's efforts to establish positive rules to substantiate environmental claims as a tool to unlock opportunities for a green and circular economy. Option 1 & Option 2 as outlined in the Inception Impact Assessment of the European Commission can help further develop the Environmental Footprinting methodology before it can be used for decision-making to achieve fair rules for all materials.

*In line with the position paper of Eurometaux, the European non-ferrous metals association, we are fully supportive of Life Cycle Impact Assessment (LCIA) and Environmental Footprinting (PEF). Such methods provide a solid, standard and scientific approach to assess product/activity performance from a life-cycle perspective. The approach can achieve its objectives insofar as it allows for the assessment of appropriate metrics per industry sector. The EF method improves LCA by integrating data quality requirements and rules that improve consistency. Yet, we remain concerned that some data inaccuracies and knowledge gaps have still not been addressed, in particular related to how raw material uses are assessed. Voluntary, industry-led initiatives should therefore complement such methods in terms of substantiating green claims and achieving improvements in the environmental performance of products.*

We would therefore welcome that the planned impact assessment for a legislative proposal investigates more specifically our sector's concerns, along with the proposed solutions.

Option 1: Updating the 2013/179/EU Recommendation upon the outcome of the 2013-2018 pilot phase

**Additional proof point: The adoption of a staggered, sector-specific approach would allow the metals sector to accurately measure and provide the most representative figures in view of proving its environmental performance from a life-cycle perspective.**

The EF methodology stresses the need of using high-quality data for life cycle assessment, includes guidelines to assess the quality of data and provides for verification of data's correctness. The development of Product Environmental Footprint Category Rules and efforts made to agree on horizontal guidance contribute to increased re-productibility and consistency of results. While we support the use of LCA/EF methods to assess environmental effects, the current status EF impact categories fall short of identifying all relevant suitable parameters on eco-toxicity, human toxicity, resource use for metals (and in particular copper). These impact categories/metrics are not yet well-established and still debated in the scientific/regulatory community. Therefore their inclusion at this stage leads to inappropriate benchmarking and misleading product comparisons. As an engaged stakeholder, the copper industry is committed to improve such methodological gaps – but requires time and therefore calls for the consideration of a staggered and sector-specific adoption.



Option 2: Establish a voluntary EU legal framework enabling companies to make green claims in accordance with the Environmental Footprint methods, as a complement to existing methods (developed by private or public entities, at national or international level).

**The methodology should complement existing LCA tools after essential corrections are made (e.g. toxicity, eco-toxicity and resource use).**

We encourage the EU Commission to further improve and promote robust LCA practice and harmonized methodology to ensure a high level of consistency and comparability of green claims.

ECI strongly supports the establishment of a voluntary EU legal framework, as outlined under Option 2. Some flexibility is needed in cases where another framework could better apply in some sectors. The acceptance/recognition of complementary, already developed industry-led initiatives can ensure an accurate and credible LC assessment of products. The Copper Mark, as a comprehensive, credible assurance framework, can serve as an add-on to the various EF metrics that are being applied to substantiate green claims before policy-makers.

ECI is the representation of the International Copper Association (ICA) in Europe. The [International Copper Association](#) with its 35 members represent a majority of the world's primary copper production, and some of the largest mid-stream smelters/refiners, and 10 of the world's largest copper fabricators. It aims to bring together the global copper industry to develop and defend markets for copper and to make a positive contribution to society's sustainable development goals. Through regional and local centres within Copper Alliance, ICA partners with more than 500 organizations globally.

**Contact:** Katia Lacasse, Director, Material Stewardship & Strategic Advocacy – Europe

**Address:** Avenue de Tervueren, 168, 1150 Brussels, Belgium

**Tel.:** +32 (0)2 777 70 86

**E-mail:** [katia.lacasse@copperalliance.eu](mailto:katia.lacasse@copperalliance.eu)