



Council of the  
European Union

Brussels, 1 April 2022  
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2022/0092(COD)**

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**7808/22  
ADD 1**

**CONSOM 78  
MI 246  
COMPET 203  
ENER 118  
ENV 313  
SUSTDEV 75  
DIGIT 73  
CODEC 421  
IA 36**

**COVER NOTE**

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	31 March 2022
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2022) 143 final
Subject:	ANNEX to the Proposal for a Directive of the European Parliament and of the Council amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and better information

Delegations will find attached document COM(2022) 143 final.

Encl.: COM(2022) 143 final



EUROPEAN  
COMMISSION

Brussels, 30.3.2022  
COM(2022) 143 final

ANNEX

**ANNEX**

**to the**

**Proposal for a Directive of the European Parliament and of the Council  
amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for  
the green transition through better protection against unfair practices and better  
information**

{SEC(2022) 166 final} - {SWD(2022) 85 final} - {SWD(2022) 86 final}

## ANNEX

Annex I to Directive 2005/29/EC is amended as follows:

(1) the following point 2a is inserted:

‘2a. Displaying a sustainability label which is not based on a certification scheme or not established by public authorities.’;

(2) the following points 4a and 4b are inserted:

‘4a. Making a generic environmental claim for which the trader is not able to demonstrate recognised excellent environmental performance relevant to the claim.

4b. Making an environmental claim about the entire product when it actually concerns only a certain aspect of the product.’;

(3) the following point 10a is inserted:

‘10a. Presenting requirements imposed by law on all products within the relevant product category on the Union market as a distinctive feature of the trader’s offer.’;

(4) the following points 23d to 23i are inserted:

‘23d. Omitting to inform the consumer that a software update will negatively impact the use of goods with digital elements or certain features of those goods even if the software update improves the functioning of other features.

23e. Omitting to inform the consumer about the existence of a feature of a good introduced to limit its durability.

23f. Claiming that a good has a certain durability in terms of usage time or intensity when it does not.

23g. Presenting goods as allowing repair when they do not or omitting to inform the consumer that goods do not allow repair in accordance with legal requirements.

23h. Inducing the consumer into replacing the consumables of a good earlier than for technical reasons is necessary.

23i. Omitting to inform that a good is designed to limit its functionality when using consumables, spare parts or accessories that are not provided by the original producer.’.