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SGA UPDATE ON 'EMPOWERING CONSUMERS IN THE GREEN TRANSITION DIRECTIVE' AMENDING THE 'UNFAIR COMMERCIAL PRACTICES DIRECTIVE'

The Empowering Consumers in the Green Transition (ECGT) Directive amends EU Directives 2005/29/EC (the Unfair Commercial Practices Directive; UCPD) and 2011/83/EU (the Consumer Rights Directive), CRD. The ECGT became European law in February 2024, with member states **adopting it by 27 March 2026**, and **enforcement to begin from 27 September 2026**.

Activities that are strictly prohibited by the ECGT Directive:

- “making an environmental claim about the entire product or the trader’s entire business when it concerns only a certain aspect of the product or a specific activity.”
For example: a visually implied association with “sustainability” that does not apply to the entire game.
- “claiming, based on the offsetting of greenhouse gas emissions, that a product has a neutral, reduced or positive impact on the environment in terms of greenhouse gas emissions.”
For example: claiming that a game has a reduced climate impact through purchased carbon credits.
- any “generic environmental claim” that is not included as part of a sustainability label, and where the specification of the claim is not provided in clear and prominent terms.
For example: an environment-themed Steam sale that does not specify what specifically is environmentally superior about the games involved.
- all generic “Green”, “Eco” or “Climate” themed events, jams, that make no explicit claim to excellent environmental performance. Due to the case-by-case nature of assessments, it is not possible to determine whether “pro-environmental storytelling in a game” will, in all circumstances, pass the UCPD standards.

How are these rules enforced?

Different EU countries have implemented different national frameworks. Depending on the country, claims can be brought by competitors, private citizens, environmental NGOs, or consumer protection authorities. This means that unsubstantiated and generic green claims

pose a risk, including potential fines (up to 4% of a trader's annual turnover in the Member State or Member States concerned) and reputational damage.

Can I still talk about sustainability achievements?

Yes! And to avoid falling into prohibited unfair commercial practices, companies must either:

- A) Ensure that any sustainability claims are concrete and specific (not generic – “green”, “climate friendly”), are unambiguous, and that evidence is provided for them.

An example that the ECGT directives provides is that “‘climate-friendly packaging’ would be a generic claim, whilst claiming that ‘100% of energy used to produce this packaging comes from renewable sources’ would be a specific claim” and would not be a prohibited unfair commercial practice. Take note, however, that “a claim made in written form or orally combined with implicit claims such as colours or images could constitute a generic environmental claim.” For instance, commercial games that participated in a themed event or sale, with environmental images and colours could potentially be considered an unfair commercial practice.

- B) Limit green or sustainability claims to business operations, verify and communicate the extent of applicability of those claims.

Sustainability claims still need to be specific, and accurately reflect the extent of achievement of excellent environmental performance. The ECGT directive provides the following example of a prohibited unfair practice: “when a trader gives the impression that it is only using renewable energy sources when in fact several of the trader’s business facilities still use fossil fuels. Accordingly, the ban should not prevent a trader from making environmental claims about its entire business, provided that those claims are accurate and verifiable and that they do not overstate the environmental benefit.”

Is there any way to verify my sustainability claims in advance?

No – the Green Claims Directive was initially proposed to create a pre-approval process for validating specific green claims, but the European Commission has withdrawn this directive. Instead, the unfair commercial practices directive emphasizes “a case-by-case assessment” of claims. Game developers now need to be extra vigilant about the extent and validity of their green claims.

The Sustainable Games Alliance has developed the [SGA Standard](#) to minimise these challenges and support the game industry with evidence-based claims about environmental performance through enabling:

- Standardised methodologies, vetted by industry and civil society expertise
- Clear boundaries and data requirements that substantiate specific, concrete claims about sustainability achievements

The SGA also has a network of experts who advance sustainable communication practices, which you can join: [SGA Sustainable Communication Network](#).

How EU countries are implementing it

- In Germany, the unfair commercial practices directive is implemented via the Act against Unfair Competition (Gesetz gegen den unlauteren Wettbewerb; UWG).
"The German enforcement model traditionally relies on private actions for injunction initiated by representative organizations although recently a public authority was assigned the task to address cross-border unfair commercial practices." ([SOURCE](#))
- In Italy, the Autorità Garante della Concorrenza e del Mercato (AGCM) is the consumer authority with responsibility for unfair commercial practices.
In 2025, they imposed an €8m fine on a freight provider for a misleading and untransparent environmental sustainability initiative. ([SOURCE](#))
- In the Netherlands, a high-profile greenwashing case against KLM involved "a meticulous claim-by-claim contextual assessment, holding that the term 'duurzaam' (sustainable) is inherently misleading when used without specifying which environmental benefit is claimed and to which aspect of the product it relates." ([SOURCE](#))
- In Belgium: "The Belgian FOD Economie identified greenwashing on FlixBus's Belgian website: vague claims of being 'milieuvriendelijk' and 'klimaatvriendelijk' without substantiation. When FlixBus refused voluntary correction, the matter was referred through the CPC Network to the German Umweltbundesamt, and ultimately the Bundesgerichtshof ruled against the operator." ([SOURCE](#))
- EU national implementations: tracked and listed [here on the EU website](#).

For more information: Read the EU Legislative Observatory's [Empowering Consumers for the Green Transition Summary](#) online, or read the [ECGT Directive full directive](#) online.

This information is provided for general informational purposes only and does not constitute legal advice.

About the Sustainable Games Alliance (SGA)

The Sustainable Games Alliance is a non-profit cooperative founded by the world's leading game entrepreneurs and environmental researchers with one goal: to make the games industry the leader in sustainability by setting ambitious and achievable standards for environmental and social responsibility.

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