



As of September
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In the period from 29 July 2025 to 19 January 2026 the President of the Office of Competition and Consumer Protection (UOKiK) filed greenwashing charges against seven large companies operating in Poland, and 27 September 2026 will be the effective date of the ECGT (Empowering Consumers for the Green Transition) Directive, introducing a strict ban on the most common pseudo-green marketing practices. Violations will be subject to high fines.

I. The legal status and uncertain fate of the Green Claims Directive

On 20 June 2025, the European Commission officially announced its intention to withdraw the draft Green Claims Directive, which was to introduce uniform standards for verifying the environmental claims of companies throughout the European Union. The decision was made just one working day before the planned trilateral negotiations, after the 19 June 2025 letter from the European People's Party (EPP) announcing that it would not support the draft, and after Italy withdrew its negotiating mandate from the Polish Presidency of the Council of the EU. The primary objections were excessive bureaucracy, high costs for businesses and the expansion of obligations onto micro-businesses (fewer than 10 employees or 2 million euro in turnover). Following the criticism, the Commission softened its position and announced plans to simplify the draft, including to exclude micro-businesses and make verification voluntary. Theoretically the negotiations remain open. Irrespective of the fate of Green Claims, the legal framework for combating greenwashing in the EU remains in force. It is the ECGT Directive (2024/825) of 28 February 2024, which has been adopted and is subject to mandatory implementation by member states.

II. UOKiK's involvement and first charges filed

On 29 July 2025 the President of the UOKiK filed charges of greenwashing against four companies from the e-commerce and logistics sector. On 19 January 2026 charges were brought against three more companies. The UOKiK took issue with claims such as "green fleet", "zero-emissions", "environmentally neutral", "we deliver zero-emissions e-commerce" and "we plant trees for picking up packages", stating that they were based on incomplete data, applied only to a portion of operations, or set conditions the consumers

were not clearly informed about. At the end of 2025 the UOKiK was conducting an additional seven investigations into greenwashing, and its President announced that inspections would continue in the cosmetics, food and clothing industries.

III. Amount of financial penalties and personal liability

The President of the UOKiK may impose a financial penalty on businesses that engage in greenwashing as a practice that violates the collective interests of consumers. This penalty can equal up to 10% of the business' annual turnover for each practice in question. In addition, based on the Act of 9 November 2018 amending certain acts to strengthen supervision over the financial market and protect investors (the so-called KNF Act), a penalty of up to PLN 2 million may be imposed on managers for intentionally violating the collective interests of consumers, and in the case of those managing entities from the financial sector – up to PLN 5 million. At this time the UOKiK is acting based on the Act of 23 August 2007 on counteracting unfair market practices and the Act of 16 February 2007 on protecting competition and consumers. It is not waiting on the EU regulations to be finalized. Polish regulations on protecting the collective interests of consumers already make it possible to effectively prosecute greenwashing. The UOKiK's proceedings can last several months and lead not only to penalties, but also to an order to publish a statement about the violation, which generates a significant reputational risk.



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IV. The ECGT Directive: implementation date and scope of application

Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024, referred to as the ECGT or the Directive on Empowering Consumers in the Green Transition, entered into force on 26 March 2024. Member states were required to transpose the directive into national law no later than by 27 March 2026, and the application of the new provisions is to start on 27 September 2026. Poland is implementing it through a draft bill (No. UC111) that amends two key legislative acts: the Act on counteracting unfair market practices and the Act on consumer rights. The bill was published by the Government Legislation Center at the end of December 2025 and submitted for public comment and inter-departmental consultations. The scope of the directive covers only B2C (Business-to-Consumer) communications and product marketing, whereas corporate reporting under the CSRD remains outside the scope of the ECGT. In its current form the bill does not provide for a transition period or a stock-out clause for products already on the market, which poses significant business risks.

V. Blacklist of strictly prohibited practices

The ECGT Directive expands Annex I to the Unfair Commercial Practices Directive (UCPD), creating a so-called "blacklist" of practices that are strictly prohibited, without the need to demonstrate their impact on consumer decisions. Prohibited practices include the displaying of sustainability labels which are not based on a certification scheme, or which have not been established by public authorities, the making of generic environmental claims (such as "eco", "green", "environmentally friendly") without demonstrating recognized excellent environmental performance, making environmental claims about the entire product when it applies only to a single component, and declaring a product to be climate neutral solely on the basis of emissions offsetting. Product claims such as "climate neutral" "carbon positive" or "carbon compensated" based on offsets outside the product's value chain are strictly prohibited. Declaring offsets at the corporate level rather than at the product level does, however, remain permissible.

VI. Requirements regarding claims of future performance

The ECGT Directive introduces specific requirements for marketing claims regarding

future environmental performance, such as "net zero by 2030" or "climate neutrality by 2040." Such commitments must be supported by a clear, public and verifiable plan containing specific intermediate objectives spread out over time, the allocation of financial and technological resources, a procedure for regular monitoring by an independent third-party expert, as well as the public disclosure of the verification results. The absence of such a plan would qualify the declaration as an unfair market practice. For companies engaged in marketing communications on climate transition this means a need to change over from general brand image statements to documented, measurable transition roadmaps tied to climate transition plans.

VII. Certification system and green label requirements

Draft bill UC111 specifies that the certification system must include verification by an entity independent of the label owner, accredited in accordance with EC Regulation No. 765/2008 or compliant with the ISO/IEC 17065 or ISO/IEC 17021. Self-claims made by manufacturers in the form of graphic "seals" or private eco-labels without an independent certification system will become illegal. Companies that use their own environmental labels in marketing communications have until 27 September 2026 to change over to recognized, certified standards or remove such labels from their marketing materials. Brand and product names that contain terms such as "green" "eco" "bio" "natural" or "climate neutral" are also subject to risk analysis, as they may be viewed as environmental claims irrespective of intellectual property protection.

VIII. Guidelines on how to avoid greenwashing in practice

Businesses that conduct marketing communications that include environmental aspects should perform an audit of all environmental claims used in their advertisements, packaging, websites, in POS materials, as well as in social media



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communications. Each claim should be supported with specific, verifiable documentation: material names, percentages of ingredients, sources of origin, emissions data and measurement methodology. They should avoid vague terms like “eco” “natural” or “environmentally friendly” without specifying what element of the product or service they pertain to and on what scale. Comparisons such as “more eco-friendly than others” must be based on an objective methodology and clearly described. The graphic design itself (green color, leaf, earth

motifs) should not suggest that a product is eco-friendly if this is not supported by its actual characteristics. It is also recommended for businesses to verify their contractual clauses with distributors, suppliers, marketing agencies and e-commerce platforms for the division of responsibilities for marketing content.

IX. Most common mistakes identified during proceedings

UOKiK's proceedings conducted in the years 2025–2026 revealed recurring errors in marketing communications regarding sustainability. The first is basing claims on selective data that do not cover the entirety of the company's operations. An example was a communication about “zero-emissions e-commerce”, even though the majority of the fleet consisted of high-emissions vehicles. The second mistake is the presentation of environmental programs in a way that suggests direct consumer impact, even though actions are performed independently of consumer activities. In the case of a large e-commerce platform, trees were planted in advance, irrespective of the number of packages received by customers. The third problem is the lack of clear information about the conditions of participating in eco-friendly programs. For example: the condition to enter a dedication for a “planted tree” within 30 days was poorly communicated. The fourth mistake are the so-called “eco-shaming” practices, i.e. pressuring consumers to choose an option presented as eco-friendly through suggestive comparisons the basis for which has not been verified with reliable data.

X. Recommendations and getting ready

Companies should immediately begin preparations to apply the new regulations starting from 27 September 2026, irrespective of any potential delays in the Polish legislative process. It is recommended for companies to perform a comprehensive audit of compliance that includes mapping all environmental and climate claims in marketing communications, identifying high risk terminology (especially labels), verifying documentation and updating marketing materials, packaging, and websites. It is also necessary to provide training on the new requirements to marketing teams, legal departments, PR departments and those in charge of dealing with third-party agencies. Net-zero commitments and climate transition plans should be analyzed for compliance with the requirement to have a verifiable plan with measurable objectives and an independent monitoring procedure. As audit documentation will become key evidence of “reasonable and commensurate efforts” in the event of a UOKiK inspection, it should be kept in a systematic manner.



The information presented herein does not constitute comprehensive information or opinion. Consult your adviser before making any decisions.



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