

Highland Council Trading Standards

Sent on: Thursday, June 3, 2021 9:31:49 AM

To: misleadinggreenclaims@cma.gov.uk

Subject: Consultation: CMA Guidance on Environmental Claims for Goods and Services

Dear Sir/Madam

Consultation: CMA Guidance on Environmental Claims for Goods and Services

<https://assets.publishing.service.gov.uk/media/60a66abf8fa8f520c949b5e7/MGC - Consultation document-.pdf>

Thank you for the recent draft guidance regarding the guidance for businesses on Environmental Claims for Goods and Services. I would suggest that the guidance, at present, is very general and perhaps would benefit from some case examples (which you may already be proposing to include). Examples of claims which may be misleading to consumers include:

- Electric/Hybrid vehicles where the efficiency of the battery of such a vehicle (when quoting mileage range) may not be explained fully to a consumer prior to purchase. As the battery gets older on an electric vehicle (most come with an 8 year warranty) then the mileage range advertised may not be achievable and the battery will have to be replaced which is very costly. This information should be up front to the consumer at the time of purchase for new and second-hand electric vehicles. (Possibly likewise claims relating to second-hand Hybrid electric vehicles too). As all new petrol and diesel vehicles will no longer be manufactured as from 2030 then I would assume that the second hand market in electric vehicles will also grow. I found this article recently from Autotrader which provides useful background to this proposed change: <https://www.autoexpress.co.uk/news/108960/2030-petrol-and-diesel-ban-what-it-and-which-cars-are-affected> and a further article on what to look out for when buying a second-hand electric vehicle: <https://www.autoexpress.co.uk/car-news/electric-cars/98117/used-electric-cars-should-you-buy-one>

- Renewable Energy Product Eco claims – trading standards still receive complaints from consumer who have bought energy saving products or have had renewable energy products installed which don't meet the energy saving claims made by the installer/seller. There is a myriad of complaint processes and potential arbitration avenues for consumers to try and obtain redress and I have assisted some consumers regarding this in the past but it can be very confusing (comparing the claims made and the actual savings). ASA have recently issued a press article on this area of concern which is a useful illustration of the potential misleading claims that can be made by sellers: <https://www.asa.org.uk/news/ensuring-your-environmental-claims-are-more-than-just-hot-air.html>
- Wood burning stoves (Scottish Government proposal to have Ecodesign stoves through Ecodesign Ready initiative to replace current wood burning stoves). The Scottish Government is still consulting on this issue (which background relates to anti pollution legislation already introduced in England). Wood will be required to be 'ready to burn' so have a lower water content to ensure this is the case for the consumer. Wood burning stoves will also have to be more efficient regarding emissions and some fuel (such as coal) will be banned from its use. This is a largely unregulated area at present in Scotland and anyone can sell and install a wood burning stove. We had a breach of Enforcement Order a number of years ago against such a seller who disappeared and left considerable consumer financial hardship behind. I would hope that this area would also be considered as consumers are being sold on energy efficiency claims and the prospect of saving money on electricity bills. Guidance for consumer who purchase wood can be found here: <https://www.burnright.co.uk/> and <https://woodsurre.co.uk/firewood-ready-to-burn/>

I look forward to the publication of the final guidance in this area.

Kind regards

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