

THE LEVEL OF SOCIAL AWARENESS OF SUSTAINABLE DEVELOPMENT IN THE MANAGEMENT OF IMAGE AND PRODUCT ACTIVITIES

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Purpose: The aim is to present the legal changes that will be implemented in EU countries to strengthen the position of consumers in the process of ecological transformation. The presentation of the norms, which change the actual state of affairs by protecting purchasers of goods and services against unfair practices and ensuring their right to access reliable information, is confronted with the results of empirical research into social and environmental awareness. It was found that environmental awareness in Poland is systematically increasing, and that the perception of climate protection or the need for rational management of natural resources is translated into specific purchasing decisions. Therefore, the commercial importance of the labelling of goods and services that refer to a nature-friendly value system in economic activities is also increasing.

Design/methodology/approach: An analysis has been carried out of the provisions that, by virtue of Directive (EU) 2024/825 of the European Parliament and of the Council adopted on 28 February 2024, will be introduced into the legal order of the European Union Member States in 2026. An interpretation of the data relating to the area covered by the amended EU law was made. The results of public opinion surveys (EKObarometer 2024) on ecology and sustainable development were also compared with the area of the described legal changes. Transformations in the perception of the surveyed parameters over the last five years are also presented. Considering the suggested implementation solutions in the context of educational and popularisation activities, an analysis of Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU is also made.

Findings: The introduction of amended and still under preparation EU legislation strengthening the position of consumers will change the situation in commercial relations in the market for goods and services, the sale of which involves the use of environmental or social certification schemes. The current discretionary labelling and labelling practices expose consumers to unfavourable purchasing decisions, which may result in them purchasing products or services promoted as 'environmentally friendly' at a higher price with no guarantee that they are obtaining a good that actually meets environmental protection requirements. The published Directive introduces new prohibited market practices into the existing list (Annex I of Directive

2005/29/EC). It is worth pointing out that work is under way on a further piece of legislation, namely the Environmental Claims Directive, which will precisely regulate the system of voluntary product certification, setting out the requirements and criteria for eco-labels. The change of law should be accompanied by an information campaign explaining the principles of the introduced transformations and, at the same time, popularising the idea of sustainable development. A suggested medium for conducting communication activities is the media of local government units.

Practical implications: It has been shown that the increasing recognition of sustainability and ecology among consumers is linked to unfair practices of ‘pseudo environmental marketing’. This EU directive targets similar practices. The revision of the law will enable the use of labelling that provides reliable, verified and credible data on the specificity, nature and overall environmental impact of a given product.

Keywords: sustainable development, changes in EU law, greenwashing, social and environmental labels, ecobarometer, local government press in Poland.

Category of the paper: Research.

1. Introduction

In the spring of 2024, the European Union's rules on the communication of products and services related to nature conservation, climate or natural resources were amended. In September 2026, the adopted amendments must be implemented in the legal order of the Member States. The introduction of the regulations will entail significant transformations for both producers and distributors and consumers, whose position is clearly strengthened. One of the most important changes will be to make the pursuit of a communication policy using concepts linked to ecology, sustainability, the circular economy or the carbon footprint - conditional on compliance with specific requirements imposed by certification organisations recognised by the public authorities of the Member States. In practice, this means declaring war on ‘pseudo-environmental marketing’ by introducing a so-called ‘blacklist’ of banned unfair practices. The legislative processes aim to eliminate the current situation where labels, tags or logos indicating the ‘environmentally friendly’ nature of a product or service can be included as part of a promotional campaign. Countering the practice of buying into various types of foundations or associations to certify that a product conforms to buyers' preferred characteristics is of great social importance. In fact, a study conducted in 2022 in the European Union, cited later in this article, shows that as many as 56% of consumers in individual countries encountered misleading claims about the alleged environmental qualities of specific products. At the same time, a survey conducted in Poland in 2024 draws attention to the identical level of consumers declaring that they take into account certificates placed on packaging or used in advertising campaigns for the products on offer when making their purchasing decisions. The process of empowering consumers during the ecological transition involves successive legislative processes in the European Union. Preparations are currently underway for the

adoption of directives on environmental claims, which will set out ways of verifying the reliability of voluntary references to a product's environmental performance. Fundamental changes in the legal state will require intensive consumer education activities.

In the media market, the press of local administration functions in various forms - from traditional printed newspapers, through their e-editions, to web TV, radio stations, mobile applications to official or municipal profiles in social media. It is worth considering pointing out that it is precisely this potential that should be exploited in information and education activities aimed at raising the public's level of environmental awareness.

2. Literature review

Greenwashing has been identified for decades (Pendse, Nerlekar, Darda, 2022, Wolniak, Hąbek, 2015) influencing green marketing strategies (Vangeli et al., 2023). The commercialisation of green products is accompanied by misleading buyers by some companies (de Freitas Netto et al., 2020). The very packaging of the product on offer can make unauthorised references to ecology (Boncinelli et al., 2023). Manipulation-based persuasive communication involves artificial intelligence (Moodaley, Telukdarie, 2023), further masking the real economic goals of companies (Pimonenko et al., 2020).

The growth of greenwashing is paradoxically fostered by elaborate environmental reporting systems (Montgomery, Lyon, Barg, 2024) and pressure to have 'green legitimacy' (Zhang et al., 2023) not only among customers, but also shareholders and investors (Megura, Gunderson, 2022) and wider stakeholders (Santos, Coelho, Marques, 2024). This also applies to communicating the circular economy (Opferkuch et al., 2022). Researchers are looking at methods to counteract the practice (Corsini, Frey, 2024) and investigating consumer perceptions of greenwashing (Rahman, Nguyen-Viet, 2023). Addressees - especially younger age groups - being recipients of manipulated messages lose confidence in 'greenwashing' (Vanessa, Ariestya, 2024) and organisations begin to realise the image damage they are exposing themselves to (Becchetti et al., 2023), as the disclosed practice damages the company's reputation (Janz et al., 2024).

Greenwashing is also seen as an obstacle to the green transformation of the European Union (Kmita, 2024). Set environmental goals can be achieved in line with CSR (Kuzior et al., 2022; Starchenko et al., 2021) and credibly reported, rather than resorting to misrepresentation, understatement and manipulation. Hence, the much-anticipated revision of EU law empowering consumers (Keirsbilck, 2024) was precisely in relation to the ecological transition (Spedicato, 2024). The analysed amendment (Presicce, 2024) will require changes in the communication strategies of economic actors (Viitanen, 2024). According to some, it contains regulations that are too detailed (Reale, 2024), but it is seen as a step towards the implementation of principles

of integrity and honesty (Galán Cubillo, 2024), which confirms the need for a transformation of corporate culture based on environmental awareness (Bochko, Kuzior, Karpil, 2024). The Directive 2024/825 discussed in the article will furthermore soon contribute to the creation of a new legal framework - already under development - for advertising, among other things (Evans, 2024).

3. Research method

This article interprets the conclusions from the measurement of structural changes taking place among a group of consumers participating in the cyclical EKObarmeter survey, conducted by the research institute SW Research. The report of the 6th edition of the survey was published in June 2024. Ecobarometer 2024, is a survey that was conducted from 29 April 2024 to 12 May 2024 by SW RESEARCH Agency for Market and Opinion Research using the online interview method (CAWI) on the SW Panel internet panel. A sample of 1,500 people participated, controlled for gender, age and size of place of residence.

The provisions of Directive 2024/825 amending Directive 2005/29 on unfair business-to-consumer commercial practices and Directive 2011/83 on consumer rights were also analysed in detail.

For the purpose of the article, a review of the communications issued by the European Parliament on 'Climate and Environment' and 'Closed Economy' and 'Consumer Rights' was carried out. With a view to suggested application solutions, the social media coverage in cyberspace available to local government units of all Polish cities with poviat rights was presented.

4. Results

The results obtained from the 'EcoBarometer 2024' project confirm that, in the opinion of respondents, the state of the environment is a major problem. This is the opinion of almost 3 in 4 Poles (72%).

It should be noted that the opposite view is held by 24% of respondents, who consider ecology to be an unimportant and overrated sphere, as the Earth (including climate, air, water, soil, etc.) is doing well regardless of, for example, pollution generated by industry or transport.

In the area of economic marketing, environmentalism in the broadest sense is gaining increasing importance. Nearly 70% of consumers (68%) admit that producers' commitment to nature conservation is significant to them. In turn, 46% of purchasers even declare the transfer

of ideas from this sphere into the world of purchasing decisions, as they say that they try to choose such brands of goods, the manufacturers of which are involved in counteracting negative climate change.

Respect for the environment in the creation of products or the delivery of services was important to 66% of consumers of these goods. In the process of commercially 'valuing' environmental awareness, it is worth noting that only 27% of purchasers stated that they would not be able to pay a little more for a product from a brand committed to improving the environment or implementing sustainable management principles. The value of similar declarations may therefore be relevant to the market strategies of producers or distributors of goods or services (including, for example, 'green energy'). Clearly, customers' pro-environmental attitudes are translated into persuasive communication messages used by manufacturers or sellers. But what is noteworthy is the high level of recognition of 'green advertising', with 53% of consumers declaring contact (in the month before the survey was conducted) with an advertisement that used green slogans. Furthermore, 60% of participants declared a positive attitude towards persuasive messages using references to ecology.

Despite these incentives, environmental issues directly translate into an increase in the price of the products and services offered. However, a higher purchase rate is a barrier in this case for as many as 57% of respondents.

It should be noted that the authors of EKObarometer 2024, distinguished among the respondents, categories characterised by characteristic sets of attitudes, beliefs and shared values related to ecology. They then compared the actual state of affairs with the results achieved during last year's and the previous five editions of the project. It turned out that the enthusiasts of the eco-trend decreased (in 2024, a decrease to 24% from 31% in 2020 and identical in 2023), while the number of critics increased slightly (in 2024, an increase to 16% from 15% in 2020 was recorded, although in 2023, the state was only 10%). Taking into account the differences in the year between the surveys, an increase in the number of critics (+6 percentage points) and at the same time a decrease in the number of enthusiasts (-7 percentage points) is evident.

The authors of the ECObarometer interpret this situation in terms of increased environmental awareness. This can be seen from the aforementioned 'green advertisements'. As many as 39% of the survey participants were inclined to agree that they contribute to positively increasing the identification of environmental problems as a sphere of importance for humanity. Meanwhile, 34% of respondents declared a lack of faith in the sincerity of the intentions of the senders of such persuasive messages, where 'eco' themes are used instrumentally. Such a view is confirmed by subsequent analyses. Well, 68% of consumers supported the view that ecological slogans are used only for promotional purposes, 63% agreed that most brands treat ecology only in terms of image enhancement, and 57% expressed concern about the authenticity of well-known environmental activists present in media messages, positing that they use ecology for self-promotion.

The findings lead directly to issues related to the pathology of environmental communication, i.e. greenwashing content. Greenwashing is the false or misleading wording of various types of claims that purport to assure consumers that a company's products, services or activities are environmentally friendly. The percentage of respondents to the 2024 ECObarometer correctly identifying this term was 35%. This represents an increase from 11% in 2019, through 13% in 2022 and 29% in 2023.

Pseudo green marketing is seen as the practice of creating a false impression about the environmental impact of a product, service or organisation, which can mislead consumers or stakeholders. The European Union has prepared legislation to counteract the practice of companies making unsubstantiated claims that they or their products and services are green. 62% of respondents to the EcoBarometer 2024 expressed a positive attitude towards tightening legal solutions aimed at enforcing fairness, credibility and objectivity in environmental and natural resource protection activities and in the process of communicating such activities.

In this context, it is worth presenting the results of ECObarometer 2024 regarding the perception of environmental and social certificates and labelling on packaging.

More than half of the respondents (56%) declared that their presence is important to consumers (sum of the answers 'very important' - 11% and 'I often pay attention, but they are not always decisive' - 45%). The opposite view was held by 35% of the participants in the research project (as a sum of the answers indicating that the certificates 'are rather unimportant to me: I rarely pay attention to them' - 26% and 'they are completely unimportant to me, I do not pay attention to them at all' - 9%). A separate category was made up of consumers choosing the answer that they never check the contents of labels because they are not sure what the information contained therein means anyway (9%).

The number of people emphasising the importance of social and environmental certificates should also be compared with the actual purchasing decisions surveyed. While the percentage of respondents convinced of the importance of this parameter amounted to 56%, real applications of it were reported by 29% (as a sum of the answers: 'almost all the products I choose have such labels' - 5 per cent and "most of the products I choose have such labels" - 24 per cent).

Meanwhile, according to data published in March 2022 by the European Commission, 56% of consumers across the community said they had encountered misleading claims about the alleged environmental qualities of specific products (Empowering Consumers for the Green Transition, EC, 30 March 2022). As many as 86% of EU consumers also wanted more comprehensive information on the sustainability of products. At the same time, it was found that only 35% of labels referring to sustainability were based on verified data ensuring the reliability of the consumer information provided.

In the material disseminating the results of the study, the European Commission highlighted that there are 230 voluntary ecolabels, 901 food labelling schemes and 100 green energy logos in the Community. The factual situation was characterised by difficulties in determining the reliability of such labels.

However, the increase in environmental awareness has been accompanied by the long-known practice of the unauthorised use of environmental phraseology for commercial purposes. The scale of the process is broadened by the need for operators to prepare ESG sustainability reports. The name refers to the areas of analysis contained in this document and primarily concerns the environmental aspect (Environmental) in terms of waste management, biodiversity, climate protection and greenhouse gas emissions, as well as the broader concern for the maintenance of natural resources and the prevention of environmental pollution. The next part of the ESG report focuses on the social sphere (Social) in terms of respect for labour rights, employment policies that ensure human dignity and fairness, sustainable development of communities in the area where the reported business entities are located. The third element deals with Corporate Governance. The governance component deals with the organisational structure and competencies and responsibilities of individual business units, but also with communication with stakeholders and the transparency of the company's operations, the procedures for implementing ethical principles into the procedures used, the management control systems in place and counteracting negative phenomena (such as corruption). It can be concluded that the ESG report defines the company's position with regard to norms, principles and rules for the implementation of activities in the sphere of sustainable development, facilitating the verification of a given company's impact on society and the environment.

Hence, the concept of greenwashing, although it does not yet have a legal definition, is based on a false or misleading statement that the products, services or activities of a given entity are environmentally friendly. The more an organization is subjected to pressure to be neutral for the environment, and at the same time the announced declarations are devoid of effective evaluation, the greater the threat is precisely greenwashing. It may consist in emphasizing the pro-ecological values of a product while simultaneously concealing the overall environmental balance, which should specify, among other things, the energy consumption necessary for its production and the amount of waste generated in the process and contamination or pollution of water, air and soil. Another method of "environmental fraud" consists in placing unconfirmed labels regarding alleged ecological friendliness, which either confirm untruth or are issued by organizations that do not have the ability to verify such statements or companies that do not have any authority as a credible certifying entity (e.g. marketing agencies). A common feature of greenwashing is a hermetic language based on vocabulary incomprehensible to the mass recipient. Sometimes agreements are also formed by producers declaring environmental friendliness, but among the companies implementing the declared values there are producers who ignore these recommendations and at the same time popularize participation in the "green" agreement in advertising messages.

5. Discussion

The conclusions from the “EKObarometer 2024” study indicate the validity of the legislative path adopted by the European Union when implementing regulations on the environmental friendliness of products and services offered.

The declared goal of updating the regulations was to protect consumer rights, as well as the desire to support environmentally friendly decisions. The ultimate effect of applying these legal acts is to create a circular economy that reuses and recycles raw materials. This is part of a broader strategy of the European Commission, which aims to make Europe the first climate-neutral continent by 2050.

Directive 2005/29/EC classifies unfair commercial practices used by businesses towards consumers, the use of which is prohibited throughout the European Union. In 2019, the provisions were amended by Directive 2019/2161, which also amended EU consumer protection regulations in the field of consumer rights, unfair terms in consumer contracts and price information. Then, in 2024, Directive 2024/825 introduced further rules to combat practices that prevent purchasers from making sustainable consumption choices. This concerns Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers in ecological transition through better protection against unfair practices and better information. The adopted provisions must be implemented into the legal order of the Member States by 27 March 2026 and will apply from 27 September 2026. The update of the Unfair Commercial Practices Directive includes, among others, a ban on pseudo-ecological marketing and deliberate obsolescence of products. Environmental effects have been introduced to the list of product features about which the entrepreneur cannot mislead consumers.

It has been prohibited (amendment listed as point 2a. of Annex I to Directive 2005/29/EC) to publish a product label regarding its sustainability if it is not part of an official certification system recognized by public authorities. The practice of publishing certificates, trademarks or sustainability symbols on labels "assigned" to themselves by producers or advertising agencies acting on their behalf has been declared illegal. The so-called blacklist of unfair commercial practices prohibited under all circumstances has been extended to include making general, vague claims regarding environmental performance (point 4a). Misleading environmental protection claims without providing documented grounds for high ecological performance are therefore prohibited. This set includes various types of marketing practices referring to the respect for natural resources, i.e. labels such as "climate friendly", "low emission", "energy-saving", "biodegradable", etc. This means that previously popular phrases such as "bio", "eco", "green" or "environmentally friendly" must be linked to demonstrating the high environmental efficiency of a given product or manufacturer. The next point (item 4b.) on the list of prohibited practices is the dissemination of statements referring to the ecological values of a given product

as a whole when they apply only to its part. This also applies to statements about the ecological nature of the entire business activity of the entrepreneur if they refer only to a specific type of this activity. It is also prohibited to refer to a neutral, limited or positive impact of a product on the environment in terms of greenhouse gas emissions (item 4c.) such as "limited carbon footprint", if the indicated property is not based on the actual impact of a specific product throughout its service life.

6. Conclusions

The new law will protect buyers from unreliable or false claims regarding the environmental friendliness of products or services. This will be achieved by prohibiting the use of pseudo-ecological marketing and misleading consumers about the durability of products. The adopted update also provides customers with access to data on the expected "lifespan" of purchased devices and the possibilities of their repair. The implementation will be an important complement to the general provisions on combating unfair competition, counteracting unfair market practices or the Act on Competition and Consumer Protection.

From the results of the cited EKObartometr 2024 study, it can be concluded that consumers in Poland are beginning to identify the phenomenon of "green marketing" more and more clearly, while distancing themselves from persuasive communication directed at buyers and based on references to environmental protection.

Amendments to Community law form a series of regulations creating a framework for the legal protection of consumers and introducing solutions in the field of information policy, the beneficiaries of which are precisely buyers of goods and services.

It is therefore worth considering whether public authorities could be involved in communicating the introduced legal solutions to society and popularizing them. As it results from the presented research results (Ecobarometer, 2024), the topics of nature protection, respect for natural resources and circular economy are a popular topic and are treated by respondents as important. Considering the possibilities of effective information policy regarding the issues raised by public administration, it seems that the right one is not the central level, but the local government. Coordination of activities promoting the idea of "certified ecological" products or services can be carried out, for example, by the Ministry of Climate and Environment, engaging in the preparation and provision of substantive materials to local government units. Effective implementation of communication activities can be proposed to the broadly understood local government press. An alternative in the form of promotional campaigns commissioned to commercial media and financed by central government administration bodies seems to be less effective in terms of communication, and ultimately perhaps much more expensive.

Indicating the potential of local government media, it should be emphasized that the current administrative division of Poland distinguishes 2,477 municipalities. The Act of March 8, 1990 on local government, specifying the tasks of local administration in Article 7, paragraph 1, point 17, lists "supporting and promoting the idea of self-government, including creating conditions for the operation and development of auxiliary units and implementing programs to stimulate civic activity". The project of raising awareness of the local community about the role of the new certification system strengthening the position of the consumer and enriching their communication rights rather exhausts the features of a "program to stimulate civic activity".

The largest Polish urban centres, i.e. 66 cities with county rights, which in 2024 had budget revenues of approx. PLN 120 billion, i.e. at the level of approx. 18% of the state budget revenue, have a developed network of local government media. It seems reasonable to include media belonging to local government units in the popularisation of consumer rights or dissemination of ecological awareness treated as "programs stimulating civic activity", i.e. the commune's own task. The effectiveness of these media is evidenced by the fact that only Facebook profiles administered by these cities achieve average social reach of 34% of the number of users corresponding to the number of residents of these cities.

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