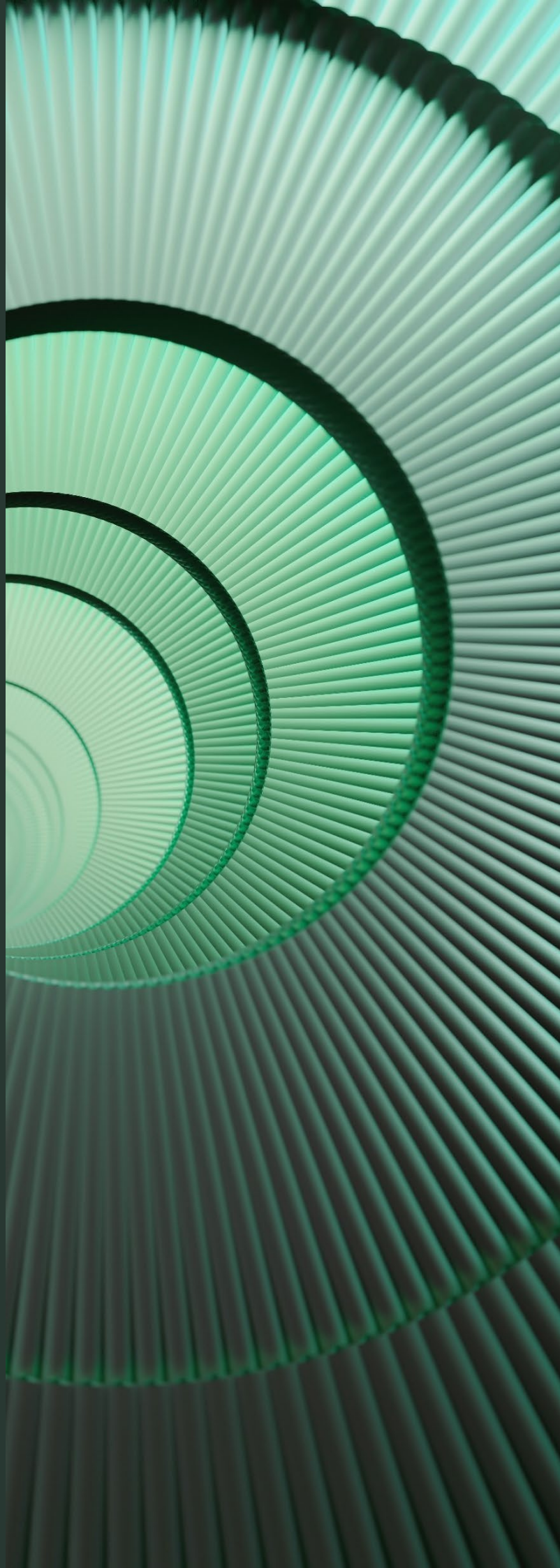


Clifford Chance

The “AI Greenwashing Scanner”

The anti-greenwashing rules under the Empowering Consumers Directive (“ECD”) entered into force on 27 September 2026. The affected companies must ensure compliance with the ECD rules by this date, particularly as there is no grandfathering clause for statements made prior to this date. For this reason, Clifford Chance has developed the **“AI Greenwashing Scanner”** to help companies review their websites and bring their external communication into compliance with the ECD rules.



A Watershed Moment for Corporate Sustainability Communications

The ECD is a cornerstone of the European Green Deal. The Directive arguably represents the most significant overhaul of marketing regulation in the history of EU consumer law. It introduces a whole set of new rules that affect statements related to green claims, claims based on offsetting, future-related sustainability claims or even claims regarding the durability and repairability of products. There is no grandfathering rule, and the ECD makes no exception based on company size, sector, or market. Companies are supposed to ensure compliance with the new rules on 27 September 2026, at least when they operate in Member States that have transposed the ECD into national law.

Failure to comply ahead of the deadline exposes companies to significant legal and commercial risks, such as administrative fines, litigation costs, and lasting reputational damage including erosion of consumer and investor trust at a time of heightened public awareness of corporate sustainability claims.

For companies with an extensive global digital presence, the challenge of ensuring compliance is particularly substantial. A major international company could have thousands of pages of website content across dozens of jurisdictions, each potentially containing claims that now give rise to material legal risk under the ECD. Identifying and addressing that exposure before the September deadline requires both scale and speed.

The Clifford Chance Solution

Clifford Chance has developed an AI-powered compliance solution – the “AI Greenwashing Scanner” – purpose-built to help companies identify and address ECD exposure efficiently and at scale. The tool combines advanced artificial intelligence with specialist legal expertise, delivering rapid and actionable results across the entire EU web presence of our clients. We offer various service packages, enabling us to tailor the solution to our clients' individual requests and needs.

Step 2

(continued)

In addition, the tool can deliver the following for each identified web page assigned to yellow or red:

- An explanation why specific claims are considered at risk and which provisions of the ECD they might violate.
- AI-generated visual analytics – including risk category breakdowns and a compliance heatmap showing the most frequently used “green claims” – providing our clients with immediate clarity on the overall EmpCo compliance picture of their EU web presence.

Step 1

Step 2

Full visibility

A meaningful ECD compliance assessment begins with complete visibility – across every corner of your digital footprint within the EU. As a first step, we conduct a fully automated scan of your entire EU web presence (limited to the German and English language): we crawl every website, every landing page, every product category, and every marketing claim published online. The result is a comprehensive, structured inventory of your company’s online content, ensuring that your ECD exposure can be assessed on a solid factual basis.

AI-Powered Compliance Review and Classification

With your content fully mapped, the “AI Greenwashing Scanner” analyses each website and assigns it to the following risk classifications:

RED High Risk	The page contains claims that present a material risk of violating the ECD. Immediate review and corrective action is required.
GREEN Low Risk	Our analysis did not identify any significant environmental or sustainability claims, or the existing claims appear to meet the standards required by the ECD.

Step 3

Legal Review and Full-Service Advisory (Optional)

- An Executive Summary and visual analytics – including risk category breakdowns and a compliance heatmap – providing you with immediate clarity on the overall ECD compliance picture of your EU web presence.
- Prioritised recommendations that enable your teams to focus their resources on where the legal risk is greatest.

We deliver speed at scale: thousands of pages reviewed and classified with no manual bottleneck slowing the process. However, AI-generated outputs in Step 2 are not subject to legal liability, which is precisely why Step 3 offers an optional full lawyer-validated review.

It remains essential to have AI-generated outputs reviewed by qualified individuals. For clients requiring the highest standard of compliance assurance, the “AI Greenwashing Scanner” can therefore be complemented by a full legal review conducted by Clifford Chance’s specialist lawyers including recommendations for action. Our legal team validates the AI-generated classification of each claim and reviews the recommended actions and rewrite suggestions against the full framework of the ECD and applicable national implementing legislation. Through Step 3, we deliver a comprehensive, lawyer-endorsed compliance assessment, precisely calibrated to each client’s regulatory risk profile.

Why Clifford Chance?

The combination of AI efficiency and legal expertise is the defining strength of our approach. Our firm identified greenwashing as a pivotal issue at a very early stage and has since built a strong base of knowledge and experience, which supports us in the further development of our AI solutions. Technology delivers the scale and speed that no manual process can match; our lawyers provide the precision and accountability that no AI tool can replicate. Together, we deliver a solution that helps ensure compliance with the ECD efficiently and effectively. As a global firm with offices in numerous EU Member States and a strong network across the Union, we offer a single and comprehensive pan-European solution, additionally advising clients – if requested – on the nuances of the ECD's transposition into each Member State's national law.

Contact our team today to assess your ECD exposure and secure your compliance ahead of the September 2026 deadline.