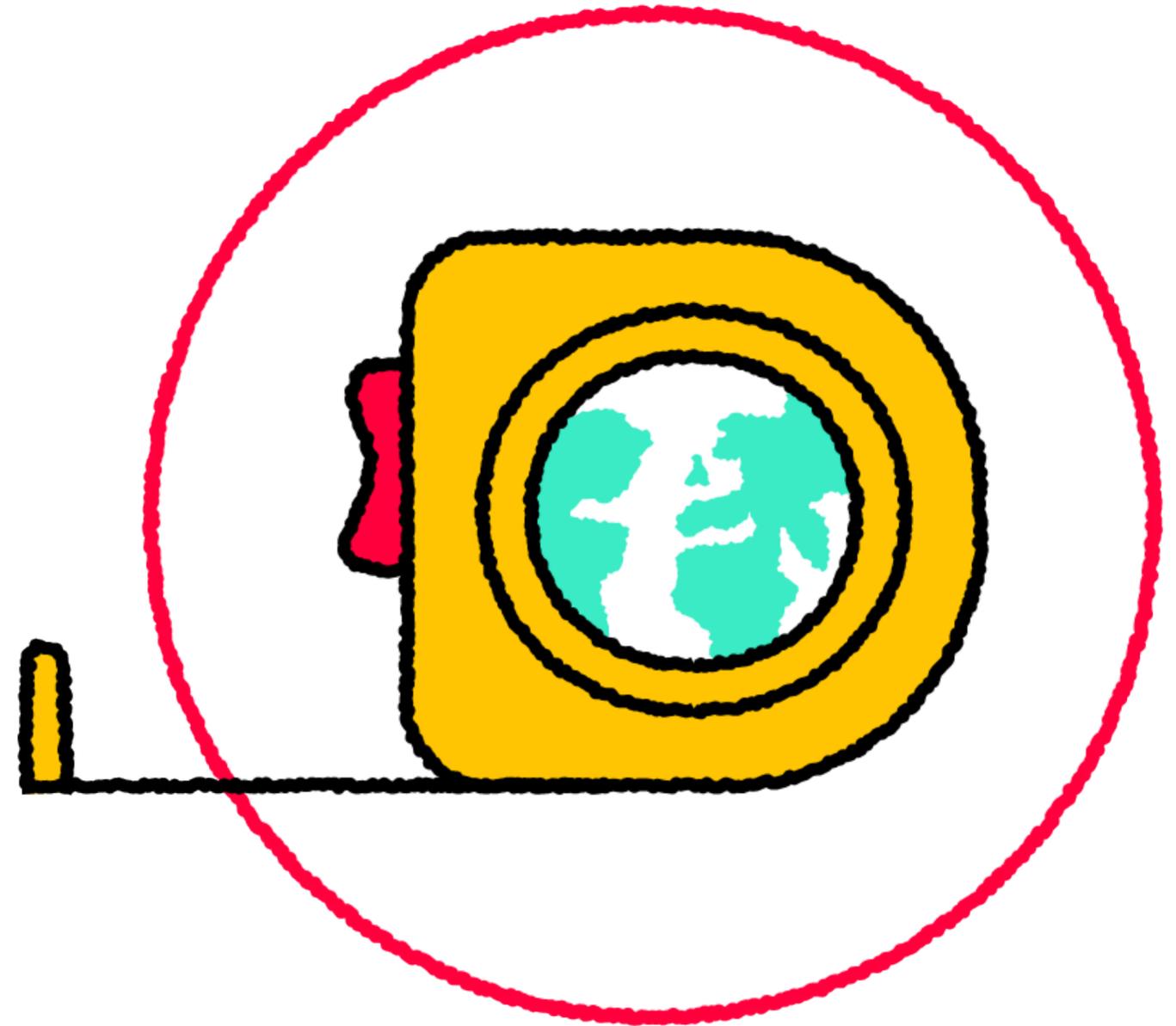


Global Guidance on Environmental Claims

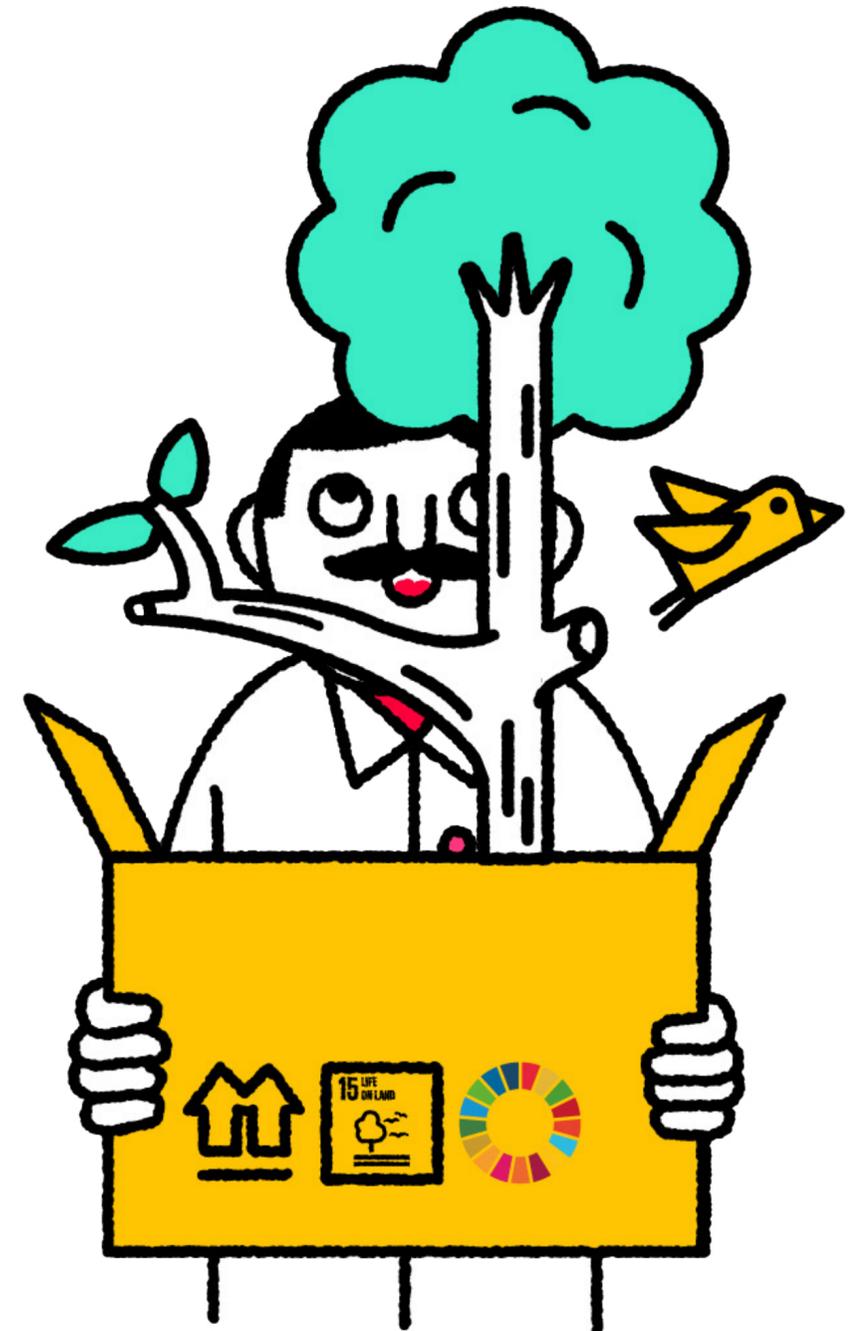


In partnership with:



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About this guidance

This sustainability guidance has been developed in the context of the WFA Planet Pledge, a commitment by leading companies to use the power of marketing as a force for positive change both internally and with the consumers who buy their products and services. The fourth part of the Planet Pledge is to reinforce a trustworthy marketing environment, where sustainability claims can be easily substantiated so that consumers can trust the marketing messages they are presented with as they seek to align their own consumption with their values.

More at <https://wfanet.org/planetpledge>

WFA commissioned the International Council for Advertising Self-Regulation (ICAS) and the European Advertising Standards Alliance (EASA), with the support of environmental experts from the UK's Advertising Standards Authority (ASA), to help pull the guidance on sustainability claims together. There was a peer review process from a number of advertising standards bodies from around the world with expertise on green claims, including bodies from Australia, Brazil, France, India, Sweden, Spain and the US. The guidance was also reviewed by the corporate members of the WFA Planet Pledge, EACA and Voxcomm, the global group which brings together advertising agencies. It therefore represents a consensus across the global industry and industry regulators of what the core elements are to ensuring trustworthy and meaningful environmental claims.



Commit

to being a part of, and a champion for, the global Race to Zero campaign, and encourage your marketing supply chain to do the same.



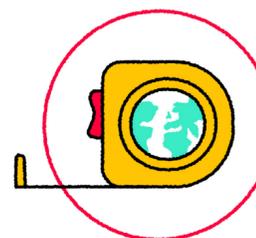
Scale

the capability of marketing organisations to lead for climate action, by providing tools and guidance for your marketers and agencies.



Harness

the power of your marketing communications to drive more sustainable consumer behaviours.



Reinforce

a trustworthy marketing environment, where sustainability claims can be easily substantiated so that consumers can trust the marketing messages they are presented with.

Purpose of the guidance

The increased urgency for businesses to play their part in tackling climate change and other environmental harm is reflected in national and international legislation, and agreements on climate change, such as net zero targets set by governments and a target to limit global temperature rise in the Paris Agreement.

Experts across the world have emphasised that for net zero and other climate-related targets to be met, the behaviour of both businesses and consumers must change. Given the role that marketing communications can play in influencing consumer behaviour, this policy-making context is important to marketers making claims about the environmental credentials of their businesses and products. If marketers cannot back up the claims they make, they face real risk of enforcement action by regulators and reputational damage to their brands and businesses. Conversely, if marketers make accurate environmental claims, supported by robust evidence, this contributes to credibility and consumer trust, and, ultimately, to helping consumers make choices that are less damaging to the environment.

With this context in mind, this guidance is built around six principles designed to help marketers, agencies and others involved in the production of marketing (referred to as “marketers” in this guidance) avoid the common pitfalls that can lead to misleading environmental claims (also known as “misleading

green claims” or “greenwashing”). This guidance may also be useful to national advertising self-regulatory organisations (SROs) when considering whether environmental claims in marketing communications are likely to mislead.

Key legislation, self-regulatory codes and other relevant industry codes (for example, Chapter D of the International Chamber of Commerce’s Advertising and Marketing Communications Code, which deals with environmental claims) have been reviewed and taken into consideration in producing this guidance. Although the guidance is not legally-binding, if the six principles are followed, it is likely that environmental claims will not be misleading.

The six principles are illustrated with examples of how advertising regulators across the globe have considered different types of environmental claims against rules designed to prevent misleading advertising. Marketers should always ensure that they comply with all relevant legislation and rules set by regulators. To assist with this, an overview of such legislation and rules in a number of different countries is included in this guidance. Marketers should always take expert advice on compliance with the law and other rules where appropriate. In a number of countries, national SROs offer copy advice to assist with compliance with national regulatory rules (see section 1.6, below).



Principle 1

Claims must not be likely to mislead, and the basis for them must be clear.



Principle 2

Marketers must hold robust evidence for all claims likely to be regarded as objective and capable of substantiation.



Principle 3

Marketing communications must not omit material information. Where time or space is limited, marketers must use alternative means to make qualifying information readily accessible to the audience and indicate where it can be accessed.



Principle 4

Marketers must base general environmental claims on the full lifecycle of their product or business, unless the marketing communication states otherwise, and must make clear the limits of the lifecycle.



Principle 5

Products compared in marketing communications must meet the same needs or be intended for the same purpose. The basis for comparisons must be clear and allow the audience to make an informed decision about the products compared.



Principle 6

Marketers must include all information relating to the environmental impact of advertised products that is required by law, regulators or Codes to which they are signatories.

What are environmental claims?

“Environmental claims” are any claims about the environmental attributes or impact of a product or business, including claims that a product or business has no negative impact, a positive impact, or a comparatively better impact on the environment. They can be based on the composition of products, the way they have been manufactured or produced, the way they can be disposed of and the reduction in energy or pollution which can be expected from using them.

Environmental claims can be made in many ways, both express and implied, and include all types of claims, information, symbols, images, logos, graphics, colours, and company, product or brand names.

What are misleading environmental claims, and why are they a problem?

Misleading environmental claims are claims related to a business’s or product’s environmental attributes or impact on the environment that are not properly substantiated or that contain false information, omit important information, are exaggerated or are presented in an unclear, ambiguous or inaccurate manner.

Given the global significance of climate change and environmental issues, consumers’ decisions to buy products are increasingly influenced by a desire to reduce environmental harm or to have a positive impact on the environment. Environmental claims have become more prevalent with this increased importance, and it is therefore vital that the audience of marketing communications is given information on which they can rely, to make informed decisions. It is also difficult for the audience to self-assess the accuracy of environmental claims, and it therefore relies on the information provided to by marketers. It is therefore essential that marketers hold robust evidence to support their claims before they make them, and this is explained in more detail in Principle 2 (see Section 2).

Some common examples of environmental claims are:



“Sustainable”
or
“Good for the planet”



“Green”
or
“Greener”



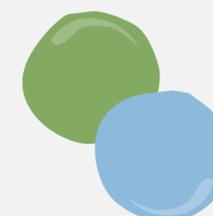
“Environmentally friendly”



“Carbon neutral”
“Climate neutral”
or
“Net zero”



“Recyclable”
or a Mobius Strip symbol
(used to demonstrate that
a product is recyclable)



Use of the colour
green or blue
in certain contexts



“Zero emissions”
or
“Lower emissions”



“Plastic free”
or other
“free of” claims



Use of images in certain
contexts (for example
trees, rainforests, water,
or animals)

Country-specific legislation and advertising standards

There is increased urgency for governments to tackle climate change, which is reflected in current and prospective legislation, some of which includes obligations for marketers, and even bans on the advertising of certain products. Many countries with a SRO for advertising have developed rules and guidelines for marketers to prevent misleading environmental claims. It is, therefore, vital for marketers to be aware of, and comply with, existing legislation and self-regulatory rules. An overview of legislation and advertising regulation in key markets can be found [here](#); although this overview cannot include all such legislation and regulatory standards, it is updated regularly.

Key legislation, self-regulatory codes and other relevant industry codes have been reviewed and taken into consideration in producing this guidance. Therefore, if marketers take the guidance into account, both in spirit and letter, their marketing communications are likely to comply with rules on misleading environmental claims in most countries globally.

Marketers should be aware that some national legislation relating to the environment includes specific provisions on the use of certain terms or certain products. Given the aim of this guidance is to establish a set of common core principles that are relevant across the globe, such specific legislation does not form part of the principles, and is instead set out in the overview of legislation and regulatory standards.

Some examples of such legislation are:



In France, advertisements must not state that a product or service is carbon neutral, or use any wording of equivalent meaning or scope, unless the advertiser makes available to the public very detailed documentation specified in the legislation.

Also, all advertising for land motor vehicles must be accompanied by a promotional message encouraging the use of sustainable alternatives to those vehicles (for example, “for short trips, prioritise walking or cycling”).



In the European Union, certain information on CO2 emissions must be included in car ads.

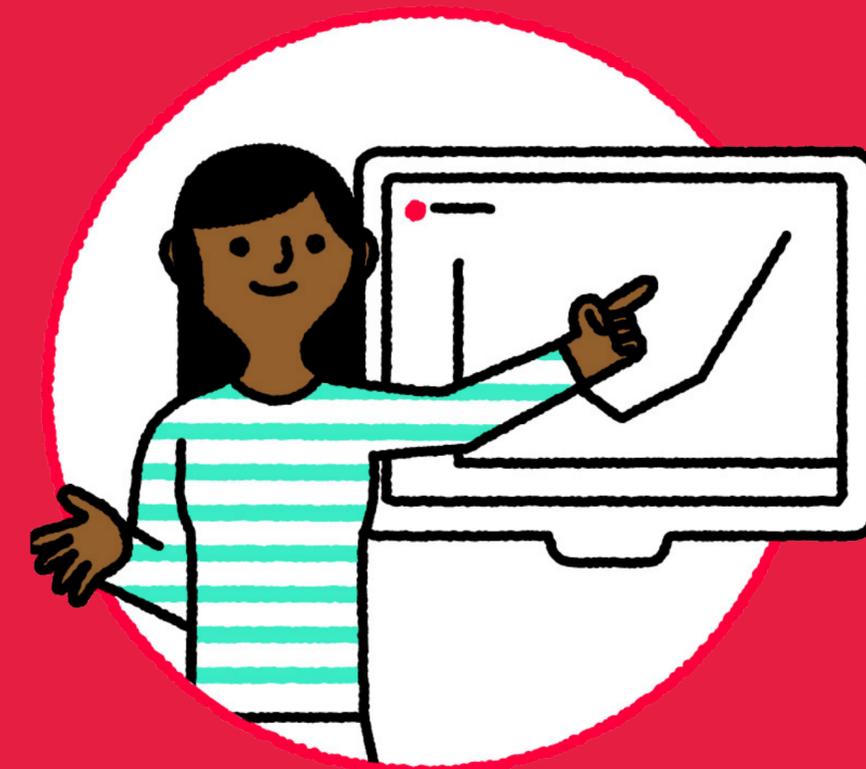
Marketers can receive advice on advertising claims at a national level in a number of countries by contacting national SROs that provide copy advice to assist with compliance with local codes and regulations. A number of SROs offer training services as well.



What is copy advice and where can I get it?

Most SROs that operate across the globe provide a copy advice service. Copy advice is a pre-publication opinion provided upon the request of marketers, agencies or the media by regulatory experts on whether an ad is likely to be found to comply with advertising rules. The advice is provided on a confidential basis and is not binding on the advertiser or the complaint adjudicators or juries. It may include suggestions of amendments to ensure compliance with the rules. Copy advice is a valuable tool to ensure that ads conform to the highest standards.

In addition to providing copy advice, most SROs organise training workshops for their members or for interested parties to ensure they are better informed and equipped to ensure compliance with the rules; their topics range from general applicable legal and self-regulatory rules in a country to specific requirements for certain products and media types. A list of SROs that provide copy advice and training programmes and that handle complaints can be found [here](#).



Global environmental principles based on international best practice



Principle 1

Claims must not be likely to mislead, and the basis for them must be clear.



Principle 2

Marketers must hold robust evidence for all claims likely to be regarded as objective and capable of substantiation.



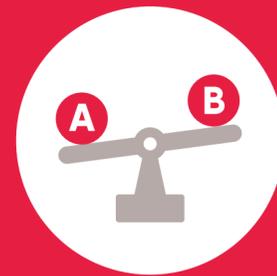
Principle 3

Marketing communications must not omit material information. Where time or space is limited, marketers must use alternative means to make qualifying information readily accessible to the audience and indicate where it can be accessed.



Principle 4

Marketers must base general environmental claims on the full lifecycle of their product or business, unless the marketing communication states otherwise, and must make clear the limits of the lifecycle.



Principle 5

Products compared in marketing communications must meet the same needs or be intended for the same purpose. The basis for comparisons must be clear and allow the audience to make an informed decision about the products compared.



Principle 6

Marketers must include all information relating to the environmental impact of advertised products that is required by law, regulators or Codes to which they are signatories.

Principle One



Claims must not be likely to mislead, and the basis for them must be clear.

Marketing communications must not include misleading claims, imply anything inaccurate, or exaggerate, and marketers must hold substantiation for claims as they are likely to be understood by the audience. Marketers should take account of the following.

Presentation: the overall presentation of marketing communications, including words, symbols, and imagery, as well as missing information, can all contribute to the audience being misled.

Signs & symbols: Marketers should not use environmental signs and symbols in a way that falsely suggests official approval or third-party certification.

Substantiation: Environmental claims are likely to mislead if the basis of claims is unclear. Further information may be necessary for the audience to understand the basis of claims, and unqualified claims could mislead if they omit this. See Principle 3.

Broad versus narrow claims: Broad, general or absolute claims have greater potential to mislead. Claims like “environmentally friendly”, “sustainable” or “green” suggest that a product or business has an overall positive environmental impact, or no negative impact. Unless marketers hold robust evidence, they should avoid such claims.

Interpretation: Marketers should consider the audience’s likely interpretation. Where a claim could be interpreted as absolute, or in different ways, additional information is required. For example, a “carbon neutral” claim based on offsetting is likely to need information that this is the case.

Although understanding of environmental claims is increasing as they become more common, marketers should not assume knowledge greater than is reasonable or likely, particularly if marketing communications are untargeted.

No impact claims: Marketing communications must not mislead by highlighting the absence of an environmentally damaging ingredient if it is not usually found in the product category or if the product contains another ingredient posing similar harm, or by suggesting that an environmental benefit resulting from a legal obligation is a distinctive feature of a product.

Safe Catch Tuna

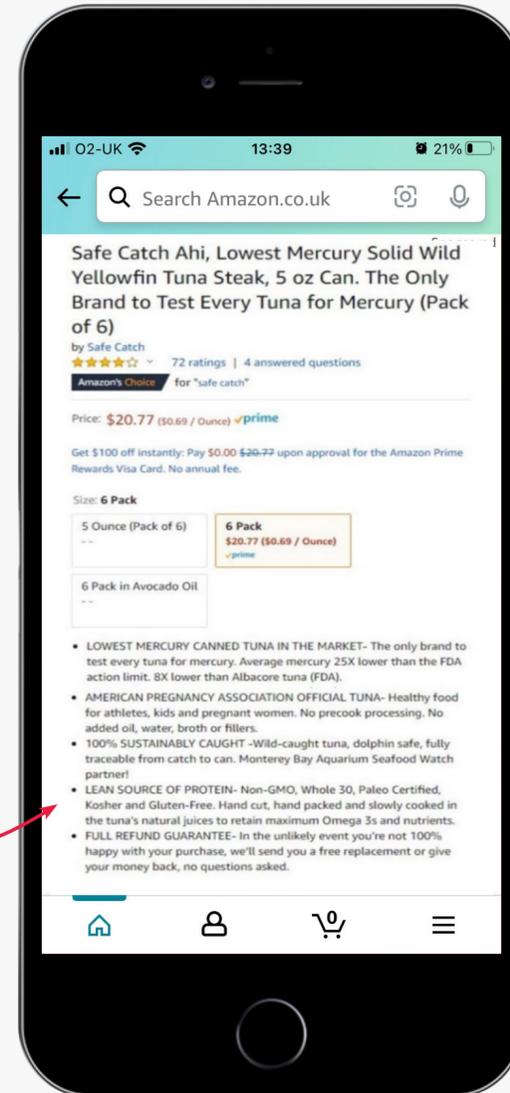
- USA, Internet (Amazon)

Does this Amazon ad for “100% Sustainably Caught Tuna” from the US break the rules on green claims?

It claims...

- **LOWEST MERCURY CANNED TUNA IN THE MARKET** - The only brand to test every tuna for mercury. Average mercury 25x lower than the FDA action limit. 8x lower than the Albacore tuna (FDA)
- **AMERICAN PREGNANCY ASSOCIATION OFFICIAL TUNA** - Healthy food for athletes, kids and pregnant woman. No precook processing. No added oil, water, broth or fillers
- **100% SUSTAINABLY CAUGHT** - Wild-caught tuna, dolphin safe, fully traceable from catch to can. Monterey Bay Aquarium Seafood Watch partner!
- **LEAN SOURCE OF PROTEIN** - Non-GMO, Whole 30, Paleo Certified, Kosher and Gluten-Free. Hand cut, hand packed and slowly cooked in the tuna’s natural juices to retain maximum Omega 3s and nutrients.
- **FULL REFUND GUARANTEE** - In the unlikely event you’re not 100% happy with your purchase, we’ll send you a free replacement or give your money back, no questions asked.

To find out if this decision was upheld, [click here](#)



MSC Cruises

- Belgium (OOH)

A Belgian ad for MSC Cruises attracted a complaint from a consumer who took issue with the company’s claim to be **100% carbon-neutral**. She argued that it was unacceptable greenwashing but did the regulator agree?

To find out if this decision was upheld, [click here](#).



Principle Two



Marketers must hold robust evidence for all claims likely to be regarded as objective and capable of substantiation.

Most environmental claims are likely to be regarded as objective and capable of objective substantiation. Marketers must therefore ensure that they hold robust substantiation for all such claims, direct or implied, and should bear in mind the following:

Substantiation: Substantiation must specifically relate to the type of claim made. Absolute or general claims, especially when made without clarification, will require a different type of evidence. For example, in addition to their meaning being clear to the audience (see Principle 1), claims like “environmentally friendly” or “green” will need a different type of evidence than that needed for claims like “better for the environment” or “greener”.

Evidence: Marketers must hold evidence before making claims and should retain it for a reasonable time after making claims, so they can provide it on request from regulators or others.

Evidence should be up-to-date (or not superseded by later evidence), and follow current standards of accepted scientific methodology. Claims should be reassessed and updated following any developments in evidence or technology, or new products being made available or taken off the market, which affect their accuracy.

Marketing communication containing specific environmental commitments, even if aspirational and likely not to be met until many years in the future (such as “net zero”, “carbon negative”, “climate positive” claims) require the advertiser to demonstrate that it reasonably has the capacity and methodological approach to achieve such commitments in the specified timeframe.

Claims based on conflicting evidence are more likely to mislead. Where a division of informed or scientific opinion exists, this should be made clear to the audience, and in cases where evidence is inconclusive, or there is significant disagreement on environmental impacts, the substantiation is more likely to be considered insufficient without further clarification.

Independence feeds robustness: Independently assessed evidence is likely to be more robust.

EasyJet

- France (Press Ad)

EasyJet's claim in a French press ad that it doesn't **“teach lessons, we offset our emissions”** and **“From 2019 we are offsetting our carbon emissions from the fuel used on all our flights by supporting environmental projects”** attracted a complaint.

To find out if this complaint was upheld, [click here](#).



Chipotle

- USA (Broadcast, online)

Fast food brand Chipotle makes claims about the environmental impact of its ingredients, how much food waste is diverted from landfill and how staff waste such as gloves are managed. Are such claims justified? The US's NAD had to adjudicate.

To find out if this complaint was upheld, [click here](#).



Principle Three



Marketing communications must not omit material information. Where time or space is limited, marketers must use alternative

means to make qualifying information readily accessible to the audience and indicate where it can be accessed.

Marketing communications can mislead because of what is not said, or not said clearly. Marketers should take into account the following:

Clarification: Where specific factors contribute to understanding of claims, or claims are only accurate in certain circumstances, information about these should be included in the ad. The following are examples of the types of claims which can mislead:

- claims that do not make clear if an advertised environmental benefit only results from specific action or behavioural change;
- claims that refer to compliance with a standard, which do not give the audience enough information to understand the standard;
- claims that a product can be recycled, which do not make clear any limitations to this; or
- environmental signs or symbols that do not clearly indicate their source and meaning.

Qualifications: Claims which are contradicted by qualifications can easily mislead, and qualifications should therefore clarify, not contradict.

Qualifications must be prominent and close enough to claims to be easily seen. If marketing communications are significantly limited by time or space (for example, online banner ads), marketers should make qualifying information easily available by other means (for example, via a single click on a link). Claims should make clear how the audience can access the information, and it should not contradict the claim. If time or space limitations mean that claims are misleading without the qualifying information, marketers should either consider using a different claim or a different medium that is not time or space-limited.

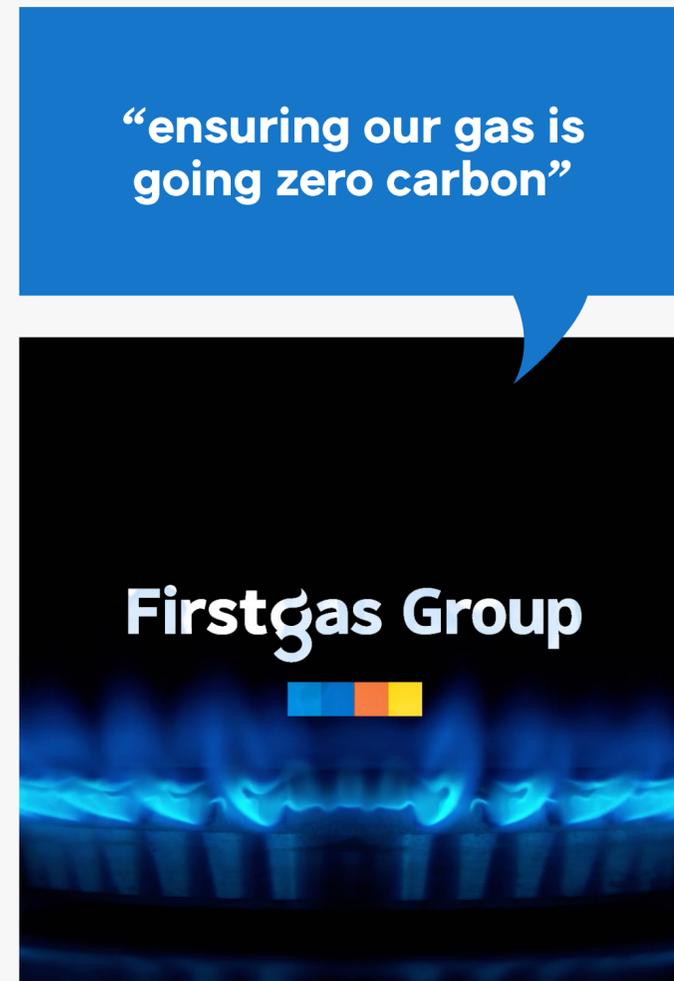
Product-related claims: If a claim relates only to a specific part of a product or business, the marketing communication should clarify this. For example, if a “recyclable” claim relates only to the packaging of a product.

First Gas Group

- New Zealand (Television and YouTube)

An Audiovisual ad in New Zealand featured a controversial voiceover for Firstgas Group. The claim that the company is **‘ensuring our gas is going zero carbon’** attracted complaints arguing that this was not yet possible. Were they right?

To find out if this complaint was upheld, [click here](#).



CalciTrio Naturel food supplement

- Hungary (TV & Print)

Even the brand name of CalciTrio Naturell food supplement came under scrutiny when Hungary’s regulator looked at its TV and print messages claiming that the product is made from **‘100% plant-based calcium’**.

To find out if this complaint was upheld, [click here](#).



Principle Four



Marketers must base general environmental claims on the full lifecycle of their product or business, unless the marketing communication states otherwise, and must make clear the limits of the lifecycle.

General claims must always relate to the full lifecycle of the product or business, including, for example: component parts; production; use; disposal; and waste or by-products. Marketers should take into account the following:

Qualification level: Claims should not be unqualified unless marketers hold evidence that the claim applies to the entire lifecycle of the product. For example, absolute claims like “environmentally friendly” must only be made if the advertiser can demonstrate that the product’s entire lifecycle has no detrimental effect on the environment.

Specificity: If marketers cannot justify general claims, they must clarify that claims relate only to part of a product’s lifecycle. However, marketers must not mislead the audience by unduly emphasising the positive impact of insignificant aspects, particularly where the overall impact of the product’s lifecycle is negative.

The following examples illustrate this:

- A “zero emissions” claim about an electric vehicle may be acceptable if the marketing communication clarifies that this relates to emissions when driving only.
- Where farming methods used to produce a product provide an environmental benefit over other farming methods, the marketing communication must clarify that this relates to the farming method only, as opposed to the whole product.
- If an advertiser has reduced plastic packaging for part of a product, the ad must not imply an overall reduction in plastic for the product.

Business-related claims: Marketers must not mislead the audience about the environmental impact of their business. Claims must either relate to the whole business or clarify that they relate only to specific parts. Claims that focus on minor benefits of a business when the rest of the business is harmful are more likely to mislead.

Lavazza

- France (Billboard poster)

A visual in an ad for coffee brand Lavazza attracted a complaint to the Jury for Advertising Ethics as it appeared to suggest that drinking the brand would aid planet protection.

To find out if this complaint was upheld, [click here](#).



Quilted Northern Ultra Soft & Strong Bathroom Tissue

- USA (Product packaging, online)

Bathroom tissue brand Quilted Northern makes claims on its website and on packaging about its practice of planting trees to replace those used to make its products. Were these claims credible?

To find out if this complaint was upheld, [click here](#).



Inga

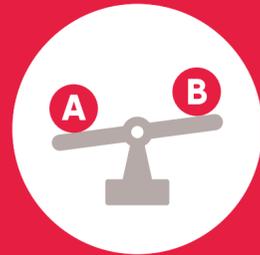
- France (Facebook post and video)

Inga's social media ads for its reusable paper towel products included a claim that it is a "zero waste" solution and "really good for the planet". Did the regulator believe it?

To find out if this complaint was upheld, [click here](#).



Principle Five



Products compared in marketing communications must meet the same needs or be intended for the same purpose. The

basis for comparisons must be clear, and allow the audience to make an informed decision about the products compared.

Marketers often use comparisons, which include comparing their own products against their competitors' products or comparing new versions of their own products with previous versions. Comparative claims should compare like with like, and the basis of the comparison should always be clear to the audience. Marketers should take the following into account when making comparisons:

Nature of comparison: Claims should make clear to the audience what is being compared and how the comparison has been made. For example, a claim of "50% less plastic" should include information about which parts of a product this applies to, and whether the comparison is against the advertiser's previous product, a competitor's product or other similar products on the market.

Claims should compare important and representative features or aspects of the relevant product. Comparisons against insignificant aspects of products have the potential to mislead, particularly if other aspects have a significant environmental impact.

Claims should not omit or hide material information relevant to the comparison and environmental benefits being compared should not be exaggerated.

Substantiation: Claims should be capable of being substantiated by evidence. In some jurisdictions (for example, the UK and the European Union), claims about identifiable competitors or their products must be capable of being verified by consumers, and marketers should set out the relevant verification information in the ad, or signpost how the information used to make that comparison can be checked.

Methodology: Claims should be based on the same methodology and comparing the same aspects.

Superlative claims will require a more comprehensive evidence base than comparative claims (for example, "the greenest airline" or "the lowest CO2 emissions of all major airlines" versus "lower emissions than X airline").

Case studies

Beech-Nut Nutrition

- USA (Television, Internet)

Beech-Nut Nutrition promoted its products via TV and online ads in the US, claiming that **“Glass is nature’s safest container”** and that **“Glass is the ultimate in sustainability”**.

Find out if they were right to do so [here](#).

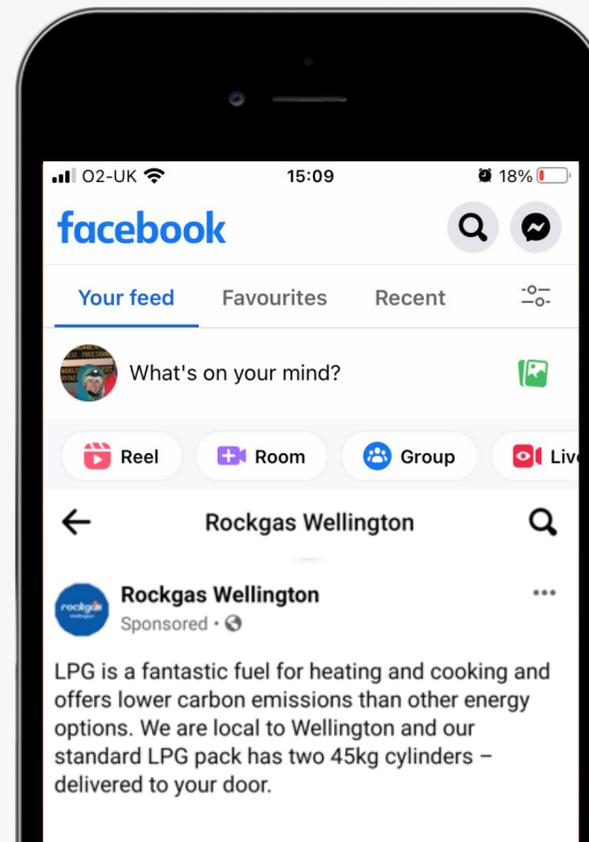


Rock Gas Wellington

- New Zealand (Sponsored Facebook post)

Rock Gas Wellington’s Facebook post states that **“LPG is a fantastic fuel for heating and cooking and offers lower carbon emissions than other energy options.”** The ASA had to assess whether this was true, what did they decide?

To find out if this complaint was upheld, [click here](#).

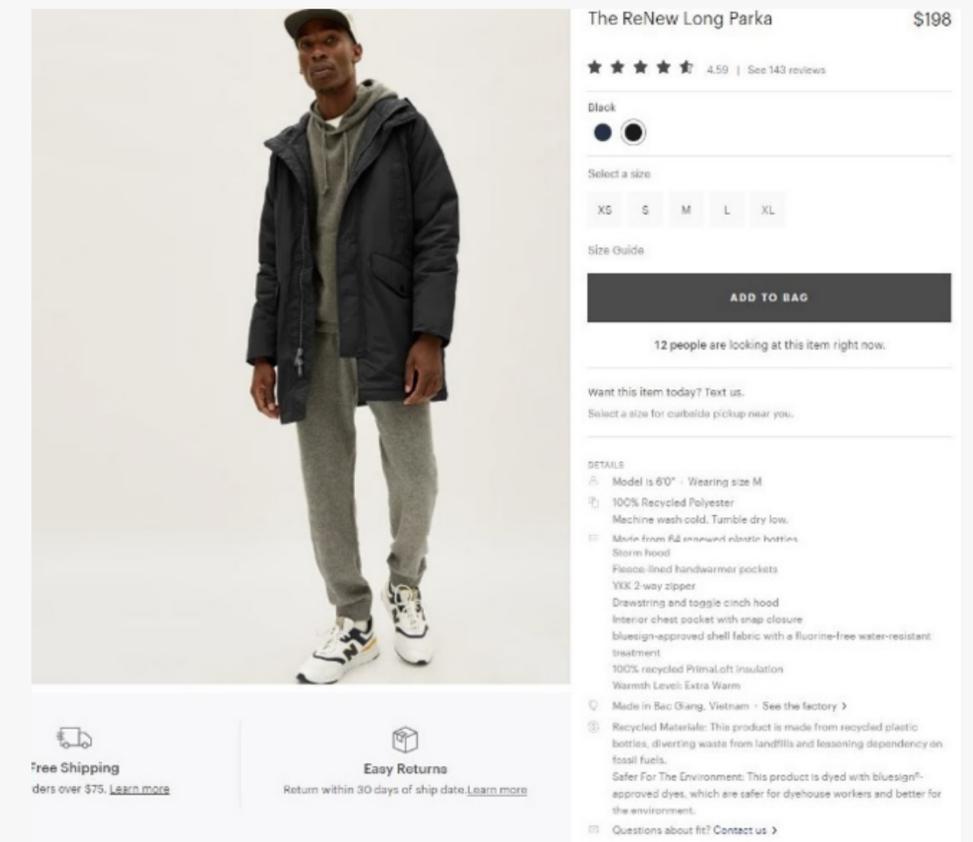


Everlane

- USA (Online)

Fashion brand Everlane was making claims about the recycled content in its clothes and the fact that dyes used were **“safer for the environment”**. The US regulator had to decide if they were credible.

To find out if this complaint was upheld, [click here](#).



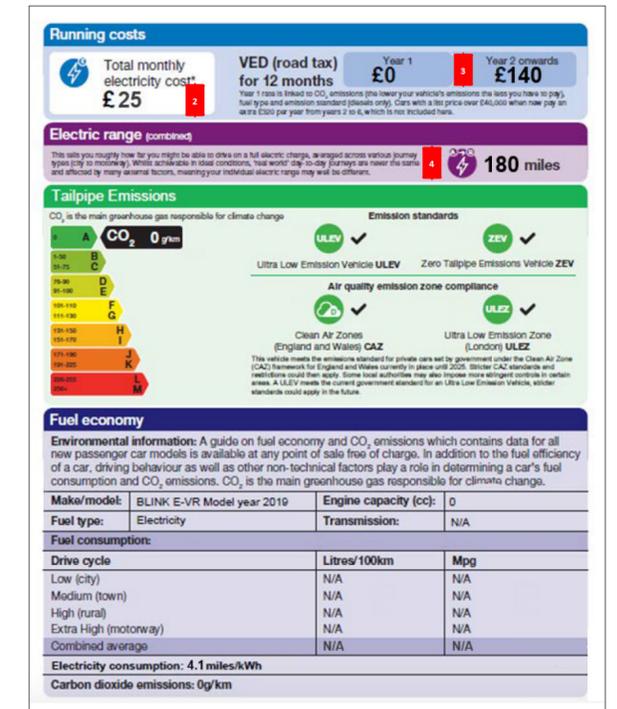
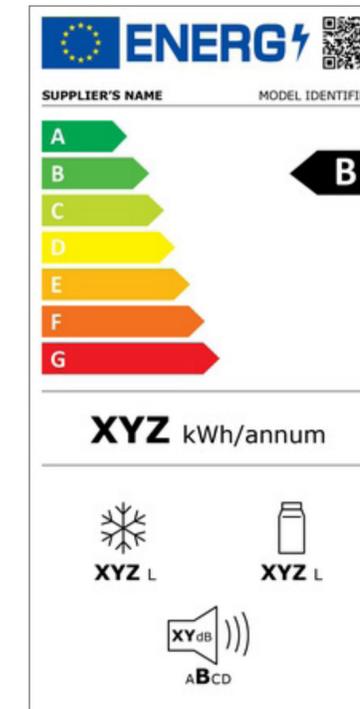
Principle Six



Marketers must include all information relating to the environmental impact of advertised products that is required by law, regulators or Codes to which they are signatories.

Legislation, self-regulatory rules and other Codes in different parts of the world require certain information to be included in marketing communications. Marketers should always comply with such requirements, taking expert advice where needed. Examples of such requirements include the following:

- Energy labelling information required in EU Member States by Regulation (EU) 2017/1369
- Information on car emissions required in the UK by The Passenger Car (Fuel Consumption and CO2 Emissions Information) (Amendment) Regulations 2013



Resources

National legislation on environmental claims from around the world

Many countries around the world have general legislation applicable to all claims in marketing communications, including environmental and sustainability claims. For Member States of the European Union, the applicable general regulatory framework is the [Unfair Commercial Practices Directive](#). The European Commission issues [annual guidance](#) to ensure that the rules are read and understood in the same manner across the Single Market. In the USA, the [Federal Trade Commission](#) has issued guides as to green claims in advertising. Similarly, the UK government has published [guidance and recommendation](#) for marketers as to what to do and not to do when it comes to green claims in a commercial communication content.

An overview of legislation and advertising regulation in key markets can be found [here](#).

Local SRO rules on environmental claims

Many countries with a SRO for advertising have developed rules and guidelines for marketers to prevent misleading environmental claims. It is, therefore, vital for marketers to be aware of, and comply with, existing legislation and self-regulatory rules.

An overview of local SRO rules and guidelines in key markets can be found [here](#).

Overview of self-regulatory organisations

Marketers can receive advice on advertising claims at a national level in a number of countries by contacting national SROs that provide copy advice to assist with compliance with local codes and regulations. A number of SROs offer training services as well.

An overview of local SRO organisations that handle complaints, provide copy advice and/or organise trainings can be found [here](#).





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**KING &
SPALDING**

Competition compliance policy

The purpose of the WFA is to represent the interests of advertisers and to act as a forum for legitimate contacts between members of the advertising industry. It is obviously the policy of the WFA that it will not be used by any company to further any anti-competitive or collusive conduct, or to engage in other activities that could violate any antitrust or competition law, regulation, rule or directives of any country or otherwise impair full and fair competition. The WFA carries out regular checks to make sure that this policy is being strictly adhered to. As a condition of membership, members of the WFA acknowledge that their membership of the WFA is subject to the competition law rules and they agree to comply fully with those laws. Members agree that they will not use the WFA, directly or indirectly, (a) to reach or attempt to reach agreements or understandings with one or more of their competitors, (b) to obtain or attempt to obtain, or exchange or attempt to exchange, confidential or proprietary information regarding any other company other than in the context of a bona fide business or (c) to further any anti-competitive or collusive conduct, or to engage in other activities that could violate any antitrust or competition law, regulation, rule or directives of any country or otherwise impair full and fair competition.