

Environmental ('green') claims

In the guide

The law

What are environmental claims?

General principles

Trading standards

In this update

Key legislation

This guidance is for England, Scotland and Wales

The demand for 'environmentally friendly' products and services has increased over recent years and there are sound business reasons for businesses to improve the environmental impact of their products and services, enhancing their 'green' credentials and demonstrating a responsible approach to trading.

To help businesses ensure that any environmental claims they make do not breach consumer protection law, the Competition and Markets Authority has published *CMA Guidance on Environmental Claims on Goods and Services* (the 'Green Claims Code').

The law

As with any claims, in order to comply with consumer law, environmental claims must be clear and accurate and not mislead consumers. This is covered by the Consumer Protection from Unfair Trading Regulations 2008 (known as the CPRs), which control unfair practices used by traders when dealing with consumers, and create criminal offences for traders that breach them. The Business Protection from Misleading Marketing Regulations 2008 (known as the BPRs) provide similar protection for business-to-business advertising and comparative advertising.

Further information on the CPRs and BPRs respectively can be found in 'Consumer protection from unfair trading' and 'Business-to-business marketing'.

What are environmental claims?

Environmental claims may be made about a product or service, but they can also cover processes that relate to the product or service, a brand or the business as a whole. They may relate to specific environmental impacts such as 'carbon neutral' or 'organic', or be more general such as 'eco-friendly' or 'sustainable'. They may be explicit or implied, appear on advertising, other marketing material, or on the packaging or other information supplied to consumers.

All claims made must be accurate and properly describe the impact on the environment and must not hide or misrepresent important information. Neither the CPRs, the BPRs, nor the Green Claims Code set specific rules on which claims can or cannot be made, but they set some general principles. Note that there may be product- or sector-specific requirements that apply in addition to these.

General principles

The Green Claims Code sets out six principles, which businesses should consider when making claims to ensure they do not breach the CPRs or BPRs.

"The principles are:

- claims must be truthful and accurate
- claims must be clear and unambiguous
- claims must not omit or hide important relevant information
- comparisons must be fair and meaningful
- claims must consider the full life cycle of the product or service
- claims must be substantiated"

"All aspects of a claim may be relevant, such as:

- the meaning of any terms used;
- the qualifications and explanations of what is said;
- the evidence that supports those claims;
- the information that is not included or hidden;
- the colours, pictures and logos used; and
- the overall presentation"

The Code provides more detailed guidance and examples, which businesses making such claims should consult and amend their practices accordingly.

Trading standards

For more information on the work of trading standards services - and the possible consequences of not abiding by the law - please see 'Trading standards: powers, enforcement and penalties'.

In this update

New guidance: March 2022

Key legislation

Business Protection from Misleading Marketing Regulations 2008

Consumer Protection from Unfair Trading Regulations 2008

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on amendments to legislation can be found on each link's 'More Resources' tab.

© 2022 Chartered Trading Standards Institute

Source URL:

<https://www.businesscompanion.info/en/quick-guides/miscellaneous/environmental-green-claims>