FTC Environmental Marketing Guides

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FTC Act

• Tell the truth

• Have substantiation
Ask:

• What claims does my ad convey to reasonable consumers?

• Do I have competent and reliable evidence to back up the claims?
FTC’s Green Guides

• Apply to all forms of marketing claims

• Apply to business to consumer and business to business claims

• Don’t set performance standards or eco-labels
General Guide Principles

- Consumer perception of claims controls
- Use specific claims
- Don’t overstate product attributes
- Use clear & prominent qualifications
Types of Marketing Claims

- General environmental benefits
- Degradable and biodegradable
- Compostable
- Recyclable
- Recycled content
General Environmental Claims

- General claims may be confusing
- Identify specific “green” attributes
Biodegradable

Difficult for products to biodegrade in a landfill
FTC Alleged Unsubstantiated Biodegradable Claim
“Bamboo Fiber” Textiles

- Actually are rayon
- Do not retain natural attributes of the bamboo plant such as antimicrobial properties
Seals & 3rd Party Certifications

Seals
- May imply superiority
- May need to qualify claim
- Explain basis for award

Certifications
- Independent, with expertise
- Certification does not insulate advertiser
- Avoid broad claims
Green Guides Review

• Federal Register Notices
  – Seeking comments on the Guides & new green claims

• Public Meetings on Emerging Issues
  – Carbon Offsets and RECs
  – Green Packaging Claims
  – Green Buildings and Textiles

• Consumer Research
More Information

Green Guides
16 C.F.R. Part 260

www.ftc.gov/green