



Green Advertising: Confusing Environmental Claims

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As more and more consumers become environmentally aware, a growing trend called “green consumerism” is taking root in the United States and foreign marketplaces. Green consumers are individuals who base their buying behavior on environmentally safer products and who are even willing to pay a higher price for these products. For example, in 1990, 70 percent of Americans claimed that they rejected a product or switched brands for environmental reasons.

Many company marketers are responding to this trend by engaging in “green advertising” or “eco-labeling,” making marketing claims that a product is made of environmentally sound materials or is contained in an environmentally sound package. In fact, the introduction of green products is increasing 20 percent faster than the introduction of other new products. Green advertising has led to an increase in confusion among consumers who are attempting to be environmentally sound in their purchasing behavior but are unsure what the environmental claims on the products and packages mean.

Not only are consumers being adversely affected by green advertising claims, but many companies that have real environmental attributes and have made real environmental accomplishments are shying away from environmental marketing in fear of actions by the Federal Trade Commission (FTC) and consumer protection groups. Unfortunately, this fear prevents these companies and environmentally sound products from receiving the credit they deserve. Also, clear and accurate environmental marketing is needed to help make consumers more environmentally aware and to increase the number of environmentally sound products in the marketplace. According to the Environmental Protection Agency, “environmentally informed consumers

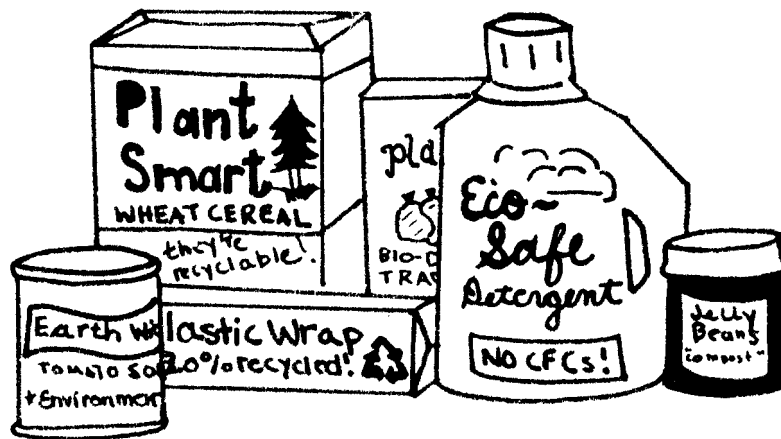
making purchasing decisions based on accurate and reliable information about the environmental attributes of products would encourage manufacturers to produce goods which have fewer adverse environmental impacts.”

To promote proper environmental marketing, a few facts about environmental claims should be kept in mind.

Specific Claims Versus Vague Claims

Vague claims can be confusing, deceptive, and sometimes inaccurate. General claims that have different meanings to different consumers make it difficult to decide exactly what the environmental attributes and impacts of the product or package are. The following are examples of some common vague claims.

- **Safe for the environment** Claims such as “safe for the environment,” “environmentally friendly,” and “eco-safe” are meaningless and often misleading. Be aware that the production of any product will have an impact on the environment, although the impact of some products is less than others.



• **50 percent less waste** The consumer doesn't receive complete information from source-reduction claims that do not state exactly what was reduced, by how much, and compared to what other item. To determine the environmental attribute and impact, look for a more specific claim about the amount of waste reduction such as "50 percent less packaging than our previous package."

• **Safe in a landfill (incinerator)** Non-hazardous consumer products usually pose little threat for properly constructed and operated waste facilities such as landfills or incinerators. In these types of waste facilities, the safety of the disposed product depends more on the facility than on the product itself.

• **Ozone friendly** Many companies claim their product is "ozone friendly" or "ozone safe," or "contains no CFCs." These types of claims are often deceptive because a product that doesn't contain any chlorofluorocarbons (CFCs)—chemical substances that deplete the earth's protective ozone layer—might still contain other ozone-depleting chemicals (ODCs) such as trichloroethane or hydrochlorofluorocarbons (HCFCs). Even though these other substances may be less damaging to the ozone layer than CFCs, they still cause some ozone depletion.

To evaluate environmental claims, look for labels that list an objective attribute instead of a general statement. Check whether the claim pertains to the product or to the package to determine the exact attribute or impact. Questions about a company's environmental claims can be clarified by contacting the company.

Recyclable and Recycled Content Claims

Because there are no federal set standards for the terms "recyclable" and "recycled content", many producers are free to attach a wide variety of meanings to these claims. Products labeled "recyclable" can be misleading because many materials technically can be recycled; however, there may not be a nearby facility to accept the material for recycling, which makes this claim meaningless. If the product that is claimed to be "recyclable" is not usually separated from other wastes for recycling, then it probably won't be recycled. Check with the local solid waste management office to find out which types of materials and products are being recycled.

Other misleading claims are that the product or package "contains recycled content" or "is made from recycled materials." These types of claims tell the consumer very little about the product's content. For

example, how much recycled material is used? Is the recycled material used in the product or package? Does the recycled content come from the consumer waste stream or the industrial waste stream? Make sure the percentage of recycled material used in the product or package is listed. A claim that a product contains recycled content could mean that only two percent of the product is made of recycled material. Also, more and more companies are letting the consumer know where the recycled material comes from. *Post-consumer* materials are materials that were previously used in business and consumer products, such as newspaper, plastic bottles, glass containers, or aluminum cans. *Pre-consumer* scrap are materials that come from the manufacturing process that would have otherwise ended up in the waste stream, such as clippings and other materials used to make the product. Look for as much specific information about the recycled content as possible. For example, a specific labeling claim would read, "Product contains 40 percent pre-consumer recycled content and 20 percent post-consumer recycled content."

Degradable and Compostable Claims

The two most common types of degradation are biodegradation and photodegradation. *Biodegradable* materials break down and decompose when exposed to natural elements such as air, moisture, bacteria, and other organisms. *Photodegradable* materials disintegrate into smaller pieces when exposed to a certain amount of sunlight. The benefits of degradable products depends primarily on how they are disposed of; degradable products might be appropriate for composting, but have very little effect when landfilled, recycled, or incinerated.

Compost is a humus-like material that enriches the soil and returns nutrients to the earth. Products that claim to be "degradable" or "compostable" can be used for compost if there is a nearby facility that can safely, effectively, and legally compost the waste. If there is a nearby facility, check to find out what materials they accept for compost. Many facilities are permitted to accept only certain types of solid wastes. For example, the facility might only accept yardwastes and leaves; therefore, a plastic bag or disposable diaper labeled as "degradable" or "compostable" won't be composted.

Approximately 67 percent of wastes are landfilled. In a landfill, the degradability of products typically has little effect, because landfills are designed to block out air, water, and light. Blocking out these natural elements prevents pollutants from entering air and

drinking water supplies, but it also slows down decomposition. Even highly degradable organic materials such as food and newspaper may take decades to decompose in a landfill.

For “degradable” products, keep in mind the extent and rate of decomposition. Many products will decompose if given enough time. But rather than waiting years for the decomposition to take place, products marketed as “degradable” should break down completely and return to their natural elements within a reasonably short period of time after the product is disposed of in the usual manner.

To find out if the degradability of a product will have an impact on its disposal, check with the local solid waste management office to find out what waste management system the community is currently using and what types of materials are accepted at the waste facility.

Protection for the Consumer

On July 28, 1992, the FTC issued guidelines on environmental marketing to promote clear federal guidance for marketers who want to make environmental claims. The guidelines apply to environmental claims, whether directly asserted or implied, that are included in labeling, advertising, promotional, and all other forms of marketing. (See fact sheet RCL-14 for a summary of the guidelines.) Although the guidelines are not legally enforceable and do not preside over state or local laws, the guidelines do provide legal guidance to marketers. According to the FTC, a violation of the guidelines might be determined to be “deceptive and unfair” and could result in corrective actions. To receive a copy of the FTC’s *Guides for the Use of Environmental Marketing Claims* call (202) 326-3753.

Besides the FTC’s guidelines, other efforts are underway to protect consumers from deceptive green advertising. Attorney Generals from 11 states—California, Florida, Massachusetts, Minnesota, Missouri, New York, Tennessee, Texas, Utah, Washington, and Wisconsin—have issued recommendations for green advertising in a document entitled “Green Report II.” Also, organizations such as Green Cross Certification and Green Seal issue seals of approval for products that are environmentally preferable compared to other products. Several states have issued laws to protect the consumer from deceptive green advertising. Currently, Pennsylvania does not have any regulations regarding environmental marketing.

Questions or concerns about environmental marketing claims can be addressed by contacting:

The Correspondence Branch
Federal Trade Commission
Washington, DC 20580
(202) 326-2222

For more information about labeling claims, contact the local or state consumer protection agency, local solid waste authority, or county recycling coordinator.

Final Note

Keep in mind that all products have an impact on the environment, because the production of *any* product will affect the environment in some way. Environmental claims, by themselves, are not a method to manage wastes, but proper use of these claims can supplement a community’s waste management program. To be environmentally sound, the EPA suggests the “Three R’s” for the primary methods to manage wastes: (1) **reduce** the amount of waste that needs to be disposed of; (2) **re-use** products whenever possible; and (3) **recycle** as many products as possible. When consumers base their purchasing behavior and method of managing wastes solely on environmental claims, they may not always be making the most environmentally sound choice.



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