



EDANA

Environmental Claims Guidelines



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Foreword

These guidelines demonstrate our industry's commitment to apply the highest standards of responsibility and represent good business practice. These guidelines are endorsed by EDANA members as a fair and honest representation of their commitment, and EDANA member companies actively encourage respecting the principles laid out in these guidelines. By following these guidelines, companies not only build their own reputation, but also generate goodwill for the entire industry. The guidelines can be followed on a voluntary basis, and are not regulated or enforced by EDANA.

Companies that make important efforts to reduce their environmental impact should be given the opportunity to communicate these efforts (e.g. through statements on products or other types of information) and should be protected from unfair competition by those that make unfounded environmental claims. Fair competition is essential to a level playing field for companies.

Many EDANA members today are undertaking initiatives to support informed choices by customers and consumers, whilst working to address the sustainability agenda as a wider goal. Whilst claims related to environmental sustainability are within the scope of these guidelines, claims on the broader definition of sustainability i.e. including economic and social aspects are not.

Based on existing guidelines on environmental claims in marketing and advertising, this initiative provides EDANA member companies with clear and comprehensive guidelines on best practices when making such claims. The guidelines, specifically designed for the nonwovens and related industries by a dedicated group of experts from member companies, will support companies in applying the highest standards to their environmental statements and preventing 'greenwashing' in our industry.

Our industry recognises the importance of responsible advertising and marketing as essential means of informing customers and consumers about characteristics and qualities of their products. In particular, our industry commits, through these guidelines, to promote environmental claims that:

- Comply with all relevant regulatory frameworks;
- Are sincere, truthful and not vague or misleading;
- Allow customers and consumers to make informed choices;
- Promote fair competition; and
- Aim to prevent claims that may be unfair or misleading

These guidelines are not intended to in any way limit or discourage companies from continuing to innovate or accurately communicate their progress in meeting and achieving sustainability objectives, but to ensure the proper functioning of markets.

These guidelines were designed as a living document and will be reviewed every 2 years, or as needs arise.

Introduction



Who should use these guidelines ?

These guidelines are designed for companies producing, selling, marketing or advertising nonwovens and related products and:

- Currently make environmental claims about their products or services;
- Are considering how to market their environmental attributes;
- Are looking to define environmental attributes from a technical solution ?
- Receive queries from customers about the environmental attributes of their products or services and are considering how to respond.

Why should companies use these guidelines ?

By following best practices in this field and giving clear, straightforward information, a company can:

- Avoid "greenwashing";
- Strengthen its reputation and credibility with customers, consumers and other business partners;
- Demonstrate to regulators that it is working to meet or exceed legal requirements;
- Enhance the appeal of its products; and
- Strengthen the claims themselves to make them more compelling

Companies using these guidelines should have greater confidence that their environmental claims are meaningful, and consistent with existing standards, codes and guidelines.

What type of environmental claims do these guidelines apply to ?

These guidelines apply to all forms of communication, marketing or advertising. This includes but is not limited to all types of statements, information, symbols and graphics on packaging, labelling, advertising, in all media (including digital channels, such as websites and social media) and made by any organisation. These guidelines apply mainly to claims on products, except for a specific section on corporate claims (see section 8).

These guidelines are mainly aimed at providing useful information for those making self-declared claims in environmental statements, graphics or imagery (i.e. made without independent third-party certification), but it also provides good practice for any type of claim including third party certification and labels. Claims can be quantitative or qualitative.

Whilst claims related to environmental sustainability are within the scope of these guidelines, claims on the other aspects of a broader definition of sustainability i.e. including economic and social aspects, are not in the scope of these guidelines. Claims regarding product safety are also not in the scope of these guidelines.

Why are robust environmental claims important?

Environmental claims can help to:

- Educate customers and consumers about the environmental impacts of products and services;
- Enable customers and consumers to make informed choices based on environmental impact;
- Drive competition to develop products with reduced impact; and
- Build the reputation of brands.

The added value of environmental claims rests on the assurance that the claims are both credible and reflect a genuine benefit to the environment. False, misleading or confusing claims have the potential to undermine consumer confidence in marketing or lead to unfair competition between companies. This is why there are real benefits in establishing a good standard of practice across the market.

How do these guidelines align with other standards, codes and guidelines, internationally?

In developing these guidelines, we have sought to align it with the following standards, guidelines and codes:

- The international standard on self-declared environmental claims ISO 14021:2016 (Type II environmental labelling);
- Guidelines on the implementation/application of Directive 2005/29/EC on unfair commercial practices;
- Guidelines for making and assessing environmental claims, December 2000, European Commission;
- DEFRA Green Claims Guidelines, United Kingdom (2011);
- Practical Guide to Environmental Claims, France (2012);
- Guidelines International Chamber of Commerce, Framework for Responsible Environmental Marketing Communications (2011);
- Guides for the Use of Environmental Marketing Claims, United States, proposed revisions in 2011 and published on 1st October 2012; and
- Cosmetics Europe guiding principles on responsible advertising and marketing communication 2012.

The intention is not to replace these standards, codes and guidelines, but rather to provide an interpretative guide on how they can be applied. Many countries use the international standard ISO 14021 on self-declared environmental claims as a basis to inform national codes and guidelines.



Definitions

Advertising

Any form of marketing communications carried by any media, usually in return for payment or other valuable consideration. This includes digital marketing communication.

Average consumer

Any person "who is reasonably well-informed and reasonably observant and circumspect, taking into account social, cultural and linguistic factors" (Recital 18, Directive 2005/29/EC).

Claim

A claim is a message used to set apart and promote a product on its packaging, on a label, in an advertisement, etc.

Environmental aspects

An environmental aspect is defined as an element of a facility's activities, products, or services that can or does interact with the environment. These interactions and their effects may be continuous in nature, periodic, or associated only with events, such as emergencies.¹

Environmental claim

An environmental or 'green' claim is any type of claim where explicit or implicit reference is made to the environmental or ecological aspects relating to the production, packaging, distribution, and the use/consumption or disposal of products. Environmental claims can be made in any medium, including packaging, labelling, package inserts, promotional and point of sales materials, product literature, radio and television, as well as via digital or electronic media such as e-mail, telephone and the Internet. A claim may also include imagery such as landscapes and wildlife, or specially-developed symbols, pictures or labels as well as colours.

Environmental impact

An environmental impact is defined as any change to the environment, whether adverse or beneficial, resulting from a facility's activities, products or services.

Environmental management

Environmental management refers to the set of methods (internal management, resources, processes, practices, etc.) used by a business for continuous improvement of its environmental performance. A distinction may be drawn between the organisation-based approach, focusing on business sites (usually production sites) and constituting an in-house management tool, and the product-based approach, extending beyond the confines of the business, since it means designing and improving products to minimise their environmental impact over the whole of their life cycle.

Greenwashing

Greenwashing refers to advertising that makes unjustified use of an environmental message. This is the case when an environmental claim about a product is of little or no relevance to the environment or merely complies with existing regulations without making this clear. A product may also be greenwashed by concealing its most significant impacts (e.g. an advertisement for a more 'ecological' car highlighting the fact that the seats are made of recycled materials but failing to mention that the vehicle's CO₂ emissions have not been reduced). A useful guide and additional can be found at: www.sinsofgreenwashing.org

Marketing communications

Advertising as well as other techniques, such as promotions, sponsorships and direct marketing, when interpreted broadly, mean any communications produced directly by or on behalf of marketers intended primarily to promote products or to influence consumer behaviour.²

Misleading advertising

Any advertising which in any way, including its presentation, deceives or is likely to deceive the persons to whom it is addressed or whom it reaches and which, by reason of its deceptive nature, is likely to affect their economic behaviour or which, for those reasons, injures or is likely to injure a competitor.³

1. https://archive.epa.gov/sectors/web/pdf/module_05-2.pdf

2. Consolidated ICC Code

3. Directive 2006/114/EC



General principles

As a general principle, all marketing communication must be legal, decent, honest, and truthful. As applied to environmental claims, this overarching concept means that environmental claims should be based on sound, appropriate scientific information relevant to actual use, operation or disposal of the advertised product, not unsupported assumptions.

Additionally, all marketing communication should be accurate, complete and prepared with a due sense of social and professional responsibility, and should conform to the principles of fair competition, as generally accepted in business. Marketing communication should not condone or encourage actions contrary to accepted standards of environmentally responsible behaviour.

Environmental claims should be...

- **Truthful**
- **Legal:** EDANA members commit to fully comply with relevant regulations, directives, laws, and codes of practice;
- **Precise:** vague or non-specific claims of environmental benefit, which may convey a range of meanings to consumers, should be made only if they are valid, without qualification, in all reasonably foreseeable circumstances. If that is not the case, general environmental claims should either be qualified or avoided. All reasonable effort to reduce uncertainties and limit the risk of mistakes in measuring and reporting environmental performance should be made;
- **Substantiated:** based on scientific evidence or recognised methods;
- **Verifiable:** market surveillance authorities and advertising self-regulatory bodies need to verify the truthfulness of a claim. The trader has the burden of proof and should therefore be able to prove the claim;
- **Relevant** to the product in question and the environmental issues connected with it, and significant in terms of the product's environmental impact;
- **Explicit about the meaning of any symbol** used in the claim – unless the symbol is required by law, or is backed up by regulations or standards, or is part of an independent certification scheme. Where information is conveyed by means of logos or pictograms, these

should be accompanied by programmes to educate consumers as to their meaning in order to ensure that consumers properly understand them;

- **Simple and comprehensible:** in plain language and in line with standard definitions. Scientific terminology or references are acceptable provided they are relevant and used in a way that can be readily understood by the audience to whom the message is directed. However, it should not be simplified to the point where it ceases to be objective or loses its meaning, neither it should be so detailed that the consumer is overwhelmed;
- **Transparent:** information should be disclosed in such a way as to provide intended users with all the elements necessary to enable them to assess its robustness and reliability. The criteria on which the environmental claims are based should be publicly available and susceptible to background checks on the underlying research. Information should be provided on the assessment method, tools used, system boundaries, data sources etc. The information provided may be accessible at the point of sale (including online points of sale) or provided upon request. Additional information which is not directly needed to take a purchase decision, but which may be useful to the consumer, may be provided through different media, including websites. Advertisers and/or companies have a duty to have at hand the documentation substantiating the claim before it is made;
- **Complete:** Information should be included in accordance with relevant standards for life cycle assessment.⁴
- **Comparable:** Environmental information should enable consumers to make comparisons between various products of the same category and across sellers. Any comparative claims should be specific and the basis for comparison should be clear. Environmental superiority over competitors should be claimed only when a significant advantage can be demonstrated. Products being compared should meet the same needs and be intended for the same purpose; and
- **Up-to-date:** Environmental claims shall be reassessed and updated as necessary to reflect changes in technology, competitive products or other circumstances that could alter the accuracy of the claim.

Environmental claims should not ...

- **Be vague or ambiguous**, for instance by simply trying to give a good impression about general concern for the environment. Claims such as
 - “natural”;
 - “ecological”;
 - “environmentally friendly”;
 - “eco-safe”;
 - “eco-friendly”
 - “planet-, earth- or nature-friendly”; and
 - “green,” and similar statements implying that a product or an activity has nearly no impact on the environment, should not be used unless a very high standard of proof is available.
- **Imply that it commands universal acceptance** if there is significant doubt or division of scientific opinion over the issue in question;
- **Imply more than it actually covers**, if the claim is only about limited aspects of a product or its production or does not deal with a significant issue for that type of product. Claims related to a product and its packaging should be presented separately, and should not be combined;
- **Make comparisons**, unless the comparison is relevant, clear and specific;
- **Imply that a product or service is exceptional** if the claim is based on what is standard practice anyway;
- **Use language that exaggerates** the advantages of the environmental feature the claim refers to;
- **Imply that the product or service is endorsed** or certified by another organisation when it has not been;
- **Result in a transfer of pollution**, i.e. create or increase other environmental impacts at other stages of the product's life cycle;
- **Unduly criticise or denigrate** competitors or their products; and
- **Exploit** any lack of knowledge or inexperience.

⁴ ISO 14040:2006 Environmental management - Life cycle assessment - Principles and framework: http://www.iso.org/iso/catalogue_detail.htm?csnumber=37456 and ISO 14044:2006

Environmental management - Life cycle assessment - Requirements and guideline: http://www.iso.org/iso/catalogue_detail?csnumber=38498

4 Regulatory framework



These guidelines integrate relevant provisions included in:

- a. Directive 2005/29/EC on Unfair Commercial Practices⁵
- b. Directive 2006/114/EC on Misleading and Comparative Advertising⁶.
- c. The Consolidated ICC Code of Advertising and Marketing Communication Practice⁷.

EU legislation

In order for environmental claims to be informative for customers and consumers, and to be effective in promoting goods and services with lower environmental impacts, it is imperative that they are clear, truthful, accurate and not misleading. Also, they must not emphasise one specific environmental issue while hiding trade-offs or negative impacts on the environment.⁸

The use of truthful environmental claims is also important in order to protect traders making genuine claims from unfair competition from those making unfounded environmental claims. Besides the aspects covered by specific EU legislation (for example, the «bio» or «eco» labels⁹, the Unfair Commercial Practices Directive (UCPD) is the main body of horizontal legislation used to assess environmental claims as well as establishing whether a claim is misleading either in its content or in the way it is presented to consumers¹⁰.

Under Article 6(1) (a) and (b) of the EU Unfair Commercial Practices Directive:

«a commercial practice shall be regarded as misleading if it contains false information and is therefore untruthful or in any way, including overall presentation, deceives or is likely to deceive the average consumer, even if the information is factually correct ... and causes or is likely to cause him to take a transactional decision that he would not have taken otherwise», in relation to one or more of the following elements: «(a) ... the nature of the product; (b) the main characteristics of the product such as its ... benefits, risks, composition, ... method (...) of manufacture, ... fitness for purpose, ... geographical or commercial origin or the results to be expected from its use, or the results and material features or tests or checks carried out on the product».

This provision applies to commercial communications including environmental claims such as text, logos, pictures and use of symbols, in marketing and on packaging.

Under Article 6(1) (a) and (b) of the Directive, national authorities perform a case-by-case assessment of the practice, the content of the claim (including environmental claims) and its impact on the average consumer's purchasing decision.

As the European Commission clarified in the UCPD Guidelines Document, the application of the provisions of the Directive to environmental claims can be summarised in two main principles:

- Based on the Directive's general clause, traders must, above all, present their claims in a specific, accurate and unambiguous manner and;
- Traders must have scientific evidence to support their claims and be ready to provide it in an understandable way in case the claim is challenged.

Annex I of the Unfair Commercial Practices Directive

The Annex I of the Directive lists several practices which are particularly relevant to environmental claims and which are prohibited, regardless of the impact they have on the consumer's behaviour. They concern unauthorised use of logos (n.2), false approval or endorsement by public or private bodies (n. 4), falsely claiming to be a signatory of a code of conduct (n.1) or falsely claiming that a code of conduct has been endorsed by a public or private body (n.3). The recently adopted Consumer Rights Directive¹¹ (article 6.1 n) requires businesses to inform consumers in distance and off-premises contracts when they have subscribed code of conducts as defined in the UCPD (article 2 f).

What legislation can be used to act against a misleading environmental claim ?

Provisions of the EU Directive 2005/29 on unfair commercial practices form the basis for action against environmental claims when the latter are unfounded or misleading. A business practice is misleading if it creates confusion with other products or services,

trademarks, trade names or other distinguishing marks of a competitor or if it is based on claims, information or presentations that are false or likely to mislead. The Directive on Unfair Commercial Practices covers the essential characteristics of the product or service, the scope of obligations undertaken by the advertiser and specifies 22 commercial practices considered misleading. These practices are deemed to be misleading in all circumstances and therefore, if they can be proved, make it easier to bring successful legal proceedings against the trader.

5. http://ec.europa.eu/justice/consumer-marketing/files/ucp_guidance_en.pdf
6. http://ec.europa.eu/consumers/consumer_rights/unfair-trade/false-advertising/index_en.htm
7. <https://iccwbo.org/publication/advertising-and-marketing-communication-practice-consolidated-icc-code/>
8. This sentence is described on p. 38 in the UCPD guidelines document. While the MDEC participants agree in principle with this sentence, some highlight the difficulty to enforce it. Business stakeholders also request that it should not be discouraged to highlight specific environmental issues.
9. Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91, OJ L 189, 20.7.2007, p. 1–23. Other examples of specific legislation are Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products; Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters; Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO₂ emissions in respect of the marketing of new passenger cars.
10. As stated in Recital 10 of the Directive, it indeed «provides protection for consumers where there is no specific sectoral legislation at Community level and prohibits traders from creating a false impression of the nature of products».
11. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:304:0064:0088:EN:PDF>

Guidelines



The EDANA guidelines on environmental claims are based on existing documentation, including the UK DEFRA Green Claims Guidelines¹² from which this section was adapted.

STEP 1

Ensure the content is relevant and reflects a genuine benefit

Key questions to ask before establishing the content of a claim include:

- Have you considered the full environmental impact of your product or service?
- Does the claim address impacts that are relevant to the environmental impact of the product or service? Is it relevant to your core business and consumer interests?
- Does the claim genuinely convey any additional benefits or improvements to what is already happening or is required?
- If performance is compared to others on the market, is such a comparison fair and meaningful? Does the comparison have a clear basis?

Life cycle-based product information covers information on the environmental performance over the whole life cycle of a product, identifying the most relevant life cycle stages (e.g. raw material production, use stage, etc.) or the most relevant environmental impacts (e.g. climate change impacts, water use impacts, etc.).

An existing type of life cycle-based product information is the Environmental Product Declaration (EPD), where product declarations can be found in for example the International EPD system.¹³

Life cycle-based information is often referred to as Footprint information. Sometimes the footprint focuses on an area of concern, such as Carbon footprint or Water footprint. An ISO standard, ISO 14026 has defined guidance and requirements on footprint information in general¹⁴. EU is finalizing a four-year project on Product Environmental Footprint, where the quantification and communication of product life cycles have been tested for different product areas.

All environmental life cycle-based information should be based on valid so-called Product Category Rules (PCR), where the important details for the quantification and communication of a product group are specified. EDANA has established such rules for Absorbent Hygiene Products and Nonwoven wipes respectively.¹⁵

Consider the significance and relevance of the environmental claim

A claim should consider a range of environmental impacts across the whole company or product, its supply chain and life cycle.

It is possible to base a claim on a single process or a single environmental impact that is significant for the product, provided some essential precautions are taken. The selected process or impact should be relevant and in the case of a single environmental impact, the reduction of this impact should not cause the significant increase of other impacts (trade-off).

International Standard ISO 14021(5.7h) states that self-declared environmental claims “shall be true not only in relation to the final product but also shall take into consideration all relevant aspects of the product life-cycle in order to identify the potential for one impact to be increased in the process of decreasing another”.

This includes, but is not limited to the following:

- If you intend to claim that your product or service has a beneficial environmental performance overall, carrying out a robust and documented assessment is important (e.g. a full life-cycle assessment for products); and
- If you intend to make a claim about a single environmental attribute for your product (e.g. recycled content) but are not able to conduct a full assessment, ensure your claim is specific to that attribute, and does not imply a wider overall benefit for the product.

Address environmental impacts that are relevant or material

Making a claim relevant is about ensuring it addresses the environmental aspects of most significance to the type of product or service, or consumer or business interests.¹²

- Focus on the biggest impacts. When a claim is of small significance to the overall impact of a product, consider whether it's worth making the claim at all;
- Where a claim does not address the main impacts but is considered relevant to the interests of your business or consumers, ensure the claim does not imply a wider benefit to the environment overall; and
- Ensure the claim is relevant to where the impact occurs, the scale of the issue, and what is actually in your

organisation's control. If most influence is outside the company's control, it is best to be open about this and advise others (e.g. consumers, suppliers) about the part they can play in reducing the impact within their control.

ISO standard – claims:

- “Shall be relevant to that particular product and used only in an appropriate context or setting;
- Shall only relate to an environmental aspect that either exists or is likely to be realised, during the life of the product;
- Shall be relevant to the area where the corresponding environmental impact occurs.”

Ensure claims reflect an additional benefit to the environment

Ensure that, where a claim promotes an environmental improvement for one aspect of a product, this has not resulted in another important environmental burden or impact arising from the product (i.e. an undisclosed impact).

A claim based on pre-existing but previously undisclosed aspects should be presented in a manner that does not imply a new environmental benefit based on recent modification.

- A claim should not be based on the absence of ingredients or features which have never, or have not for some time, been associated with the product category;
- A claim should not imply that a product is exceptional when all products in the marketplace share the same characteristic. Nor should it imply it is exceptional by suggesting others in the market have more harmful properties, or are likely to cause harm, if that is not true of most products sold for the same purpose or if the available evidence does not support those suggestions;
- Something which only reflects current compliance with the law (i.e. meets the minimum legal requirements) should not be claimed as an additional benefit.

¹² <https://www.gov.uk/government/publications/make-a-green-claim/make-an-environmental-claim-for-your-product-service-or-organisation>

¹³ www.environdec.com

¹⁴ ISO 14026 – Environmental label and declarations – Principles, requirements and guidelines for communication of footprint information

¹⁵ PCR 2011:14 Absorbent Hygiene Products (version 2.1), PCR 2016:06 Nonwoven wipes (version 1.0)

¹⁶ Research has shown that claims that are not considered relevant (or may not be instinctively associated with the product or business activity) may be received with more caution by consumers <http://www.consumerfocus.org.uk/assets/1/files/2009/06/Green-expectations-single-page.pdf>

For example, if the law requires the disclosure of information, or if a statement is needed to educate consumers or encourage action by consumers, this should be presented in the context of the requirement – not claimed as an additional benefit;

- If a company claims it has achieved a legal requirement ahead of it coming into force, the claim should still be transparent about the longer term legal requirements it is aiming to meet (and discontinued once the legal requirement is in force); and
- A claim is about performance above the minimum legal requirement; it should be explicit about the additional benefit.

International standard ISO14021 (5.7) states that self-declared environmental claims:

- J.** "Shall not, either directly or by implication, suggest an environmental improvement which does not exist, nor shall it exaggerate the environmental aspect of the product to which the claim relates;
- O.** Shall, if based on a pre-existing but previously undisclosed aspect, be presented in a manner that does not lead purchasers, potential purchasers and users of the product to believe that the claim is based on a recent product or process modification; and
- P.** Shall not be made where they are based on the absence of ingredients or features which have never been associated with the product category"

Ensure comparisons are fair and meaningful

Comparisons should be:

- Quantified and calculated using the same units of measurement;
- Based on the same functional unit; and
- Calculated over an appropriate time e.g. 12 months (see 6.3.2 of ISO 14021).

International Standard ISO14021 (5.7n) states that self-declared environmental claims "shall, if a comparative assertion of environmental superiority or improvement is made, be specific and make clear the basis for the comparison. In particular, the environmental claim shall be relevant in terms of how recently any improvement was made".

Make clear the basis for comparison, so that consumers understand the relative advantage. If you quantify the claim using either percentages or absolute values, use figures and values that are meaningful for consumers to understand.

Ensure comparisons are relevant, i.e. made against a comparable product, process or service that serves the same function; is in the same category; and either currently, or was recently, in the same marketplace.

Only make comparisons:

- Against the organisation's own prior process or product;
- Against another organisation's process or product;
- According to an industry standard (see 6.3.1 of ISO 14021);
- Measure the comparison accurately using the most appropriate standards, methods and data;
- If a product performs well within its category, but not compared to other categories, competitors, or products serving the same function, make clear the basis for the claim and do not exaggerate its benefit overall;
- Avoid 'implied comparisons' (i.e. terms or phrases that may imply a product compares favourably to others on the market) if there is not specific comparative information to justify that a product is better than others; and
- When making a 'selective' comparison against a specific product, process or service – ensure the claim is specific to that product/process and does not imply it is better than the wider market overall. The selected product/process should also be relevant e.g. an important product on the market.

STEP 2

Present the claim clearly and accurately

When decisions have been taken about the content of the environmental claim, the following principles are the foundation for best practice on how to present it.

- Ensure claims are presented in a truthful and accurate way that would not mislead consumers;
- Be clear on the scope or boundaries to which the claim applies;
- Use plain language and information that is specific and unambiguous;
- Ensure the amount and type of supporting information is clear, helpful and appropriate; and
- Ensure any labels, symbols or pictures are clear and relevant.

Ensure the claim is truthful and accurate

Whilst a claim may be technically correct, it is important to look at the overall impression a claim creates and ensure it is not misleading. These include, but are not limited to:

- Ensure all environmental claims do not contain false information about the product, service or others on the market¹⁷;
- Ensure that even if claims are literally true, they would not be misinterpreted by consumers or be unlikely to happen in practice (e.g. it would be misleading to advertise a general rubbish bag as "compostable" if it would have to be separated from the waste it contained in order to compost completely);
- Ensure that claims do not omit significant information;
- Claims should be careful to accurately represent the scale of the benefit, and should not overstate the environmental benefits; and
- Claims should not be restated using different terminology to imply multiple benefits for a single environmental change (e.g. "This paper is Non-Chlorine Bleached, Totally Chlorine Free and Elemental Chlorine Free" may imply three benefits rather than one).

International Standard ISO 14021 (5.7) states that self-declared environmental claims:

- a. "Shall be accurate and not misleading;
- g. Shall be unlikely to result in misinterpretation;
- j. Shall not, either directly or by implication, suggest an environmental improvement which does not exist, nor shall it exaggerate the environmental aspect of the product to which the claim relates; and
- k. Shall not be made if, despite the claim being literally true, it is likely to be misinterpreted by purchasers or is misleading through the omission of relevant facts".

The scope of claim should be clear

A claim should be clear about the particular product, process, environmental impact, or business activity that it is referring to, so as not to imply a larger environmental benefit than there actually is.

The claim should:

- Be clear and specific about the particular environmental attribute or process that you have addressed;
- For multi-product claims, it should be clear whether the claim refers to all products within a company portfolio or only certain products; and
- Ensure that any material identification symbol (i.e. that indicates the type of material the product or package is made from) isn't presented in a way which appears to make a claim.

International Standard ISO 14021 (5.7) states that self-declared environmental claims:

- d. "Shall be presented in a manner that clearly indicates whether the claim applies to the complete product, or only to a product component or packaging, or to an element of a service;
- e. Shall be specific as to the environmental aspect or environmental improvement which is claimed."

Use plain language – specific and unambiguous

- Wherever possible use plain language and try to avoid the creation or use of new terms or phrases in relation to environmental performance where other wording will work just as well;¹⁸
- Be specific about the actions taken rather than using broad overarching terms;
- Avoid vague or ambiguous terms or phrases that have a greater potential to be misinterpreted;
- Terms like 'green', 'environmentally friendly', 'eco' or 'better for the environment', used to claim superiority for a product or brand, are vague and undefined, so they too have the potential to mislead consumers.¹⁹ The international standard ISO 14021 does not support their use and these guidelines similarly recommend using specific and properly defined terms to describe environmental performance.

¹⁷. Claims that are materially inaccurate are a criminal offence under the UK Consumer Protection from Unfair Trading Regulations 2008.

¹⁸. See Defra research on consumer understanding of green terms http://randd.defra.gov.uk/Document.aspx?Document=EV0518_9994_FRP.pdf

¹⁹. Where these terms are used in the context of a reputable scheme, with specific criteria that underpin their use, these guidelines do not apply.

International Standard ISO 14021 states that

- “5.3 An environmental claim that is vague or nonspecific or which broadly implies that a product is environmentally beneficial or environmentally benign shall not be used. Therefore, environmental claims such as “environmentally safe”, “environmentally friendly”, “earth friendly”, “non-polluting”, “green”, “nature’s friend” and “ozone friendly” shall not be used.”
- “5.5 The concepts involved in sustainability are highly complex and still under study. Currently there are no definitive methods for measuring sustainability or confirming its accomplishment. Therefore, no claim of achieving sustainability shall be made.”
- “5.6 Self-declared environmental claims shall be accompanied by an explanatory statement if the claim alone is likely to result in misunderstanding. An environmental claim shall only be made without an explanatory statement if it is valid in all foreseeable circumstances with no qualifications.”
- “5.7 (m) shall be presented in a manner that clearly indicates that the environmental claim and explanatory statement should be read together. The explanatory statement shall be of reasonable size and in reasonable proximity to the environmental claim it accompanies.”

Use imagery which is relevant

- The image should bear relevance to the product, business activity, or environmental impact concerned in the claim;
- Images should not imply an environmental benefit for a product if this cannot be justified;
- The imagery may convey a level of environmental performance that is proportionate to the benefit of the environmental claim;
- A logo or symbol should not be created or presented in a manner that may imply it has been endorsed by another organisation when it has not. Misuse of a logo would breach the consumer protection regulations; and
- Organisations must not use the names or logos of a government agency or other recognized organisation if a product or service has not met the relevant standards, criteria or received appropriate certification in compliance with legal requirements.
- Illustrations should not abuse the use of green colour, images of planet Earth, or trees and animals to mislead consumers

ISO 14021 – Imagery

- When a self-declared environmental claim is made, the use of a symbol is optional.
- Symbols used to make an environmental claim should be simple, easily reproducible and capable of being positioned and sized to suit the product to which the symbol is likely to be applied.
- Symbols used for one type of environmental claim should be easily distinguishable from other symbols, including symbols for other environmental claims, or eco-labels.
- A symbol used to express implementation of an environmental management system shall not be used in such a way that it could be misunderstood as an environmental symbol indicating the environmental aspects of a product.”

STEP 3

Check the claim can be substantiated

Legally, any claim or information in advertising and marketing (whether it is environmental or not) must be fair and not misleading. Companies need to be confident that their claim is a true and accurate portrayal of their achievements, and that you have robust and/or scientifically accepted evidence to substantiate their claim if ever challenged.

Claims about achieved environmental performance

A company should be able to adequately substantiate any environmental claim that it makes.

- Ensure the evidence and assessments forming the basis of the claim is objective and of a kind that can be fully traced and referenced. Companies should consider the way a reasonable consumer would interpret their claim to ensure you can justify those interpretations with good evidence;
- A claim should not be presented as resting on something widely accepted if the balance of scientific evidence does not support it. Where significant uncertainty exists, it is advisable to acknowledge that, or alternatively not make the claim at all;
- When relying on scientific or other test data, care should be taken that the most appropriate standards, test methods, or latest guidelines on best practice are used;

- Companies may want to seek independent assurance of their claims, e.g. have a claim verified by a third party. Research suggests that consumers favour independent verification of environmental claims made about products²⁰; and
- A claim may be relevant to a product initially but may become less relevant or meaningful over time. It's advisable to regularly review and update all claims to make sure they remain relevant and reflect changes such as new legislation or improvements in competing products.

International standard ISO 14021 states that self-declared environmental claims

“5.7 (q) shall be reassessed and updated as necessary to reflect changes in technology, competitive products or other circumstances that could alter the accuracy of the claim”. And that:

“6.4 Methods for evaluation and claim verification shall follow, in order of preference, International Standards, recognized standards that have international acceptability (these may include regional or national standards) or industry or trade methods which have been subjected to peer review. If there are no methods already in existence, a claimant may develop a method, provided it meets the other requirements of clause 6 and is available for peer review”.

Claims about aspirations for environmental performance in the future

- Future claims should be supported by publicly available plans or a strategy that provides details about the intended actions to achieve the target;
- Future claims should be monitored over time with reports on progress (e.g. annually) against clear indicators to benchmark performance;
- The scope of the claim should be achievable, realistic, feasible and relevant to overall corporate strategy or a product or service. It should be specific about actions that have, or will be, taken to achieve that claim;
- Companies should report on the progress they are making, and third-party verification may be desirable; and
- If companies realise that a future aspiration is not going to be achieved, be transparent about that and explain why.

²⁰ What Assures Consumers on Climate Change. Consumers International and AccountAbility, 2007

Access to information regarding the claim

The information needed to substantiate a claim should be retained by the company making the claim, be transparent about the assumptions and approach taken, and be made available to those seeking reasonable justification of it.

- Companies should be transparent in making relevant information available to qualify a claim;
- For consumers wishing to find out further information about the basis of a claim, it can be helpful to link to further information on the company or product website; and
- If information to substantiate a claim includes confidential business information, the company should consider whether:
 - There would be adequate evidence to verify the claim if that confidential information was excluded or made anonymous; and
 - They would be willing to supply that confidential information to regulatory or enforcement bodies in confidence.

If a company is unable to verify a claim without excluding the confidential information or disclosing the information following a reasonable request, it may need to consider whether it should be making the claim at all (see 6.5.1 of ISO 14021).

At a minimum, the company should be prepared to provide all information to substantiate a claim to an enforcement or regulatory body.

International standard ISO 14021 – access to information

- “A self-declared environmental claim shall only be considered verifiable if such verification can be made without access to confidential business information. Claims shall not be made if they can only be verified by confidential business information.”
- “The claimant may voluntarily release to the public the information necessary for verification of an environmental claim. If not, the information necessary to verify the claim shall be disclosed, upon request, at a reasonable cost (to cover administration), time and place, to any person seeking to verify the claim”; and
- ISO 14021 (6.5.3) also outlines the minimum information that should be documented and retained.



Main product claims: definitions and examples of good and poor practices

This list is not exhaustive. For some claims there are well defined standards that can be applied. For other claims there is more room for interpretation.

Biodegradable

Biodegradability describes the suitability of a product or its packaging for biological degradation by living organisms (bacteria) or their enzymes to substances like water, carbon dioxide, methane, mineral salts and biomass.

Biodegradability and compostability can be assessed based on existing standards (such as EN 13432: 2000, EN 14995: 2006, EN 14855, ASTM D6400).

Other degradation mechanisms such as oxo-degradation or UV-degradation are induced by specific modification of the plastic material. Products with such degradation mechanisms cannot be classified as biodegradable plastics, as they do not meet the existing EU standards. At present there are no standards or certifications for oxo- or UV-degradable plastics or plastic products in Europe.

Biodegradable products are not a solution for littering. In order to benefit from the advantages of biodegradability, products should be properly disposed of in the appropriate composting or fermentation facilities and must always be marked 'Do not litter'.

Degradable claims should be qualified clearly and prominently to the extent necessary to avoid deception about: the product's or package's ability to degrade in the environment where it is customarily disposed; and the speed and extent of degradation.

If unqualified, the 'biodegradable' claim must cover the whole of the product. Otherwise, it must be stated whether it applies to the product, the packaging or a particular substance.

POOR PRACTICE

A marketer advertises its baby diapers using an unqualified "degradable" claim. The marketer relies on appropriate tests to show that the product will decompose in the presence of water and oxygen. Consumers, however, place used baby diapers into the solid waste stream, which customarily terminates in incineration facilities or landfills where they will not degrade.

GOOD PRACTICE

A fibre pot containing a plant is labelled "biodegradable." The pot is customarily buried in the soil along with the plant. Once buried, the pot fully decomposes during the growing season, allowing the roots of the plant to grow into the surrounding soil.

Compostable

Composting is a waste treatment process used to obtain compost by the action of microorganisms in presence of oxygen. (Anaerobic degradation instead occurs in absence of oxygen in specific fermentation plants.)

A product, its packaging or associated components are compostable when its biological degradation is compatible with the conditions found in composting facilities and within a defined time frame.

This claim should not be made if the compost, composting system or environment is negatively affected. Where appropriate, a compostability claim should be qualified with reference to the type of facility or process recommended availability of composting facilities if not suited for home composting and other features.

Products claiming to be compostable (e.g. packaging) must meet relevant standards (such as EN 13432: 2000, EN 14995: 2006, EN 14855, ASTM D6400), ensuring that the product will degrade into high-quality compost in a commercial composting facility.

In general, biodegradability is an inherent property of a given material whilst compostability or anaerobic degradation are specifically related to the conditions of the composting or fermentation plants.

Compostable products should be marked 'Do not litter', and display the optimal conditions for converting the product into high-quality compost i.e. commercial and/or home composting and specify what can be composted: the packaging, the product and or one of its components. Otherwise, the term 'compostable' must cover both the product and the packaging.

POOR PRACTICE

A manufacturer makes an unqualified claim that its product is compostable. Although municipal or institutional composting facilities exist where the product is sold, the product will not break down into usable compost in a home compost pile or device. To avoid misleading consumers, the manufacturer should clearly and prominently disclose that the product is not suitable for home composting.

GOOD PRACTICE

A manufacturer sells a disposable diaper that states "This diaper can be composted in an industrial composting facility". The claim is not deceptive if composting facilities are available as claimed and the manufacturer has substantiation that the diaper can be converted safely to usable compost in industrial composting facilities.

Free-of

This claim is used to distinguish a product from others in the same category and refers to the fact that one or several substances have not been intentionally added to the product. It must not be employed if the substance has never been used or is no longer used in the product family concerned, or if regulations prohibit the substance concerned for the relevant product family.

Conversely, generic features or ingredients, which are common to all or most products in the category concerned, should not be presented as if they were a unique or remarkable characteristic of the product being promoted.

This type of claim is often used to assure consumers that a substance which they have identified as possibly hazardous to their health or the environment is not present. It must not constitute the product's main selling point but must be used to provide additional information for the consumer. For example, claims that a product, package or component is "free" of a chemical or substance are often intended as an express or implied health claim. The substantiation necessary to support an express or implied health or safety claim may be different from the substantiation required to support the environmental benefit claim. The advertiser must be sure to have reliable scientific evidence to support an express or implied health and safety claim.

These claims tend to depreciate certain substances, but the substitutes used may not necessarily be beneficial to health or the environment. A "free-of" claim may also be misleading if it implies to the average consumer that the compared product is unsafe, toxic or harmful when it is not.

Depending on the context, a "free-of" or "does-not-contain" claim is appropriate even for a product, package, or service that contains or uses a trace amount of a substance if: (1) the level of the specified substance is no more than that which would be found as an acknowledged trace contaminant or background level; and (2) the substance's presence does not cause material harm that consumers typically associate with that substance; and (3) the substance has not been added intentionally to the product.

Determining what level is "trace" or "background" in particular circumstances may be difficult; reference to levels regulated by environmental or health and safety

laws, laboratory methods and detection limits, or other standards, may be appropriate. If the substance is not added intentionally during processing, and manufacturing operations limit the potential for cross-contamination, a claim such as "no intentionally added xx" may be appropriate. However, if achieving the claimed reduction results in an increase in other harmful materials, the claim may be misleading.

POOR PRACTICE

A manufacturer claims that the fluff pulp used in its adult incontinence products is processed using a chlorine-free bleaching process. Chlorine bleaching of fluff pulp used in absorbent hygiene products has not been used for many years

GOOD PRACTICE

A manufacturer advertises its wet wipes as free of perfume. Perfume ingredients, although considered safe for use in such products, may cause an allergic reaction to some consumers.

Flushable



EDANA promotes the use of the standard 'Do Not Flush' (DNF) symbol in the Flushability Guidelines and the labelling Code of Practice (CoP)²¹ for those wipes that are not designed to be flushable. For those wipes that are flushable, companies may wish to make a positive claim. The proper wording for this would be 'flushable' or 'product may be flushed', providing the product meets all requirements stipulated in the Flushability Guidelines.

The use of words that indicate partial compliance with the Flushability Guidelines (with only one or two of the requirements), is strongly discouraged, as this may make the consumer believe the product is flushable, which it is not if not all requirements are met.

Similarly, if a product isn't (designed to be) flushable, the manufacturer should clearly label the product with the DNF symbol, in accordance with the labelling Code of Practice.

➖ POOR PRACTICE

A product is labelled “Dispersible”, informing the consumer it will disintegrate once flushed. The consumer may believe the product is flushable, but if it isn’t biodegradable (one of the requirements in the Flushability Guidelines) it isn’t.

The same applies for ‘compostable’. It may be compostable, but if it doesn’t disintegrate quickly in the sewage system, the product may create blockages.

A non-flushable product is labelled with the ‘DNF’ symbol, but in concealed way, integrated in the artwork design to prevent it from being clearly legible.

➕ GOOD PRACTICE

A wipe is either flushable, and labelled using that word, or non-flushable, being clearly labelled with the ‘DNF’ symbol. The aim is to not leave the decision of disposal up to the consumer.

A non-flushable product ought to be labelled with the ‘DNF’ symbol with the spirit of the labelling CoP in mind.

Locally sourced/manufactured

Many companies refer to the region or country where their products are manufactured and where they source their raw materials. Locally sourced materials and/or local manufacturing are often used as environmental claims by implying that sourcing materials locally or manufacturing locally lowers the impact of the product on the environment.

If a product is made of materials sourced in different countries or regions, the claim should specify the location from which each material was sourced, or the percentage of materials sourced in a given country or region. This type of claim is suitable only for products marketed in a predefined geography and not distributed outside this area.

➖ POOR PRACTICE

“Our wipes are made only with locally sourced ingredients” when the product is distributed worldwide.

➕ GOOD PRACTICE

“This product is made in Germany. 98% of the raw materials are sourced from Germany”

“This product is made in the Netherlands. The cellulose for the wipes is sourced in Austria.”

“70% of the raw materials in this product are sourced in Germany.”

Natural

Many companies use product ingredients that are derived from nature or where the starting materials are sourced from nature. These ingredients are often used as environmental claims by implying that sourcing raw materials from nature lowers the environmental impact of the product, even if this not always the case. The ingredients are also often used to imply that the product is safer, even if this not always the case.

If a product is made of such natural raw materials, then companies should make claims more specific and classify them into different types depending on the process they have been subject to²¹:

- Natural ingredients
Natural ingredients are unmodified and may be obtained by physical processes or fermentation.
- Derived natural ingredients
Derived natural ingredients are the result of permitted chemical reaction processes on only natural ingredients.
- Nature-identical ingredients
Nature-identical ingredients can be either pigments, minerals or preservatives or fragrances. They are reproduced in the laboratory but exist in nature. These ingredients are allowed when strictly necessary in order to ensure consumer safety (preservatives) or for purity (minerals/pigments). All of them have one essential characteristic: they can be found in nature.

21. <https://www.edana.org/industry-initiatives/flushability>

22. Derived from: <http://www.natrue.org/information-for/consumers/what-makes-the-nature-label-special/>

Water does not fall into the natural ingredient category. The natural content should not be inflated by allowing water to be considered.

Recyclable

A product can be claimed to be recyclable only if the materials used are actually recyclable through collection schemes available locally²³ and industrial technology allows the product or component to be extracted for actual recycling.

A product or package should not be marketed as recyclable unless it can be collected, separated, or otherwise recovered from the waste stream through an established recycling programme for reuse or use in manufacturing or assembling another item. Marketers should clearly and prominently qualify recyclable claims to the extent necessary to avoid deception about the availability of recycling programmes and collection sites to consumers.

When a recyclable claim is made, the product must state what is recyclable: the packaging, the product or, for complex products, the proportion of recyclable material. If this is not specified, the term will cover the product as distributed, packaging included. The claim must also specify how to recycle the product and/or its packaging.



If a symbol is used, it should be the Möbius loop, which consists of three twisted chasing arrows forming a triangle. This symbol should be used only for claims of recyclability or recycled content. The Möbius loop without a percentage value is taken to be a claim of recyclability. If there is any likelihood of confusion, the precise meaning of the symbol should be clarified by an explanatory statement, e.g. the words "recyclable" or "x% recycled contents". If there is any likelihood of confusion about whether the symbol relates to the product or the packaging, it should be accompanied by an explanatory statement.

Marketers can make unqualified recyclable claims for a product or package if the entire product or package, excluding minor incidental components, is recyclable. For items that are partially made of recyclable components, marketers should clearly and prominently qualify the recyclable claim to avoid deception about which portions are recyclable.

If any component significantly limits the ability to recycle the item, any recyclable claim would be deceptive. An

item that is made from recyclable material, but, because of its shape, size, or some other attribute, is not accepted in recycling programmes, should not be marketed as recyclable.²⁴

"Recyclable where facilities exist" is also viewed as an unqualified claim of recyclability under most guidelines and requires further disclosures regarding the availability of collection facilities. Check for local guidelines on the extent to which collection facilities must be available for an unqualified claim of recyclable to be made. Some areas (e.g., the U.S.) apply a "substantial majority" (60%) test rather than a "reasonable proportion" standard. In other words, a qualifier about the extent of available facilities is needed if the product, packaging or component is not recyclable to a "substantial majority" of consumers or communities. Claims should clearly specify whether the product, packaging or component is recyclable, contains recycled content, or both.

POOR PRACTICE

A product is labelled "Includes some recyclable material." The product is composed of four layers of different materials, bonded together. One of the layers is made from recyclable material, but the others are not.

GOOD PRACTICE

A product clearly states that its packaging is recyclable whereas the content is not.

Recycled content

Recycled content is the proportion, by mass, of recycled material present in a product or packaging. A recycled material is a material that has been reprocessed from recovered (reclaimed) material by means of a manufacturing process and made into a final product or into a component for incorporation into a product. Only pre-consumer and post-consumer materials diverted from the waste stream can be claimed as recycled materials. Regrinding, reusing, and reprocessing waste or scrap within the advertiser's operation does not qualify as pre-consumer material.

Recycled content includes recycled raw material, as well as used²⁵ reconditioned, and re-manufactured components.

Where a marketer distinguishes between pre-consumer and post-consumer materials, it should have substantiation for any express or implied claim about the percentage of pre-consumer or post-consumer content in an item.

Where a claim is made, the percentage of recycled material should be stated. The percentages for product and packaging should be stated separately and not combined. If a symbol is used, it should be the Möbius loop with a percentage value and, where appropriate, an explanatory statement.

POOR PRACTICE

- 1 A manufacturer collects spilled raw material and scraps from the original manufacturing process. After a minimal amount of reprocessing, the manufacturer combines the spills and scraps with virgin material for use in production of the same product. A recycled content claim is deceptive since the spills and scraps are normally reused by industry within the original manufacturing process, and would not normally have entered the waste stream.
- 2 A product in a multi-component package, such as a paperboard box in a shrink-wrapped plastic cover, indicates that it has recycled packaging. The paperboard box is made entirely of recycled material, but the plastic cover is not. The claim is deceptive because, without qualification, it suggests that both components are recycled. A claim limited to the paperboard box would not be deceptive.
- 3 A product is labelled with a three-chasing-arrows symbol (a Möbius loop) without explanation. By itself, the symbol likely conveys that the packaging is both recyclable and made entirely from recycled material. Unless the marketer has substantiation for both messages, the claim should be qualified. The claim may need to be further qualified, to the extent necessary, to disclose the limited availability of recycling programmes and/or the percentage of recycled content used to make the package.

23. By "locally" we mean one should check local guidelines for the required extent to which recycling facilities must be available.

24. Batteries labeled in accordance with the Mercury-Containing and Rechargeable Battery Management Act, 42 U.S.C. § 14322(b), are deemed to be in compliance with these Guides.

GOOD PRACTICE

- 1 Fifty percent of a product's fibre weight is composed from paper that was diverted from the waste stream. Of this material, 30% is post-consumer and 20% is pre-consumer. It would not be deceptive if the marketer claimed that the product either "contains 50% recycled fibre" or "contains 50% total recycled fibre, including 30% post-consumer fibre."
- 2 A packaging is composed of a plastic wrapping in a cardboard box. It states "package made from 30% recycled material". Each packaging component is one-half the weight of the total package. The plastic is 20% recycled content by weight, while the cardboard is 40% recycled content by weight. The claim is not deceptive, since the average amount of recycled material is 30%.
- 3 A manufacturer labels a nonwoven "50% recycled fibre". The manufacturer purchases fibres from several sources and the amount of recycled fibre in the stock provided by each source varies. If the 50% figure is based on the annual weighted average of recycled material purchased from the sources after accounting for fibre loss during the nonwoven production process, the claim is not deceptive.

Renewable raw materials

A renewable raw material is a material that derives from biomass from a living source and that can be continually replenished. A standard defining bio-based materials is ASTM D6866²⁶, further standardisation work for bio-based materials is done within CEN TC 411²⁷.

If this feature does not distinguish the product (or packaging) from other similar products, the term "renewable" must not be used as an environmental claim. Thus, it would be pointless to advertise a shoe as being made of "renewable" leather, since leather is by its nature renewable. The claim must not mislead by wrongly implying that because the raw material is renewable it is therefore environmentally neutral.

25. The term "used" refers to parts that are not new and that have not undergone any remanufacturing or reconditioning.

26. Derived from: <http://www.natrue.org/information-for/consumers/what-makes-the-nature-label-special/>

27. <https://www.cen.eu/work/areas/chemical/biobased/Pages/default.aspx>

POOR PRACTICE

A marketer makes the unqualified claim that its product is “made with renewable materials.” The claim is incomplete, as the marketer could qualify the claim by stating, clearly and prominently, “Our product is made from 100 percent bamboo, a renewable material”

GOOD PRACTICE

A marketer’s packaging states that “Our packaging is made from 50% plant-based renewable materials”. By quantifying the amount of renewable material used, the marketer has minimised the risk of unintended claims that the product is fully made with renewable materials.

Resource reduction

This type of claim refers to a reduction in the amount of material, energy or water used to produce or distribute a product or its packaging or specified associated components. This claim is comparative by nature and should fulfil the appropriate requirements.

A claim of reduced resource use should be expressed in terms of percentage reduction. The percentages for product and packaging should be stated separately and not combined. When a claim of reduced resource use is made, the type of resource concerned should be stated, and the percentage reduction should be expressed separately for each resource. If the claimed reduction causes an increase in the consumption of another resource, the resource affected, and the percentage increase should be stated.

It is deceptive to misrepresent, directly or by implication, that a product or package has been reduced or is lower in weight, volume, or toxicity. Marketers should clearly and prominently qualify source reduction claims to the extent necessary to avoid deception about the amount of the source reduction and the basis for any comparison.

Vague and non-specific claims such as “uses less” raw materials, water, energy or the like or general statements such as “source reduced” are unlikely to provide adequate information to a consumer based on

the inherently comparative nature of the claim. When a claim refers to the reduction of components or elements having an environmental impact, it should be clear what has been reduced. Such claims are justified only if they relate to alternative processes, components or elements which result in a significant environmental improvement, taking all relevant aspects of the product’s life cycle into account.

POOR PRACTICE

A marketer states that its packaging now has “Reduced packaging weight”. The packaging weighs 15% less than previous packaging, but it is not recyclable, nor has it been improved in any other material respect.

GOOD PRACTICE

A claim stating “We’ve reduced the weight of our packaging by 15%,” would not be deceptive, provided that reducing the packaging’s weight makes the product more environmentally beneficial overall and the advertisement’s context does not imply other deceptive claims.

Sustainable

The term sustainable must be used solely with reference to sustainable development or to refer to a specific contribution to defined aspects of sustainability. It implies a genuine commitment on the part of an organisation or business to taking practical action to protect the environment (managing natural resources, energy and waste, limiting pollution, greenhouse gases, etc.) and to promote social progress and economic development. An explanation of the business’s approach must appear on the product packaging.

ISO 14021 mentions that “The term sustainable can be used in third-party verified schemes, such as those related to forestry and fisheries, but such schemes are outside the scope of this International Standard.”

Waste reduction

This type of claim refers to a reduction in the quantity (mass) of material entering the waste stream as a result

of a change in a product, process or packaging, but excluding the in-process reuse of materials. This claim is comparative by nature, and should fulfil the appropriate requirements. Waste may include discharges to air and water as well as solid waste from processes, and waste reduction may occur at the production, distribution, use and disposal stages. Claims may be based not only on a reduction of water content of solid waste, but also on a reduction in mass through waste treatment processes. A reduction claim may also relate to the transfer of waste to other users who intend to use it for a constructive purpose.

Environmental claims referring to waste handling are acceptable provided that the recommended method of separation, collection, processing or disposal is generally accepted or conveniently available to a reasonable proportion of consumers in the area concerned. If not, the extent of availability should be accurately described.

POOR PRACTICE

An advertiser claims that disposal of its product generates "10% less waste." The marketer does not accompany this claim with a general environmental benefit claim. Because this claim could be a comparison to the advertiser's immediately preceding product or to its competitors' products, the advertiser should have substantiation for both interpretations. Otherwise, the advertiser should clarify which comparison it intends and have substantiation for that comparison.

GOOD PRACTICE

A claim of "10% less waste than our previous product" would not be deceptive if the advertiser has substantiation that shows that the current product's disposal contributes 10% less waste by weight or volume to the solid waste stream when compared with the immediately preceding version of the product.

Ecolabels and certification schemes



Several ecolabelling schemes can apply to products from the nonwovens and related industries. These include for instance the Nordic Swan²⁸ and the EU Ecolabel for absorbent hygiene products²⁹.

Certification schemes and labels associated with those schemes are commonly used for nonwovens and related products. Certification can apply to the entire product and/or to a specific material used in the product. The Oeko-tex 100³⁰ certification and labelling are widely used for nonwovens. Pulp used in absorbent hygiene products can be certified based on the FSC³¹, PEFC³² or SFI³³ schemes or another equivalent certification scheme.

Claims based on ecolabels and certification schemes are regulated by detailed terms set by the body awarding the label or certifying the product. In the case of claims related to a material used in a product, it is recommended to check the claim with the supplier of said material and if necessary with the ecolabelling authority or certification body to ensure that the claim is valid and made in a correct way.

28. <http://www.nordic-ecolabel.org/product-groups/group/DownloadDocument/?documentId=2869>

29. http://ec.europa.eu/environment/ecolabel/documents/Absorbent%20hygiene%20products%20factsheet_final.pdf

30. https://www.oeko-tex.com/en/business/certifications_and_services/ots_100/ots_100_start.xhtml

31. <https://ic.fsc.org/en>

32. <https://www.pefc.org/>

33. <http://www.sfiprogram.org/>

8 Environmental claims concerning a company



When an environmental claim concerns a product (e.g. an 'ecological' cleaner), it describes that product as having certain qualities or characteristics (composition, biodegradable ingredients, recyclable packaging, etc.). When an environmental claim refers to a company, it relates to the business's activities: lower energy consumption by production sites, reduced greenhouse gas emissions for transport of raw materials, limited use of plant protection products, funding of environment projects, etc. These measures do not necessarily mean that a product has particular characteristics.

The activity concerned must be clearly identified (extraction of raw materials, processing, transport, etc.), otherwise the claim is taken to cover all the business's activities. Thus, a claim concerning a business must not be used if the latter's environmental approach has no impact on the product manufacturing process (for example, if it only applies to management work at the business's head office).

Corporate communications may refer to specific products or activities, but should not imply without justification that they extend to the whole performance of a company, group or industry.

Improving and communicating environmental performance can enhance consumer perceptions of brands. But research suggests that, to be credible to consumers, it is also important that individual claims or messages are consistent with the wider view of the brand and consumers' perception of the environmental challenges or practices associated with it³⁴.

There are various ways to demonstrate and build confidence in the commitment of a brand to environmental improvement. For example, having an overall environmental strategy can help organisations to focus on the main environmental problems they should address. Developing internal communications principles in support of an overall environmental strategy can also be a useful way for companies to understand their main focus, and:

- Highlight the most significant messages to be communicated;
- Ensure that promotion of a product or service reflects a wider strategy; and
- Prevent disseminating messages that could undermine each other.

³⁴. <http://www.consumerfocus.org.uk/assets/1/files/2009/06/Green-expectations-single-page.pdf>



Annexes



ANNEX 1

Environmental claims checklist

The EDANA guidelines on environmental claims are based on existing guidelines, including the ICC Framework for Responsible Environmental Marketing Communications (2010), from which this section was adapted.

- **Are these benefits or effects explicit or implied? Do you use colours (e.g., green), pictures (e.g., trees, mountains, wildlife) or other elements to connote environmental or sustainability benefits?**

You are making an environmental claim and should evaluate the net impression of the advertising to assure that it is not deceptive or misleading to the intended target audience.

- **Are your proposed claims subject to any mandatory regulations or legislation?**

You may be subject to more stringent or specific disclosures in advertising and labelling.

Are your proposed claims specific and unambiguous? Vague and non-specific claims are likely to be misleading and should be avoided.

- **Does the claim clearly indicate if it applies to the product, the packaging, or both, or to components or materials?**

The claim should clearly identify to what aspect of the product it applies.

- **Are your proposed claims verifiable based on appropriate test methods or scientific data?**

What is the test method used? Is it recognised by government agencies or reputable standards organisations? Does the method accurately reflect how the product, component or package will likely be used or disposed of by the consumer in the manner reflected by the claim? Has the product for which the claim is made (or one substantially identical) been tested?

- **Is the information provided understandable to the reasonable consumer, avoiding confusing jargon?**
Standards and test methods must be reasonable and appropriate, and results provided must be clearly presented. Tests should be conducted on products or samples of products for which the environmental claim is made.
- **Are you making a general claim that the product, component or package is “good” for the environment based on a single attribute (e.g., eco-safe, earth friendly, environmentally friendly, sustainable, green, carbon neutral and similar claims)?**
Environmental impacts encompass a multitude of criteria, and a general claim of environmental benefit linked to a single attribute is likely to be misleading unless the relationship is specific and clear.
- **Is the claim relevant?**
It may be misleading or deceptive to make a claim about an environmental benefit that suggests there is a meaningful benefit when there is not.
- **Does it state or imply that the product is unique when it is not?**
Environmental benefits shared by other similar products should not be presented in a way that suggests the benefit is unique to the advertiser’s product.
- **Are you making a claim based on the product life cycle? What stages of the life cycle are considered (e.g. raw material production, manufacturing, transport to market, disposal)?**
Most guidelines on environmental claims do not address claims based on life cycle analysis (LCA). The results of a LCA may depend on the inputs. Advertisers should ensure that the scope of the LCA adequately covers the expected environmental impacts of the product. If an LCA is used to support comparative claims the identical inputs should be included in the comparative analysis.
- **Does the claim relate to health, safety or other benefits apart from environmental benefits (this might include free-of claims as well as claims such as safe, safer, non-toxic, pesticide-free or “organic”)?**
Explicit or implied health claims must have a reasonable basis. To meet that standard, each claim may have to be independently substantiated with appropriate scientific research or support.
- **Are your proposed claims comparative in nature? If so, is the comparison to: an earlier version of the product, component or package or a competitive product, component or package?**
The basis for any comparison regarding environmental benefits attributes or burdens should be clear and the conditions of use of the compared product, component or package substantially identical.
- **Must the consumer be able to access external facilities (e.g., recycling infrastructure, home composting, municipal composting, etc.) so that the claimed benefit can be achieved? If so are these facilities reasonably available to the requisite number or proportion of users, consistent with local guidelines?**
Limitations on the ability to for example recycle or compost the advertised item should be clearly identified.
- **Have you conducted consumer perception research to assess how the claim will be perceived by consumers?**
Remember that the evaluation of advertisements, including advertisements featuring environmental claims, is based on the net impression of the reasonable consumer or target.
- **If the claim is literally true, could it be misinterpreted to convey a broader benefit? Does it exaggerate the environmental benefit or features?**
Remember that the evaluation of advertisements, including advertisements featuring environmental claims, is based on the net impression of the reasonable consumer or target.
- **Is the claimed benefit likely to be realised when the product, component or package is actually manufactured, used or disposed?**
An advertisement that makes a claim about a feature or benefit that a typical consumer would not be likely to achieve is likely to be misleading and/or deceptive.
- **Do you use your own environmental seals or logos?**
If a consumer might interpret your own environmental seals and logos in environmental advertising to denote approval by an independent third party, it may be misleading and/or deceptive.

- **Do you use seals or logos of third party organizations? Are their procedures transparent? Are processes for standards adoption in line with recommendations of competition authorities? Will seals and logos be misinterpreted to suggest broader environmental benefits than covered by the programme?**

Independent seal organisations should adhere to fair processes in the development of standards. Failure to do so may implicate competition law considerations.

- **Are appropriate qualifiers clear and prominent, and in close proximity to the relevant claim?**

Qualifiers should not generally be presented in small typeface in a location distant from the claim. Consumers are now broadly accustomed to obtaining more information from visiting websites. Qualifiers that prompt consumers to visit a website for more information may suffice, particularly for instructing the consumer about proper environmental disposal options.

- **Do you periodically reassess the claim?**

Claims, especially comparative claims must be current, and based on changed circumstances and developments to assure that it remains accurate and not misleading

- **Are in-house marketers and outside marketing agencies trained to understand legal requirements and recommended best practices in making environmental and sustainability claims?**

Education regarding good advertising practices is recommended for all marketing communications.

- **Do you have a reasonable basis for the explicit and implied claim(s) you are making? Did you have substantiating scientific data at the time the claim was made? Is the data readily available in the event of a challenge or question? Do you have procedures to retain the substantiating information for an appropriate period related to the useful life of the product?**

Any objective performance claim, likely to be material to a consumer, such as a claim about environmental benefits of a product, package, component or service, or detriments of a competitor's product, package, component or service, must be able to be supported on a reasonable basis at the time the claim is made.

ANNEX 2

Key global environmental claims guidelines

The UK DEFRA Green Claims Guidelines (2016)

The Green Claims Guidelines were published by the UK Department for Environment, Food and Rural Affairs (DEFRA) in February 2011 and revised in 2016. They are aimed at anyone producing, selling, marketing or advertising products or services in the UK, and more specifically at those making self-declared environmental claims. Several supporting studies had been undertaken to prepare the guidelines. Its purpose is to promote the use of clear, accurate and relevant environmental claims in advertising and marketing. It sets a detailed compliance check procedure in order to make a good environmental claim and provides examples of best and poor practices throughout the entire document.

The French practical guide (2012)³⁵

The practical guide to environmental claims for traders and consumers is based on recommendations formulated by the Conseil National de la Consommation (CNC). The second and final version of the guide was published in 2012 by the Ministries of Economy and Sustainable Development and provides explanations on the use of fifteen of the most common claims such as «compostable», «Eco-», «Ecological» (and claims of the same kind), «natural», «organic» (for non-food) and «Renewable». In addition, the guide also sets general criteria to be applied by traders when preparing an environmental claim.

The USA FTC green guides³⁶ (2012)

The USA Federal Trade Commission issued new revised guides for the use of environmental marketing claims in October 2012. These guides provide general principles (e.g. on "qualifications and disclosure" and "comparative claims"), specific guidelines on the use of particular environmental claims («free-of claims», «degradable claims», «carbon offsets») and concrete examples throughout the document. The green guides indicate that marketers should not make broad, unqualified general environmental benefit claims like "green" or "eco-friendly". Broad claims are difficult to substantiate, if not impossible. Marketers should qualify general claims with specific environmental benefits. Qualifications for any claim should be clear, prominent, and specific.

The ICC Framework for Responsible Environmental Marketing Communications³⁷ (2011)

A Guideline on Section E of the Consolidated ICC Code of Advertising and Marketing Communication Practice issued in 2006, and revised in 2011. It provides practical guidelines to the business sector, including advertisers and advertising agencies, as well as to self-regulatory advertising organisations and national authorities. This document does not contain sanctioned regulations, but rather states that legal obligations must be respected in first instance, and promotes self-regulation as an efficient means of enforcement. The text contains general guidelines and a practical table with a detailed checklist with questions and answers for self-assessment. It also contains a table with the principles of the Code and a specific application to environmental issues and a table with specific terms used in advertising. It states that the general criterion for assessment of an environmental claim is the overall impression of a communication, sound, visual element, and that claims should be based on sound, appropriate scientific information relevant to the actual use, operation or disposal of the advertised product, not on unsupported assumptions. General environmental claims that may prove difficult to substantiate using accepted scientific methods, at the time the claim is made, should be avoided.

ANNEX 3 **Useful Resources**

Tools and guidelines for measuring environmental impacts

There are established international standards for lifecycle assessment.

Within sectors, a range of guidelines and methodologies have been developed. The international Environmental Product Declaration System provides Product Category Rules for different sectors to assist the comparison between products. PCRs now exist for wipes, absorbent hygiene products and several types of nonwovens.

General guidelines:

On 25 May 2016, the Commission adopted an updated version of the 2009 Guidance on the application of the Unfair Commercial Practices Directive

Guidelines for making and assessing environmental claims, December 2000, European Commission.

DEFRA Green Claims Guidelines, United Kingdom (2016)
Practical Guide to Environmental Claims, France (2012)

Guidelines International Chamber of Commerce, Framework for Responsible Environmental Marketing Communications (2011).

Guides for the Use of Environmental Marketing Claims, United States, proposed revisions in 2011 and published on 1st October 2012

Sector guidelines/codes of conduct

Cosmetics Europe Guiding Principles on responsible advertising and marketing communication

ANNEX 4 **Glossary**

Anaerobic degradation: degradation of compounds by microorganisms in the absence of oxygen

Elemental Chlorine free: a technique that uses chlorine dioxide for the bleaching of wood pulp. It does not use elemental chlorine gas during the bleaching process and prevents the formation of dioxins and dioxin-like compounds, carcinogens.

Life Cycle Assessment (LCA): a method for assessing the potential environmental burden and impacts associated with a product system from the acquisition of raw materials through production, use, end-of-life treatment, possible recycling and final disposal.

Life cycle-based product information: Life cycle-based information covers information on the environmental performance over the whole life cycle of a product, identifying the most relevant life cycle stages (e.g. raw

³⁵ https://www.economie.gouv.fr/files/guide_allegations_31janv.pdf

³⁶ https://www.economie.gouv.fr/files/guide_allegations_31janv.pdf

³⁷ Consolidated ICC Code <https://iccwbo.org/publication/icc-framework-for-responsible-environmental-marketing-communications-2011/>

material production, use stage, etc.) or the most relevant environmental impacts (e.g. climate change impacts, water use impacts, etc.).

An existing type of life cycle-based product information is the Environmental Product Declaration (EPD), where product declarations can be found in for example the International EPD system³⁸.

Life cycle-based information is often referred to as Footprint information. Sometimes the footprint focuses on an area of concern, such as Carbon footprint or Water footprint. Within ISO there is a recent standard with requirements on communication of footprint information³⁹. EU has had a pilot project on Product Environmental Footprint on-going in the last four years, where the quantification and communication of product life cycles have been tested for different product areas.

All environmental life cycle-based information should be based on valid Product Category Rules (PCR), where the important details for the quantification and communication of a product group are specified. EDANA has established such rules for Absorbent Hygiene Products and Nonwoven wipes respectively⁴⁰.

Nonwoven: Nonwovens are defined by ISO standard 9092 and CEN EN 29092. "A nonwoven is a sheet of fibres, continuous filaments, or chopped yarns of any nature or origin, that have been formed into a web by any means, and bonded together by any means, with the exception of weaving or knitting. Felts obtained by wet milling are not nonwovens.

Wetlaid webs are nonwovens provided they contain a minimum of 50% of man-made fibres or other fibres of non-vegetable origin with a length to diameter ratio equals or superior to 300, or a minimum of 30% of man-made fibres with a length to diameter ratio equals or superior to 600, and a maximum apparent density of 0.40 g/cm³.

Composite structures are considered nonwovens provided their mass is constituted of at least 50% of nonwoven as per to the above definitions, or if the nonwoven component plays a prevalent role."

Oxo-degradation: oxo-degradable products utilise a prodegradant to speed up the molecular breakdown of

the polyolefins and incorporate oxygen atoms into the resulting low molecular mass. This chemical change enables the micro breakdown of the plastics. The process of degradation in oxo treated plastic is an oxidative chain scission that is catalysed by metal salts leading to oxygenated (hydroxylated and carboxylated) shorter chain molecules⁴¹.

Totally Chlorine free: a technique that uses no chlorine compounds for the bleaching of wood pulp for paper production. This prevents the formation of dioxins, highly carcinogenic pollutants.

38. www.environdec.com

39. ISO/DIS 14026 – Environmental label and declarations – Principles, requirements and guidelines for communication of footprint information

40. PCR 2011:14 Absorbent Hygiene Products (version 2.1), PCR 2016:06 Nonwoven wipes (version 1.0)

41. For more information: <http://ec.europa.eu/transparency/regdoc/rep/1/2018/EN/COM-2018-35-F1-EN-MAIN-PART-1.PDF>

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About EDANA

EDANA helps its members to design their future, unifying the diversified interests of over 250 member companies in a unique vertically integrated structure along the supply chain. Its mission is to create the foundation for sustainable growth of the nonwovens and related industries through active promotion, education and dialogue.



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