

FTC Green Marketing Guides

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The Federal Trade Commission (“FTC”) [announced](#) the release of revised “Green Guides” on October 1, 2012. The Green Guides are intended to help marketers avoid making misleading environmental claims.

The Green Guides are not laws or regulations but they describe claims the FTC may or may not find deceptive under Section 5 of the FTC Act.

The revised [FTC Green Guides](#) include updates and new sections.

The updates address broad claims by marketers that products are eco-friendly. An FTC study showed that such claims are likely to suggest to consumers that a product has “specific and far-reaching environmental benefits”. The Green Guides caution against this because few products can substantiate such claims.

The revisions also address marketing claims that solid waste products and products headed for landfills, incinerators and recycling facilities are degradable, cautioning that such claims should not be unqualified unless they fully degrade within one year (solid waste) or because they will not degrade within a year (recyclables-incineration-landfills).

The new sections address:

- use of carbon offsets
- “green” certifications and seals
- renewable energy and renewable materials claims
- free-of claims
- non-toxic claims

It is vital that you consult with an attorney if you make, or plan to make, any environmental claims in marketing your products. Legal counsel can help you reduce the risk of making claims that are potentially misleading or difficult to substantiate and could attract the attention of the FTC or state agencies, based on guidance provided by the Green Guides or otherwise.

Link to original article: <http://commercialcounselor.com/ftc-green-marketing-guides/>

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