

AG Kaul: Joins multistate coalition urging the FTC to strengthen environmental marketing standards

Posted on Tuesday, Apr 25, 2023

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MADISON, Wis. – Attorney General Josh Kaul today joined a multistate coalition in submitting comments urging the Federal Trade Commission (FTC) to strengthen its Guides for the Use of Environmental Marketing Claims, or “Green Guides,” which states like Wisconsin use to hold marketers accountable and protect consumers. In a letter sent today to FTC Chair Lina Khan, Attorney General Kaul joined 15 attorneys general in calling for updates to the federal Green Guides to bolster consumer protection laws against advertising that overstates environmental benefits, often called “greenwashing.”

“When companies claim that products are environmentally friendly, those products should actually have environmental benefits,” said AG Kaul. “The FTC should strengthen the Green Guides to better ensure that products in fact have the environmental benefits that consumers believe they do.”

The Green Guides were first developed in 1992 by the FTC to hold marketers accountable for deceptive marketing claims under state consumer protection laws. The Green Guides are an essential tool in public and private efforts to address critical environmental issues by helping to ensure that consumers are not misled when making purchasing decisions based on products and services’ environmental benefits.

The states recommend continuing to publish, clarify, and strengthen the Green Guides. The multistate coalition advises the FTC to expand the scope of the Green Guides to consider how the standards for each environmental marketing claim could be clarified and strengthened to better ensure they are supported by real

environmental benefits. Additionally, the states argue that the Green Guides should not preclude states and localities from enacting stronger standards.

More specifically, the states advise that the following be included in updated guidance:

- Voluntary carbon offsets should ensure a reduction in GHG emissions that is additional to any reduction that would likely have occurred without the purchase of the offset.
- The definition of “compostable” should incorporate both scientific standards and the known practical limitations of composting at scale.
- FTC should make explicit that “recyclable” means what the FTC has intended it to mean and what consumers understand it to mean: namely, that when the consumer properly disposes of a “recyclable” item, it is actually recycled as a matter of course.
- A renewable energy claim should be underwritten by actual environmental benefit, wherein marketers who make renewable energy claims must actually procure and use renewable energy.

In filing the comment letter, Attorney General Kaul joined the attorneys general of California, Connecticut, Delaware, Illinois, Maryland, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Rhode Island, Commonwealths of Massachusetts and Pennsylvania, and the District of Columbia.

A copy of the comment letter can be found [here](#).

View the press release [here](#).