

# How to Weigh in on the FTC's Anti-Greenwashing "Green Guides"

**Submit a comment to help the federal government put a stop to corporate greenwashing.**

by Elizabeth Waters

Frustrated by deceptive environmental marketing claims? Have insight that could help companies improve the clarity of sustainability declarations in their advertising, packaging, or labels? The U.S. Federal Trade Commission (FTC) wants to hear from you. On December 14, 2022, the FTC opened a 60-day public comment period for its "Green Guides for Environmental Marketing Claims," commonly referred to as "Green Guides." First published in the Federal Register in 1992 and last revised in 2012, the Green Guides set standards for the fair and meaningful use of environmental claims in marketing by clearly defining terms, such as "recycled" and "recyclable."

According to the FTC, consumers today are more aware of environmental issues, such as those caused by climate change and the COVID-19 pandemic, than consumers ten years ago. Possibly as a result of this, the FTC notes, there are an increasing number of environmental marketing claims, some of which are not currently covered by the guides. To keep pace with these changes in consumer perception and marketing and to ensure the guides remain relevant, the FTC is soliciting feedback from the general public about how best to revise them. The commission poses many questions that address both high-level and specific topics related to the Green Guides:

- Should the guidance around carbon offsets, renewable energy, and climate change claims be revised and/or added to?
  - Do "recycled content" or "energy efficiency" claims need to be better substantiated or explained?
  - Should the FTC offer guidance on "sustainable" claims?
  - What new environmental claims, possibly driven by COVID and climate change, aren't covered but should be?
- The Federal Register notice has a complete list of issues and commenting instructions, either online or by mail. To do this online, click the green "submit a formal comment" button on the top right-hand corner of the Federal Register page. All comments must be received by February 23, 2023.
- Published February 6, 2023*
- Are the guides effectively protecting consumers from greenwashing?