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**ICC Framework for Responsible
Environmental Marketing Communications**
2025 edition

ICC Framework for Responsible Environmental Marketing Communications

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Introduction and background

As the world's largest business organisation, the International Chamber of Commerce (ICC) promotes high standards of business ethics through the development and dissemination of codes and guidance on responsible marketing and advertising communications. One of ICC's landmark achievements is the ICC Advertising and Marketing Communications Code (Code). First adopted in 1937 and updated many times since then (most recently in 2024), the Code provides practical guidance to stakeholders in the advertising industry, including advertisers and advertising agencies, as well as to self-regulatory advertising organisations and national governments. By promoting self-regulation in the business sector in accordance with globally recognised high ethical and legal standards, consumers can be confident that businesses abiding by the Code and related ICC guidance can be relied upon to provide truthful advertising, thus fostering a robust marketplace that both enhances creativity and preserves consumer trust.

The ICC Code sets forth general principles governing marketing communications of all types and in all media, including digital media and AI-generated marketing communications. It includes a separate section, Chapter D, on environmental marketing communications.

For many years, the General Code and Chapter D have been augmented by the ICC Framework for Responsible Environmental Marketing Communications (Environmental Framework or Framework). The Framework serves as a practical guide to advertisers, self-regulatory organisations and the broader advertising ecosystem, in addressing environmental claims, including aspirational claims (meaning claims expressing aspirations, goals or commitments to achieve certain environmental performance or objectives in the future), to assure that claims are truthful and not misleading and are appropriately substantiated.

The updated 2025 Environmental Framework continues to reflect the longstanding principle that all claims, including environmental claims, are evaluated in the context in which they appear, and that marketers should consider the net impression of the claim as a whole. The ICC Code and this Framework thus provide a roadmap for global marketers in developing environmental claims and campaigns. The Environmental Framework reaffirms the Code's general principles for environmental marketing claims, while providing added context on some specific environmental and related claims relevant to marketers today. Like the Code, the Framework does not universally apply to all forms of corporate communications. For example, it may not cover corporate public affairs messaging in press releases and media statements, information contained within annual reports, or details mandated for product labels.

Significant changes

The updated 2021 Environmental Framework provided added guidance on some established environmental claims and additional guidance on some emerging claims, including some climate claims, circularity claims, “free-of” claims, recyclability and recycled content claims and degradable claims. This 2025 update reorganises the Framework to match changes in the 2024 ICC Code, refines some examples, and provides guidance on some aspects of Environment, Social and Governance (ESG) and extended producer responsibility (EPR) marketing communications and commitments.

As not all terms are subject to globally agreed definitions or criteria, the 2025 Framework does not attempt to offer specific definitions in all instances. Likewise, consistent with the updated 2024 ICC Code, the 2025 Environmental Framework does not adopt, adhere to or promote any particular standard or government rules or guidance. Rather, the Framework reminds marketers to take steps to assure that all environmental claims are clear and appropriately substantiated by reliable scientific evidence. As with all guidance issued by the ICC Marketing and Advertising Commission, the Environmental Framework is grounded in the principle that freedom of commercial speech in the sale of all legal products and services is a fundamental tenet of free markets. Free markets promote innovation, economic development and competition as companies compete to provide consumers with products and services that reflect their interests and concerns and offer them a range of choices. The global business community is keenly aware that the proper functioning of a free-market economy depends on consumers receiving accurate and truthful information about products, services or operations.

The ICC Code defines a “claim” to mean:

...any statement made by marketers or on their behalf in the context of a marketing communication about a product, a brand, or the business activity, objectives and aspirations of a person, a company or some other organisation. Claims can relate to product characteristics or performance, price and economic benefits, health effects or environmental impact, and more. A claim can take the form of a direct statement or by implication. Any means capable of conveying a message can be used to make a claim — text, image, colour, sound in whatever form and combination, and in any media. Claims can also be contained in logos, private labels, signs and other marks. The combination of elements used in a marketing communication provides the net impression of a claim and controls how it is interpreted.

Core requirements of the ICC Code are that claims should be truthful, non-misleading, clear, and substantiated. Exaggerated, unsubstantiated claims may deceive consumers about the environmental attributes of the marketer’s products, services or operations. This may also undermine consumer confidence in environmental marketing claims and penalise marketers who adhere to appropriate guidelines. It may even prompt interest by regulators in adopting burdensome regulatory restrictions, like mandatory prior third-party certifications for certain environmental claims, that may have the effect of limiting the flow of truthful information about environmental considerations relevant to consumers.

Terms specific to environmental claims

The 2024 ICC Code includes important general definitions. Of particular relevance to this Framework, the ICC defines a “product” to refer to anything that constitutes the subject of an advertisement. Physical products as well as services are covered, and the term “product” includes energy, investments, software and real estate, as well as facilities, activities and processes.

Chapter D of the 2024 ICC Code defines a few specific general environmental terms for purposes of the Chapter. Terms specific to environmental claims in Chapter D include:

- **“environmental aspect”** or **“environmental attribute”** means an element of an organisation’s activities or products that have an impact on the environment
- **“environmental claim”** means any statement, symbol, sound, or graphic that indicates or implies an environmental aspect of a product, a component or ingredient of it, packaging or constituent of it, or an activity, facility or operation
- **“environmental impact”** means any change to the environment, whether adverse or beneficial, wholly, or partially resulting from an organisation’s activities or products
- **“life cycle”** means consecutive and interlinked stages of a product system, from raw material acquisition or generation of natural resources to final disposal
- **“product”** as defined in the general definitions of this Code includes any goods or services. “Product” normally includes the wrapping, container etc. in which the goods are delivered. However, in the environmental context it is often appropriate to refer separately to the packaging, which then means any material that is used to protect or contain a product during transportation, storage, marketing or use
- **“qualification”** means an explanatory statement that accurately and truthfully describes the limits of the claim
- **“waste”** refers to anything for which the generator or holder has no further use, and which is discarded or released into the environment

Whether or not a particular claim or term is specifically referenced in Chapter D or the Environmental Framework, all environmental claims and terms should be read in conjunction with the general definitions contained in Section 3 of the Code.

Purpose and application

The Environmental Framework provides a summary of the principles of the ICC Code, including those outlined in Chapter D on environmental claims, and supplements them with additional commentary and guidance to aid practitioners in applying established principles governing marketing communications generally to environmental claims. Chapter D of the Code was initially drafted after a broad review of relevant global guidance on environmental marketing around the world.¹ Recognising that there are many other sources of guidance on environmental claims, as well as hundreds of test methods and standards that may be considered, ICC does not endorse or require adoption of any specific national or international standard or method. Instead, the Environmental Framework, like the ICC Code itself, requires that claims must be consistent with applicable law in the relevant region, and supported by appropriate substantiating data. For environmental claims, the ICC Code requires reliable scientific evidence.

Environmental claims refer to any statements, symbols, graphics or sounds that convey an environmental aspect of a product or package (including any of their components, ingredients or constituents), or an activity, facility or operation. While these are all “products” as defined in the ICC Code, marketers must pay special attention to the subject of their advertising. Marketers must have appropriate substantiation for the specific claim(s), and depending on available substantiation, should refine and qualify claims as needed. Truthful and accurate environmental claims, qualified as needed, convey relevant information to consumers and the market. Marketing communications should not mislead consumers about environmental aspects or advantages of the advertised product, component, package or service, or about actions being taken by the marketer in favour of the environment or the climate. The ICC Code’s requirement that “Marketing communications should be truthful and not misleading” does not imply that all marketing communications that include claims about the environment must address every conceivable impact on the environment or require conducting a full life cycle analysis (LCA) as an essential prerequisite. An LCA may be appropriate where an unqualified general environmental claim is made, which typically suggests that the claim relates to the entire life-cycle of a product.

The Environmental Framework provides added guidance and commentary to help marketers understand how to apply principles of substantiation and qualification to a number of specific environmental terms used in advertising. In this regard, it is important to note that general claims of “sustainability” or claims related to ESG initiatives, often go beyond considerations of environmental impact. Chapter D and this Environmental Framework focus on environmental claims. However, the general principles of ethical advertising apply regardless of whether a specific term is referenced in the Code (including Chapter D) or this Framework, including claims of “sustainability.”

¹ Sources reviewed include the International Standards Organization (ISO) 14021 standard, the U.S. Federal Trade Commission (FTC) Guides for the Use of Environmental Marketing Claims, the EU guideline for the Unfair Commercial Practices Directive, the Canadian Competition Bureau’s guidance on environmental claims and the Canadian Competition Act, and other guidelines and standards on environmental claims.

Digital scope and application

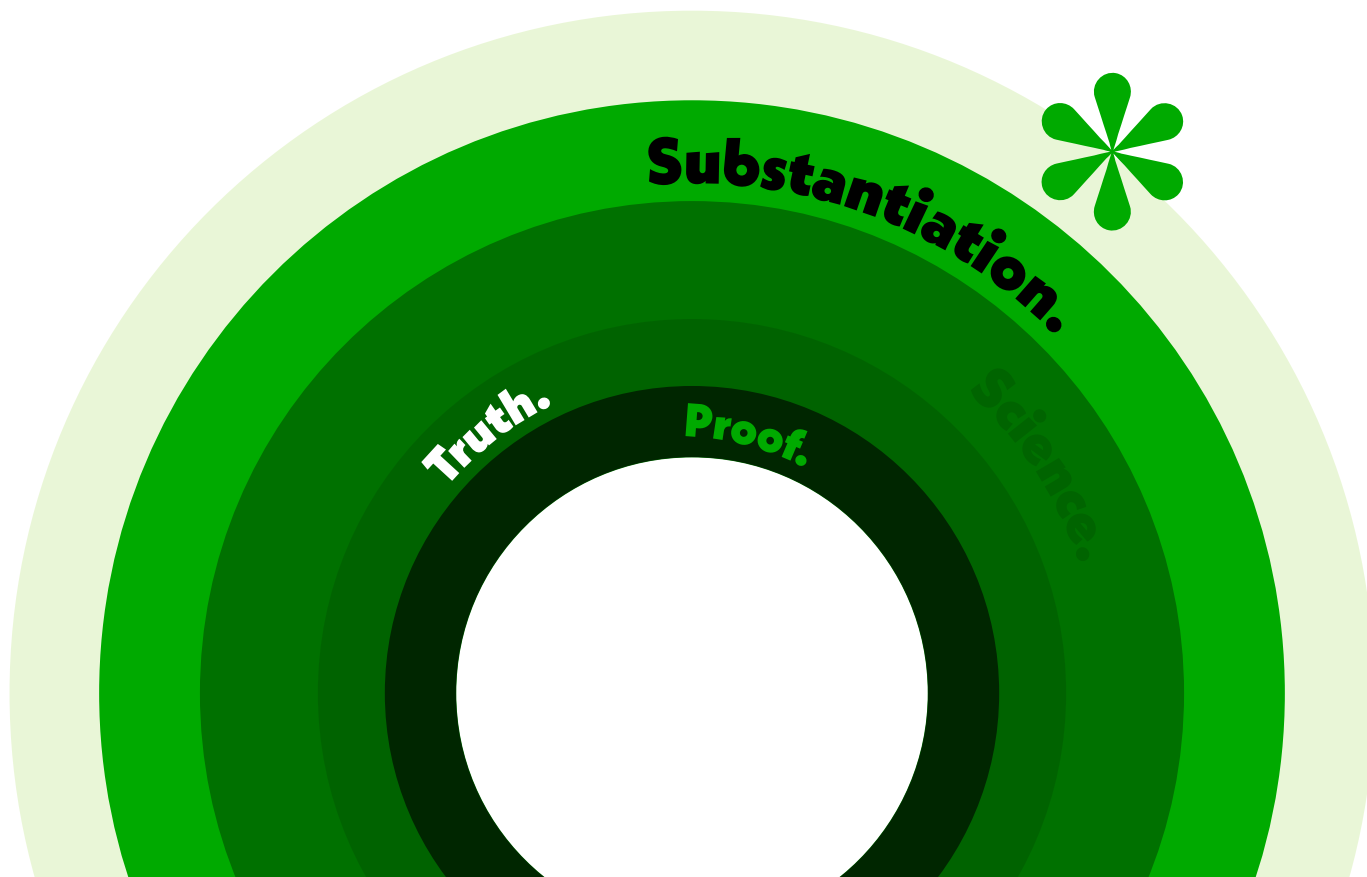
The Environmental Framework, like the ICC Code itself, covers all forms of advertising and marketing communications claims, including digital advertising and social media. The Framework is technology- and media-neutral. It applies to the entire marketing ecosystem, guiding communications practitioners, advertising agencies, publishers, media owners, contractors and other participants including influencers, bloggers, vloggers, affiliate networks, data analytics, ad tech companies and those responsible for preparing algorithms and artificial intelligence technologies for marketing communications purposes.

References to products include digital products.

General approach

As a leader in responsible marketing worldwide, ICC intends that the ICC Code and the Environmental Framework serve as a practical and useful resource to practitioners.

Environmental claims—whether or not specifically discussed in the Code, Chapter D or this Framework—should meet the letter and spirit of the principles of the Code, as well as applicable local legal and regulatory requirements. The intent in providing this 2025 updated Environmental Framework is to provide a resource for stakeholders in the advertising industry in meeting their responsibilities to provide truthful and appropriately supported environmental claims.



ICC Framework for Responsible Environmental Marketing Communications

How to use the Framework

While this Framework provides guidance on a number of popular terms in environmental advertising, the terms covered are not intended to be an exclusive or exhaustive list of possible environmental claims. Regardless of whether or not a specific claim is defined or discussed in this Framework, good advertising principles set out in the ICC Code should be followed and should reflect the core principle of the ICC Code: all claims must be legal, decent, honest and truthful. To aid practitioners in developing meaningful environmental claims, consistent with the principles of the ICC Code, this Framework contains three parts:

Part 1 is a **checklist** that marketers may find useful for initially identifying and evaluating their environmental claims.

Part 2 is a **comparative chart** identifying relevant general provisions from the ICC Code in column 1, relevant provisions from Chapter D of the Code in column 2, and added commentary, observations and suggestions in column 3.

Part 3 is a **table** that describes a number of specific environmental claims or terms in column 1, and the application of ICC principles and other considerations when such terms are used in marketing communications in column 2.

Part 1 Environmental claims checklist

This checklist is intended to assist marketers, communication agencies and other practitioners in identifying when they are likely making an environmental claim and to offer guidance on questions about such claims. The checklist is designed to serve as a screening check for practitioners to help identify a number of claims and considerations in making claims, including the need for substantiation and the requirement to evaluate claims based on the net impression to the intended audience. Additional guidance is provided in Part 2 and Part 3 of the Environmental Framework. Environmental claims may apply to goods (including packaging or components), as well as services, product lines, or to an organisation or facility.



1. Do your proposed claims address:

The effect of the product, component or package on

- solid waste?
- water?
- air (smog, stratospheric ozone, nitrogen oxides (NO_x), sulphur oxides (SO_x), etc.)?
- climate (greenhouse gases, carbon offsets, carbon removal, carbon neutrality, climate positivity, etc.)?
- energy usage?
- wildlife and biodiversity?
- human health?
- environment?

The absence, reduction or presence of a specific substance?

The “**sustainability**” of the product, component or package?

Whether the product, component or package is made with or from **renewable material** or **renewable energy**?

Whether the product, component or package contains, is made with, or derives from or can be attributed to **recycled material**?

Whether the product, component or package is:

- **recyclable?**
- **compostable?**
- **degradable?**

Whether the product or package is **reusable** or **refillable**?

The future **environmental benefits or goals** of the organisation?

The impact of your products or operations on the health of the planet, the environment or the climate?

YES

If the answer is yes to one or more questions, 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.



2. Are these benefits or effects express or implied?

- Do you make express environmental claims such as those above?
- Do you use colours (e.g., green), pictures (e.g., trees, mountains, wildlife) or other elements to imply environmental or sustainability benefits?

3. Are your proposed claims specific and unambiguous?

- Vague and non-specific claims are likely to be misleading and should be avoided.



4. Are your proposed claims subject to any mandatory regulations or legislation?

- It is important to investigate applicability of local laws. You may be subject to mandatory disclosures in advertising and labelling, may be required to substantiate certain claims using specific standards or methods, or may be subject to specific regulatory requirements.
- Your ability to make a claim suggesting a unique benefit when actions are required by law may be limited.
- Your ability to make certain claims at all may be limited or restricted by applicable law.



5. Scope

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

Does the claim indicate if it applies to the entire product line? To a facility? To the entire organisation?

- The claim should clearly identify the subject matter of the claim (i.e., whether the claim applies to a product, facility, or organisation), and what environmental attributes are involved.



6. Do you have a reasonable basis for the express and implied claim(s) you are making?

Did you have a reasonable basis for the express and implied claims you are making, such as substantiating scientific or technical data supporting the claim at the time the claim was made? Does the data reflect sound scientific principles likely to be accepted by experts qualified by education, training, and experience in the field? 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, service, facility or organisation, or detriments of a competitor's product, package, component, service, facility or organisation, should be supported by relevant test data, analyses or similar information at the time the claim is made.
- There must be a good fit between the claimed environmental attribute or characteristic and the tests or analyses offered to support that claim.

7. 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? Do relevant authorities specify the use of only certain test methods to support the specific claim?

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, component, or package for which the claim is made (or one substantially identical) been tested? Is the information provided understandable to the typical consumer, avoiding confusing jargon?



- **Standards and test methods must be reasonable and appropriate, and results of tests, if provided in connection with advertising, must be clearly presented in terms understandable to the target audience. Tests should be conducted on products or samples of products for which the environmental claim is made.**
- **Data should be presented in a way that does not exaggerate the validity of the product claim.**



8. Generalisations

Are you making a general claim that the product, component or package is “good” for the environment (e.g., “eco-safe”, “earth friendly”, “environmentally friendly”, “sustainable”, “green” and similar claims)?

- Since environmental impacts encompass a multitude of criteria, a general claim of environmental benefit without explanation is likely to be misleading.
- A general environmental claim based on a single attribute is likely to be misleading unless the link is specific and clear.
- Claims about the benefits of carbon or greenhouse gas reduction actions should be transparent and clearly specify whether the claim involves actions to reduce carbon dioxide or all greenhouse gases, and, if the claim applies to only portions of the product's life cycle, which portions.



9. Is the claim relevant to the intended audience?

- All environmental claims must be accurate, verifiable, and presented in a way that the intended audience can understand, so that they do not mislead about the product's actual environmental impact or give the impression of greater benefits than can be substantiated.

10. Do you state or imply that the product, component, or package has unique environmental benefits?

- It may be misleading or deceptive to make a claim about an environmental benefit that suggests there is a meaningful benefit to the environment when there is not.
- Environmental benefits shared by other similar products, components, or packages should not be presented in a way that suggests the benefit is unique to the marketer's product.



11. Life cycle

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 guidance on environmental claims does not address claims based on life cycle analysis (LCA). The results of an LCA may depend on the inputs. Marketers should ensure that the scope of an LCA adequately covers the expected environmental impacts of the product. If an LCA is used to support comparative claims, similar inputs should be included in the comparative analysis. The products or services involved should also be of the same type or category for the comparison to be fair, and disclosures of material differences in the compared products may be required. If a more limited “cradle to gate” LCA was conducted, the scope should be clear.

12. Apart from environmental benefits, does the claim relate to health, safety or other benefits*?

*this might include “free of” claims as well as claims such as “safe”, “safer”, “non-toxic”, “pesticide-free” or “organic”

- Express 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.

13. Do you state or imply that the product, component or package was made with renewable material or energy?

- An unqualified claim that a product or component was made with renewable material or energy should not be made unless the product, component, or package consists of 100% renewable content, or was made from 100% renewable energy, as applicable, excluding minor, incidental components.
- Claims about the use of purchased renewable energy or power should be substantiated through contracts with electrical utilities, renewable energy certificates (RECs), or similar evidence, using care to avoid double-counting.
- Claims about the use of facility-generated renewable energy or power should be substantiated by applicable facility data.



14. Do you state or imply that the product, component or package has recycled content or is recyclable?

- Is it clear which claim is made? Is the extent of the claim also clear?
 - Since the Mobius loop standing alone may indicate recyclability and recycled content, further disclosures may be needed if the product or package is recyclable but does not contain recycled content, or contains recycled content but is not recyclable, unless applicability of the claim is clear from the context.
- If you make a recycled content claim, does the product, component or package contain actual or attributed recycled content?
 - Marketers must be able to trace and quantify yields and losses in the recycling process to support the claimed amount of recycled content in or attributed to a product or package.
- If you make a recyclable claim, is it clear if the product, package, or both are recyclable?
 - When a product, package, or both are labelled as “recyclable”, or the Mobius loop prominently appears on the product or package, a consumer may not understand whether the package, the product itself, or both are recyclable. Also, the consumer may not understand whether the product or package is merely capable of being recycled or can actually be recycled in the local community. Qualifiers identifying relevant limitations on the ability to recycle the product or package should be provided where appropriate.
 - As use of the Mobius loop standing alone may also convey recycled content, care should be taken to clarify the meaning of the symbol.



15. Do you state or imply that the product, component or package is compostable?

- Marketers making compostable claims should have appropriate scientific evidence that all the materials in the product or package, as applicable, will break down into or otherwise become part of usable compost in an appropriate commercial industrial composting facility or device, or in a home composting setting, in a timeframe consistent with other materials composted under the same conditions.
- If the product is compostable only in certain environments, qualifiers should be included. Further, if the product is compostable only in commercial facilities, that limitation, and the limited availability of suitable commercial facilities, should be disclosed. Marketers should be aware of – and disclose, as appropriate – other specific restrictions or requirements that may apply.



16. Do you state or imply that the product, component or package is degradable?

- A general degradability claim should not be made unless the marketer has reliable evidence that the product or package will entirely break down and return to nature in customary disposal environments including, but not limited to, traditional disposal environments such as sanitary landfills.
- If a product or package is degradable in only specific environments, that should be made clear.

17. Do you state or imply that the product or package is refillable or reusable?

- No product or packaging should be described as refillable or reusable unless it can be refilled or reused for the same or similar purpose and there is a reasonable means for the consumer to do so.
- Refillable or reusable claims for food and beverage containers should be made with due regard to applicable sanitation standards.

18. Are your proposed claims comparative in nature, explicitly or implicitly?

If so, is the comparison to:

- An earlier version of the product, component or package?
- 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 similar.

19. Can consumers access recycling or composting facilities?

Is the consumer able to access appropriate 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 guidance?

- Limitations on the ability to, e.g., recycle or compost the advertised item should be clearly identified..



20. Have you conducted consumer perception research to assess how the claim will be perceived by consumers?

The evaluation of marketing communications, including advertisements featuring environmental claims, may be based on the net impression of the reasonable consumer (or relevant target audience). Where there are questions about how the target audience may perceive certain claims (including implied claims), consumer perception research is not mandatory, but can help marketers determine what claims are communicated, and assist them in ensuring that they have proper substantiation for their claims. If advertiser-sponsored consumer perception data is not available, a judge, regulator or self-regulatory body will apply its own judgment as to the likely takeaway by the reasonable target audience.



21. 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 audience.

22. Is the claimed benefit likely to be realised when the product, component or package is actually manufactured, used or disposed?

- An ad that makes a claim about a feature or benefit that would not likely be achieved in the actual manufacture, use or disposal is likely to be misleading and/or deceptive absent appropriate qualifiers.

23. Does the claim involve an environmental commitment or goal that is aspirational in nature and not likely to be met until many years in the future?

- An aspirational claim requires that the company demonstrate that it has a reasonable capacity and methodological approach to meet the claimed commitment or goal in the timeframe advertised.

24. Do you use your own environmental seals or logos?

- If consumers might reasonably interpret your own environmental seals and logos in environmental advertising to denote approval by an independent third-party, when that is not the case, it is likely to be misleading and/or deceptive.



25. Do you use seals or logos of third-party organisations?

Are their procedures transparent?

Are processes for standards adoption in line with recommendations from competition authorities?

Will seals and logos be misinterpreted to connote broader environmental benefits than covered by the programme?

- Independent seal organisations should adhere to fair processes in the development of standards.
- Marketers should adhere to the standards and guidelines of the seal organisations when using a seal.
- Third-party certification may not be a substitute for the advertiser's obligations to substantiate claims.



26. Are appropriate qualifiers clear and prominent, and in close proximity to the relevant claim?

- Qualifiers required to prevent a claim from being misleading should generally be presented clearly and conspicuously and in close proximity to the claim.
- Consumers are now broadly accustomed to obtaining more information on websites. However, qualifying information must be readily available in close association with the claim. Prompts encouraging consumers to visit a website for more information, or making QR codes and the like available, may be helpful to consumers, but they may not substitute for qualifiers that are necessary to prevent a claim from being misleading.

Qualification –
a clarification that accurately and validly describes the limitations of an environmental claim.



28. Do you conduct training?

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

- Training and education regarding good advertising practices is recommended for all marketing communications.



27. Do claims require reassessment?

Do you periodically reassess the claim, especially a comparative claim, based on changed circumstances and developments to assure that it remains accurate and not misleading?

- Advertisers have an obligation to ensure that claims are truthful and not misleading for the entire time such claims are used.
- Advertisers should reassess their claims and the supporting substantiation at reasonable intervals.
- Many environmental claims are expressly or impliedly comparative in nature. Such claims must be current and comparisons clear. Periodic retesting of the advertised product and current versions of the competitor's products may be needed to properly substantiate a comparative claim.

29. Do you depict experts?

Do individuals represented as environmental experts in your marketing communications, actually have the relevant education, training and experience in the field for which they are expressing an expert opinion?

29. Do endorsements and testimonials related to environmental claims meet applicable guidelines for endorsements, and include material connection disclosures as needed?

- Influencer marketing has become a more significant part of the advertising landscape. Advertisers should consult the ICC Code and adopt policies, including training, to ensure that influencers and endorsers are aware of general requirements and special considerations for environmental marketing claims.

Part 2 Existing ICC Code provisions on environmental marketing and suggested considerations for practitioners

Part 2 of the 2025 Environmental Framework draws directly from existing provisions in the 2024 ICC Code and Chapter D, reflected in columns 1 and 2, respectively. The guidance in column 3 reflects recommendations from the ICC Global Marketing and Advertising Commission on some practical ways to implement the provisions of the ICC Code and Chapter D for the specific environmental claim identified. The Environmental Framework focuses on environmental claims. Marketers are encouraged to consult the ICC Code and apply its general principles when making social compliance, governance or other claims.

ICC Principles	ICC Principles	Other considerations
General provisions on advertising and marketing communication practice	Chapter D—Environmental claims in marketing communications	in environmental marketing communications
Article 1: Basic principles All marketing communications should be legal, decent, honest and truthful. All marketing communications should be prepared with a due sense of social, environmental and professional responsibility, and should conform to the principles of fair competition, as generally accepted in business. No communication should in the content and manner made undermine the public's trust and confidence in marketing communications.	Article D2: Honest and truthful presentation Environmental marketing communications should be framed so as neither to take advantage of consumers' concern for the environment nor exploit their possible lack of environmental knowledge.	 The starting point for the evaluation of any environmental claim in a marketing communication is the applicable federal and local legal framework in which the claim will be made. Marketers should comply with applicable legal requirements, including environmental requirements and advertising or labelling requirements mandated by law, such as energy testing and labelling requirements for, e.g., appliances, insulation, light bulbs, or car mileage. Specific environmental claims may also be regulated at the local level, and such claims may have to be supported by specific tests or versions of tests. To maintain confidence both in marketing communications and in the self-regulation system, marketing communications should respect the letter as well as the spirit of the ICC Code, this Framework, applicable legal requirements, and applicable self-regulatory codes and guidance.

ICC Principles

General provisions on advertising and marketing communication practice

Article 1: Basic principles

All marketing communications should be legal, decent, honest and truthful.

All marketing communications should be prepared with a due sense of social, environmental and professional responsibility, and should conform to the principles of fair competition, as generally accepted in business.

No communication should in the content and manner made undermine the public's trust and confidence in marketing communications.

ICC Principles

Chapter D—Environmental claims in marketing communications

Article D.2.1: Honest and truthful presentation; general approach

Marketing communications should not overstate environmental attributes, such as highlighting a marginal improvement as a major gain or using statistics in a misleading manner e.g., claiming “we have doubled the recycled content of our product” when there was only a small percentage of recycled content used to begin with.

Marketing communications that refer to specific environmental claims should not imply, without appropriate substantiation, that they extend to the whole performance of a product, company, group, sector, or industry. Such specific claims should be qualified as needed to avoid a misleading impression, i.e., if the limited nature of the claim is not otherwise clear from the claim itself or the context in which the claim is presented, then the claim should be appropriately qualified.

Other considerations

in environmental marketing communications

False, deceptive or misleading environmental claims (sometimes referred to as “greenwashing”) are no different from any other type of deceptive or misleading claim in marketing communications. Both the express and implied messages that the typical consumer (sometimes referred to as “reasonable consumer”) or other intended audience takes away from the marketing communication must be supported by appropriate evidence.

Specificity and clarity are essential in making sound environmental claims. Overstating the environmental, social or economic benefits of a product, service or activity, or failing to have adequate substantiation for such claims, poses great potential harm to the marketplace as a whole.

Some environmental claims that are literally true may be misleading because they exaggerate the benefits of the product. For example, a claim that a product contains “twice as much recycled content as before” when the amount was very low to begin with could be misleading.

Marketers should avoid claims that an environmental attribute is unique to a product, component, package, service, or to a marketer's business operations or product lines, unless those claims can be substantiated, or state or imply that reductions or benefits required by law are voluntary.

ICC Principles

General provisions on advertising and marketing communication practice

ICC Principles

Chapter D—Environmental claims in marketing communications

Other considerations

in environmental marketing communications

An unqualified “sustainability” claim may be understood to involve company actions beyond efforts to reduce environmental impacts. Claims may state or imply that the claim involves social and economic impacts, such as support for fair working conditions, diversity and inclusion, communities or charities, or other social initiatives, as well.

Marketers making general “sustainability” claims in advertising should be mindful that consumers may take away a broader corporate social responsibility message and must substantiate all express and implied messages that are reasonably communicated and qualify claims accordingly.

Article 1: Basic principles

All marketing communications should be legal, decent, honest, and truthful.

All marketing communications should be prepared with a due sense of social, environmental and professional responsibility, and should conform to the principles of fair competition, as generally accepted in business.

No communication should in the content and manner made undermine the public’s trust and confidence in marketing communications.

Article D2: Honest and truthful presentation

Environmental marketing communications should be framed so as neither to take advantage of consumers’ concern for the environment nor exploit their possible lack of environmental knowledge.

Article D.2.1: Honest and truthful presentation; general approach

Marketing communications should not contain any environmental claims that are likely to mislead consumers in any way about environmental aspects or advantages of what’s being communicated, or about actions being taken by the marketer in favour of the environment.

Both the express and implied messages that the typical consumer (sometimes referred to as “reasonable consumer”) or other intended audience takes away from the marketing communication must be supported by appropriate evidence.

ICC Principles

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Article 6: Substantiation

Marketers should have a reasonable basis for making claims relating to verifiable facts at the time the claim is made. Claims that state or imply that a particular level or type of substantiation exists should have at least the level of substantiation advertised. Supporting documentation should be provided promptly upon request to the self-regulatory organisations responsible for the implementation of the Code. The standard of proof required generally depends on factors such as the type of claim, the product, the consequences of a false claim and the benefits of a truthful claim.

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Chapter D—Environmental claims in marketing communications

Article D1: Substantiation

All express or implied environmental claims should be substantiated by reliable scientific evidence. (Reliable scientific evidence is the type of evidence likely to be recognised by experts in the field. Such evidence may, depending on the claim, consist of tests, analyses, calculations, studies, reports, surveys or other information.) Care should be taken to assure that the substantiating data relied upon reflects the relevant product or activity and the claimed environmental aspects, attributes or performance featured in the marketing communication.

To substantiate aspirational claims or claims expressing goals or commitments related to achieving certain environmental metrics in the future, a marketer should be able to demonstrate that it has reasonable plans in place to work in good faith towards achieving the stated aspiration, goal or commitment in the timeframe specified.

As described in Article 6 of the Code, marketers need to monitor and review environmental claims regularly to ensure ongoing compliance, accuracy and relevance. Typically, reliable scientific evidence, such as test data, analyses, studies and other documentation are required to meet this standard.

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Environmental claims must have a sound scientific basis. The level of substantiation generally required for environmental claims is reliable scientific evidence, which may include, in appropriate circumstances, internal or third-party test data, data drawn from peer-reviewed or other scientific studies, or other reliable sources that would be considered by experts in the field as relevant and probative in supporting the specific claim. Substantiating data must reflect the environmental condition(s) or impact(s) being assessed in a realistic manner. In other words, there must be a good fit between the specific claim and the data offered to support the claim.

Marketers must be able to support environmental claims, including aspirational claims, at the time the claim is made, but are not required to include supporting information in marketing communications. However, if they do, the additional information provided must be truthful and not misleading.

The fact that a product or service is exclusively available online does not automatically mean that it is better for the environment than products that are offered in other channels; any such claim must be supported by reliable scientific evidence.

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Article 6: Substantiation

Substantiation should be based on documentation, tests or other factual evidence that is valid, reliable and sufficiently precise to support the claim made. In the absence of required substantiation, the claim would be regarded as misleading.

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Article D2: Scientific research

Marketing communications should use technical demonstrations or scientific findings about environmental impact only when they are backed by reliable scientific evidence.

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Where claims or terminology used in marketing communication might reasonably be interpreted by a consumer as environmental claims, they should be supported by reliable scientific evidence and be consistent with definitions and concepts that would be accepted as reliable by experts in the field.

It may be appropriate to use certain test methods, market research or statistical models to support a claim. However, methods and models must be relevant to the product, or to the particular claimed attribute of the product, with due consideration to the actual conditions of use, and to the particular environmental impact that the marketer is measuring and communicating. Advertisers should be aware that local laws may specify a particular level of substantiation and should consult legal experts to determine if specific tests, standards or analyses are required to support a proposed claim.

Recognised test methods suitable to measure certain properties do not always exist for some products; marketers may need to develop or modify existing test methods to evaluate certain environmental attributes of products in a meaningful way. In so doing, marketers should be mindful of the general principle that methods and models must be relevant to the specific product and attribute being evaluated and use care to avoid changing test parameters in a way that would not reflect relevant conditions of the claimed environmental attribute.

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Article 4: Honesty

Marketing communications should be structured in a way that does not take advantage of consumer trust or exploit their inexperience or limited understanding.

Relevant factors that can affect consumers' decisions should be communicated in a manner, and at a time, that allows them to consider them effectively.

Article 4: Honesty

Marketing communications should be structured in a way that does not take advantage of consumer trust or exploit their inexperience or limited understanding.

Relevant factors that can affect consumers'

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Article D2: Honest and truthful presentation

Marketing communications should be framed so as neither to take advantage of consumers' concern for the environment nor exploit their possible lack of environmental knowledge.

Article D2.2: Honest and truthful presentation; vague or general, non-specific claims

Vague or general non-specific claims of environmental benefit may convey a range of meanings to consumers. Such claims should be made only if they are valid, without qualification, in all reasonably foreseeable circumstances. Claims such as “environmentally friendly”, “ecologically safe”, “green”, “sustainable”, “carbon friendly” or any other claim implying that a product or an activity has no impact — or only a positive impact — on the environment, should not be used without qualification unless a very high standard of proof is available.

Article D.2.3: Honest and truthful presentation; qualifications

All qualifications should be clear, prominent and readily understandable; the qualification should be provided in close proximity to the claim being qualified, to ensure they are understood together.

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Vague or non-specific claims (sometimes called “general” claims) include claims such as “environmentally friendly”, “good for the environment”, “ecologically safe”, “green”, “sustainable”, “carbon friendly”, “climate smart” or any other claims reasonably implying that a product or an activity has no impact — or only a positive impact — on the environment. The list provided is not exhaustive or exclusive; there are many other terms that may be deemed a general environmental claim.

General environmental claims should not be used without qualification unless a very high standard of proof is available, or the claim is linked to a specific, properly substantiated environmental attribute that clearly limits the scope of the general claim to such attribute.

When needed, the use of proper qualifiers to explain or contextualize a claim is central to assuring that environmental claims are truthful and not misleading.

As broad environmental claims may be confusing to consumers, relevant qualifiers or disclaimers should be provided as necessary to avoid misleading consumers. Where qualifiers or disclaimers are needed, they should

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decisions should be communicated in a manner, and at a time, that allows them to consider them effectively.

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be clear, prominent and in close proximity to the claim so qualified.

This Framework is not intended to limit or restrict marketers from offering additional useful information through website links, QR codes and other available means, but a QR code may not substitute for a needed disclaimer. For example, compostable claims made for products compostable only in industrial facilities should be accompanied with an appropriate qualifier explaining that the product is only compostable in industrial facilities and the limited availability of such facilities, if applicable. Additional relevant information, such as instructions to dispose of as trash if appropriate facilities are not available, could be provided to minimize confusion. Additional useful information like the location of available industrial facilities could be provided via a QR code but a QR code or web link does not substitute for a needed on-pack qualifier,

Article 5: Truthfulness

Marketing communications should not contain any claim likely to mislead the consumer, regardless of how it is conveyed — by text, sound, visual elements or any combinations thereof — and regardless of how the misleading effect occurs — directly or by implication, omission, ambiguity or the net impression of a claim and controls

Article D.2.1: Honest and truthful presentation; general approach

An environmental claim should be relevant to the specific focus of the marketing communication e.g. the products or activities in question. This should relate only to aspects or attributes that already exist or are likely to be realised during, for example, a product's life, including customary and usual disposal

Claims related to environmental, social or economic impact are generally considered material to consumers under Article 5 of the ICC Code. Information and claims about a product's environmental attributes or environmental or social impact should be judged by the likely perception of the typical consumer; if the communication is aimed at a business customer, it should be judged by the likely perception of the typical business customer. Scientific terminology or references

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how it is interpreted. This applies especially, but is not limited to:

- Characteristics of the product which are material, i.e. likely to influence the consumer's choice such as the nature, composition, methods and date of manufacture, range of use, efficiency and performance, benefits, quantity, commercial or geographical origin, or environmental, social or economic impact...

Article 5: Truthfulness

Marketing communications should not contain any claim likely to mislead the consumer, regardless of how it is conveyed – by text, sound, visual elements or any combinations thereof – and regardless of

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or reasonably foreseeable improper disposal. It should be clear to what the claim relates, e.g. the product, a specific ingredient or aspect of the product, or its packaging or a specific constituent of the packaging, or the marketer's facilities or operations. Aspirational claims should have reasonable plans in place to work in good faith towards achieving the stated aspiration, goal or commitment in the timeframe specified.

Article D.2.1: Honest and truthful presentation; general approach

Improvements related to a product and its packaging should normally be presented separately and not be combined in keeping with the principle that claims should be

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are acceptable provided they are relevant and used in a way that can be readily understood by the typical consumer to whom the message is directed. It should also be clear if the environmental claim refers to an entire or part of a product, component, package, service or company's business operations.

When copy, sound and visual presentations in environmental marketing communications represent specific environmental characteristics of the product featured in the communication, they should be represented accurately, such as:

- The nature and source of raw materials used to make the product.
- The processing methods applied to the raw materials.
- The product's use of energy, or energy efficiency.
- The contents and emissions of the finished product.
- End of life disposal capabilities, such as recyclability or degradability.
- Any other relevant and meaningful environmental aspects relevant to the specific marketing communication.

An environmental claim may apply to a product, a component of the product, its packaging, its production, and/or to a marketer's operations as a whole. When making an environmental claim, it is vital that marketers clearly communicate with specificity in this regard. This is particularly important when claims appear on the packaging itself. In some cases, the meaning of the

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how the misleading effect occurs – directly or by implication, omission, ambiguity or exaggeration. The combination of elements used in a marketing communication provides the net impression of a claim and controls how it is interpreted. This applies especially, but is not limited to:

- Characteristics of the product which are material, i.e. likely to influence the consumer's choice, such as the nature, composition, methods and date of manufacture, range of use, efficiency and performance, benefits, quantity, commercial or geographical origin, or environmental, social or economic impact...

Article 5: Truthfulness

Marketing communications should not contain any claim likely to mislead the consumer, regardless of how it is conveyed – by text, sound, visual elements or any

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specific and clearly relate to the product, an ingredient or element of the product, or the packaging or constituent of the packaging.

A claim concerning a combination of elements such as a packaging and product combination can only be made if it really concerns both. This would not be the case, for example, if the claim only concerns the product packaging and the significant impacts of the packaging and product combination are different from the significant impacts of the packaging alone. Claims concerning a combination of elements, for example, inclusion of recycled content in a product or product packaged in compostable packaging, should both be supported by appropriate scientific evidence and qualified as needed to properly convey relevant limitations (e.g. our products include 20% recycled content and our packaging is compostable in industrial facilities, which are limited and may not be available near you).

Article D.2.1: Honest and truthful presentation; general approach

Marketing communications that refer to specific environmental claims should not imply, without appropriate substantiation,

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claim will be self-evident from the claim itself, while in others, consumers may not understand if the claim applies to the product or its packaging.

For example, a claim that *“Energy used to power our factory comes from 100% renewable sources”* applies to the facility. An on-pack claim that a cookie is *“Made from 100% certified organic flour”* applies to the product itself. A claim such as *“Contains 50% post-consumer recycled content”* appearing on a milk carton would clearly apply to the carton, not the milk.

On the other hand, a recycled content claim appearing on a package for plastic storage containers could be ambiguous, so clarification is needed as to whether the claim applies to the storage containers, the packaging or both. A more precise claim, such as *“Containers made with a minimum of 25% recycled content”* and/or *“Paper package made with 100% recycled content”* would be needed.

Claims should not state or imply that an improvement in performance is more significant than it is. For example, a claim that a component of the advertiser's product was produced with *“30% lower carbon emissions”*, when the carbon emissions of the

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combinations thereof – and regardless of how the misleading effect occurs – directly or by implication, omission, ambiguity or exaggeration. The combination of elements used in a marketing communication provides the net impression of a claim and controls how it is interpreted. This applies especially, but is not limited to:

- Characteristics of the product which are material, i.e. likely to influence the consumer's choice, such as the nature, composition, methods and date of manufacture, range of use, efficiency and performance, benefits, quantity, commercial or geographical origin, or environmental, social or economic impact...

Article 5: Truthfulness

Marketing communications should not contain any claim likely to mislead the consumer, regardless of how it is conveyed — by text, sound, visual elements or any combinations thereof — and regardless of how the misleading effect occurs — directly or by implication, omission, ambiguity or exaggeration. The combination of elements used in a marketing communication provides the net impression of a claim and controls how it is interpreted. This applies especially, but is not

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that they extend to the whole performance of a product, company, group, sector, or industry. Such specific claims should be qualified as needed to avoid a misleading impression, i.e. if the limited nature of the claim is not otherwise clear from the claim itself or the context in which the claim is presented, then the claim should be appropriately qualified.

A pre-existing but previously undisclosed aspect should not be presented as “new”.

Environmental claims should not state or imply that reductions or benefits required by law or mandatory standards are voluntary.

Article D.5: Product life cycle

Environmental claims should not be presented in such a way as to imply that they relate to more stages of a product's life cycle, or to more of its properties, than is justified by the evidence; it should be clear to which stage or which property a claim refers. A life-cycle benefits claim should be substantiated by a full life cycle analysis (cradle to grave). If an alternative lifecycle analysis is used (for example, cradle to gate), the more limited scope of that life cycle analysis should be disclosed.

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component are a small fraction of the carbon emissions of the product as a whole, would be misleading without qualification that contextualises the relatively low impact of the reduction in that specific component. A similar claim made by the component manufacturer likely would not be misleading.

If a marketer states or implies that a product has minimal negative environmental impact throughout its life cycle (for example, “*from cradle to grave, the most eco-friendly product on the market*”), the claim conveys that it is supported by a full LCA, and the marketer should ensure that the implied claim is, in fact, supported by a proper life cycle analysis (LCA) as represented.

Similarly, a general claim such as “*the most eco-friendly product on the market*” likely implies that it is supported by a full LCA.

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limited to:

- Characteristics of the product which are material, i.e. likely to influence the consumer's choice, such as the nature, composition, methods and date of manufacture, range of use, efficiency and performance, benefits, quantity, commercial or geographical origin, or environmental, social or economic impact...

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Other claims, such as claims regarding carbon emissions associated with production and transport to business customers, may be supported by appropriate evidence to support the claim.

Not all general environmental claims must be supported by an LCA. If a marketer makes a general environmental claim based on a single attribute, and the claim is appropriately linked to a single attribute, then the advertiser must substantiate the narrower claim. For example, “*sustainably produced*” associated with a qualification that production “*uses 40% less water*” than the marketer’s prior version of the product should be substantiated by appropriate evidence related to the water efficiencies achieved. The marketer must bear in mind that by making a qualified general claim, it should not otherwise overstate the environmental benefits of a product in a misleading way.

Nothing in the ICC Code or this Framework is intended to suggest that a full or partial LCA is required to support all environmental claims. Many marketers properly focus on a single element of a product’s life cycle deemed to have the most significant environmental impact. For example, for appliances, energy and/or water consumption during use typically represents the most significant environmental burden. The relevant aspect of the product’s life cycle to be considered will depend on the claim. The reliable scientific evidence required to support a single attribute claim should relate to the

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environmental impact of the claimed attribute in the relevant portion of the life cycle. If, however, the marketer states or implies that the claimed attribute results in a broader environmental benefit, additional evidence, such as an LCA, may be required. When using an LCA, companies should not make claims that may be misleading from a life cycle perspective.

Article 5: Truthfulness

Marketing communications should not contain any claim likely to mislead the consumer, regardless of how it is conveyed — by text, sound, visual elements or any combinations thereof — and regardless of how the misleading effect occurs — directly or by implication, omission, ambiguity or exaggeration. The combination of elements used in a marketing communication provides the net impression of a claim and controls how it is interpreted. This applies especially, but is not limited to:

Characteristics of the product which are material, i.e. likely to influence the consumer's choice, such as the nature, composition, methods and date of manufacture, range of use, efficiency and performance, benefits, quantity, commercial or geographical origin, or environmental, social or economic impact.

Article D6: Claims regarding components and elements

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 meaningful environmental improvement.

Environmental claims generally should not be based on the absence of a component, ingredient, feature or impact that has never been associated with the product category concerned. Such claims could be justified if they respond to potential misperceptions about the use of the identified component, ingredient, feature, or impact. If so, qualifiers may be needed to avoid consumers being misled about the nature of the product, process, activity, etc. Conversely, generic

Claims conveyed through statements that a product “does not contain” a chemical or is “free of” that chemical may be misleading if the substance, such as a chlorofluorocarbon (CFC) or hydrochlorofluorocarbon (HCFC), was never associated with the particular product.

For example, dishwashing liquid might be advertised as containing “no CFCs” or being “CFC-free”. However, if dishwashing liquid products never contained CFCs, the implication that the product has been improved through removal of CFCs may be deceptive.

A CFC-free claim may be misleading if it implies that the product has no impact on stratospheric ozone, or no impact (or only a positive impact) on air quality. For example, advertising a product as superior to a competitor's product because it is “CFC-free” may be misleading if the product or class of products had never contained CFCs or contains other chemicals that may also have a negative impact on depletion of stratospheric ozone.

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

A “free of” claim may also be misleading if it implies to the typical consumer that other products that have this ingredient are unsafe, toxic or harmful when they are not. Health or safety-related claims must be supported by appropriate scientific evidence in accordance with the ICC Code.

At the same time, there are circumstances where such a claim would be helpful to consumers, for example, if consumers might believe CFCs were an ingredient because it is common in the product category, or the marketer is responding to misperceptions in the marketplace about whether substances of concern might be used or present. The issue of “relevance” must be considered in the context of the net impression, given the totality of the claim and developments in the marketplace.

Article 5: Truthfulness

Marketing communications should not contain any claim likely to mislead the consumer, regardless of how it is conveyed — by text, sound, visual elements or any combinations thereof — and regardless of how the misleading effect occurs — directly or by implication, omission, ambiguity or exaggeration. The combination of elements used in a marketing communication provides the net impression of a claim and controls

Article D6: Claims regarding components and elements

Claims that a product does not contain a particular ingredient or component, e.g. that the product is “X-free” should be used only when the level of the specified substance does not exceed that of an acknowledged trace contaminant or background level. Claims that a product, package, or component is “free” of a chemical or substance often are intended as an express

Scientific assessments of potential risks of chemicals change periodically. In turn, changing assessments may result in new regulations or industry determinations to reduce or eliminate the use of certain chemicals, and media coverage about potential toxicity or other health and safety concerns may generate consumer questions. In this environment, truthful information on the absence of chemicals in certain products may be helpful to consumers and assuage misperceptions about their use.

Some regulators have indicated that products

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how it is interpreted. This applies especially, but is not limited to:

- Characteristics of the product which are material, i.e. likely to influence the consumer's choice, such as the nature, composition, methods and date of manufacture, range of use, efficiency and performance, benefits, quantity, commercial or geographical origin, or environmental, social or economic impact.

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or implied health claim in addition to an environmental 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 marketer should have reliable scientific evidence to support an express or implied health and safety claim in accordance with other relevant provisions of the ICC Code.

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advertised as “free of” that substance are acceptable if the substance is not intentionally added, even where trace or background levels of the substance are present.

However, care must be taken to ensure that the claim is assessed to determine if it is comparative in nature, and to evaluate if other substances might be present that might pose a risk.

Determining what level is “trace” or “background” in particular circumstances may be difficult; reference to levels regulated by environmental or health and safety laws, and a review of laboratory methods and detection limits, may be appropriate. In some regions, the concept is expressed as “*de minimis*” rather than trace or background, reflecting a level not likely to involve environmental or other potential harmful exposure.

If the substance is not added intentionally during manufacturing of the product to which the claim attaches, and manufacturing operations limit the potential for cross-contamination, a claim such as “no intentionally added xx” may be appropriate, depending on applicable legal requirements. However, if achieving the claimed reduction results in an increase in other harmful materials, the claim may be misleading.

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Article 5: Truthfulness

Marketing communications should not contain any claim likely to mislead the consumer, regardless of how it is conveyed — by text, sound, visual elements or any combinations thereof — and regardless of how the misleading effect occurs —directly or by implication, omission, ambiguity or exaggeration. The combination of elements used in a marketing communication provides the net impression of a claim and controls how it is interpreted. This applies especially, but is not limited to...:

- Compliance with certification and standards or any other use of quality marks, logos (e.g. environmental, sustainable) or recognition symbols

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Article D7: Certifications, signs and symbols

Environmental signs, logos, labels or symbols should be used in marketing communication only when the source of those signs or symbols is clearly indicated and there is no likelihood of confusion over their meaning, or when compulsory by law. Such signs and symbols should not be used in such a way as to falsely suggest official approval or independent third-party certification.

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Marketing communications should be truthful in regard to standards that a product meets, or certification(s) that a product receives. The standards or tests should assess conditions of actual use or disposal of the product or package.

Marketers should not use the names or logos of a government agency or third-party organisation in a manner that indicates or implies the marketers' products or services, meet standards set by such agency or organisation if they do not.

Marketers are free to develop and apply their own reasonable standards and use a company-developed logo to convey that it meets the company's standards provided they clearly convey that the environmental attributes of the product or service meet the company's standards and not those of a government agency or third-party organisation. However, company-developed logos should not resemble government agency or official third-party certification logos in a manner which could convey that government agencies or official third-party organisations certify the product or service. Qualifiers should be included as needed.

Marketers should not expressly or impliedly claim that the environmental attributes of the company, its processes, products or services have been verified by an independent third-party if they have not. For example, marketing communications should not claim that a

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Article 9: Use of technical/scientific data and terminology

Marketing communications should not:

- misuse technical data, e.g., research results or quotations from technical and scientific publications;
- present statistics in such a way as to exaggerate the validity of a product claim; or
- use scientific terminology or vocabulary in such a way as to falsely suggest that a product claim has scientific validity, or misuse any label, symbol, logo, or seal to that effect.

Article D2.2: Honest and truthful presentation; vague or general, non-specific claims

Vague or general, non-specific claims of environmental benefit may convey a range of meanings to consumers. Such claims should be made only if they are valid, without qualification, in all reasonably foreseeable circumstances. Claims such as “environmentally friendly” or “ecologically safe”, implying that a product or an activity has no impact—or only a positive impact—on the environment, should not be used without qualification unless a very high standard of proof is available.

Qualifications should be clear, prominent and readily understandable to a typical consumer; the qualification should appear in close proximity to the claim being qualified, to ensure they are read together.

product has been certified as ‘*organic*’ if the product has not received such certification.

Certifications may not replace or substitute for the advertiser’s obligation to substantiate a claim, and reasonable due diligence of the certifier is recommended.

All environmental benefit information and claims should be supported by reliable scientific evidence. Many tests exist to evaluate specific aspects of a product’s impact on the environment, such as its ability to degrade or be composted under specific conditions. Applicable laws and regulations may require use of specific test methods, impose specific marking or labelling requirements, or may otherwise limit or bar certain claims.

Scientific terminology should be used in a way that can be readily understood by those to whom the message is directed. Technical demonstrations and visuals (including dramatizations) must be based on relevant scientific data, common use patterns, and should be qualified as needed to avoid any misleading implication.

A specific claim about individual environmental attributes supported by reliable evidence could be linked to a claim of “sustainability” (for example, “our products are sustainable because they are made of 100% post-consumer recycled content and are recyclable”); however, marketers should avoid stating or implying that a product is “sustainable” without

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Article 9: Use of technical/scientific data and terminology

Marketing communications should not:

- misuse technical data, e.g., research results or quotations from technical and scientific publications;
- present statistics in such a way as to exaggerate the validity of a product claim; or use scientific terminology or vocabulary in such a way as to falsely suggest that a product claim has scientific validity, or misuse any label, symbol, logo, or seal to that effect.

Article D3: Scientific research

An environmental claim relating to health, safety or any other benefit should be made only where it is supported by reliable scientific evidence.

Article D8 – Environmental attribute claims

Environmental claims referring to a product's makeup or constituents (for example, made with recycled or renewable content) or waste handling (for example, recyclable or compostable) should truthfully represent the attributes of the advertised product based on reliable scientific evidence as set out in Article D1. A product claimed to involve recycled or renewable content that is made from less than substantially all recycled or renewable content should avoid any risk of misleading consumers, e.g. by disclosing the percentage. A product claimed to be recyclable or compostable should disclose the extent of availability of these disposal methods if availability is limited.

qualification simply because it has some positive environmental benefits.

Claims about the absence of a constituent or chemical may occur where there is a debate in the scientific literature, and conclusive information about environmental impacts or health and safety is not available. Such claims may legitimately respond to consumer concerns about the chemical. The substantiation necessary to support an express or implied health or safety claim about the absence of a chemical or other substance may be different from the substantiation required to support the environmental benefit claim. The marketer must be sure to have reliable scientific evidence to support an express or implied health and safety claim in addition to reliable evidence supporting the environmental claim.

For example, a claim that a product is “free of phthalates” is supported by evidence that the product contains no intentionally added phthalates and that levels present are no more than a trace or background level. Likewise, marketers should use care if an alternative substance with potential safety or health effects has been substituted.

Associating a “free of” claim, like “Phthalate-free”, with a health benefit or safety claim, like “Safe, Phthalate-free” may require additional evidence to support any express or implied claim about health and safety. Such

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claims could also be implied comparative claims that products containing phthalates are “unsafe” or that the phthalate-free product is safe or safer due to the absence of the substance despite possible risks of substitute substances.

The elimination of a specific substance does not automatically substantiate a claim that it is “safer” than a product that includes the referenced substance.

Article 9: Use of technical/scientific data and terminology

Marketing communications should not:

- misuse technical data, e.g., research results or quotations from technical and scientific publications;
- present statistics in such a way as to exaggerate the validity of a product claim; or use scientific terminology or vocabulary in such a way as to falsely suggest that a product claim has scientific validity, or misuse any label, symbol, logo, or seal to that effect.

Article D8 – Environmental attribute claims

Environmental claims referring to a product’s makeup or constituents (for example, made with recycled or renewable content) or waste handling (for example, recyclable or compostable) should truthfully represent the attributes of the advertised product based on reliable scientific evidence as set out in Article D1. A product claimed to involve recycled or renewable content that is made from less than substantially all recycled or renewable content should avoid any risk of misleading consumers, e.g. by disclosing the percentage. A product claimed to be recyclable or compostable should disclose the extent of availability of these disposal methods if availability is limited.

Even apparently simple environmental claims may require qualification or explanation. For example, when a product is labelled as “recyclable”, or the common symbol, the Mobius loop, appears on the product or package, a consumer may not understand whether the package, the product itself, or both are recyclable. Also, the consumer may not understand whether the product or package is merely capable of being recycled or can actually be recycled in the local community.

Since the Mobius loop (see image below) may also indicate recycled content, further disclosures are needed if the product or package is recyclable but is not made wholly of recycled content, is made of recycled content but is not recyclable, or to disclose if less than the entire advertised product or package is made with recycled content. Adding an appropriate qualifier (such as adding “85% recycled content” within or in close proximity to the Mobius loop) should appropriately limit the implied recyclable content claim.

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Marketers should consider whether qualifiers should be integrated into the advertisement to ensure that the claim is clear to the consumer.

Consumers are now familiar with using the Internet to locate information and have widespread access to online resources. There may be circumstances where it is appropriate to refer a consumer to a website where accurate additional information may be obtained as an adjunct to an appropriate qualifier. An example might be: “Recyclable in some communities. Visit [insert URL] for information on available facilities.” In this case, the actual qualifier (recyclable in some communities) conveying the rather limited nature of recycling should be placed clearly, conspicuously and in close proximity to the claim, but a link to where consumers can find additional information is not part of the needed qualifier. Instead, it provides a way for consumers to obtain additional useful information. Particularly where the claim relates to end of life disposal, the consumer will often have the ability to take appropriate action by checking online when the product is ready to be discarded and providing such information could encourage consumers to actually check on recycling or composting options in local areas.

ICC Principles

General provisions on advertising and marketing communication practice

Article 9: Use of technical/scientific data and terminology

Marketing communications should not:

- misuse technical data, e.g., research results or quotations from technical and scientific publications;
- present statistics in such a way as to exaggerate the validity of a product claim; or use scientific terminology or vocabulary in such a way as to falsely suggest that a product claim has scientific validity, or misuse any label, symbol, logo, or seal to that effect.

ICC Principles

Chapter D—Environmental claims in marketing communications

Article D8: Environmental attribute claims

Environmental claims referring to a product's makeup or constituents (for example, made with recycled or renewable content) or waste handling (for example, recyclable or compostable) should truthfully represent the attributes of the advertised product based on reliable scientific evidence as set out in Article D1. A product claimed to involve recycled or renewable content that is made from less than substantially all recycled or renewable content should avoid any risk of misleading consumers, e.g. by disclosing the percentage. A product claimed to be recyclable or compostable should disclose the extent of availability of these disposal methods if availability is limited.

Other considerations

in environmental marketing communications

The ability to recycle, compost, reuse or refill packaging is of growing importance around the world, reflected in growing extended producer responsibility requirements for packaging in many jurisdictions. When promoting the availability of waste disposal options, marketers should disclose limitations on the availability of its advertised waste disposal options, such as recycling or composting. For products that are compostable only in commercial or industrial facilities, it is important to disclose that the product is commercially compostable only. Likewise, products that meet standards for home compostability may not meet applicable requirements for commercial compostability and vice versa.

Where the claimed disposal method is subject to significant limitations, then qualifiers identifying those limits may need to be more robust. Marketers may advise consumers to check for local codes or guidance on the required level of availability, as it may be different in different jurisdictions, but such a statement does not necessarily substitute for an appropriate qualifier on limitations. For example, a qualifier for a recyclable claim might be: "Available recycling facilities may not be available in your area. Check locally." A qualifier for an industrial compostable claim might be: "Available commercial composting facilities may not be available in your area. Check locally. Not home compostable."

ICC Principles

General provisions on advertising and marketing communication practice

ICC Principles

Chapter D—Environmental claims in marketing communications

Other considerations

in environmental marketing communications

Regulations specifying sanitary or other criteria for instances where a product might be refilled or reused may also apply and should be evaluated when making such claims.

Article 14: Comparisons

Marketing communication containing comparisons should be carefully designed so as not to mislead and should comply with the principles of fair competition. Points of comparison should be based on verifiable facts. Product or price advantages that are demonstrable *per se* should not be exaggerated or overdramatised. Comparisons should be clear whether they are to a competitor's product or to another version of the same product.

Article D4: Comparisons

Any environmental claim should be specific and the basis for the comparison should be clear and understandable to reasonable consumers.

Environmental superiority over competitors should be claimed only when an advantage can be demonstrated. Products being compared should meet the same needs and be intended for the same purpose.

Comparative claims, whether the comparison is with the marketer's own previous process or product or with those of a competitor, should be worded in such a way as to make it clear whether the advantage being claimed is absolute or relative and whether it relates to the overall benefit or a specific benefit.

Claims that a product "does not contain" a chemical or is "free" of that chemical are often used to establish a comparison between different versions of the same product, or between the advertiser's and a competitor's products. Such claims can be misleading if in fact the product does contain the chemical or, even if it does not, contains a similar chemical with a similar impact, or an alternative with another significant environmental impact. If there is a direct comparative claim, the claim should make clear whether the comparison is to a competitor's product or to another version of the marketer's product. Likewise, it should make clear whether obtaining the benefit requires specific action by the consumer.

As noted above, however, claims about the absence of a specific substance never associated with the product may be supported where consumers might erroneously believe a product contains the substance.

Part 3 Selected environmental claims

Part 3 of the Environmental Framework addresses a selection of specific environmental claims that have entered the marketplace, not all of which are specifically covered in the ICC Code. Suggested definitions (listed in alphabetical order) are set forth in column 1, and application of ICC Principles and other considerations offering added guidance are set forth in column 2.

Chapter D for many years included detailed guidance on use of some common environmental claims. Specific claims discussed in Chapter D have always been illustrative, not exhaustive, but the Framework provides additional guidance on terms covered in Chapter D, and from time to time addresses new or additional claims. Principles provided in the Code and in Chapter D should be considered and applied as to all environmental claims, whether or not such claim is specifically addressed in the Code or this Framework. The purpose of the Code and this 2025 Framework Guidance is to offer guidance on how to assure that environmental claims are truthful and not misleading. It is not the purpose of the ICC Code to seek to establish or advance environmental policy.

Selected environmental claims in marketing communications

Application of ICC Principles and other considerations in environmental marketing communications

Bio-based

Bio-based claims typically indicate that the product, in whole or in part, is derived from natural sources (e.g., plants, micro-organisms, etc.). Use of bio-based content can support new agricultural markets, reduce reliance on fossil fuel raw materials and/or offer carbon-reduction benefits.

General

Marketing considerations in making a bio-based claim include ensuring that consumers understand the source of the bio-based material, clarifying the limits of any benefit, and providing qualifiers to avoid potential misinterpretations. For example, bio-based materials may or may not be renewable, and may or may not be recyclable, compostable or degradable. If the inclusion and advertising of bio-based content implies suitable end-of-life disposal or other key environmental performance indicators, limitations should be clear. (Further guidance on renewable material and renewable energy claims is provided below.)

Carbon footprint, carbon offset, carbon neutral; carbon negative; net zero; climate positive

“Carbon” is a characteristic of greenhouse gas emissions. While carbon dioxide (CO₂) is by far the main greenhouse gas (GHG) contributing to climate change, other greenhouse gases (e.g., methane, nitrous oxide, and a variety of fluorinated gases

General

Claims about the benefits of CO₂ or GHG reduction actions should clearly specify whether the claim involves actions to reduce CO₂ emissions only or all GHGs and, if the claim applies to only portions of the product's life cycle, which portions. Marketers must substantiate all claims of the measures taken to limit, reduce or offset CO₂ or CO₂ equivalent contributions using a reliable scientific method. Qualifiers may be

Selected environmental claims in marketing communications

(generally (CFCs, HCFCs; hydrofluorocarbons (HFCs), perfluorocarbons (PFCs); sulphur hexafluoride (SF₆) and halons)) are widely recognised to also contribute to global temperature increase. The impact on the climate of GHG emissions in total may be measured as **CO₂ equivalents**. All human activity will potentially involve the release of greenhouse gases that drive global temperature increase.

A “**carbon footprint**” is a way of reporting the impact on climate change from a product, service, or company’s business operations. A full assessment would evaluate all aspects, from raw material extraction and processing to actual use and product end-of-life (commonly known as “cradle to grave”), of all GHGs.

Claims related to **carbon emissions**, **carbon neutral** claims, as well as **carbon negative**, **net zero**, and **climate positive**, may be aspirational claims related to goals of reducing or neutralising climate impact of producing a product, service or a company’s business operations over time. Claims may reflect steps taken or to be taken through emissions reduction or compensation measures (carbon offsets).

Carbon reduction or carbon neutral claims that rely on offsets should be reviewed carefully. **Carbon offsets** generally relate to reductions from other actions designed to capture carbon, like tree planting, methane capture and other actions, which may often take place outside the actual operations of the business or the location of operation. “Offsets” or credits may be purchased in the marketplace and traded to individuals or businesses in an effort to reduce the “carbon footprint.” Because climate change is a global phenomenon, any legitimate and appropriately supported action to reduce carbon contributions is an appropriate subject of a properly qualified advertising claim.

Application of ICC Principles and other considerations in environmental marketing communications

required to avoid consumer misconception that a carbon reduction or other carbon related claim implies a broader benefit to the environment or to climate goals than is supported by the applicable scientific evidence. Providing access to the actual substantiating information may increase confidence in the validity of such claims.

Company/product/service claims

Marketers should specify if a claim relates to a product, component, package, service, to a product line, or to a company’s business processes or operations.

Aspirational claims and commitments

Communications that reflect specific environmental commitments or expressions of climate (or sustainability) goals that are aspirational in nature and not likely to be met until many years in the future, (e.g., net zero, carbon negative, climate positive, etc.), require that the company is able to demonstrate, in concrete terms, that it has a reasonable capacity and methodological approach to meet such a commitment, including the permanence of carbon removals. Information about when advertised carbon-related benefits are likely to be realised may be important to consumers. Consequently, information on when the carbon reductions or offsets are likely to occur should be disclosed.

As with all claims, the marketer should have reliable scientific evidence to support any carbon-related claim, recognising that the science continues to evolve. Qualifiers should be included if offsets will occur in the future. Claims should be based on reliable scientific evidence of a sort likely to be accepted by experts qualified by education, training and experience in the field.

Marketers should be aware that some jurisdictions restrict climate benefit or greenhouse gas reduction claims based on offsets and consult local law for guidance.

Carbon or climate claims

Carbon neutral claims are understood to mean that the net carbon footprint is zero, but in many cases, zero carbon contributions, neutral carbon, carbon negative or climate

Selected environmental claims in marketing communications

Application of ICC Principles and other considerations in environmental marketing communications

positive benefits can only be achieved using offsets, removals or credits. The science of calculating carbon or overall climate impacts associated with emissions of all GHGs continues to evolve.

Consequently, the ICC Code recommends that marketers making carbon or climate neutral claims, including advertising commitments that they expect to achieve or realise in the future, include qualifiers regarding the method, basis and time frame relied upon for such commitments to be achieved. Claims should use the same time scales for calculating emissions, emissions reductions, and, if applicable, offsets.

Additional qualifiers may be needed to achieve the required level of clarity of the claim required by the ICC Code and to avoid consumer misperception that a product, component, package, service or company's business operation poses no adverse impact on the environment or is based on a full LCA of all GHG emissions if that is not the case. Steps taken through emissions reduction or compensation measures should be clearly distinguished, but marketers should not state or imply that mandatory measures are voluntary.

Marketers should use care in adopting climate-related terms such as carbon neutral, climate neutral and net zero, as each may be defined somewhat differently and/or require different substantiating data in different jurisdictions.

Applicable laws

Some jurisdictions may require certain climate mitigation actions or mandate greenhouse gas emissions reductions, or may restrict carbon or climate benefit claims, including claims achieved through use of offsets. As outlined in the ICC Code, marketers should make sure their marketing communications comply with applicable laws and regulations in the market in which the claim is directed. Marketers should avoid any claims (whether involving climate actions or claims involving other environmental attributes) not permitted by law or claims falsely suggesting that its products or actions are unique when the actions or attributes are otherwise required by law.

Selected environmental claims in marketing communications

Circular; circularity; circular economy

The concept of “circularity” or a “circular economy” is based on reducing waste through actions such as sharing, leasing, reuse, repair, refurbishment and recycling to improve management of resources, reduce waste, and reduce climate impacts. Definitions of the concept of the circular economy continue to evolve.

Compostable

Characteristic of a product or packaging that allows it to break down into, or otherwise become part of, usable compost in an appropriate composting facility or device.

Application of ICC Principles and other considerations in environmental marketing communications

A variety of non-governmental and governmental organisations are evaluating definitions of circularity and what steps are necessary to achieve it. At present, there is no global agreement on standards to apply in connection with claims that products or processes are “circular”. Any claims of circularity should be based on an appropriate assessment, and marketers should make clear what is meant by the claim and disclose the basis for the claim.

To support a compostable claim, marketers should have reliable evidence that all the materials in the product or package will break down into or otherwise become part of usable compost (e.g., humus, mulch or other soil-conditioning material) in an appropriate composting facility or device. If this will occur only in facilities other than home-composting facilities, this fact should be clearly disclosed, along with limitations on the availability of such facilities, if applicable. To avoid consumer misunderstanding, disclosures that commercially compostable materials cannot be composted at home, or that home compostable items are not suitable for commercial composting, may be needed.

Consideration should be given to the timeframe in which materials are expected to compost. Products or packaging advertised as compostable should turn into usable compost in a timeframe consistent with other materials composted under the same conditions. This claim should not be made if the compost, composting system or environment is negatively affected to an appreciable extent by the materials in the product or package.

Marketers should confirm that as the product or package breaks down, it does not release substances that negatively affect the ability to form usable compost. Reference to the specific test method used is not generally required but may be useful.

Understanding legal requirements is essential for marketers making compostable claims. Jurisdiction-specific test methods or standards and certifications may be required to evaluate compostability. Specific marking and labelling requirements may also apply to compostable products or packaging in some jurisdictions.

Selected environmental claims in marketing communications

Degradable (including biodegradable, marine degradable, oxo-biodegradable, photodegradable, etc.)

A characteristic of a product or packaging that, in specific conditions, allows it to break down into elements known to nature within a given time. The claim should not be made for a product or packaging, or any component, which releases substances in concentrations harmful to the environment. Specific claims about degradability, such as “biodegradable”, “marine degradable”, “oxo-biodegradable” and “photodegradable”, are all degradability claims.

Application of ICC Principles and other considerations in environmental marketing communications

Degradable claims are strictly limited in some regions, particularly for plastics products and packaging. Where such claims are permitted, use of jurisdiction-specific test methods may be required.

A general degradability claim, where permitted, should not be made unless the marketer has reliable evidence that the product or packaging will degrade in all potential reasonably expected disposal environments within a reasonable period of time.

Products or packaging may be shown to degrade only in a specific environment (e.g., soil, marine, or certain landfill environments). When that is the case, qualifiers should describe the specific environment in which degradation occurs.

Products or packaging may go through different phases in the degradation process as they break down, but to support any type of degradability claim, marketers should have a reasonable basis, supported by reliable scientific evidence, to conclude that the product or packaging will ultimately entirely return to elements known in nature.

Generally, it is difficult to establish that a product or package will degrade in sanitary landfill, as these environments are not generally conducive to degradation. Since sanitary landfill remains one of the most common disposal methods, attention must be given to typical consumer expectations about the meaning of any type of degradable claim. In some instances, a product, package or component may meet relevant test methods for “degradability” when improperly disposed of rather than in a customary disposal setting. Recognising that “fugitive” waste may adversely affect the environment, identifying this feature may offer a benefit. Degradability claims should not be so framed as to incite or condone littering.

Marketers may wish to encourage consumers to dispose of the product or package responsibly, by, for example affirmatively including a statement such as “Please dispose of responsibly” or “Do not litter.” Marketers should also establish that the degradability attributes will not be harmful in customary disposal conditions, such as sanitary landfill, or compromise recycling streams.

Selected environmental claims in marketing communications

Designed for disassembly

A characteristic of a product's design enabling and simplifying the process of taking an assembled product apart to recover constituent components, parts and/or materials at high quality level during, or at the end of its useful life, in a way that allows product or material reutilisation via end-of-life options such as reuse, repair, refurbishing, remanufacturing or recycling.

Application of ICC Principles and other considerations in environmental marketing communications

More jurisdictions are adopting so-called "right to repair" laws. This, in addition to new requirements for recycling and reuse, has led companies to offer more products that are designed for disassembly. Where appropriate, a claim of "*designed for disassembly*" should be accompanied by a statement explaining which components are involved and specifying by whom disassembly is to be carried out (e.g., by the consumer or by a specialist). Advertisers should consider whether it is advisable to also identify potential actions that should be avoided to prevent product safety hazards (such as fire or explosion hazards associated with accessing lithium-ion batteries).

A designed for disassembly claim may need to be qualified with regard to, for example, the availability of the process in question and any tools or equipment required. Consumer information on the disassembly method, etc. should be provided where appropriate and according to disassembly need. Claims about the ability to reclaim or reuse specific components should be treated similarly.

Extended life product/ prolonged product life

A product designed to provide prolonged use, based on improved durability and appropriate material choice, the presence of a feature enabling it to be upgraded, maintained, or repaired and resulting in reduced resource use or reduced waste.

Some products are intended for prolonged use (such as an appliance). A claim of extended life dependent on upgrades should be accompanied by an explanation of the need to upgrade or take other actions (such as routine service or maintenance) to extend durability.

Some extended life claims may be comparative by nature. Such claims should meet relevant ICC Code requirements governing comparative claims. The comparative nature of many prolonged use or extended life claims requires qualification as to whether the comparison is to a competitor's product, an earlier version of the marketer's product, the replacement of other products or materials that perform the same function, etc.

"Free of", non-toxic", "no", "does not contain", "microplastic-free"

The absence of a chemical or substance from a product, component, or package and/or a reference to its safety from an environmental, pet or human health standpoint. To the extent the elimination of a substance requires use of a substitute, it may be necessary to disclose the use and environmental impact of the substitute.

A marketer may always substantiate a "free of", "no" or "does not contain" claim by establishing that the product, component or package is not used to manufacture the product, but given the existence in nature or ubiquity in the environment of many substances (e.g., lead, cadmium or other heavy metals), such claims must be substantiated by a sound scientific basis given the potential for trace amounts to be present. Substantiation may include data that the product, component or

Selected environmental claims in marketing communications

Application of ICC Principles and other considerations in environmental marketing communications

package contains a *de minimis* or trace amount of the substance and that the claimed substance was not intentionally added. However, a claim that the product, component, or package is “totally free of” or contains “zero” X may convey to the typical consumer that it is completely free of the substance and may be supported by evidence that the presence of the substance is non-detectable based on established testing methodologies.

Meeting established limits set by regulation does not necessarily support a “free of” or “non-toxic” claim. It may be deceptive to make a “free of” or “does not contain” claim if a product contains another substance that may be harmful to human or animal health or the environment (sometimes termed a “regrettable substitution”). Traditionally, claims that a product is “free of” a substance (such as CFCs) should generally not be made if the substance was never associated with that product or product category or if a substitute has the same or a similar impact, even if at a lower level. For example, substituting an HCFC for a CFC generally resulted in a lower impact on stratospheric ozone, but still requires a disclosure that HCFCs do have an impact on stratospheric ozone. However, a “free of” claim may be supported to minimise consumer confusion about the presence of such substance in a product.

A marketer should be able to substantiate all express or implied environmental and health claims associated with a “free of” and similar claim.

“Not made with fossil fuels” or fossil-fuel reduction claims are emerging as consumers show more concern about global warming. The marketer should have reliable evidence to support such claims.

“Microplastic-free” claims have also begun to emerge in the marketplace. At present, the regulatory framework to define microplastics remains in flux and scientific studies continue. To the extent this claim appears to imply that a product is fully degradable in some or all environments, the marketer should have reliable evidence that the product meets standards for degradability in the relevant disposal environment (e.g., returning entirely to elements known in nature).

Selected environmental claims in marketing communications

Application of ICC Principles and other considerations in environmental marketing communications

Recovered energy

A characteristic of a product made using energy recovered from material, or energies which would otherwise have been disposed of as waste but has been collected through managed processes. In this context, the recovered energy may itself constitute the product.

To the extent a claim appears to imply that a product does not contain microplastics or does not break down into microplastics after customary use or disposal, or after disposal in a specific environment, the marketer should have reliable evidence supporting that statement. The intricacies of polymer chemistry and evolving definitions of materials considered to be “plastics” under local laws are factors to consider.

Recovered energy claims may be difficult for consumers and even sophisticated business customers to understand. It is important for marketers to have a sound scientific basis for such claims. Marketers making recovered energy claims should take steps to manage adverse effects on the environment resulting from the collection and conversion of waste into energy. Where appropriate, a claim of recovered energy should be accompanied by details of the type and quantity of

waste used for recovery. Materials diverted from the waste stream for energy or fuel recovery should generally not be characterised as “recyclable”, but waste-diversion claims may be made with appropriate qualification and substantiation.

Recyclable

A characteristic of a product, component or packaging enabling it to be diverted from the waste stream through available processes and programmes, and to be collected, processed and returned to use in the form of raw materials or products. Symbols, like the Mobius loop, which consists of three twisted chasing arrows forming a triangle, standing alone may constitute both a recyclability and a recycled-content claim.

Standards for recyclable claims are changing, and it is especially important for marketers to understand applicable legal requirements.

To support a recyclable claim in general, the marketer should have reliable evidence that the product, component or packaging can be diverted from the solid-waste stream and actually made into another useful product. There is no general requirement that a recyclable product must be made into another product of the same type (for example, plastic soda bottle to plastic soda bottle) to support a recyclable claim; it simply needs to be made into another useful product (for example, plastic soda bottles are recycled and used to make garments); however, marketers should consult applicable law as standards for “recyclability” vary.

Marketers should conduct due diligence to confirm that a product can be recycled in the markets where the product is distributed, and evaluate acceptance rates,

Selected environmental claims in marketing communications

Application of ICC Principles and other considerations in environmental marketing communications

as the relative availability of recycling facilities to consumers or communities and actual recovery and reprocessing of the item implicates the types of qualifiers that may be needed. The ultimate end user should be able to return the product for further processing through community or curbside recycling programmes, drop-off programmes, “take-back” programmes, or other mechanisms, and there must be a reasonable likelihood that products advertised as can be processed into another useful product.

Recyclable claims must be qualified to the extent necessary to disclose limits on the availability of recycling facilities or ability to process recovered materials. A product that is refillable or reusable, or that contains or is made with recycled content, is not necessarily recyclable.

An unqualified claim of “recyclability” includes the terms “recyclable”, “100% recyclable” and “please recycle”. “Recyclable where facilities exist” may also be viewed as an unqualified claim of recyclability and may require further disclosures regarding the availability of collection facilities where they are limited.

Some jurisdictions (e.g., the US) generally apply a “substantial majority” test, using a 60% of consumers or community standard to support an unqualified recyclable claim, although higher levels may apply; others use a “reasonable proportion” standard. A qualifier about the extent of available facilities is needed if the product, packaging or component is not recyclable to a “substantial majority” or “reasonable proportion” of consumers or communities, as applicable. Marketers could state “Not widely recycled—check locally” or “Recycling facilities are limited—check locally” where a product is not widely recycled.

Recyclable claims for a product, packaging or component can be based on a “take-back” process where the producer or manufacturer of the consumer product can accept the material back for recycling into the same or another useful product. Claims that a product or package is recyclable through a take-back programme should clearly specify the product, packaging or component that is recyclable,

Selected environmental claims in marketing communications

Application of ICC Principles and other considerations in environmental marketing communications

the steps the consumer needs to take to return it to the producer or manufacturer, and limitations on availability. For example, batteries that are recyclable through participating national retailers could claim “Recyclable. Drop off at participating national retailers, including [list major partners].”

Mobius loop: Recyclable versus recycled content

Marketers making recyclability claims who use the Mobius loop should remember that it is a symbol for both recycling and for recycled content. Claims should clearly specify whether the product, packaging or component is recyclable, contains recycled content, or both.

If there is any likelihood of confusion about what the Mobius loop conveys (e.g., recyclable, recycled content or both), the precise meaning of the symbol should be clarified by an explanatory statement, e.g., the words “recyclable” (with appropriate qualifiers) and “x% recycled content.” If there is any likelihood of confusion about whether the symbol relates to the product or the packaging, it should be accompanied by an appropriate qualifier.

Mobius loop versus Plastic Resin Identification Code (RIC)

The Mobius loop should not be confused with material identification code markings, including the Resin Identification Code (RIC) marking that identifies a specific type of plastic that may be permitted or required in some jurisdictions. Plastic bottles and rigid plastic containers meeting certain size parameters (generally a capacity of 240 ml (8 oz) to 19 L (5 gal)) must be marked with the RIC in some jurisdictions. The RIC consists of an acronym for a specific type of plastic with an associated number from 1–7 (1–6 for the major plastic packaging resins, and then a seventh category for “7 – OTHER” resins) and may include a triangle design with arrows. The Mobius loop has a chasing arrow design where the arrows are flipped over and are relatively thick; the RIC features a simple triangle of arrows around a number from 1–7. The images below provide an example of the RIC (as embodied in some jurisdiction’s requirements), and an example of the Mobius loop.

Selected environmental claims in marketing communications

Application of ICC Principles and other considerations in environmental marketing communications

One applicable standard adopts a solid triangle design instead of the arrow design for the RIC, which is also shown below.



Even though it is not the same as the Mobius loop, conspicuous use of the RIC marking—such as on the front label, in close proximity to the product name and logo—could be interpreted to convey a recyclable claim. However, inconspicuous use of the RIC alone does not generally constitute a claim of recyclability. Laws regarding use of these symbols are evolving, so careful attention to local law is needed. Some jurisdictions have proposed to bar use of any arrow design if the advertised product fails to meet specific standards for both collection and actual processing.

No claim of recyclability should be made, including through prominent depiction of the RIC or association of the RIC with a recyclable claim, unless appropriate substantiating data exists and, as needed appropriate qualifiers are provided.

Recycled content, recycled material and recovered material

These three claims are closely related.

Recycled content

The proportion, by mass or weight, of recycled material recovered and used in a product or packaging. Only pre-consumer and post-consumer materials are considered as recycled content. Pre-consumer material means material diverted from the waste stream during a manufacturing process and not reclaimed as part of that same process. Post-consumer material means material generated by households or other end-users (including business users) which

A material must be recovered or diverted from the waste stream or be reclaimed and used to make a product to be considered to incorporate “recycled content”.

An unqualified claim of recycled content should not be made unless all but an insignificant amount of the product or package is made of recycled content; otherwise, a percentage qualifier by weight or another appropriate qualifier is needed. Claims that a product contains “up to” a specified percentage of recycled content may be deceptive depending on the amount involved; claims specifying the minimum amount of recycled content the product or package contains may be clearer to consumers.

With advanced recycling (sometimes called molecular or chemical recycling), waste products are diverted from the waste stream, recovered and returned to a molecular state for further processing into other useful products (excluding energy or fuel). Much as electricity derived or generated from renewable energy sources is indistinguishable

Selected environmental claims in marketing communications

can no longer be used for its original purpose. Regrinding, reusing, and reprocessing waste or scrap within the same process does not generally qualify as pre-consumer material, but take-back of scrap from downstream users does.

While recycled content claims have typically been based on the recovery of physical waste and processing of that waste into another physical product, chemical recycling is an emerging technology that is increasingly recognised. Recovery of materials from the waste stream and reprocessing them to make new useful products (excluding energy or fuels) may support a recycled content claim on downstream products made with chemically recovered material.

Recycled material

Material that has been reprocessed from recovered (reclaimed) material by means of a manufacturing process and made into a final product, material or into a component for incorporation into or attribution to a product.

Recovered (reclaimed) material

Material that would otherwise have been disposed of as waste or used for energy recovery but has instead been collected and recovered (reclaimed) as material input, in lieu of new primary material, for a recycling or manufacturing process.

Application of ICC Principles and other considerations in environmental marketing communications

from electricity derived from conventional sources once it is introduced into the electrical power grid, materials that undergo chemical recycling are indistinguishable from virgin materials. However, by diverting waste, chemical recycling reduces waste and the resulting material qualifies as “recycled content” in the same way that traditional physical waste products do. Measuring the mass of recycled material used to support a recycled content claim, including claims based on advanced or chemical recycling technologies, can be accomplished in many different ways. Use of an annual weighted average is generally an acceptable approach to substantiating claims for many products made with physically recycled materials.

More complex mass-balance calculations may be needed to support claims where recycled content is developed using technologies, such as molecular recycling, to account for yields and losses as the material is reprocessed and to allocate or attribute the recycled material to the production of a specific product.

For example, claims that a product is made with recycled content based on molecular recycling could be supported by evidence that 1) the waste materials used were diverted from the waste stream, 2) the waste materials were reprocessed to a molecular state, and 3) the amount of material so created from the waste (excluding energy, fuel, emissions or waste) is allocated or attributed to the creation of new products such that double counting cannot occur. A traceable, auditable method of tracking inputs, losses, yields and uses would typically be needed to support claims of recycled content based on molecular recycling.

To the extent a claim includes specific reference to pre-and post-consumer content, the specific claim about the source of the recycled content (e.g., “100% recycled content; 60% post-consumer content”) must be substantiated. There may be differences between how different jurisdictions define pre- and post-consumer content. For example, ISO includes material returned from distribution chains as “post-consumer” material.

In some jurisdictions, material that is customarily put back into the manufacturing stream within the manufacturing facility as an ordinary economic practice cannot be claimed as recovered or counted towards recycled content.

Selected environmental claims in marketing communications

Reduced energy consumption (energy-efficient, energy-conserving, energy-saving)

Reduction in the amount of energy consumed by a product performing the function for which it was designed when compared with the energy used by other products performing the equivalent function. Claims in this category have typically focused on reduced consumption when using products such as washing machines, rather than energy efficiencies in manufacturing, but process-related claims have increased in importance. Such claims are generally comparative by nature and should comply with relevant ICC Code provisions on comparative claims.

Reduced resource use

A reduction in the amount of material, energy or water used to produce or distribute a product or its packaging or specified associated components, or hazardous or non-hazardous waste. Such claims are generally comparative by nature and should comply with relevant ICC Code provisions on comparative claims.

Application of ICC Principles and other considerations in environmental marketing communications

In some jurisdictions, and for some product categories, energy-use, consumption, efficiency and savings claims are highly regulated. Product categories may include appliances, light bulbs, cars and home insulation. Marketers should adhere to applicable legal requirements governing testing, labelling and advertising of such products.

Some jurisdictions heavily regulate energy-use requirements, as well as energy consumption labelling and energy-savings claims. Marketers should be familiar with and adhere to applicable legal requirements governing testing, labelling and advertising of covered products.

Regardless of whether specific legal requirements apply, considering the importance of energy-savings claims to consumers, marketers should use care to appropriately frame claims about energy efficiency, energy conservation and energy savings to avoid misleading consumers.

Marketers may reduce the use of certain resources in many different ways. For example, a food company could reduce the use of water during food processing by new equipment or processing procedures, or could reduce the weight of packaging by adopting a new design, resulting in less material that might have to go to solid waste. A claim of reduced resource use should generally be expressed in terms of percentage reduction. Light-weighting packaging for the food product can result in reduction of raw materials used.

When a claim of reduced resource use is made, the type of resource concerned should be stated, and the percentage reduction should generally be expressed separately for each resource (e.g., water, energy, raw materials, fossil fuels, etc.) Percentage reductions in resource use for products and packaging should be stated separately, if applicable.

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.

Selected environmental claims in marketing communications

Reduced water consumption (water-efficient, water-conserving, water-saving)

Reduction in the consumption of water associated with the use of a product performing the function for which it was designed when compared with the amount of water used by other products performing an equivalent function. Claims in this category may relate to water reduction in the use of the product, and/or reduced use of water in the manufacturing process. Such claims are generally comparative by nature and should comply with relevant ICC Code provisions on comparative claims.

Renewable material

A characteristic of a product or package that derives from use of biomass (material of biological origin) that comes from sources that are continually replenished at a rate equal to or greater than its depletion.

Application of ICC Principles and other considerations in environmental marketing communications

Reduction in the amount of water used in processing may offer significant benefits and can be truthfully communicated, with appropriate qualifiers (such as percentage reduction or savings) as needed and clear comparisons (e.g., to earlier versions of a product or operation or to a competitor's product or operation), provided the claim can be properly substantiated.

An unqualified renewable content claim should not be made unless the product or package consists of 100% renewable content, excluding minor, incidental components. Qualifications should reference the percentage of renewable materials as compared to the total mass if this threshold is not met.

Claims that a product contains "up to" a specified percentage of renewable material may be deceptive, especially if the range of renewable material used is broad; claims that a product contains a minimum amount of renewable material may be clearer to consumers. Use of an annual weighted average is generally an acceptable approach to substantiating claims.

Not every use of biomass or a biobased material constitutes use of a "renewable" material; a material is renewable if the resource is managed to ensure that it will not be depleted. While crops such as corn are understood to be grown annually, and trees are understood to have a much longer growing period, reference to the timeframe in which the product may be renewable may be appropriate if consumers may not understand the timeframe at which the resource is replenished.

Note that some jurisdictions may offer government-sanctioned programmes to promote the use of "biobased" materials; marketers should not expressly or impliedly claim they meet standards of a government programme if they do not and should only use government seals as permitted by law.

Selected environmental claims in marketing communications

Renewable energy

Renewable energy is electricity derived from sources that are constantly replenished. Wind, solar and geothermal energy are examples, but other sources, such as biomass or hydroelectric, may also be deemed renewable. Energy derived from fossil fuels such as petroleum or coal should not be described as deriving from renewable sources. Applicable legal requirements should be consulted to identify specific sources deemed renewable.

Reusable, refillable

Reusable and refillable claims share common features.

Reusable

A characteristic of a product or packaging conceived and designed to accomplish within its anticipated life cycle more than one application, rotation or use for the same purpose for which it was conceived.

Refillable

A characteristic of a product or packaging that can be filled with the same or a similar product more than once, in its original form and without additional processing except for specified requirements such as cleaning or washing. The marketer should generally also provide a means for the product to be refilled.

Application of ICC Principles and other considerations in environmental marketing communications

Electricity derived or generated from renewable energy sources is indistinguishable from electricity derived from conventional sources once it is introduced into the electrical power grid. Consequently, where applicable, claims about use of renewable energy or power should be substantiated through contracts with electrical utilities, renewable energy certificates (RECs) or similar mechanisms that prevent “double-counting”.

No express or implied claim that a product was manufactured, or service provided with renewable energy should be made unless 100% of the energy used to produce the product or offer the service can be traced to renewable energy sources; otherwise, qualifiers should be used.

Marketers may reduce the risk that consumers will be misled as to the type of renewable energy by including that information in the claim.

Unqualified claims about “hosting” a renewable energy facility may be viewed as deceptive if the energy is sold to other users.

No product or packaging should be described as reusable or refillable unless it can be reused or refilled for the same or similar purpose. Such claims should be made only where programmes, facilities or products exist for the same purpose. If there is a limit, based on safety, quality or other reasons, on the number of times the product or package may be reused or refilled, those limits should be clearly disclosed.

Some jurisdictions have adopted strict standards for “reusability” claims, especially for food and beverage containers and food-service products, to meet applicable sanitation standards. Careful attention to local requirements is needed in structuring claims.

Selected environmental claims in marketing communications

Source reduction and waste reduction

Source and waste reduction claims share common features.

Source reduction

Reduction in size, weight, volume or toxicity of a product or package. This claim is comparative by nature and should fulfil the appropriate requirements.

Waste reduction

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 re-utilisation 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 use or the amount 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 utilise it for a constructive purpose. Waste reduction does not necessarily mean recycling or result in recycled content.

Application of ICC Principles and other considerations in environmental marketing communications

Source reduction may be measured through a weight-per-unit or use-of-the-product approach, as well as physical reduction of material in, for example, packaging.

Certain new technologies, such as chemical recycling, may allow for diversion of plastic products from the waste stream to produce a variety of new, useful products. Marketers claiming that a specific amount of waste was diverted from solid-waste or substitute for virgin or fossil-fuel-based materials should have reliable evidence supporting the amount of the waste reduction. Consistent with the general provisions of this Framework and the Code, marketers should be careful not to overstate the impact of the diversion or reduction.

Waste diverted from landfill to produce fuel or energy is generally not considered to be recycling.

About the International Chamber of Commerce

The International Chamber of Commerce (ICC) is the institutional representative of more than 45 million companies in over 170 countries. ICC's core mission is to make business work for everyone, every day, everywhere. Through a unique mix of advocacy, solutions and standard setting, we promote international trade, responsible business conduct and a global approach to regulation, in addition to providing market-leading dispute resolution services. Our members include many of the world's leading companies, SMEs, business associations and local chambers of commerce.



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