

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

[BUSINESS]

Dear _____:

The FTC enforces the Federal Trade Commission Act, 15 U.S.C. § 45, which prohibits deceptive advertising. In 2012, the FTC issued updated Guides for the Use of Environmental Marketing Claims (Green Guides), 16 C.F.R. Part 260 (enclosed). The Guides provide marketers with detailed information about how to make ~~deceptive~~ environmental claims, including through environmental certifications and seals of approval.

After reviewing your website, we are concerned that your use of the environmental certification “_____” fails to conform to the Green Guides and therefore may be deceptive, in violation of Section 5 of the FTC Act. FTC staff has not determined whether your environmental claims violate the law. However, we recommend that you review your marketing materials, both on your website and in any other medium, with the following in mind:

The Green Guides caution marketers that unqualified general environmental benefit claims likely convey a wide range of meanings, ~~including~~ that a product has specific and far-reaching environmental benefits and that an item has no negative environmental impact. Section 260.4(b) The Guides further state: “Because it is highly unlikely that marketers can substantiate all reasonable ~~interpretations~~ of these claims, marketers should not make unqualified general environmental benefit claims.”

Additionally, the Green Guides state that environmental certifications or seals of approval may imply a general environmental benefit claim. ~~Specifically~~ they state: “A marketer’s use of an environmental certification or seal of approval likely conveys that the product offers a general environmental benefit (§ 260.4) if the certification or seal does not convey the basis for the certification or seal” Section 260.6(d). They further caution:

Because it is highly unlikely that marketers can substantiate general environmental benefit claims, marketers should not use environmental certifications or seals that do not convey the basis

