

## **Greenwashing No More: ASCI Introduces Guidelines to Ensure Honest Environmental Claims in Advertisements**

**Mumbai, January 18, 2024:** The Advertising Standards Council of India (ASCI) has issued its guidelines to prevent false pro-environment claims, also known as greenwashing, that has been seen across sectors. These "Guidelines for Advertisements Making Environmental/Green Claims", have been in the public domain for consultation since November 16, 2023, and were approved in the recent Board of Governors meeting.

Effective February 15, 2024, these guidelines aim to ensure that environmental claims made by advertisers are reliable, verifiable, and transparent. Consumers are increasingly demanding products and services which minimise harm to, or have a positive effect on, the environment. As a result of a proliferation of products, services and businesses which claim to meet that demand it is imperative for such claims to be reliable and verifiable.

Greenwashing refers to unsubstantiated, false, deceptive, or misleading environmental claims about products, services, processes, brands or operations as a whole. It is often seen that products make such broad claims although only a very small component or part of the product is green. The ASCI guidelines require advertisements to make specific claims limited to the part of the product or service that actually has the environmental benefit. Advertisements must not claim an environmental benefit that results from a legal obligation if competing products are subject to the same requirements. The guidelines also require that all seals and certifications must be from accredited organizations. Future promises of being green cannot be made unless there are some specific plans to achieve those claims.

Greenwashing violates Chapter I of the ASCI Code on misleading advertisements. In order not to breach Chapter I of the ASCI code, advertisements must adhere to the following guidelines.

### **GUIDELINES:**

1. Absolute claims such as but not limited to "environment friendly", "eco-friendly", "sustainable", "planet friendly" that imply that the entire product advertised has no impact or only a positive impact or reduces adverse impact must be capable of being substantiated by robust data and/ or well-recognised and credible accreditations. Such absolute claims cannot be diluted by means of a disclaimer or any other clarificatory mechanism such as a QR code or website link etc.
2. Comparative claims such as "greener" or "friendlier" would need evidence that the advertised product or service provides an environmental benefit over that of the advertiser's

previous product or service or competitor products or services and the basis of such comparison is made clear.

3. A general environmental claim must be based on the full life cycle of the advertised product or service, unless the advertisement states otherwise, and must make clear the limits of the life cycle. If a general environmental claim cannot be justified, a more limited claim about specific aspects of a product or service might be justifiable. Claims that are based on only part of an advertised product or service's life cycle must not mislead consumers about the product or service's total environmental impact.
4. Unless it is clear from the context, an environmental claim should specify whether it refers to the product, the product's packaging, a service, or just to a portion of the product, package, or service.
5. Advertisements must not mislead consumers about the environmental benefit that a product or service offers by highlighting the absence of an environmentally damaging ingredient if that ingredient is not usually found in competing products or services. Similarly, advertisements must not claim an environmental benefit that results from a legal obligation if competing products are subject to the same requirements.

Where such 'free-of' claim is necessary to equip the consumers with relevant information, an appropriate disclaimer should be added to indicate the purpose e.g. "XX-Free: (Names of regulation) prohibit the use of (name of prohibited substance/ingredient) in (category of products)". It would be deceptive to claim that a product is "free-of" a substance if it is free of one substance but includes another that is known to pose a similar or higher environmental risk.

6. Where the use of Certifications or Seals of Approval create the impression of an environmental claim to consumers, then the advertiser should make clear what attributes of the product or service have been evaluated by the certifier. The advertiser should ensure that the certifying agency is nationally/internationally accredited by a certifying authority for e.g. agency accredited by the UN council/committee, BIS etc.
7. An advertiser shall not use visual elements in an advertisement which results in the advertisement conveying a false impression that the product is less harmful or more beneficial to the environment, when seen as a whole, unless required under law. For example, logos representing a recycling process on packaging and/or in advertising material can significantly influence a consumer's impression of the environmental impact of a product or service.

Visual elements for the above purpose shall not include the colour scheme related to nature or environment or images of natural ingredients or natural elements used on the products / packaging / services as a part of its creative brand identity or trademark/tradename unless such elements used are connected directly to any Environmental Claim made on such products / packaging / services to influence a consumer's impression of the environmental impact of a product, packaging or service. For example, a green coloured packaging with natural ingredients contained in the product will not be considered as contributing to a green claim unless it refers to an environmental claim

8. Advertisers should refrain from making aspirational claims on the products/ packaging/services about future environmental objectives unless they have developed clear and actionable plans detailing how those objectives will be achieved.
9. For carbon offset claims where the offset does not occur within the next two years, advertisers should clearly and prominently disclose the same. Advertisements should not claim directly or by implication that a carbon offset represents an emission reduction if the reduction, or the activity that caused the reduction, was required by law.
10. For claims pertaining to the product being compostable, biodegradable, recyclable, non-toxic, free-of etc. advertisers should qualify the aspects to which such claims are being attributed, and the extent of the same. All such claims should have competent and reliable scientific evidence to show that:
  - a) The product or the qualified component where applicable will break down within a reasonably short period of time after customary disposal.
  - b) The product is free of elements that can lead to environmental hazards.

**Manisha Kapoor, CEO and Secretary-General, ASCI** said, “Consumers today are exercising their preferences for green products, and in many cases, pay a premium for them. It is necessary that consumers have the correct information to make informed choices to support green products. It is also important that organizations that genuinely provide greener products are able to communicate this clearly to consumers. The Government too has expressed their concern on greenwashing or false green claims, and we believe that these guidelines are a significant step towards promoting transparency and accountability in environmental/ green claims made in advertising.”

[Link to Guidelines for Advertisements Making Environmental/ Green Claims](#)

## **About the Advertising Standards Council of India (ASCI)**

The Advertising Standards Council of India (ASCI), established in 1985, is committed to the cause of self-regulation in advertising, ensuring the protection of consumer interests. ASCI seeks to ensure that advertisements conform to its Code for Self-Regulation, which requires advertisements to be legal, decent, honest, and truthful and not hazardous or harmful while observing fairness in competition. ASCI looks into complaints across ALL MEDIA such as Print, TV, Radio, hoardings, SMS, Emailers, Internet/website, product packaging, brochures, promotional material and point of sale material etc. In January 2017, the Supreme Court of India in its judgement affirmed and recognised the self-regulatory mechanism as an effective pre-emptive step to statutory provisions in the sphere of advertising content regulation for television and radio in India. ASCI's role has been acclaimed by various Government bodies including The Department of Consumer Affairs (DoCA), the Food Safety and Standards Authority of India (FSSAI), the Ministry of AYUSH as well as the Ministry of Information and Broadcasting (MIB). MIB issued an advisory for a scroller providing ASCI's WhatsApp for Business number 77100 12345, to be carried by all TV broadcasters for consumers to register their grievances against objectionable advertisements.

In August 2023, the ASCI Academy, a flagship program of ASCI was launched to build the capacity of all stakeholders in creating responsible and progressive advertising. ASCI Academy aims to raise standards of advertising content through training, education, outreach, and research on the preventive aspects of advertising self-regulation.

On the international front, in 2023, ASCI CEO and Secretary General, Ms Manisha Kapoor was re-elected as one of the four Vice-Presidents on the Executive Committee of the International Council on Ad Self-Regulation (ICAS). Among several awards bestowed by the European Advertising Standards Alliance (EASA), ASCI bagged a Gold Global Best Practice Award for the Mobile App "ASCI online" (2016), special recognition for its "Guidelines for Celebrities in Advertising"; at the first-ever 'Global Awards for Effective Advertising Self-Regulation' hosted by the ICAS (2019). In 2021, ASCI also won two ICAS awards, one for the ASCI scroll telecast across television in the 'Best Awareness Raising Initiative' and for its extensive digital suo-moto monitoring through the NAMS initiative, in the 'Special Category'. It also got a special mention in the 'Best Sectoral Initiative' category for its efforts and regulatory recognition of its Gaming Guidelines. ASCI received the ICAS Global "Inspiration Award" in April 2023 for successfully promoting ASCI as a thought leader and developing impactful engagement with various stakeholders.

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