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NAD Recommends Modifications to Blueland's Environmental and Comparative Claims



Key Takeaways:

- Marketers should strive to advertise the *specific* environmental product benefits that are well-supported in order to avoid communicating an overbroad "general environmental benefit" claim that cannot be supported, consistent with the FTC's [Green Guides](#).
- Environmental claims and comparative advertising claims are subject to scrutiny by regulators, competitors, and consumers, so consult with legal counsel when developing such claims.

The National Advertising Division (NAD) issued a decision regarding several environmental advertising claims made by One Home Brands, Inc. (Blueland) that its cleaning products were biodegradable, compostable, recyclable, and had other environmental benefits. Blueland designs its products to eliminate the need for single-use plastic by selling reusable bottles and dry replacement tablets, which consumers then mix with water to create cleaning fluid. The Clorox Company challenged several of Blueland's website and social media advertisements as unsupported or inconsistent with the FTC's Green Guides. NAD made the following determinations:

- **"Forever" Claims:** NAD determined that Blueland's claim that its bottles were "forever" was not misleading because consumers would reasonably understand the term to mean that they are reusable (not that the durability of the bottle would be unconditional), and that Blueland will replace any broken bottles free of charge.
- **Biodegradable and Compostable:** NAD found that Blueland's claims that its cleaning tablet wrappers are biodegradable and compostable were supported by evidence, including (1) the layers of the tablet wrappers contained biodegradable paper made from Forest Stewardship Council certified wood pulp and biodegradable PLA film made from renewable plant starch; and (2) the metal film lining was fully compostable in both industrial and home composting environments.

- **Recyclable:** NAD recommended that Blueland discontinue the claim that its "Forever bottles" are recyclable because the bottles are only recyclable through Blueland's take-back program. The FTC Green Guides state that a product or package is recyclable if it "can be collected, separated, or otherwise recovered from a waste stream through an established recycling program for reuse or use in manufacturing or assembling another item," which NAD determined was not the case for the bottles here.
- **General Environmental Benefit Claims:** NAD recommended that Blueland modify two of its claims relating to general environmental benefits: "better for your home and our planet" and "bad for germs, good for earth." For both, NAD recommended that Blueland identify the *specific* environmental benefits of Blueland's products pursuant to the FTC's Green Guides.
- **Comparative Claims:** NAD recommended that Blueland discontinue certain unsupported claims related to cleaning performance and safety, including that Blueland's products (1) "eliminated more grease and grime than leading comparable brands;" (2) "outperformed the leading brands in efficacy tests completed at third party labs;" and (3) were safer than Clorox because they do not use "harmful chemicals" that may be ingested if used on kitchen and dining surfaces (implying that conventional cleaning products are unsafe).
- **Disinfectant and COVID-19 Claims:** Finally, Blueland had also claimed that its cleaning products effectively eliminate bacteria and viruses, including the virus that causes COVID-19. While Blueland discontinued these advertising claims, this serves as another reminder that COVID-19 claims have received [significant attention](#) from regulators, so brands should ensure that all cleaning claims are supported by competent and reliable scientific evidence.

Authors

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