



The Federal Trade Commission (FTC) announced that it is [seeking public comment](#) on the Green Guides for the Use of Environmental Claims (Green Guides) as it considers potential updates.

Last updated in 2012, the Green Guides serve as the FTC's guidance for environmental marketing claims. The FTC is seeking public feedback on various green advertising topics, including whether to make the Green Guides independently enforceable and their interaction with other environmental marketing laws. The FTC is interested in hearing what industry stakeholders and consumers think about environmental claims generally, including those that are not currently covered by the guidelines.

The FTC also seeks comment on the following issues (among others):

- **Carbon offsets and climate change:** Whether the revised Green Guides should include more information about carbon offset and climate change-related claims and issues.
- **The term "recyclable":** Whether the current threshold that guides marketers on when they can make unqualified recyclable claims should be changed, and whether the Green Guides should address claims for products that are collected (picked up curbside) by recycling programs but are ultimately not recycled.
- **The phrase "recycled content":** Whether consumers typically understand unqualified claims about recycled content—particularly claims about "pre-consumer" and "post-industrial" content—and whether alternate means of substantiating recycled content claims may be appropriate.
- **The need for guidance on other commonly used terms:** Whether additional guidance is needed regarding definitions of terms such as "compostable," "degradable," "ozone-safe," "ozone-friendly," "organic," and "sustainable," as well as those referring to energy consumption and energy efficiency.

The FTC published the *Federal Register* notice on December 20, 2022, meaning the 60-day public comment period is open until February 21, 2023. More information and details regarding comment submission can be found on the [Federal Register notice](#).

Update: The FTC [extended](#) the deadline for public comments to address revisions to the Green Guides until April 24, 2023.

## Authors



### [Jason S. Howell](#)

Partner

[JHowell@perkinscoie.com](mailto:JHowell@perkinscoie.com)    [206.359.3134](tel:206.359.3134)



### [Tim Carter](#)

Associate

[TCarter@perkinscoie.com](mailto:TCarter@perkinscoie.com)    [650.838.4786](tel:650.838.4786)



## **Nathan W. Kosnoff**

Discovery Attorney

[NKosnoff@perkinscoie.com](mailto:NKosnoff@perkinscoie.com) [206.359.6673](tel:206.359.6673)

### **Explore more in**

[Consumer Protection](#)

Blog series

## **Consumer Protection Review**

Consumer Protection Review helps businesses that market and sell to consumers navigate federal and state legal issues related to advertising, privacy, promotions, products liability, government investigations, unfair competition, class actions and general consumer protection. [Subscribe ?](#)

[View the blog](#)