

# Green Marketing Claims: National Advertising Division Cases

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# National Advertising Division

Advertising  
Industry's  
Independent Self-  
Regulatory Forum

Supports truth in the marketplace through review of advertising claims in national advertising

Advertising in all industries - including regulated products and services – in any media

Third-party challenges or monitoring

Appeals to National Advertising Review Board (NARB)

# Interaction with FTC

- NAD follows FTC Guidance
  - Green Guides
  - .com Disclosures Guide
  - Endorsement Guides
  - Health Products Compliance Guidance
- Referrals
  - Failure to respond
  - Failure to comply

# How NAD Evaluates Claims

- Express + implied claims
- Consumer takeaway
- Net impression governs
- Substantiation must match claims

# Green Gobbler Drain Clog Dissolver, NAD Case #6982 (January 2022)

“Green” claim  
 (“Finally...POWER Meets  
Green”) reasonably conveyed a  
broad and unsupported general  
environmental benefit claim.



# Sustainability

- Not defined in the Green Guides

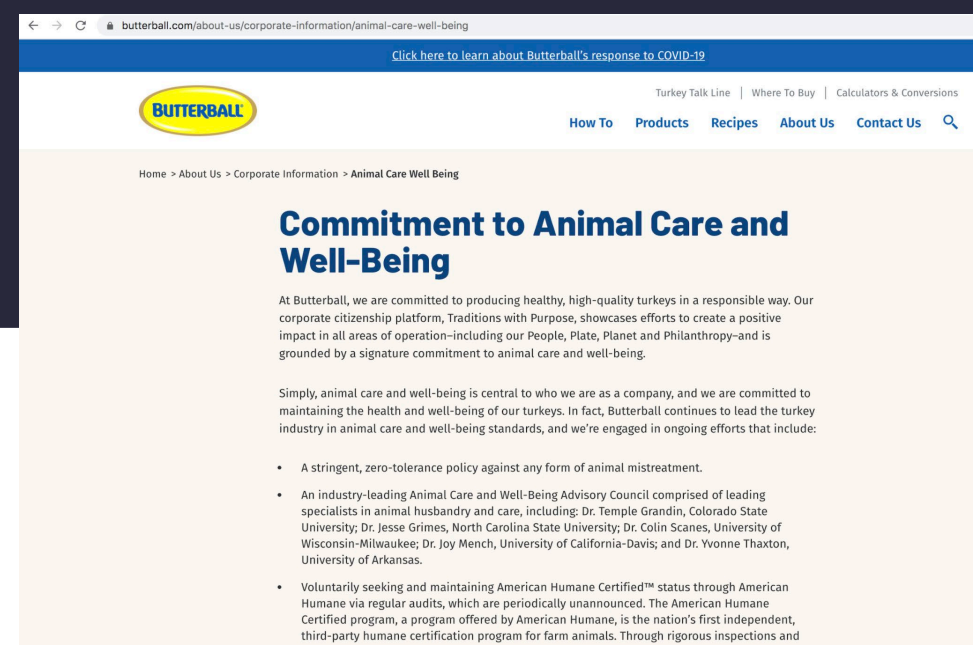
- Context-specific takeaway (are these general environmental benefit claims?)

- Consumers care about these claims and cannot verify their veracity

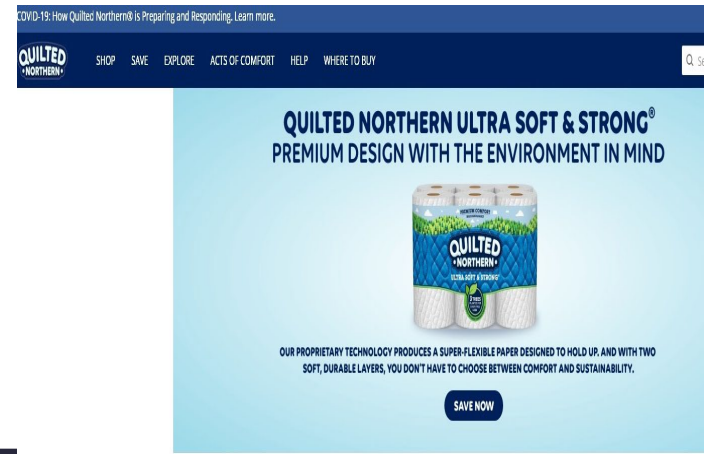


Safe Catch, Inc. (Pouched and Canned Tuna), Case #6911 (July 2021)

Georgia-Pacific Consumer Products LP (Quilted Northern Ultra Soft & Strong Bathroom Tissue), Case #7018 (Sept. 2021)



Butterball, LLC (BUTTERBALL Turkey Products), Case #6930 (Aug. 2021)



The Comfy Bath Tissue that Gives Back to the Environment

# JBS (NARB #313, May 2023)

*“The panel concludes that consumers are unlikely to understand what is involved in a business enterprise reaching net zero. Consumers are, however, likely to interpret the challenged advertising as communicating that the goal is a feasible one, and a feasible plan is being implemented....JBS has failed to support the feasibility of reaching the announced goal with credible evidence of the steps that would be considered necessary to achieve the goal.”*



## Chipotle Mexican Grill, Report #7020 (February 2022)

- Aspirational claims about environmental impact (“more organic” “less carbon emitting”) require substantiation for messages conveyed.
- Advertiser provided sufficient evidence that its sustainability efforts were significant, growing, and evolving.





# Boxed Water is Better (Report #7385, May 2025)

- “Recyclable” and “100% Recyclable”
- The cartons contain fiber, aluminum, and plant-based plastic, which are 100% recyclable, provided the facility separates the layers and has the capacity.
- NAD concluded the Advertiser had a reasonable basis for these recyclability claims.

# Boxed Water is Better (Report #7385, May 2025)

- “92% plant-based carton” and “our carton is made from 92% renewable materials.”
- NAD considered the Advertiser’s “mass balance” accounting approach and noted that consumers may reasonably expect the claim to mean that each carton physically contains 92% renewable material.
- NAD recommended that the Advertiser modify these claims to clarify how their calculations are done.

# Boxed Water is Better (Report #7385 – May 2025)

- The Advertiser relied on a Life Cycle Analysis (LCA) to make claims that its products were superior to plastic.
- The Advertiser agreed to modify certain claims to make clear that the comparison is to premium plastic bottles.

# Boxed Water is Better (Report #7385 – May 2025)



# Boxed Water is Better (Report #7385 – May 2025)

- NAD determined that advertising did **not** reasonably convey that the cartons are 100% plant-based materials and that the cartons are biodegradable.
- Claim that Advertiser planted 1.5 million trees was supported.

# HoldOn Trash Bags (Report #7286, May 2024)



# HoldOn Bags (Report #7286, May 2024)

- NAD found that Advertiser had a reasonable basis to claim that the trash bags break down in compost environments.
- Advertiser submitted evidence from expert that bags are suitable for composting in both commercial and home composting environments. Evidence did not support claims that the bags would break down in non-composting environments, such as landfills.

# HoldOn Bags (Report #7286, May 2024)

- NAD recommended that certain claims be modified (i) to clearly and conspicuously disclose the circumstances in which the bag would degrade, compost, or “break down, and (ii) avoid conveying messages of general environmental benefit, or that HoldOn bags are not plastic.

# Plant Paper (Report #7471, Oct. 2025)



# Plant Paper (Report #7471, Oct. 2025)

- NAD found that the challenged advertising conveyed an unsupported disparaging message, suggesting that “conventional tree paper” products contain “toxic” and “nasty” chemicals, including bleach, formaldehyde, and PFAS, and that these chemicals cause serious health problems.

# Plant Paper (Report #7471, Oct. 2025)

- While the Advertiser had evidence as to the contents of its own products, and cited studies showing that formaldehyde and PFAS can be detected in conventional paper, NAD noted that the Advertiser did not provide reliable product-specific data demonstrating that most or all conventional tissue brands contain formaldehyde and PFAS.

# Caraway Home (Report #7444, August 2025)



# Caraway Home (Report #7444, August 2025)

- The advertising conveyed messages that competing nonstick cookware contains and exposes consumers to harmful chemicals, can release toxins into food and homes, make you sick, and that competing products are harmful to gut health and kidney function.
- Eg., “Most traditional cookware is made with forever chemicals and when they are overheated, they can release those same toxins into your food and home.”

# Caraway Home (Report #7444, August 2025)

- Advertiser submitted third-party lab testing and studies but NAD found that much of the evidence was not a good fit for the claims, falling short of its burden to provide a reasonable basis for claims that competing products are toxic.
- NAD stated that Caraway could modify claims to disclose the circumstances where consumers would be exposed to PTFE fumes during ordinary use of traditional nonstick cookware.

# Amyris Clean Beauty (Report #7132, March 2024)



## CLEAN INGREDIENTS AND CLEAN FORMULAS

We ban over 2,000 ingredients that are known to be toxic to you and the environment. All of our ingredients are also ethically and sustainably sourced.

[Visit the Ingredients Library](#)

# Amyris Clean Beauty (Report #7132, March 2024)

- NAD recommended that the claim “Clean ingredients and clean formulas – we ban over 2000 ingredients that are known to be toxic to you and the environment” be modified to reflect the ingredients banned that are typically used in cosmetics products.

# Key Takeaways

- Broad claims require broad evidence
- Qualify claims
- Implied messages matter
- Fit between claim and evidence is critical
- What do the experts say?



# Ad Law

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NYC



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