



**C A G**

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20th March 2024

To,  
Shri Anupam Mishra  
Commissioner  
Central Consumer Protection Authority  
Krishi Bhawan, New Delhi  
Tel No - 011 23386666

Respected Sir,

Subject: Comments on draft guidelines for prevention and regulation of greenwashing

Citizen consumer and civic Action Group (CAG) is a 38-year-old non-profit and non-political organisation based in Chennai. It works to empower citizens' rights in consumer, civic and environmental issues by promoting transparency and accountability and harnessing new technologies to strengthen governance.

At the outset, CAG commends the efforts of the Central Consumer Protection Authority in taking cognisance of the growing concerns around greenwashing and developing the draft guidelines to prevent and regulate the same for the welfare of consumers and the environment.

Greenwashing presents a significant obstacle to tackling climate change. By misleading the public to believe that a company or other entity is doing more to protect the environment than it is, greenwashing promotes false solutions to the climate crisis that distract from and delay concrete and credible action. CAG has been working in this area for many years and has been advocating for a fair, just and inclusive world where the rights of consumers and the health of the environment are safeguarded. Recently, we organised a multi-stakeholder forum on sustainable production and consumption, where ASCI was part of the session which discussed how greenwashing by the industry is detrimental to the achievement of SDG 12, which is a crucial precursor for achieving the goal of climate action.

Therefore, we are pleased to review the draft guidelines on greenwashing and we are enclosing our comments along with this letter. Thank you for considering our comments.

Regards,

S.Saroja  
Executive Director - Citizen consumer and civic Action Group (CAG)

Please find here below our comments on draft guidelines for prevention and regulation of greenwashing  
(5 pages)

**TRUSTEES**

Mr. K. Ashok Vardhan Shetty IAS (retd)  
Dr. George S. Thomas (Orthopaedic Surgeon)  
Dr. R. Hema (Associate Professor)

Dr. C. Rammanohar Reddy (Economist & Editor)  
Dr. Sandeep Murali (General Surgeon)  
Mr. Sriram Panchu (Senior Advocate)  
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## COMMENTS ON DRAFT GUIDELINES FOR PREVENTION AND REGULATION OF GREENWASHING

S.NO	Page Number	Existing Text	Replace text with	Comments
1	2	"Greenwashing" means- (i) (ii) any deceptive or misleading practice, which includes concealing, omitting, or hiding relevant information, by exaggerating, making vague, false, or unsubstantiated environmental claims.	"Greenwashing" means- (i) (ii) any deceptive or misleading practice, which includes concealing, omitting, or hiding relevant information, by exaggerating, making vague, false, <b>ambiguous</b> or unsubstantiated environmental <b>sustainable</b> claims.	Ambiguity is the biggest advantage to a greenwasher as it can go both ways. A claim which is open to multiple interpretations should be avoided.
2	3	but shall not include (i) use of obvious hyperboles, puffery, or (ii) the use of generic colour schemes or pictures; either not amounting to any deceptive or misleading practice.		Generic colour schemes are excluded from greenwashing. But the word and the colour 'green' is often highly associated with greenwashing/ green claims.



3	4	<p>6) Substantiation of Environmental Claims — All advertisement making Environmental claims shall comply with following obligations:-</p> <p>(a) Generic terms such as 'clean', 'green', 'eco-friendly', 'eco-consciousness', 'good for the planet', 'minimal impact', 'cruelty-free', 'carbon – neutral' and similar assertions shall not be used without adequate qualifiers and substantiation and adequate disclosure as provided under clause (9) of the guideline.</p> <p>(b) While using technical terms like Environmental Impact Assessment (EIA), Greenhouse Gas Emissions, Ecological Footprint, one shall use consumer friendly language and explain the meaning or implications of technical terms.</p> <p>(c) All environmental claims shall be backed by verifiable evidence.</p>	<p>All advertisement making Environmental claims shall comply with following obligations:-</p> <p>(a) Generic terms such as 'clean', 'green', 'eco-friendly', 'eco-consciousness', 'good for the planet', 'minimal impact', 'cruelty-free', 'carbon – neutral', '<b>sustainable</b>', '<b>natural</b>', '<b>organic</b>', '<b>regenerative</b>' and similar assertions shall not be used without adequate, <b>accurate and accessible</b> qualifiers, substantiation and adequate disclosure as provided under clause (9) of the guideline.</p> <p>(b) While using technical terms like Environmental Impact Assessment (EIA), Greenhouse Gas Emissions, Ecological Footprint, one shall use consumer friendly language and explain the meaning or implications of technical terms, <b>without diluting the scientific vigor of the term.</b></p> <p>(c) All environmental claims shall be backed by <b>accessible and verifiable evidence.</b></p>	
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4	5	<p>7) (d) Comparative environmental claims that compare one product or service to another must be based on verifiable and relevant data that is disclosed to the consumers. Comparative claims must disclose exactly what aspects are being compared.</p>	<p>7) (d) Comparative environmental claims that compare one product or service to another must be based on verifiable and relevant data that is disclosed to the consumers. Comparative claims must disclose exactly what <b>specific</b> aspects are being compared.</p>	
5	5	<p>7)(e) Specific environmental claims such as Carbon Offsets, carbon neutral, Compostable, Degradable, Free-of, Sustainability claims, Non-Toxic, 100% Natural, Ozone-Safe and Ozone-Friendly, Recyclable, Refillable, Renewable, and similar assertions must be supported by disclosure about credible certification, reliable scientific evidence, or independent third-party verification.</p>	<p>(e) Specific environmental claims such as Carbon Offsets, carbon neutral, <b>plastic neutral, plastic-free, plastic positive, climate positive, net-zero</b>, Compostable, Degradable, <b>biodegradable</b>, Free-of, Sustainability claims, Non-Toxic, 100% Natural, Ozone-Safe and Ozone-Friendly, Recyclable, Refillable, Renewable, <b>Microwave-safe, Food grade, Food safe, Baby-safe, Pet-safe</b> and similar assertions must be supported by disclosure about credible certification, reliable scientific evidence, <b>and</b> independent third-party verification.</p>	



**Enforcement, monitoring & evaluation and sanctions for greenwashing not mentioned in the guidelines.**

The penalties for misleading advertisements prescribed under the Consumer Protection Act, 2019 shall be applicable for greenwashing as well.

In addition, considering the gravity of the offence and the scale and magnitude of the potential harm it could cause to the health of consumers and the environment, international best practices in enforcing greenwashing guidelines should be adopted.

In other jurisdictions such as China, Brazil, Hong Kong, New York (USA), Mexico, etc, sanctions are imposed in the form of fines, penalties, product recall, injunction, revocation, suspensions of license or criminal convictions, depending on the severity and the impact of the violation.

