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Department of Policy and Business Practices

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Commission on Marketing, Advertising and Distribution

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ICC Headquarters, Paris

Third draft of the revised ICC International Code of Environmental Advertising

Please find attached, for comment, the draft text of the ICC International Code of Environmental Advertising

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Revised ICC International Code of Environmental Advertising

Draft 3rd version, 2000

Introduction

Scope of the Code

This Code applies to all advertisements containing environmental claims. It thus covers any form of advertising in which explicit or implicit reference is made to environmental or environmental aspects relating to the production, packaging, distribution, use/consumption or disposal of goods or services. Environmental claims can be made in any medium, including labelling, package inserts, promotional and point-of-sales materials, product literature as well as via telephone or digital or electronic media such as e-mail and the Internet. All are covered by the Code.

This Code is an extension of the ICC International Code of Advertising Practice, which therefore remains applicable on any aspect not specifically dealt with in this Code. The Code on Environmental Advertising should also be read in conjunction with the other ICC Codes of Marketing Practice, namely:

- The ICC International Code of Sales Promotion;
- The ICC International Code on Sponsorship;
- The ICC/ESOMAR International Code of Marketing and Social Research Practice;
- The ICC Revised Guidelines on Advertising and Marketing on the Internet;
- The ICC International Code of Direct Marketing; and
- The ICC International Code of Direct Selling.

Interpretation

The Code is to be applied in the spirit as well as in the letter.

Definitions

For the purpose of this Code:

- the term **advertisement** is to be taken in its broadest sense, and means any form of advertising for goods or services, regardless of the medium used;
- the term **environmental aspect** means an element of an organisation's activities or products that can interact with the environment;
- the term **environmental claim** means any statement, symbol or graphic that indicates an environmental aspect of a product, a component or packaging;
- the term **environmental impact** means any change to the environment, whether adverse or beneficial, wholly or partially resulting from an organisation's activities or products;



- the term **life cycle** means consecutive and interlinked stages of a product system, from raw material acquisition or generation of natural resources to final disposal;
- the term **product** refers to any goods or services; “product” normally incorporates the wrapping, container etc. in which the goods is delivered; however, in the environmental context it is often appropriate to refer separately to the **packaging**, which term then means any material that is used to protect or contain a product during transportation, storage, marketing or use;
- the term **qualification** means an explanatory statement that accurately and truthfully describes the limits of the claim;
- the term **waste** refers to anything the generator or holder has no further use for and which is discarded or is released to the environment.

Guidance for the usage of selected claims, often appearing in environmental advertising, is provided in the annex to this Code.

Rules

Basic principles

Article 1

All environmental advertising should be legal, decent, honest and truthful. It should be consistent with environmental regulations and mandatory programmes and should conform to the principles of fair competition, as generally accepted in business.

No advertisements or claims should be such as to impair public confidence in the efforts made by the business community to improve its environmental performance.

Honesty

Article 2

Advertisements should be so framed as not to abuse consumers’ concern for the environment, or exploit their possible lack of environmental knowledge.

Environmental behaviour

Article 3

Advertisements should not appear to approve or encourage actions, which contravene the law, self-regulatory codes or generally accepted standards of environmentally responsible behaviour.

Truthful presentation

Article 4

Advertisements should not contain any statement or visual presentation likely to mislead consumers in any way about the environmental aspects or advantages of products, or about the actions being taken by the advertiser in favour of the environment. Corporate advertisements can refer to specific



products or actions, but not imply without justification that they extend to the whole performance of a company, group or industry.

An environmental claim should be relevant to the particular product and relate only to aspects that exist or are likely to be realised during the product's life. It should be clear what it relates to, e.g. the product or its packaging. A pre-existing but previously not disclosed aspect should not be advertised as new. Environmental claims should be up to date, and where appropriate be reassessed with regard to relevant developments.

Vague or non-specific claims of environmental benefit that may convey a range of meanings to consumers should only be made if they are valid in all foreseeable circumstances without qualifications. If this is not the case, general environmental claims should either be qualified or avoided. In particular, claims such as “environmentally friendly” or “ecologically safe” implying that a product or an activity has no impact – or only a positive impact – on the environment should not be used unless a very high standard of proof is available. As long as there are no definitive, generally accepted methods for measuring sustainability or confirming its accomplishment, no claim of achieving it should be made.

Qualifications should be clear, prominent and readily understandable; proximity to the claim being qualified is recommended to make sure they are read together.

Scientific research

Article 5

Advertisements should only use technical demonstrations or scientific findings about environmental impact, when backed by serious scientific work.

Environmental jargon or scientific terminology is acceptable provided it is relevant and used in a way that can be readily understood by those to whom the message is directed.

Testimonials

Article 6

In view of the rapid developments in environmental science and technology, particular care should be taken to ensure that, when testimonials or endorsements are used to support an environmental claim, changes in product formulation or market circumstances have not made the testimonial out of date.

Superiority and comparative claims

Article 7

Any comparative assertion should be specific and make clear the basis for the comparison. Environmental superiority over competitors can only be claimed when a significant advantage can be demonstrated. Claims in relation to competitive products, when based on the absence of a harmful



component or a damaging effect are only acceptable when other products in the category do include the component or cause the effect.

Comparative claims, whether relating to the advertiser's own prior process or product or to those of a competitor, should be so worded as to avoid confusion of absolute and relative values.

Improvements related to a product and its packaging should be stated separately, and should not be aggregated.

Product life-cycle, components and elements

Article 8

Environmental claims should not imply that they relate to more stages of a product life-cycle, or to more properties of a product, than justified and should where necessary clearly indicate to which stage or which property they refer.

When advertisements refer to the reduction of components or elements having an environmental impact it should be clear what has been reduced. Alternative processes, components or elements, if any, should bring a significant environmental improvement, taking all relevant aspects of the product life cycle into consideration.

Environmental claims should not be based on the absence of components, features or impacts that have never been associated with the product category. A claim of "...free", or of the same effect, should only be made when the level of the specified substance does not exceed that of an acknowledged trace contaminant or background level.

Signs and symbols

Article 9

Environmental signs or symbols should only be used in advertisement when the source of these signs or symbols is clearly indicated, and there is no confusion over the meaning. Such signs and symbols should not falsely suggest official approval or third-party certification.

Waste handling

Article 10

Environmental claims referring to waste handling are acceptable provided that the recommended method of separation, collection, processing or disposal is generally accepted or conveniently available to a reasonable proportion of consumers concerned. If not, the extent of availability should be accurately described.

Substantiation

Article 11



Claims, descriptions or illustrations relating to verifiable facts should be capable of substantiation. Advertisers should have such substantiation available so that they can produce evidence without delay to the self-regulatory bodies responsible for the operation of the ICC International Code of Advertising Practice.



Annex

Selected claims

The following list contains some widely used claims. The intention is to define their normal meaning and to give guidance for their usage in advertising. The list is based on Clause 7 of the ISO 14021, which provides further details on qualifications and evaluation methodology.

- 1. Compostable:** A characteristic of a product, packaging or associated component that allows it to biodegrade, generating a relatively homogeneous and stable humus-like substance. This claim should not be made if the compost, the composting system or the environment is negatively affected to an appreciable extent by the decomposing product, packaging or component.

Where appropriate, a compostability claim should be qualified with regard to i. a. the type of composting facility or process recommended, the compostable components, the necessary preparation or product modification or required materials, equipment etc., the availability of composting facilities (when not suited for home composting), cf. Article 10.

- 2. Degradable:** A characteristic of a product or packaging that, with respect to specific conditions, allows it to break down to a specific extent within a given time. This claim should not be made for a product or packaging, or component thereof, that releases substances in concentrations harmful to the environment.

A degradability claim should relate to a specific test method that includes maximum level of degradation and test duration, and should be relevant to the likely circumstances of disposal.

- 3. Designed for disassembly:** A characteristic of a product's design that enables the product to be taken apart at the end of its useful life in such a way that allows components and parts to be reused, recycled, recovered for energy or, in some other way, diverted from the waste stream.

Where appropriate, a claim of design for disassembly should be accompanied by a statement specifying the components to which it relates, and also specifying by whom the disassembly is to be carried out (by the consumer or by specialists). Furthermore, such a claim may need to be qualified with regard to i. a. the availability of the process in question (see Article 10) and the tools or equipment required. Consumer information on the disassembly method etc. should be provided, as appropriate.

- 4. Extended life product:** A product designed to provide prolonged use, based on either improved durability or an upgradability feature, that results in reduced resource use or reduced waste. This claim is comparative by nature, and should fulfil the requirements for such claims (see Article 7).



A claim of extended life should be qualified with regard to the required upgrade or the improved durability, as applicable.

5. **Recovered energy:** A characteristic of a product that has been made using energy recovered from material or energy that would have been disposed of as waste but instead has been collected through managed processes. In this context, the product can be the recovered energy itself.

Those making this claim should ensure that adverse effects on the environment resulting from the collection and conversion of waste into energy are managed and controlled. Where appropriate, a claim of recovered energy should be accompanied by a statement on the type and quantity of waste that has been used for recovery.

6. **Recyclable:** A characteristic of a product, packaging or associated component that can be diverted from the waste stream through available processes and programmes and can be collected, processed and returned to use in the form of raw materials or products.

Where appropriate, a claim of recyclability should be qualified with regard to the availability of collection facilities (see Article 10). If a symbol is used, it should be the Möbius Loop, which consists of three twisted chasing arrows forming a triangle (for graphical requirements, see ISO 7000, Symbol No. 1135). This symbol should only be used for claims of recyclability or recycled content (see 7.) The Möbius Loop without a percentage value is taken to be a claim of recyclability. It may apply to the product or the packaging; if there is any potential for confusion, the symbol should be accompanied by an explanatory statement.

7. **a) Recycled content:** Proportion, by mass, of recycled material in a product or packaging. Only pre-consumer and post-consumer materials are considered as recycled content. Pre-consumer material means material diverted from the waste stream during a manufacturing process and not reclaimed within that same process. Post-consumer material means material generated by households or other end-users and which can no longer be used for its intended purpose.

b) Recycled material: Material that has been reprocessed from recovered (reclaimed) material by means of a manufacturing process and made into a final product or into a component for incorporation into a product.

c) Recovered (reclaimed) material: Material that would otherwise have been disposed of as waste or used for energy recovery, but has instead been collected and recovered (reclaimed) as material input, in lieu of new primary material, for a recycling or manufacturing process.

Where a claim of recycled content is made, the percentage of recycled material should be stated. The percentage for products and packaging should be separately stated, and not aggregated. If a symbol is used, it should be the Möbius Loop (see 6.) with a percentage value.



- 8. Reduced energy consumption (energy-efficient, energy-conserving, energy-saving):** Reduction in the amount of energy associated with the use of a product performing the function for which it was conceived when compared with the energy used by other products performing the equivalent function. This claim should relate to the use of goods and delivery of services, and not include reduction of energy in manufacturing processes. Furthermore, this claim is comparative by nature, and should fulfil the requirements for such claims (see Article 7).
- 9. Reduced resource use:** A reduction in the amount of material, energy or water used to produce or distribute a product or packaging or specified associated component (claims relating to reduced energy or water consumption in the usage phase are dealt with in 8 and 10, respectively). This claim is comparative by nature, and should fulfil the requirements for such claims (see Article 7)

A claim of reduced resource use should be expressed in terms of reduction percentage. The percentage for product and packaging should be separately stated, and not aggregated.

When a claim of reduced resource use is made, the type of resource concerned should be stated, and the change should be expressed separately for each resource. If the claimed reduction causes an increase in the consumption of other resources, the increased resource and percentage should be stated.

- 10. Reduced water consumption (water-efficient, water-conserving, water-saving):** Reduction in the consumption of water associated with the use of a product performing the function for which it was conceived when compared with the amount of water used by other products performing an equivalent function. This claim should relate to the use of the product, and not include reduction of water in manufacturing processes. Furthermore, this claim is comparative by nature, and should fulfil the requirements for such claims (see Article 7).
- 11. a) Reusable:** A characteristic of a product or packaging that has been conceived and designed to accomplish within its life cycle a certain number of trips, rotations or uses for the same purpose for which it was conceived.
- b) Refillable:** A characteristic of a product or packaging that has been conceived and designed to accomplish within its life cycle.

No product or packaging should be claimed to be reusable or refillable unless it can be reused or refilled for its original purpose. Such claims should be made only where programmes, facilities or products exist for the purpose in question. Where appropriate, the claim should be qualified with regard to the availability of programmes or facilities (see Article 10).

- 12. Waste reduction:** Reduction in the quantity (mass) of material entering the waste stream as a result of a change in the product, process or packaging, in-process re-utilisation of materials excluded. This claim is comparative by nature, and should fulfil the requirements for such claims (see Article 7).



Waste may include discharges to air and water as well as solid waste from processes, and reduction may include reduction in waste generated in the production, distribution, use and disposal stages. Claims may include not only the reduction of water content of solid waste but also the reduction in mass through waste treatment processes. A reduction claim may also relate to the transfer of waste to other users who intend to utilise it for a constructive purpose.