



# Going Green?

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As consumer demand for sustainable, ethical and recyclable products continues to grow, businesses in the footwear sector are increasingly developing new lines and innovative materials that aid in making their products 'green'.

But what does 'green' really mean in the eyes of the consumer and, perhaps more importantly, the framework set out by the Competition and Markets Authority (CMA)?

To clarify this, the CMA has set out its vision on the types of misleading environmental claims made about products that could break the law. It has created a list of dos and don'ts that are designed to help your marketing team stay within a framework that's fair, ethical and consistent with others in your field.

# 40% of green claims could be misleading

"In 2020, the Competition and Markets Authority announced that it was investigating the impact of green marketing on consumers. According to its research, some 40% of green claims made online could be considered misleading. I don't want to see the footwear sector fall into this trap, which is why we welcome this clear list of top tips to follow. This is only draft guidance right now, but BFA members have the opportunity to get ahead and clean-up their act ahead of the final guidance, which is due in September 2021."

**Lucy Reece Raybould, Chief Executive Officer, BFA**



# The 6 Principles for Environmental Claims

The proposed guidance sets out the following principles that all environmental claims should follow

**They must be truthful and accurate:**

Businesses must live up to the claims they make about their products, services, brands and activities

**They must be clear and unambiguous:**

The meaning that a consumer is likely to take from a product's messaging and the credentials of that product should match

**They must not omit or hide important information:**

Claims must not prevent someone from making an informed choice because of the information they leave out

**They must only make fair and meaningful comparisons:**

Any products compared should meet the same needs or be intended for the same purpose

**They must consider the full life cycle of the product:**

When making claims, businesses must consider the total impact of a product or service. Claims can be misleading where they don't reflect the overall impact or where they focus on one aspect of it but not another

**They must be substantiated:**

Businesses should be able to back up their claims with robust, credible and up to date evidence



# Case Studies

Understand the rules by considering these case studies. Would you fall foul of the guidance as it stands? Share your thoughts and concerns via [info@britishfootwearassociation.co.uk](mailto:info@britishfootwearassociation.co.uk)



## Case Study 01

A loaf of bread is labelled as “Organic Sourdough”. Sector-specific rules mean food products must be made from at least 95% organic ingredients to be labelled as organic. A claim would be misleading if that threshold is not met.

## Case Study 02

A company selling toiletries online presents a range of products with a green banner across the corner of the image stating, “save our seas – these are micro bead free”. This is likely to be misleading as it suggests a benefit in comparison to other products, when in fact micro beads are banned in the UK and should not be in any products.



## Case Study 03

A comparative claim that a footwear range is now “greener” is unlikely to be fair and meaningful on its own. It risks misleading consumers as the claim does not make clear the basis for the comparison.



“In 2019, UK consumers spent £41 billion a year on ethical goods and services – almost 4 times as much as people spent two decades ago.”

**Twenty Years of Ethical Consumerism, Co-Op, 2019.**

## Further Reading

Related figures and statistics on this topic can be found in the CMA's **'Making environmental claims: a literature review'**.

More examples and case studies can be found in the CMA's **Draft Guidance on Environmental Claims.**

Read more about how the CMA is supporting the transition to a low carbon economy in its **2021/22 Annual Plan.**

