



Green and Sustainability Claims: A Roundtable Discussion

January 19, 2023

Sheila A. Millar

Partner

Washington, DC

202.434.4143

millar@khlaw.com

Hazel O’Keeffe

Partner

Brussels

+32 (0) 2 645 5076

okeeffe@khlaw.com

Jean-Cyril Walker

Partner

Washington, DC

202.434.4181

walker@khlaw.com



Legal Disclaimer



This presentation provides information about the law. Legal information is not the same as legal advice, which involves the application of law to an individual's specific circumstances. The interpretation and application of the law to an individual's specific circumstance depends on many factors. This presentation is not intended to provide legal advice.

The information provided in this presentation is drawn entirely from public information. The views expressed in this presentation are the authors' alone and not those of the authors' clients.

What are some of the key issues we expect to see raised during the FTC review?

The EU is also looking at sustainability and green claims, and some countries have already issued claims guidance over the past year or two, including the UK and the Netherlands.

What can we learn from these initiatives?

The FTC invites comments on how the Green Guides relate to state and international standards.

How will the growth in initiatives to restrict claims and mandate labels, adopt mandatory targets and requirements for recycling and recycled content in packaging, and other substantive requirements affect the claims landscape?

Many of our clients ask if they can use QR codes or web references to provide disclaimers given limited label space on many types of packaging.

When and where do we think these tools might be effectively used by advertisers?

In the U.S., advertising and privacy/data security claims are among the fastest growing areas of litigation, and the number of challenges to green and sustainability claims is growing. Regulatory market surveillance initiatives and self-regulatory challenges are on the rise in the EU.

What do we think is in store for 2023, and how do those claims implicate the broader question of social responsibility?

Final Thoughts

Thank You

Please respond to our survey at the end of the webinar.

Sheila A. Millar

Partner

202.434.4143

millar@khlaw.com



Hazel O’Keeffe

Partner

+32 (0) 2 645 5076

okeeffe@khlaw.com



Jean-Cyril Walker

Partner

202.434.4181

walker@khlaw.com

