



AULD BREWER MAZENGARB & MCEWEN

Lawyers and Notary Public Roia Whai Mana Take Tūmatanui

## New Environmental Claims Guidelines for Traders

The Commerce Commission have introduced new guidelines for Environmental Claims for Traders. These replace the 2008 “Guidelines for Green Marketing” and address some of the new forms of environmental claims that are becoming more common place, such as:

- Claims about composition, such as “made from recycled materials”, or “free from harmful chemicals”.
- Claims about production, such as “100% NZ made”, “made with renewable energy”, or “carbon-neutral”;
- Claims about disposal, such as “biodegradable”, “recyclable”, or “compostable”;
- Comparative claims, such as “better for the environment than other products”, “breaks down faster than standard products”;
- Certification claims such as “certified organic”;
- Using branding or imagery that is a representation itself about environmental impact that is not true or are misleading, such as “planetsaver wipes” for disposable wipes or “eco-safe” for standard plastic bags.
- The guidelines are intended to assist traders to avoid breaching the Fair Trading Act 1986 by reminding and encouraging traders to:
  - Be truthful, accurate and specific when making representations or claims about environmental impact or benefits of any service or product,
  - Be able to substantiate any claims or representations that they make about environmental impact or benefits,
  - Use plain language in any statements or representations they make about goods and services that they provide,

- Avoid exaggerations when making statements or representations about environmental benefits or impacts of their products or services, and
- Ensure that they are relying on accurate interpretations of test results or surveys before making representations or claims about those results.
- Consider the overall impression of the product or service, any packaging or advertising and promotional materials used gives an impression that is not consistent with what is required under the guidelines.

You can view the guidelines on the Commerce Commission Website [here](#).

If you have any questions about what this new guidance means for your business, or your obligations under the Fair Trading Act, please get in touch with one of our team.