10 greenwashing examples you can learn from

Learn valuable lessons from recent high-profile sustainability communications controversies in the consumer goods industry.
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At a time when 66% of consumers would pay a higher price for a product when it aligns with their values, it’s crucial for brands to communicate their sustainability credentials effectively.

But as cosmetics brands rush to advertise their ‘green’ product innovations, a growing number are falling short of shoppers’ and regulators’ expectations — and paying the price.

For sustainable beauty brands and retailers wanting to avoid the commercial and legal repercussions of misleading green claims, we’ve pulled together some concerning examples from 5 recent high-profile greenwashing examples in the beauty industry.
1. Bondi Sands’ sunscreen lawsuit

In May, reports emerged that Australian beauty brand Bondi Sands had been hit with a lawsuit for falsely advertising its sunscreens as “reef friendly”.

Whilst the Australian beauty brand’s products are indeed free from oxybenzone and octinoxate, they were found to include other harmful ingredients, including avobenzone, homosalate, octisalate and octocrylene, according to The Sydney Morning Herald.

The brand vowed to “continue to evolve our product formulations with direction of both local and international authorities”. They have also made significant changes to how they define “Reef Friendly” on their website, including the disclaimer that their term “Reef Friendly” is ‘not defined or regulated by authorities.’

What we can learn from Bondi Sands:

- Make sure your terms are clearly defined, and that these definitions are easily accessible to shoppers.
- Use third-party certifications where possible; relevant certifications here include ‘Protect Land & Sea’ and Biorius’ ‘Reef Friendly’ label.
2. L’Oreal greenwashing accusations over ‘sustainable’ bottle

L’Oréal was recently called out for claiming its Elvive Full Restore 5 shampoo pack was ‘more sustainable’, without supporting the claim with any clear context. As the Changing Markets Foundation (CMF) flagged, the claim does not amount to a meaningful comparison because shoppers are not told what it’s more sustainable than.

The same product prominently features the claim ‘100% recycled plastic bottle’. However, as the CMF also points out, the small print reveals that the bottle’s cap is not in fact made from waste materials.

What we can learn from L’Oreal:

- Whether you’re comparing a new product to an old product, or comparing yours to a rival brand’s, remember to specify what you’re comparing explicitly and make sure the products you’re comparing are like-for-like.
- Only make ‘100% recycled’ claims when all parts of a product’s packaging are made from waste materials. In this instance, L’Oreal could instead have claimed that their packaging is partly recycled.
3. SKKN’s refill controversy

Just days before the launch of Kim Kardashian’s new skincare line, the brand’s refill initiative was met with criticism from online shoppers for failing to reduce packaging waste.

Kardashian features in a video on SKKN’s Instagram channel demonstrating how to refill the new cleanser. The video, which appears to show a solid pack being replaced into an apparently unnecessary outer layer, provoked anger amongst shoppers, one of whom wrote: “Personally I would just buy the refill, the container doesn’t do anything, it’s just waste.”

Elsewhere, in an example of vague terminology, SKKN’s website describes the products as ‘grounded in an ethos of sustainability’.

What we can learn from SKKN:

- Make sure refill systems or other packaging marketed as sustainable demonstrably minimise your products’ environmental impact.
- Brands should be very careful with vague words like ‘sustainable’, ‘eco’ or ‘environmentally friendly’, which rarely help the shopper make informed decisions.
4. Head & Shoulders’ recyclability claims

Head and Shoulders was recently singled out for marketing their Ocean Clean Bottle as recyclable.

On inspecting Head & Shoulders’ website, the CMF found that whilst all their bottles can be recycled, they are still working on making their caps recyclable. Given that some parts of the packaging are not recyclable, the claim that it was “recyclable” could be deemed to mislead shoppers.

What we can learn from Head & Shoulders:

- Leave no room for shoppers to misinterpret your recyclability claims. As the UK’s Competition & Markets Authority advises in the Green Claims Code, “businesses must not claim, or otherwise give the impression, that a product is ‘recyclable’ if it is not, or if only parts of it are and others are not, preventing recycling”.
- As with the L’Oreal greenwashing example, Head & Shoulders should have considered marketing their bottle as partly recyclable.
5. Lilly Lashes sued over ‘cruelty-free’ mink

Lilly Lashes, the California-based cosmetics brand stocked by Sephora, Ulta Beauty and Amazon.com, is being sued for alleged false advertising after marketing its mink lashes as “cruelty-free”, a claim it has now removed from its packaging.

The new lawsuit, which is being contested by Lilly Lashes, follows a campaign by PETA in 2020 urging the same brand to drop fur lashes. PETA’s own investigations into the inhumane treatment of animals on fur farms cite cramped wire cages, extreme psychological distress and untreated wounds and illnesses.

What we can learn from Lilly Lashes:

- Brands using animal fur in products should strongly consider switching exclusively to fake fur alternatives. Kering banned fur across all of its brands last year in a strong sign of where the industry is moving.
- If you want to talk about how animals are raised in your supply chain, Textile Exchange offers certifications for responsible wool, down, mohair and alpaca. These certifications will help to differentiate your brand from others who may be making unsubstantiated claims about animal welfare.
As consumers become savvier to calling out examples of greenwashing from brands, it seems that no industry is immune. One of the most prominent is food and beverages.

While many food and beverage brands are making strides with measures targeting packaging and plastic waste, overstating the environmental benefit of these measures can quickly lead to accusations of greenwashing.

With commercial groups and regulators honing in on potentially misleading claims, greenwashing brands face increasingly severe repercussions. It’s more important than ever to understand the commercial and legal implications of conveying your sustainability credentials truthfully and effectively.
Keurig Green Mountain reached a class-action settlement and agreed to pay $10 million after consumers sued over its coffee pod recyclability claims.

Keurig marketed its K-Cups as recyclable, and instructed consumers to remove the metal foil from used K-Cups, compost or discard the coffee grounds, and recycle the K-Cup itself. The complaint alleged that most materials recycling facilities (known as “MRFs”) cannot process the cups, resulting in the K-Cups being disposed of or contaminating other recyclables. A court agreed, and in addition to the settlement amount, Keurig also added new language to its packaging telling consumers: “Check Locally – Not Recycled in Many Communities”

What we can learn from Keurig:
- Keurig took an important first step in clearly telling consumers how each component of the K-Cup should be disposed of. However, it failed to acknowledge how MRFs processed the cups themselves.
- Make sure to understand the recyclability of your packaging in the communities where it is being sold. If a packaging material cannot, or is unlikely to be, properly recycled where a product is sold, a claim that it is recyclable may be misleading.
An environmental group launched a lawsuit against specialty products recycling company TerraCycle and a number of consumer goods companies – including food and beverage names such as Gerber, Coca-Cola, and Late July Snacks.

The group claimed that consumers purchased products from the named brands believing they could be recycled, free of charge, at the end of life due to TerraCycle recycling logos on the products’ packaging. However, they often discovered that the brands’ participation with TerraCycle was limited. This resulted in consumers having to pay for the brands’ products to be recycled with TerraCycle or, more frequently, discarding the products in landfill.

As a result, TerraCycle and its partner companies agreed to notify consumers if a brand’s capacity for free TerraCycle recycling was limited, for instance by including a disclaimer on the packaging saying “Limited Availability.”

What we can learn from TerraCycle:

- Leave no room for shoppers to misinterpret your recyclability claims. Brands may lose consumer trust if the consumer feels deceived or easily misled.
- Convey clear information to consumers about the options available upfront, rather than hiding them on brand websites or in marketing materials.
The UK’s Advertising Standards Authority (ASA) banned a high-profile advertising campaign by oat milk brand Oatly for misleading green claims, forcing Oatly to remove the ads and acknowledge that they “could have been clearer”.

The ads compared the carbon footprint of Oatly’s milk with dairy milk. However, the claim could have been understood as a blanket comparison of all Oatly products and types of cow’s milk, when it was in fact based on a single product. Oatly also implied a scientific consensus by referencing “climate experts” for their claim that switching to a vegan diet is the single biggest way to reduce environmental impact. The ASA found this to be the opinion of one climate expert, rather than a larger group of scientists as implied.

What we can learn from Oatly:

- Don’t overstate green claims.
- Compare your impact fairly. Brands should consider how claims will be understood by consumers, and make sure to compare like with like when making comparative claims.
- Substantiate your claims. Oatly stated that they were a “science-based company and take pride in being precise,” but didn’t provide enough evidence to support their claim about emissions of the meat and dairy industry.
As part of a sustainability drive to reduce waste sent to landfills, Starbucks released a “straw-less” lid that offered consumers an open-faced plastic lid instead of the traditional version of its takeaway cup that featured a disposable straw. Starbucks’ Chief Sustainability Officer said that “recyclable, strawless lids for customers across the US and Canada is another step in our journey to reduce our environmental footprint.”

The only problem? The new lid contained more plastic than the old lid and straw combination. The company noted that the new lid was made with polypropylene, a material that could be recycled. However, critics flagged that only 9% of the world’s plastic is reportedly recycled, meaning that this change would likely result in more plastic being sent to landfills.

What we can learn from Starbucks:

- Make sure that any packaging marketed as sustainable demonstrably minimizes your products’ environmental impact.
- As with any sustainability measure, it’s important to consider how a product will be used (and disposed of) by a consumer.
- Brands using plastic packaging should consider alternative, potentially compostable, materials.
5. Innocent Brand Advert Found Guilty

Smoothie brand Innocent had an advertisement banned by the UK’s Advertising Standards Authority (ASA), after the ASA ruled that Innocent had “misled” customers over their environmental impact. A complaint from viewers, including the environmental group Plastics Rebellion, claimed that the advertisement promoting Innocent drinks exaggerated the environmental benefit of the products and were therefore misleading. Innocent replied, claiming that they’d intended to convey a “purpose-driven message” and show that recycling was better than disposing of their packaging.

In response, the ASA issued a report concluding that the overall presentation of the advertisement, including the graphics and lyrics, created a misleading message because it could lead some consumers to believe that “purchasing Innocent products was a choice which would have a positive environmental impact when that was not the case”.

What we can learn from Innocent:

- Brands should be careful not to overstate their environmental credentials, or create the impression of an environmental benefit where one doesn’t exist.
- Environmental claims should be clear and supported by a high level of substantiation, following standards like the UK’s Green Claims Code or the US Green Guides.
Why it pays to get it right on sustainability claims

For consumer goods brands and retailers, misleading customers on product sustainability – whether intentionally or by accident – poses a growing number of risks.

As today’s shopper becomes more and more attuned to greenwashing, brands that fall short of customer expectations stand to lose valuable credibility and brand trust. Information spreads rapidly in the social media age, which means public reactions to perceived greenwashing can be rapid and damaging.

What’s more, as regulators across the globe tackle sustainability misinformation, companies that greenwash are also increasingly likely to face legal action and financial penalties. If a company is found guilty, it could face fines, legal action, or even product recalls. Legal battles can be costly, time-consuming, and further tarnish a brand’s reputation.

To avoid making the same mistakes as the brands above, learn how Provenance can help you share evidenced, trustworthy sustainability claims at checkout, in order to avoid regulatory penalties, build brand trust and grow sales volume.