



# ENVIRONMENTAL CLAIMS CODE

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This Code has been adopted by the AANA as part of advertising and marketing self-regulation. The object of this Code is to ensure that advertisers and marketers develop and maintain rigorous standards when making Environmental Claims and to increase consumer confidence to the benefit of the environment, consumers and industry.

This Code is accompanied by a Practice Note which has been developed by the AANA. The Practice note provides guidance to advertisers and complainants, and must be applied by the Ad Standards Community Panel in making its determinations. In the event of any ambiguity the provisions of the Code prevail.

## DEFINITIONS

In this Code, unless the context otherwise requires:

**Advertising or Marketing Communication** means:

a. any material which is published or broadcast using any Medium or any activity which is undertaken by, or on behalf of an advertiser or marketer,

- over which the advertiser or marketer has a reasonable degree of control, and
- that draws the attention of the public in a manner calculated to promote or oppose directly or indirectly a product, service, person, organisation or line of conduct,

b. but does not include

- labels or packaging for products
- corporate reports including corporate public affairs messages in press releases and other media statements, annual reports, statements on matters of public policy and the like
- in the case of broadcast media, any material which promotes a program or programs to be broadcast on that same channel or station.

**Community Panel** means the panel appointed by Ad Standards from time to time, the members of which are representative of the community, to administer a public complains system in relation to Advertising or Marketing Communication.

**Environment includes:**

- ecosystems and their constituent parts, including people and communities; and
- natural and physical resources; and
- the qualities and characteristics of locations, places and areas.

**Environmental Claim** means any express or implied representation that an aspect of a product or service as a whole, or a component or packaging of, or a quality relating to, a product or service, interacts with or influences (or has the capacity to interact with or influence) the Environment.

**Medium** means any medium whatsoever including without limitation cinema, internet, outdoor media, print, radio, telecommunications, television or other direct-to-consumer media including new and emerging technologies.

## CODE OF PRACTICE

### 1. TRUTHFUL AND FACTUAL PRESENTATION

Environmental Claims in Advertising or Marketing Communication:

- shall not be misleading or deceptive or be likely to mislead or deceive;
- shall display any disclaimers or important limitations and qualifications prominently, in clear, plain and specific language;
- shall represent the attributes or extent of the environmental benefits or limitations as they relate to a particular aspect of a product or service in a manner that can be clearly understood by the consumer.

### 2. A GENUINE BENEFIT TO THE ENVIRONMENT

Environmental Claims must:

- be relevant, specific and clearly explain the significance of the claim;
- not overstate the claim expressly or by implication;
- not imply that a product or service is more socially acceptable on the whole.

## 3. SUBSTANTIATION

Environmental Claims in Advertising or Marketing Communication:

- (a) shall be able to be substantiated and verifiable. Supporting information shall include sufficient detail to allow evaluation of a claim;
- (b) shall meet any applicable standards that apply to the benefit or advantage claimed;
- (c) containing testimonials shall reflect the genuine, informed and current opinion of the person giving the testimonial.

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This section does not form part of the AANA Environmental Claims Code and is provided here for information only.

## COMPLAINTS UNDER THE AANA SELF-REGULATORY SYSTEM

Complaints about the content of an advertisement or marketing communication can be made under this Code and the other AANA Codes to Ad Standards<sup>1</sup>.

Once Ad Standards has received your complaint, it then assesses the complaint to determine whether it is eligible for consideration by the Ad Standards Community Panel. The Community Panel is the body established to consider complaints. If accepted the advertiser/marketer is notified and a response is requested. The complaint is then considered by the Community Panel and the advertiser and complainant are advised of the determination. A case report is then published. The original complainant or advertiser/marketer can also ask for a review of the determination.

You can make a complaint by:

- Lodging a complaint online at: <http://www.adstandards.com.au>
- Writing a letter (and sending via post or fax) to:

Ad Standards  
Level 2, 97 Northbourne Avenue  
TURNER ACT 2612

Fax: (02) 6262 9833

<sup>1</sup> If your complaint is about a program (not an advertisement) on television or radio, please contact the relevant industry body.