



NEWS FROM

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## Statement by the Honorable Bobby L. Rush, Chairman Energy and Commerce Subcommittee on Commerce, Trade and Consumer Protection

Oversight Hearing: "It's Too Easy Being Green:  
Defining Fair Green Marketing Practices"

June 9, 2009

WASHINGTON — "Good morning. The subcommittee will come to order.

"Today, the Subcommittee on Commerce, Trade and Consumer Protection of the House Committee on Energy and Commerce is holding a hearing entitled "It's Too Easy Being Green: Defining Fair Green Marketing Practices." During this hearing, we will be taking up the truthfulness of "green" advertiser claims, consumer perception of "green" claims, and the respective roles of the Federal Trade Commission and privately run certification and labeling programs in regulating and validating these proliferating claims.

"More than ever before, the shelves of our supermarkets, hardware, "Big Box," home improvement, and pet stores are being lined with goods bearing labels touting themselves as 'natural,' 'biodegradable,' 'eco-friendly,' 'sustainable,' 'carbon-neutral,' 'recyclable' and 'non-toxic,' just to name a few.

"With the increased demand by these stores for more green products, we have seen an increase in third party companies certifying these green claims. While some responsible companies have created certifications and labels backed by criteria and testing, other companies have spotted an opportunity amidst the consumer demand for information. For a fee, these companies will certify anything as green, affording false comfort to purchasers that the products meet environmental and safety standards.

— more —

“Just to cite a few relevant statistics, in 2008, consumers purchased \$290 million in natural household cleaners and supplies. In addition, the *Wall Street Journal* reported in April 2009, that “*there are more than 300 such [environmental] labels putting a green stamp on everything from cosmetics and seafood to bird-friendly coffee.*”

“Because there are no common agreements or generally accepted definitions relating to the meaning of many of these words, and since consumers are being bombarded by so many of these claims and certifications, there is legitimate concern that some consumers are basing their purchasing decisions on misleading and, in some cases, even deceptive labels.

“I am especially concerned that Americans with less disposable income to spend on “green” goods are not getting the benefits they expect when they spend their hard earned money on these goods, which promise more and, often, cost more at the check-out line.

“At the conclusion of today’s hearing, I would like for this body to have more insight into the FTC’s update of its Green Guides and how extensively consumers, manufacturers, and advertisers are consulting and relying on these guides.

“Second, I want us to discuss whether the FTC should be more aggressive in monitoring and/or regulating the placement of claims on products. And how, in the flow of commerce, can the Commission ensure that “green” labels are more useful and informative than is currently the case.

“Third, and finally, I would like for us to explore the role of the private sector. We’ll ask how responsible vendors of truly environmentally responsible and safe products can differentiate themselves from the products that make unsubstantiated claims. And, we’ll examine the role of privately run certification and labeling programs.

“I look forward to hearing the testimony and to participating in the exchange that follows. Thank you all very much for agreeing to help us examine this topic and to come up with constructive proposals to address the issues that have been identified.”

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