

# Green Washing And Its Impact On Consumer Rights: A Legal Insight

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## Abstract

Green washing has become a issue of concern for the consumers as a matter of violation of their rights. This is because the manufacturing companies are using green washing techniques as way of advertising of their products. This has increased more as the consumers are rushing towards green products with or without authentication. This promotes unhealthy and unethical competition of companies in the market. Once the green washing techniques are known to the people, it destroys the trusts of the people on the companies which is again adversarial for the same. So it is high time that people are aware of various rules and regulations for curbing green washing practices, both at a global and national level so that implementation can be proper for deterring green washing practices. It is also very essential that all the stakeholders, be it companies, common people or the government realise their joint responsibility to prevent green washing practices and preserve actual sustainability.

**Keywords:** consumer rights, green washing, false information, violation of rights

Date of Submission: 01-03-2026

Date of Acceptance: 11-03-2026

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## I. Introduction

One of the important components of business tactics of a company is advertising and publicity. This helps the company in gaining customers and also increases the knowledge of the customers regarding their products. This also helps them to know about the composition or disposal methods of the products. It increases consumption possibility frontiers of various products. Naturally, advertising in its actual sense is required for the increase of business. People will not be able to buy a product unless and until they know that it exists and has certain characteristics.

With the increase in climate change and rising adherence for absolute development, there has been a growing concern among the common public to contribute as much as possible to mitigate negative impact on the climate and environment. Environmental awareness has grown in the society<sup>1</sup> and this is also reflected in the consumption processes. People are more eager for environment friendly product<sup>2</sup>, which they feel is good for the health and environment.

Since the last decade and especially with the commencement of the Paris Agreement in 2015, there has been an upsurge in the joint efforts of the countries to decrease the environmental impact of the various sectors and decrease the carbon foot print. From the consumer's point of the increase in the demand for greener products had become a trend. The reflection of the same was felt by the companies and businesses. So with a sense of competition, companies and businesses began to claim their products to be greener with little or no authentic information. This tactic greatly benefited them. This is the reason environmental claims in the form of greener product has become a commonality in business with little or no accurate information. This can be broadly termed as green washing by the companies. It is a word play with white washing. White washing means putting white colour on the walls so as to cover the defects in the wall. In the same way green washing refers to the technique used by the companies to claim that they are using sustainable ways for the products and services but actually they are not.

Green washing techniques are being used by the companies across various sectors namely utilities, retail, automotive, aviation, fossil fuel etc. The green washing phenomenon was also taken by the companies as form of corporate legitimacy and increase its business.<sup>3</sup> It is also known that advertising has an impact on consumer behaviour and perceptions. It is a matter of concern regarding the purchasing decisions of the consumers and many a times advertising becomes a solution to the problems of the consumers.<sup>4</sup> However, if the advertisements are misleading, consumer protection and market integrity becomes hazy and dissolves in

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<sup>1</sup> Antunes D, Santos A, Hurtado A (2015), 'The communication of the LCA: the need for guidelines to avoid greenwashing, *Espacios* 36(5):1

<sup>2</sup> Yu-Shan Chen and others, 'Green shared vision and green creativity: the mediation roles of green mindfulness and green self-efficacy, *Quality & Quantity*:(2015) International Journal of Methodology, Springer, vol. 49(3), pages 1169-1184,

<sup>3</sup> Sebastião Vieira de Freitas Netto and others, 'Concepts and forms of greenwashing: a systematic review' (2020) *Environmental Science Europe*, 32:19

<sup>4</sup> Ben Nancholas, *The effects of advertising on consumer behaviour*, (North Wales Management School, 19 March, 2024) <<https://online.wrexham.ac.uk/the-effects-of-advertising-on-consumer-behaviour/>> accessed 016 Feb, 2025

ambiguity. With the increase in the companies engaged in green washing, it was felt that there should be some effort to identify the actual claims and prevent false claims made by the companies as it leads to the violation of basic right of trust and confidence of consumers. It also affects the trust of the investors and hence affects the market. So it was felt that the green washing techniques has to be condemned, especially for preserving the rights of the consumers. Many countries have tried to formulate legislations to take care of the green washing activities. Unless and until the consumers are able to distinguish between green and green washed products, every effort will be futile.

## **II. Concept Of Green Washing: A Contravening Stride**

The understanding of the term greenwashing starts with the fact that the common people want to contribute to the protection of the environment. They feel that purchasing green or sustainable products is one of the ways. As a result of that, the demand for sustainable products increases and this in turn impacts the production process and strategies of the companies. It is very important to analyse what actually is green washing and are there various synonymous concepts which is misinterpreted by the people for green washed products.

Greenwashing is a term that refers to “the act or practice of making a product, policy, activity, etc. appear to be more environmentally friendly or less environmentally damaging than it really is.”<sup>5</sup>

The Advertising Standards Council of India(ASCI) has defined green washing as a process of giving false, deceptive and unsubstantiated information about a product or services, processes, brands or operations to create an impression that they are more environment friendly and hence green.<sup>6</sup> In the contemporary times, various stakeholders such as investors, consumers and government are making an effort to bring transparency in green claims by making the companies provide adequate information.<sup>7</sup>

Terra Choice defines greenwashing as “the act of mis-leading consumers regarding the environmental practices of a company or the environmental performance and positive communication about environmental performance”<sup>8</sup>

Delmas and Burbano defines greenwashing as “poor environmental performance and positive communication about environmental performance”<sup>9</sup>

Tateishi defines green-washing as “communication that misleads people regarding environmental performance/benefits by disclosing negative information and disseminating positive information about an organization, service, or product”<sup>10</sup>.

Securities Exchange Board of India defines the concept of green washing as the tactics of a company making false, unsubstantiated or incomplete claims about the sustainability of a product service or a business operation.

**Green Advertising:** Along with green washing tactics, sometimes the consumers also put a question on deception by green advertising techniques. Green advertising is in the form of green messages or indications about the products or services saying that they are sustainable and contribute to the environment.<sup>11</sup> Green advertising includes all the commercial messages that are made in the furtherance of ecological sustainability and target the needs of eco-conscious customers, regulators, and other stakeholders.<sup>12</sup> It generally involves true statements about the manufacturing or the composition of the product. It is generally done for marketing and publicity purpose.

The difference between green washing and green advertising is that in the former, false and unsubstantiated claims are made for selling and make profits out of the product and the later deals with marketing and publicity and genuine environment friendly product with substantiated information. Many a times people are not clear about the fact that whether green washing is deceptive or green advertising is deceptive. If true information is being publicised through advertising, it will be genuine green advertising and if deceptive and false information is provided through advertising, it becomes green washing.

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<sup>5</sup> *Greenwashing*, (MERRIAM-WEBSTER) <<https://www.merriam-webster.com/dictionary/greenwashing>> accessed 30 March 2025

<sup>6</sup> Chapter I of the ASCI code on misleading advertisements

<sup>7</sup> E Kim, T Lyon ‘Greenwash vs. Brownwash: exaggeration and undue modesty in corporate sustainability disclosure’ (2015) *Organ Sci* 26(3):705–723 < <https://doi.org/10.1287/orsc.2014.0949>> accessed 28 March 2025

<sup>8</sup> The sins of greenwashing, TerraChoice (2010) < <http://sinsofgreenwashing.org/findings/the-seven-sins/>. Accessed 20 February 2025

<sup>9</sup> M. Delmas and V Burbano, The drivers of greenwashing (2011) *Calif Manag Rev* 54(1):64–87 <<https://doi.org/10.1525/cmr.2011.54.1.64>> accessed 25 February 2025

<sup>10</sup> E. Tateishi, Craving gains and claiming “green” by cutting greens?

An exploratory analysis of greenfield housing developments in Iskandar Malaysia (2017) *J Urban Aff* 40(3):370–393 < <https://doi.org/10.1080/07352166.2017.1355667>> accessed on 22 February, 2025

<sup>11</sup> Ahern et al. 2013; Baum 2012; Carlson et al. 1996; Parguel et al. 2015; Segev et al. 2016

<sup>12</sup> Leonidou et al. 2011)

### **III. Need For Deterring Green Washing Practices: The Rationale**

Now-a-days, environmental concerns are an important component of the consumers making purchase decisions and consequently the companies are pushed to give deceptive green messages about their products.<sup>13</sup> There has also been a change in the consumer's efforts towards protection of the environment which is reflected in the trend of purchases. This has given rise to various phenomena like green consumerism, green purchasing etc. As a solution to these circumstances, it was felt that certain business practices have to be modified and made more transparent so as to cater to the needs of saving the environment and special attention was given to curb green washing practices and prevent violation of rights of the consumers.

Recently, the UN Secretary General had stated that "We must have zero tolerance for net-zero greenwashing"<sup>14</sup>. He also stated that there should be net zero commitments by the non-state actors, basically the companies and businesses in their tactics of producing and marketing. It was stated in the report that harm to the environment can come by direct emission which is done by the industries and indirect emission by the green washing tactics including the supply chain. It is the responsibility of the government, towns and cities, industries, factories, financial institutions and their financed activities etc, to reduce emissions and preserve the environment. He also stated that there should be credible and accountable net zero green washing and also there should be zero tolerance for green washing.

### **IV. Green Purchasing/ Eco Consumerism/ Green Consumerism Vs Green Washing**

Green purchasing refers to the desire to specifically purchase environmentally sound products and avoid products that are harmful to the environment.<sup>15</sup> It is because of the green purchase intention of the consumers<sup>16</sup> with or without authentication. This is a fraction of eco consumerism which is the willingness of the consumers to purchase or pay for the green products. Recently it has been observed that consumers go for green purchasing for all sorts of products, even sometimes without authentic information. Broadly, eco consumerism means preconceived or predisposed intention of the consumers to react consistently in a favourable or unfavourable manner with respect to the environment<sup>17</sup> which is possible through green consumerism.

Green consumerism inversely affects the consumer rights because it induces the consumers to go for green washed products often as a drive for sustainability. Often, in the name of green consumerism, their trust is being deceived and rights being hampered. When it happens and consumers fear deception, green consumerism has an adverse impact on those businesses who genuinely sell sustainable products, but consumers go for green washed products. This happens because they do not know to distinguish between actual green product and falsely claimed green product.

#### **Categories Of Green Washing World-Wide**

Companies generally pledge upon their operations to be free of any deception or any false information, but there is always the question of true and false claims. Nonetheless it has been seen that companies go for various types of green washing practices which is given as under:

**Corporate Green washing:** Corporate green-washing emphasizes on various types of green washing techniques used by the companies which is reflected on their products being sold. The consequences of the same on the companies financially. Many a times the companies feel that green washing of their products will boost the overall financial position of the company in the market with increase in demand of their product. Some times the companies may go for green washing their products so that they can save the company from going into further loss. The corporate green washing is primarily focused on improving the company as an organization, not from the consumers perspective but from the corporate strategy and management.

**Product level Green Washing:** Product level green washing seeks to analyse the behaviour of the customers from the point of brand value of the product. It also seeks to catch the intention of the customers to purchase green products from the market. It focuses on the marketing and advertising strategies. The information provided through this method is generally misleading and has negative impact on the consumer rights. For instance, Goldman Sachs Asset Management (GSAM) was investigated by the Security Exchange Commission

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<sup>13</sup> Brigitte Naderer, Desirée Schmuck and Jörg Matthes, Greenwashing: Disinformation through Green Advertising, (University in Leuven, Belgium, 2017) <http://lirias.kulueven.be> accessed on 27 March 2025

<sup>14</sup> Integrity Matters: Net-Zero Emissions Commitments of Non-State Entities, United Nations, Climate Action, Report of High-Level Expert Group on Net-Zero Commitments < <https://www.un.org/en/climatechange/high-level-expert-group#:~:text=The%20United%20Nations%20Secretary%2DGeneral,businesses%2C%20investors%2C%20cities%2C%20and> > accessed on 27<sup>th</sup> March, 2025

<sup>15</sup> Jako Volschenk and Charlene Gerber, "The (in)ability of consumers to perceive greenwashing and its influence on purchase intent and willingness to pay(2022) South African Journal of Economic and Management Sciences (SAJEMS) November 2022.

<sup>16</sup> Chen, Chen & Tung 2018; Joshi & Rahman 2015

<sup>17</sup> Raja Mukherjee, Indranath Ghosh, Greenwashing in India: A Darker Side of Green Marketing(2014) The International Journal Of Business & Management, Vol.2, Issue 1

for green claims which were untrue. It was stated that there were no written policies about the same and even if the policies were there, they were not consistently followed.<sup>18</sup>

**Brand level Green Washing:** Brand Green washing relates in terms of making false claims regarding the overall functioning of an organization towards its profile, ambitions and activities.<sup>19</sup> Through this, the companies generally claim to have false green objectives. For example, HSBC was found to be giving false and misleading information about green financing activities and thus misleading the customers about its overall functioning by the Advertising Standards Authority of UK.<sup>20</sup>

**Climate Risk Green washing:** Climate risk green washing relates to false information which the fossil fuel companies give to lure the consumers for their products. This proves to be drastic on the customer's choice towards contribution to sustainability.<sup>21</sup> It also harms the environment. For example, in the Volkswagen case, claims regarding the emission standards of their vehicles were found to be false. The Federal Trade Commission (FTC) and Environmental Protection Agency (EPA) launched the investigation as it was not only an environmental issue,<sup>22</sup> but a business case involving false and misleading advertising claims.<sup>23</sup>

#### Common Tactics of Green-Washing

- a. Functional or fact based appeals which focus on the utilitarian attributes of a particular product in comparison to others. For example, imaged based emotional appeals like picture of a leaf which arises positive approach from the consumer due to their support to nature and natural products.<sup>24</sup> For instance Shell has given misleading information about its environmental impact through its advertisements depicting wind turbines and solar panels<sup>25</sup>.
- b. Advertising false and vague claims that may omit important information on a product and give irrelevant information about a product. For instance, the Fiji water was sued for giving false information about the carbon negative component of its production process while it was found that the information that was provided did not state the total life cycle emissions including packaging and transportation<sup>26</sup>.
- c. Various execution tactics such as presenting sustainable elements in relation to a product that is not actually sustainable and making it appear to be sustainable in the use of the product. Some of words such 'go green, is bring used<sup>27</sup> to lure the customers to purchase products. It requires higher amount of interpretation to distinguish between genuine and false products.
- d. Labelling of products without any certification of the same which could mislead the customer to purchase the products which are not authentic. For instance the claim by Coca Cola that its Dasani water bottles were 100% recyclable was thought to be misleading as the though the bottles were recyclable, the label went against the idea that the plastic is harmful for the environment<sup>28</sup>.
- e. Hidden trade-offs when a company might disclose its one aspect of the product to be sustainable but conceal or hide some other aspect of the product which might be harmful for the environment. For instance, Unilever was criticised for its Dove body wash for advertising its recyclable plastics bottles but the carbon footprint of manufacturing these bottles were not disclosed

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<sup>18</sup> SEC Charges Goldman Sachs Asset Management for Failing to Follow its Policies and Procedures Involving ESG Investments, U.S. SEC, 22 November 2022.

<sup>19</sup> Greenwashing and how to avoid it: An introductory guide for Asia's finance industry, Japan Edition, 2023, Asian Investor Group on Climate Change (AIGCC), Client Earth, Daisy Mallett.

<sup>20</sup> Measures and Orders Based on the Premiums and Representations Act for Two Businesses Engaged in the Sale of Cutlery, Straws, Cups, etc., Consumer Affairs Agency, 23 December 2022

<sup>21</sup> Supra note 17

<sup>22</sup> The defeat device's adverse effects also impacted human health. For a discussion of the impact of the defeat device on public health, see generally Steven R.H. Barrett et al., *Impact of the Volkswagen emissions control defeat device on US public health*

<sup>23</sup> Randall S. Abate, 'Fool Me Once, Shame On You: Promoting Corporate Accountability for the Human Rights Impacts of Climate Washing', GW Law Faculty Publications & Other Works, 2023

<sup>24</sup> Supra note 5

<sup>25</sup> 'Greenwashing Files: Shell' (ClientEarth) < <https://www.clientearth.org/projects/the-greenwashing-files/shell/> > accessed 21<sup>st</sup> March, 2025

<sup>26</sup> 'Fiji Water Sued for Greenwashing' (Mother Jones, January 7, 2011) < <https://www.motherjones.com/politics/2011/01/fiji-water-sued-greenwashing/> > accessed 21<sup>st</sup> March, 2025

<sup>27</sup> Ibid.

<sup>28</sup> Kylie R. Lanthorn, *It's all About the Green: the Economically Driven Greenwashing Practices of Coca-Cola* (2013) Augsburg Honors Review Augsburg Honor, Volume 6

## **V. Identification Of Greenwashed Products: An Analysis**

Green washing executed by various techniques seek the attention of the consumers and create confusion between true and untrue claims. The companies tend to make the green claims without authenticity<sup>29</sup> for which proper identification is a must .

Green washed products can be identified by making some categorization and classification of products. There is a comparison of different category of new and existing green products on the basis of the information provided regarding their composition. Then relevant environmental cues are taken to identify actual green product and then categorize to what extent the new product is green. This helps the consumers to identify between actual green and non green products. The classification on the basis of categorization is on the sustainability of the product, the level of advertisement and how it is influencing the consumers, the techniques of persuasion which is used by the companies to sell their products to the end users and the preferences of the consumers.

If proper categorization and classification , the green products can be classified into the following categories:

Non green products not green washed and having no sustainable composition and no advertisement on sustainability. Hence do not mis lead the consumers.

Green washed product whose advertising and publicity about the green composition of the product is high but the actual sustainability levels are low. Consumers are mostly mislead by the green washed products.

Products which have sustainable composition but no publicity as such<sup>30</sup> and the product has actual green composition. The companies actually tend to contribute to the environment by manufacturing green products and not mislead the consumers, but it is difficult to find and identify such product as there is no publicity.

Nonetheless, in the application of the above categorization, the attitude of the customers matters. There is always a difference in customer attitude in purchasing different category of products. It is true that if purchasing is only a matter of perceived choice, consumers go for green products. Here the issue is much broad where the consumers have to distinguish between honest green product or non green product or green product. Since consumers will always go for the green product, howsoever it is advertised , they often do not think of green washed product as a category<sup>31</sup> and hence face deception.

## **VI. Green Washing And Consumers Rights: A Non-Humane Approach**

Consumers resume which is with or without authentication that green products are sustainable and the conventional products are non-biodegradable and non-recyclable and hence unsustainable.<sup>32</sup> So that they should by goods and services have a minimal impact on the environment<sup>33</sup>. Some of the more specific reasons for preference of green products are given as under

- a. Environmental Involvement which means attitude of a person to relate an object to be personally relevant to protect the environment.
- b. Environmental Concern which relates to the awareness and feeling the necessity to protect or preserve the environment.
- c. Green Purchase behaviour which relates to green involvement in buying goods or services.

When people come across green products, whether falsely claimed or true, they have a preference for them. For instance, health conscious people buy green products to improve their health. When the choice of the people is limited to the actual green products with good green composition, it is good for the consumers. The problem arises when the customers want to go for green products but end up purchasing products non green products. This happens as a result misleading advertisements, misinformation in the packaging, levelling or composition of products as a part green advertising. If the demand for green products increases, the companies tend to offer the same quality of product over and over again and keep very less room for improvement or renovation of the production techniques. This reduces product quality, which hampers consumer welfare.

Green washing also influences consumer behaviour and decision making process on the basis of little or no information. This violates the customers rights to be well informed. The greenwashed products are so properly advertised that people don't prefer any other product and hence are misled and lured. Beyond a certain point, when the newness and advertising of a product is high enough, it satisfies the customer enjoy the product

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<sup>29</sup> Ioannis Ioannou, George Kassinis and Giorgos Papagiannakis, ' How Greenwashing Affects the Bottom Line, Harvard Business Review, (24<sup>th</sup> Feb, 2025, 4.00 PM), <https://hbr.org/2022/07/how-greenwashing-affects-the-bottom-line>

<sup>30</sup> (e.g., Acuti et al., 2022; Falchi et al., 2022; Szabo & Webster, 2021)

<sup>31</sup> Stefanie Fella , Elena Bausa, Green or greenwashed? Examining consumers' ability to identify greenwashing, Journal of Environmental Psychology 95 (2024) 102281

<sup>32</sup> (Ottman & Books, 1998, p. 89

<sup>33</sup> Poorvi Rai, Greenwashing And Its Impact On Consumers And Environment, International journal of Multidisciplinary Educational Research (2021) VOLUME:10, ISSUE:1(3)

and green washing does not really matter, though this should be interpreted with caution.<sup>34</sup> Later on, when the consumers are aware of deception it results in demotivation for sustainable products because of the green washing impact.

A question arises at this juncture that whether the consumers are always at loss due to green washing or sometimes they are benefited from green washing? Customers will not be at loss if they are able to distinguish between green washed products or actual green products. It also happens that in fear of being deceived, people may not purchase an authentic product on the impression that it may be green washed. Hence they lose opportunity for a good product. Green washing and ignorant purchasing go hand in hand.

### **Effects of Green washing on Companies and Businesses**

There has been constant effort on the part of the companies to curb green washing by their own acts and compliances. According to a 2022 survey from Accenture, more than a third (34%) of the world's largest companies have a public net zero target and it has been targeted since December 2021.<sup>35</sup> There has been various other initiatives such as UN Backed race to Zero, Science based target initiatives, The Climate Pledge, Pledge to Net Zero, Climate Neutral etc and they intend to attend the commitment from the non state actors such as companies to emission reduction targets, curbing of green washing etc.<sup>36</sup>

Green washing is harmful for the companies as it affects the marketability of the products. When customers realise that they have been misinformed or deceived, they try not to purchase the products from that company. This also affects true and healthy competition. The companies who go for green washed products become more competitive in the market because of the increasing demand of their product. This affects the others companies who are actually producing sustainable products but generally do not indulge in green washing. Since the green washing techniques give a competitive edge to the companies, some of the companies take up deceptive practices to align themselves to the new market expectations.<sup>37</sup> There is also failure of social responsibility goals by the companies as green washing affects the consumers rights by giving false information. It also goes against the ESG goals of the companies.

Green washing also promotes unethical price mechanism of goods. It is generally seen that the price of the products which have green composition is higher because of the cost in inputs. So, if the companies are charging high prices for their green washed products which are not actually green, it is against transparent and ethical marketing prices. In order to promote marketing strategies which are substantiated by adequate information, curbing of green washing in the market is most essential.

Green washing hampers the conduct of those companies who genuinely go for green products. Due to the green washing effect, the customers often judge the authentic products to be green-washed.<sup>38</sup> Green scepticism has grown with greenwashing, hence results in the obstruction of green marketing.<sup>39</sup> It poses as a harm to the legitimate eco-friendly brands hampers corporate product sustainability. This affects the interest of the consumers in the long run.<sup>40</sup>

Green blushing/Hushing: From the negative aftereffects of greenwashing. There is rise of another phenomenon called as green blushing, sometimes also known as green hushing. This comes to surface when the companies tend to give less or no information about their products which are actually sustainable with a fear to be judged by the customers as green washed products and lose their trust. This does not help the companies in sustainable productibility and also the customers miss the opportunity of a green product and so the contribution to sustainability.

## **VII. Global Approach To Curb Green Washing: An Positive Evaluation**

There have been various legal developments around the world to curb green washing. Initiatives such as proper identification, creation of enforcement agencies etc, has been taken up. Legal foundations are also been developed for dealing with claims against the companies for green washing practices. For instance, at a global level, for the false claims, companies can be related to the law of misrepresentation and misstatements and violation of consumer rights. In the matters of securities, the plea of breach of trusts and breach of contractual

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<sup>34</sup> Ibid.

<sup>35</sup> Ekaterina Aristova, 'Greenwashing Exposed: A Close Look at the Existing Case Law (Part 1)' (Oxford Business Blog, 6 December 2023) <<https://blogs.law.ox.ac.uk/oblb/blog-post/2023/12/greenwashing-exposed-close-look-existing-case-law-part-1>> accessed 19 February, 2025

<sup>36</sup> Ibid.

<sup>37</sup> The Challenge of Greenwashing: An International Regulatory Overview, KPMG Law <<https://kpmg.com/xx/en/our-insights/esg/the-challenge-of-greenwashing.html>> 29 March 2024

<sup>38</sup> (Newell et al., 1998; Steenis et al., 2022).

<sup>39</sup> Y. Chen, C Lin, C Chang (2013) The influence of greenwash on green word-of-mouth (green WOM): The mediation effects of green perceived quality and green satisfaction, *Qual Quant* 48(5):2411–2425, <<https://doi.org/10.1007/s11135-013-9898-1>> accessed 29 March 2025

<sup>40</sup> European Commission, 2023; Fernandes et al., 2020).

obligations can be taken by the shareholders. And other stake holders. The conduct of a company in green washing its products also comes in contravention to the competition laws.etc.

The global approach to curb green washing practices have upsurged at an international level, mainly after UN General Assembly's (UNGA's) recognition of a human right to a clean, healthy, and sustainable environment in July 2022, which can be extended to consumer rights affected by green washing .<sup>41</sup> Some of the remarkable developments at a global level to curb green washing is given as under:

#### European Union

The European Union has recently taken up various consumer friendly efforts to curb green washing. They have come up with certain regulations which will protect the consumers from various false claims made by the companies and also hold them accountable.<sup>42</sup> Very recently, they have come up with the Directive Empowering Consumers for the Green Transition,2022, which states that any claim which the companies make regarding a greener product should be appropriately certified with adequate information according to certification schemes by the public authorities.

The Green Claims Directive (GCD) and Green Washing Directive(GWD)states that the environmental claims made by the companies should be clear and substantiated by evidence. It covers all the sustainability claims related to a product or a service in B2C( Business to Consumer) context. It defines sustainability Claim as green claims or social characteristic claim. It defines environmental claim<sup>43</sup> as any pictorial or graphical representation that states that a product has zero impact on the environment.<sup>44</sup> These initiatives are applicable to multinational Corporations as well as MSMEs.

The Common Criteria for Business<sup>45</sup> aims to take various steps such as banning generic claim on goods without proof so that sustainability levels can be maintained properly.<sup>46</sup>

The Directives to prevent Misleading Advertisements states that there is a need to prohibit misleading advertisements Misleading advertisement means false information about a product or false information regarding its environmental content or irrelevant benefits which do not have any relation with the product or business.<sup>47</sup> It also states that a comparative claim that the product of one company is more greener than the green product of any other company will be considered misleading if it is not accompanied by authentic information about the products compared, method of comparison and the suppliers of those products.<sup>48</sup>

The EU also defines prohibited practices as unfair or misleading. Consumers can be misled prohibited practices by display of uncertified sustainability levels , environmental claims about the entire product or business but in reality it relates to only one portion of the product or business, generic environmental claims which are not based on recognized excellent environmental performance, etc.<sup>49</sup>

The Sustainable Finance Disclosure Regulation(SFDR)<sup>50</sup> and Corporate Sustainability Reporting Directive(CSRD)<sup>51</sup> states that companies have to give mandatory disclosure regarding their sustainable commitments and financial endeavours in asserting their environmental impact.

#### United Kingdom

In United Kingdom, Advertising Standards Authority(ASA) has been set up which looks into how the companies should put up their environmental claims in advertising and puts up guidelines in the furtherance of the same. It also states that any sort of environmental claims should be specific, accurate and not misleading.

<sup>41</sup> U.N. General Assembly Res. U.N. Doc. A/76/L.75, (July 26, 2022)<<https://digitallibrary.un.org/record/3982508?ln=en>. > accessed 30 March 2025

<sup>42</sup> Corporate, Environmental Services, What is the EU doing to implement green washing regulations?'<[tradebe.com/what-is-the-eu-doing-to-implement-green-washing-regulations/#:~:text=The%20European%20Union%20aims%20to,accountable%20for%20their%20sustainability%20promises](https://tradebe.com/what-is-the-eu-doing-to-implement-green-washing-regulations/#:~:text=The%20European%20Union%20aims%20to,accountable%20for%20their%20sustainability%20promises)> accessed 11 March 2025

<sup>43</sup> Proposal of the European Commission for the Unfair Commercial Practices Directive (UCPD)(European Commission),( 2.10 PM,) <https://earth.org/all-you-need-to-know-about-the-eus-new-greenwashing-directive/>

<sup>44</sup> <https://www.ftc.gov/business-guidance/advertising-marketing/environmental-marketing><marketing><https://www.ftc.gov/business-guidance/advertising-marketing/environmental-marketing> >21 February,2025

<sup>45</sup> 'Stopping greenwashing: how the EU regulates green claims'(Topics, European Parliament,15 January,2024)(<https://www.europarl.europa.eu/topics/en/article/20240111STO16722/stopping-greenwashing-how-the-eu-regulates-green-claims> accessed 20 Feb 2025

<sup>46</sup> Ibid.

<sup>47</sup> Bart Van Vooren and others 'EU Adopts New Rules on Greenwashing and Social Impact Claims'(Covington)

**Updates on Legal Developments in the EU Life Sciences Industry,(2.00 PM),** <https://www.insideeulifesciences.com/2024/01/31/eu-adopts-new-rules-on-greenwashing-and-social-impact-claims/>> accessed 12 March 2025

<sup>48</sup> Ibid.

<sup>49</sup> Bart Van Vooren and others 'EU Adopts New Rules on Greenwashing and Social Impact Claims'(Covington)

**Updates on Legal Developments in the EU Life Sciences Industry,(2.00 PM),** <https://www.insideeulifesciences.com/2024/01/31/eu-adopts-new-rules-on-greenwashing-and-social-impact-claims/>> accessed 12 March 2025

<sup>50</sup> Sustainable Finance Disclosure Regulation, EU

<sup>51</sup> Directives regards corporate sustainability reporting, EU, 16 December 2022

United States of America

In United States, the Federal Trade Commission (FTC) issues Guidelines for Environmental Marketing Claims and green washing. It provides guidelines for cautioning the consumers against false environmental claims regarding composition and disposal. It also formulates rules for advertising and marketing to be backed by evidence and seeks to prevent unfair and deceptive practices.<sup>52</sup> There is also the introduction of green guides which states that any assertion of the green component of the product or packaging should be supported by scientific evidence.<sup>53</sup>

Section 5 of the Federal Trade Commission Act (FTC Act) targets “unfair methods of competition” and “unfair or deceptive acts or practices in or affecting commerce”. This grants the FTC the power to take enforcement actions against businesses found engaging in deceptive or unfair practices, including greenwashing.<sup>54</sup>

The Security Exchange Commission (SEC) brings out certain rules to prevent environmental impact of the activities of the public companies by making the requirement of appropriate disclosures. In addition to that the SEC states that the public companies are required to disclose environmental impact and provide climate related disclosures for the investors in public offerings.

### **VIII. Regulatory Framework Of Prevention Of Green-Washing In India**

In the context of our country, there has been an upsurge of the efforts to identify and curb the negative impact of greenwashing on the consumers recently. Some of the important developments are given as under.

The Consumer Protection Act 2019

Under this Act, false and misleading information about environmental quality of the products is considered illegal and amounts to violation of the rights of the consumer. The consumers can file a complaint in the consumer court for seeking redressal and compensation. The protection of consumer rights in relation to green washing is also reflected in Chapter III through the establishment of Central Consumer Protection Authority (CCPA)<sup>55</sup>. It acts as a regulatory body for looking into matters like consumer rights violation, unfair trade practices or misleading advertisements.

The CCPA has got powers to prevent unfair trade practices and false or misleading advertisement in relation to goods or services.<sup>56</sup> The CCPA also encourages recall, return and refund of products.<sup>57</sup> It has issued various guidelines such as Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, Guidelines for Prevention and Regulation of Dark Patterns, 2023, Guidelines for Prevention of Misleading Advertisement in Coaching Sector, 2024 and most recently in October 2024, it has issued Guidelines for Prevention and Regulation of Green washing or Misleading Environmental Claims, 2024.

The Guidelines for Prevention of Misleading Advertisements, issued in 2022 seeks to penalise manufacturers, advertisers and endorsers for any misleading advertisements and also defines bait advertisement, surrogate advertisement and free claim advertisements.<sup>58</sup> They also deal with the misinformation and misrepresentation in the advertising. One of the drawbacks of these guidelines was that it failed to address how to deal with false environmental claims and green washing techniques on products, used as marketing and advertising strategy by the companies. . It is also being stated that if an advertisement goes against the established rules then the required action can be taken by the Central Consumer Protection Authority under Consumer Protection Act, 2019.

In October, 2024, the CCPA has issued the Guidelines for Prevention and Regulation of Green washing or Misleading Environmental Claims. It looks into prevention of misleading environment claims and greenwashing and it supplements the Guidelines for Prevention of Misleading Advertisements, 2022.<sup>59</sup> They are applicable to the manufacturers, service providers, advertisers, agencies, endorsers and are against making or promotion of false environmental claims. They aim at directing the companies to go for substantiated

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<sup>52</sup> Advertising and Marketing Basics, Federal Trade Commission <<https://www.ftc.gov/business-guidance/advertising-marketing/advertising-marketing-basics>> accessed 13 March 2025

<sup>53</sup> Environmental Marketing, Federal Trade Commission, (13<sup>th</sup> March, 2025, 10.30 AM), <https://www.ftc.gov/business-guidance/advertising-marketing/environmental-marketing>

<sup>54</sup> The Challenge of Greenwashing: An International Regulatory Overview (KPMG) < The Challenge of Greenwashing: An International Regulatory Overview > 29 March 2025

<sup>55</sup> Section 10, Consumer Protection Act, 2019

<sup>56</sup> Section 18, 10, Consumer Protection Act, 2019

<sup>57</sup> Prof Sairam Bhat, Jaibatraka Mohanta, Greenwashing law: A fresh start for green consumerism, (Bar and Bench, 30 January, 2025) <<https://www.barandbench.com/columns/greenwashing-law-a-fresh-start-for-green-consumerism>> accessed 28 Feb 2025

<sup>58</sup> Centre issues ‘Guidelines on Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022’, Ministry of Consumer Affairs, Food & Public Distribution PIB Delhi < <https://pib.gov.in/PressReleasePage.aspx?PRID=1832906>> accessed 28 Feb 2025

<sup>59</sup> Meenakshi Sushma, ‘How India’s greenwashing guidelines can protect consumers, Citizen Consumer and Civic Action Group’ < <https://www.cag.org.in/blogs/how-indias-greenwashing-guidelines-can-protect-consumers>> accessed 24 Feb 2025

environmental claims and maintain accountability and transparency by providing adequate data for the claims without pick and choose of data favourable to the company.<sup>60</sup>

These guidelines define comparative environmental claims which means if a company is claiming its product to be comparatively greener and sustainable than any other product of a company in competition, it should be substantiated by appropriate disclosures.

It is very important that the common people are aware of these guidelines and the companies are given a stricter compliance for the same.

These guidelines are a great development for enhancing the consumer rights. Nonetheless, it is felt that these guidelines do not clarify that the appropriate information has to be furnished regarding the entire life cycle of the product or only on the green composition of it. Also a question arises as to the fact that whether these guidelines will actually help the customers to distinguish between greenwashed, non-green and actual green products, as it happens that some companies may not give information about the product being green even if their product is green as they may be green muted companies as stated. These guidelines are also silent about the categorization of greenwashed product and green advertised product.

#### Advertising Standards Council of India (ASCI) Guidelines

The concept of greenwashing is against Chapter I of Advertising Standards Council of India(ASCI) Code which talks about truthful and honest representation.<sup>61</sup> It is playing a pioneer role in curbing false claim on products by looking into complaints against the advertisements with false environmental claims. Recently in February 2024, the Council has issued certain guideless to prevent and check green washing practices by compelling the companies to go for advertisements which are reliable, verifiable and transparent.<sup>62</sup> Most of the actions which was taken by Advertising Standards Council of India(ASCI) is on a voluntary basis but with coming of Guidelines for Prevention of Misleading Advertisements and Endorsements of Misleading Advertisements, 2022, the previous actions of ASCI has been codified.<sup>63</sup> It defines green washing as a the tactic of giving false or deceptive information about the product sustainability. it also defines environmental claims or green claims as suggestion given by the companies that its products, including packaging methods or service provided has positive impact on the environment and is less damaging.<sup>64</sup>

#### Bureau of Indian Standards (BIS)

The Bureau of Indian Standards(BIS) also puts an effort to prevent green washing practices in India by setting certain criteria for eco- levelling of products stated IS/ISO 14024:1999 which will certify that the product is eco-friendly.<sup>65</sup>

#### SEBI Guidelines for Green washing 2023

In order to prevent green washing, an initiative is being taken by SEBI for supporting the companies which take up environmentally sound projects, by issuing green debt securities. This is substantiated by Operational Circular for Non-Convertible securities, 2021, regulating green financial product, 2019<sup>66</sup> which states that a Debt Security shall be considered as "Green" or "Green Debt Securities", if the funds raised through issuance of the debt securities are to be utilised for project(s) and/or asset(s) falling under broad categories<sup>67</sup> of renewable and sustainable energy, clean transportation, climate change adaptation, sustainable waste management, biodiversity conservation etc.This helps in advertising green securities. It is a safeguard for the issuers of securities so that misleading labels, cherry picking data and false claims made by the companies can be prevented. This is also to avoid false third party certification.

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<sup>60</sup> Ibid.

<sup>61</sup> ACSI Code, Capter I, Clause I.I

<sup>62</sup> Greenwashing No More: ASCI Introduces Guidelines to Ensure Honest Environmental Claims in Advertisements, Press Release, (ASC, January 18, 2024)<[www.ascionline.in](http://www.ascionline.in) > accessed 29 March 2025

<sup>63</sup> Greenwashing - New Guidelines and the Path to Compliance, Cyril Amarchand Mangal Das, (Clientalert, November 2024)[www.cyrilshoff](http://www.cyrilshoff) accessed 29 March 2025

<sup>64</sup> Preamble of the ASCI code on misleading advertisement

<sup>65</sup> Manoj Sonawala, 'Green Washing and Green Blushin'g( ICSI)<[www.icsi.ed](http://www.icsi.ed) > accessed 21 March 2025

<sup>66</sup> Trishaljeet Singh and Surya Pratap Singh Naruka, 'Preventing Green Washing Practices in Business Landscape: Analysis of Green Washing Guidelines' 2024,( Laworbit)<<https://www.laworbit.com/article/guidelines-for-prevention-regulation-of-greenwashing-or-misleading-environmental-claims-2024/#:~:text=In%202023%2C%20SEBI%20further%20refined,in%20addressing%20greenwashing%20in%20advertising>> accessed 7<sup>th</sup> March 2025

<sup>67</sup> Vikrant Rana and Sanchi Malhotra, 'Green Debt Securities & Its Disclosure Requirements,(Mondaq, June 27,2017,( 9<sup>th</sup> March,2025,3.20 PM) <https://www.mondaq.com/india/renewables/605740/green-debt-securities-its-disclosure-requirements>> 9 March,2025

#### Business Responsibility and Sustainability Report (BRSR)

SEBI also introduced the Business Responsibility and Sustainability Report (BRSR) to be given by top 1000 listed companies in India under Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015, which was amended on September 20, 2023<sup>68</sup>. This is in furtherance of National Guidelines on Responsible Business Conduct. The BRSR through its principles seeks to establish product responsibility for the sustainable goods they claim to provide<sup>69</sup> and show their responsibility to the environment by reducing the adverse ecological impact<sup>70</sup>. The BRSR also introduced the concept of green credit program which tracks the green credit generation by the companies<sup>71</sup> so that the finances by the companies are being used for sustainable activities.

#### Environmental Social and Governance(ESG) compliance

The SEBI also introduced the Environmental Social and Governance(ESG) compliance across value chains which has a correlation with the BRSR compliance. The ESG relates to the sustainable business practices of the companies based on the principle of transparency and accountability so that companies build trust with the stakeholders and create a long term value chain. This attainment of the BRSR compliance becomes much easier for the companies if they incorporate ESG principles. ESG also aligns with evolving consumer and societal expectations and regulatory trends, ensuring businesses operate responsibly and contribute to a sustainable future.<sup>72</sup> The BRSR and the ESG compliance is aligned mainly with the protection of consumer rights.

#### Reserve Bank of India

The Reserve Bank of India has introduced Green Deposits and has put forward a framework for green deposits. Green deposits are an initiative taken by the banks to encourage deposits in the bank for the people who want their money to be utilized for only environmentally sustainable projects. Whenever people make green deposits, the banks ensure that adequate and transparent information is being provided to them as to how their money is being utilized.<sup>73</sup>

### **IX. Green Washing: A Judicial Interpretation**

Over the recent years the various cases have been instituted condemning the practice of greenwashing world wide. It is expected that through these judgements there can be deterrent affect on the overall practice of green washing. Some important milestones have been achieved in curbing green washing through established judicial precedents. For instance, in similarity with the Volkswagen case, which has been earlier mentioned, an UK based company by name TESCO falsely claimed that their 'Everyday Light Bulbs' energy efficient and help in the reducing carbon footprint. It was fined by Advertising Standards Authority and had to pay compensation to the consumers. In the year 2020, a lawsuit was instituted against H&M stating that the company had been adopting various green washing techniques to mislead the customers about their environmental impact.

In the case of *Usher v. Vital Farms*<sup>74</sup>, the United States District Court of the Western District of Texas held that dissemination of false information by labelling can be a form of misleading practice by the companies. It held that labelling of egg cartons as 'humane' and 'ethical' is actually providing false information and is misleading.

In the case of *Smith v. Keurig Green Mountain*<sup>75</sup>, a class action suit was instated against a company for a product which it claimed to be recyclable, but actually they were not. So United States District Court of Northern District of California held that since the consumers purchased the product on the basis of misinformation, so the consumers have to be compensated.

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<sup>68</sup> Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015 [Last amended on September 20, 2023](SEBI,10 March,2015)<[https://www.sebi.gov.in/legal/regulations/sep-2023/securities-and-exchange-board-of-india-listing-obligations-and-disclosure-requirements-regulations-2015-last-amended-on-september-20-2023-\\_77239.html](https://www.sebi.gov.in/legal/regulations/sep-2023/securities-and-exchange-board-of-india-listing-obligations-and-disclosure-requirements-regulations-2015-last-amended-on-september-20-2023-_77239.html)> accessed 20 March 2025

<sup>69</sup> Principle 2, BRSR 2015

<sup>70</sup> Principle 6, BRSR 2015

<sup>71</sup> Mellissa Cyril, 'BRSR Reporting in India: Key Changes to ESG Disclosures Introduced by SEBI, India Briefing,< <https://www.india-briefing.com/news/bsr-reporting-in-india-key-changes-to-esg-disclosures-introduced-by-sebi-36261.html#:~:text=On%20July%2012%2C%202023%2C%20SEBI,reduce%20financial%20and%20compliance%20burdens.>> accessed 10 March 2025

<sup>72</sup> Renata Ulloa, 'What is ESG and why is it important?(Anthesis Australia)<<https://www.anthesisgroup.com/au/insights/what-is-esg-and-why-is-it-important/>> accessed 10 March 2025

<sup>73</sup> 'What are Green Deposits and how does it work?'(Axis Bank, 5<sup>th</sup> April 2024)<<https://www.axisbank.com/progress-with-us-articles/money-matters/save-invest/what-is-green-deposit#:~:text=A%20Green%20Deposit%20is%20an,projects%20that%20benefit%20our%20planet>> accessed 14 March 2024

<sup>74</sup> 2022 WL 1491091 (W.D. Tex. Jan. 31, 2022)

<sup>75</sup> 2023 WL 2250264 (N.D. Cal. Feb. 27, 2023)

In the case of *Australian Securities and Investments Commission v. Mercer Superannuation (Australia) Limited*<sup>76</sup>, the Federal Court of Australia held that the investments options given by the company are misleading as the company is claiming that the investments are done for sustainable purposes. For instance in *Columbia v. Exxon Mobil Corp.*<sup>77</sup> it was alleged that ExxonMobil and other fossil fuel company violated the D.C. Consumer Protection Procedures Act by engaging in intentionally misleading and deceptive greenwashing campaigns<sup>78</sup>.

Various cases have come in India as well which shows puts light on the active role of the judiciary in deterring the practice of green washing by the companies. For instance, in 2015, Godrej Soaps Green Wash Case, the Godrej Consumer Ltd was fined for making false claims about the environmental benefits of the Godrej No.1 Soap. In the year 2013, in the Voltas AC Greenwash Case, Voltas Ltd was accused of making false claims about energy efficiency of its Air Conditioners and was fined. In the year 2011, in the HUL Green Wash Case, Hindustan Unilever Ltd was fined for making false claims about the environmental benefits of the Surf Excel Easywash detergent.

In a recent decision of the Supreme Court of India, it was emphasized the protection of the rights of the consumer are of utmost importance and there should be strict compliance against any misleading claims or products.<sup>79</sup> In another case, the Supreme Court of India also had posed several questions on the respondents about the actions taken by them to protect the consumers from false claims.<sup>80</sup>

### **X. Certification Of Green Products In City Of Guwahati: An Case Study**

For the purpose of collecting data in terms of certification of the products claimed to be green by different vendors, the researcher has visited various categories of shops dealing with various products such as spices, cosmetics, grocery items, furniture etc. The researcher conducted interview with shopkeepers as well as the customers. The shopkeepers claimed that their products were sustainable right from the collection of raw materials which are done through organic farming methods. On the question of certification they stated that they were aware of the third party certification authorities and all their products are duly certified. In terms of prices, the shopkeepers stated that since the raw materials used in the manufacturing process is organic, so the prices are relatively high. They also stated that there is maximum customer satisfaction. On the question that whether the customer base for the product has increased or decreased, the shopkeepers stated that the customers base for the products have not increased so far and present customers are sort of permanent customers. On the question that whether they use any publicity techniques for their sustainable products, most of the shopkeepers stated that they don't use any such techniques. Some of the customers were also interviewed who were present at the shops. They were also of the opinion that they were aware of the third party certification and they purchase only those green products which are certified. On the question that are they aware of the recent developments to stop green washing practices, there was awareness among the consumers.

Certification logos used by different shops in Guwahati

| Name of the shop                  | Certification Logo              |
|-----------------------------------|---------------------------------|
| Prasanti Organics Guwahati        | Jalvik Bharat, PGS- INDIA GREEN |
| Organic Retail Store, Guwahati    | PSG-INDIAORGANIC,INDIA ORGANIC  |
| Fab India Organic Store, Guwahati | USDA ORGANIC, Jalvik Bharat     |
| Organic Market Complex. Guwahati  | 100 % PURE, NMR TESTED          |
| Your Organic Stop                 | Jalvik Bharat, PGS- INDIA GREEN |
| Organic India Store               | Jalvik Bharat                   |

<sup>76</sup> 2024 [FCA] 850

<sup>77</sup> District of Columbia v. ExxonMobil Corp., Civil Action No. 20-1932 (TJK), 2022 U.S. Dist. LEXIS 205645 (D.D.C. Nov. 12, 2022).

<sup>78</sup> Beyond Pesticides v. ExxonMobil Corp., Civ. Action No. 20-1815 (TJK), 2021 U.S. Dist. LEXIS 53032 (D.D.C. Mar. 22, 2021) (nonprofit organization filed action under D.C. Consumer Protection Procedures Act and fossil fuel company defendants sought to remove case to federal court on similar grounds).

<sup>79</sup> Greenwashing - New Guidelines and the Path to Compliance(Client Alert, Cyril Marchand Mangaldas, November 7 2024)< www.cyrilshroff.com> accessed 21 March 2025

<sup>80</sup> *Indian Medical Association & Anr v. Union of India & Ors.*, Writ Petition (Civil) No. 645 of 2022

Graphical Sample



## XI. Conclusion

The trend of green washing is gaining momentum which affects consumer rights. When there is shaming of environmental concerns by the companies, it violates the trusts and benefit of the consumers in relation to products, companies and brands. The preferences of the customers for eco-friendly products have created a competitive market for the companies for green washing products exaggerating their environmental claims without total truth of it.

In the present times, environmental impact and sustainability influences consumer decisions. What is needed now customers make informed decisions while going for green products. This requires awareness among the consumers about various green washing techniques. If the consumers tend to support the companies who go for greener products, it should happen on the basis of full and credible information. Providing false information under the garb of green and sustainable products shows lack of transparency and authenticity. According to a study conducted by ASCI, 79% of green claims made by organizations were exaggerated or misleading. According to a YouGov market research study, 71% of Indian consumers reported incidents of greenwashing, with 60% expressing concern. Furthermore, only 29% of consumers reported trusting organizations' environmental claims.<sup>81</sup>

One of the primary responsibilities to mitigate green washing practices lies on regulatory bodies. It requires proper identification of deceptive practices and continuous monitoring for non-compliance. Responsibility also lies on the consumers to look into marketing strategies of companies and how they deceive people. The consumers should also look into third-party labels and certifications including ESG report and material impact Assessment<sup>82</sup>, along with ESG litigation. Enforcement agencies for screening and management of risks associated with green washing by the companies is required. This should also be accompanied with giving appropriate disclosures. There is also the need of appropriate training programs for agency partners on greenwashing risks in the brand/product's context.<sup>83</sup>

Nonetheless, consumer awareness is the primary solution here. The consumers should use their own ways of identifying whether a product is greenwashed or not. People should have the sense of suspicion that product may be greenwashed and be cautious for it. The customers should always be alert about the potential green washing practices. It is also the responsibility of the law makers and entrusted institutions in mass to take up various steps to draw the attention of the customers towards how the companies go for green washing and make them aware of the same. For instance, strengthening the nationwide campaigning of the 'Jago Grahak Jago Campaign' and making green washing a part of it. It is also required that enforcement strategies established for all types of companies practicing green washing and establish transparency and accountability in terms of information provided.

So it is an established fact that the alarming environmental degradation should be prevented and it is a joint effort from every stakeholder in the society, be it preventing pollution, sustainable business practices, green washing including disposing of products, use of renewable sources of energy etc. Nonetheless, the question is that whether green consumption the only solution to environmental degradation and sustainability<sup>84</sup> or there is something more to do.

<sup>81</sup> Report of Advertising Standards Council of India

<sup>82</sup> Supra note 73

<sup>83</sup> Ibid

<sup>84</sup> (Kates, 2000; Nguyen et al., 2019; Wu & Chen, 2014; Varshneya et al., 2017)