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A Marketer's Guide to

AU Marketing Compliance Greenwashing Rules



INTRODUCTION

With the Australian Competition and Consumer Commission (ACCC) prioritising greenwashing enforcement, unclear or unsubstantiated claims can lead to serious penalties.

This guide translates the ACCC's complex rules into plain language. It's designed to help marketing teams create confident, compliant environmental content and introduces you to solutions that can automate compliance checks for greater speed and accuracy.



Disclaimer: This document is not intended as a substitute for legal or regulatory advice. It has been prepared using public and private information by IntelligenceBank, a provider of software that helps companies stay on brand and adhere to regulatory compliance. Organizations should always seek professional advice when establishing internal compliance protocols.



GREENWASHING RULES EVERY AUSTRALIAN MARKETER MUST KNOW

Greenwashing is when companies make misleading or exaggerated claims about their environmental efforts to appear more sustainable than they actually are. This can include overstating their eco-friendly practices, using vague terms like “green” or “eco-friendly” without evidence or leaving out important details about their environmental impact.

There are eight principles the ACCC looks to when assessing greenwashing. All are enforceable under Australian Consumer Law (ACL) which prohibits misleading and deceptive conduct or representations. This applies to any environmental or sustainability claim that could influence consumer decisions.

These principles require businesses to:

Make Accurate & Truthful Claims

BAD



Claiming a product is “100% recyclable” when only the packaging, not the product itself, can be recycled.

GOOD



“Packaging is recyclable. Product is not recyclable.”

Have evidence to back up claims

BAD



Saying “50% lower emissions than our previous model” requires qualifying and clear data to prove it.

GOOD



“Emissions reduced compared with our 2023 model, based on internal testing.”



Avoid hiding or omitting important information

BAD



Advertising a product as “biodegradable” but failing to mention it only biodegrades in industrial composting facilities, not household bins.

GOOD



“Biodegradable in industrial composting facilities only. Not suitable for home composting.”

Explain conditions or qualifications

BAD



Claiming “Carbon neutral delivery” without clarifying that neutrality is achieved through purchased offsets rather than zero-emission transport.

GOOD



“Delivery emissions are fully offset through accredited carbon offset programs. Deliveries are not made using zero-emission vehicles.”

Avoid broad, unqualified terms

BAD



Saying “eco friendly” without any context, data or explanation are viewed as vague and misleading.

GOOD



“Produced using 30 percent less water than our 2024 model, based on verified manufacturing data.”

Use clear, easy to understand language

BAD



Using technical jargon such as “meets enhanced environmental performance thresholds” without explaining what that means.

GOOD



“Uses less energy during operation than our previous model, helping reduce electricity consumption.”



Ensure visuals do not give the wrong impression

BAD



Using green leaves, natural textures or environmental imagery on packaging that suggests the product is compostable when it is not.

GOOD



Use neutral visuals and include a clear statement such as “This product is not compostable. Please dispose of it responsibly.”

Be direct and open about sustainability transitions

BAD

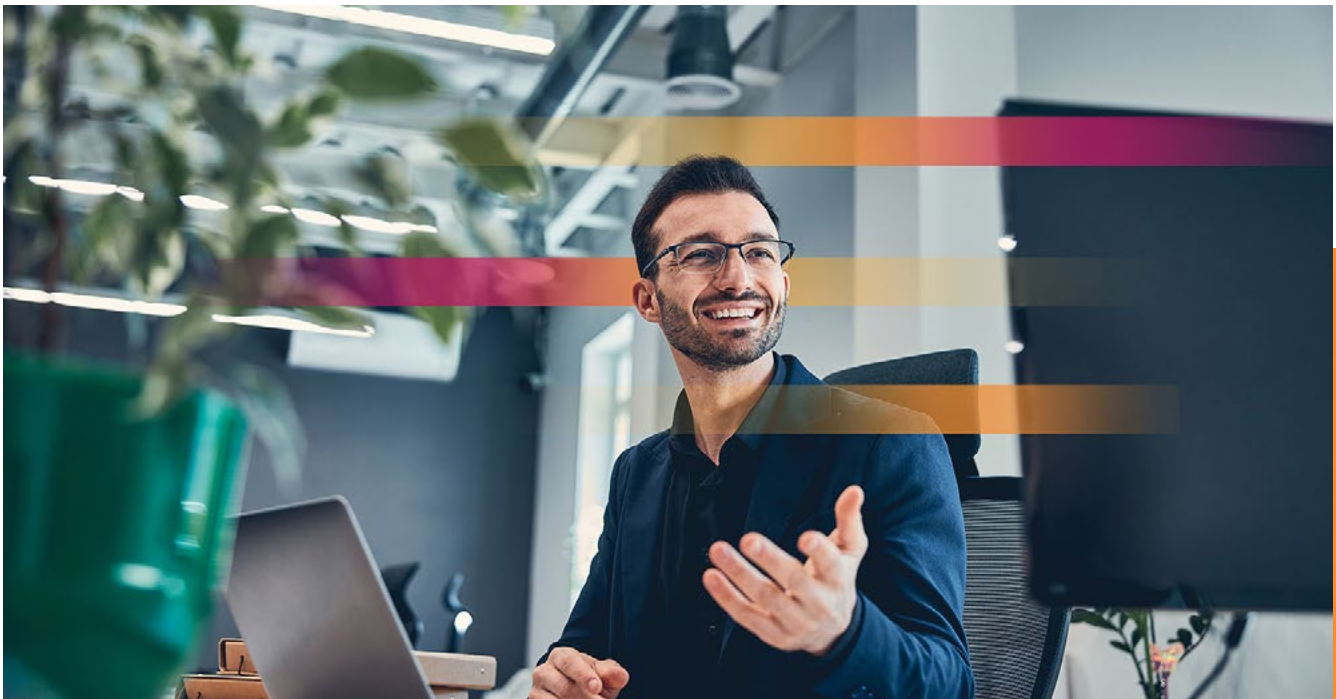


Claiming “We are now a carbon neutral company” when neutrality only applies to selected business units. This includes statements around future sustainability targets.

GOOD



“Our Australian operations are certified carbon neutral for 2024. Other regions are working toward certification in future years.”



Ready to Simplify Your Compliance Process?

Upholding marketing compliance doesn't have to be a headache. With the right software and processes in place, you can ensure your marketing materials are compliant, accurate and effective. IntelligenceBank's AI content compliance solutions are designed to help organizations like yours take a proactive approach to regulatory requirements while saving time and reducing risk. Rather than building a solution from scratch, teams can get up and running faster with compliance checks aligned to common regulatory expectations and designed to flag potential risks earlier in the review process.

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