

Carton Back Panel Claims

back panel marketing copy for a retail carton, checked against the client's own substantiation file | Marked-up specimen

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Four environmental claims on one panel, each matched to the figure in the file behind it and to the wording the Green Guides supply.

ORIGINAL, WITH EDITS MARKED

SPECIMEN, PREPARED BY EDITFAST FOR ILLUSTRATION. NOT A REAL PACKAGE.

Prepared for Marlow Kitchen Goods (fictitious), carton back panel copy

EXTRACT FROM THE CLIENT'S SUBSTANTIATION FILE (reproduced unchanged in both panels)

SF-1 Access study commissioned by the client: recycling facilities accepting this carton are available to 55 percent of communities where the item is sold.

SF-2 The carton is 100 percent recycled paperboard. The window film is not recycled and is 4 percent of the pack by weight.

SF-3 Certification held: a fiber sourcing certificate covering the paperboard only. The certifier's scope does not cover the film, the ink, or the product inside.

SF-4 The client holds no testing on decomposition of the carton or the film.

SF-5 Largest type size on the back panel: 14 point. The current disclosure line is set in 5 point at the foot of the panel.

BACK PANEL

ECO-FRIENDLY PACKAGING (14 pt)¹

Recyclable. Degradable. Made from recycled material.²

[certification seal, no wording]³

Some restrictions apply. See our website for details. (5 pt, foot of panel)⁴

WHAT CHANGED, AND WHY

#	Was	Now	Reason
1	ECO-FRIENDLY PACKAGING (14 pt)	CARTON MADE FROM RECYCLED PAPERBOARD (14 pt)	Section 260.4(b) advises that marketers should not make unqualified general environmental benefit claims, because such claims likely convey far-reaching benefits that are unlikely to be substantiated. SF-2 gives a specific attribute the file supports, and paragraph (c) asks for language that limits the claim to a specific benefit.

#	Was	Now	Reason
2	Recyclable. Degradable. Made from recycled material.	Carton: this carton may not be recyclable in your area. / Carton made from 100 percent recycled paperboard. Window film is not recycled. / [Query to the client: SF-4 records no testing on decomposition, and 16 CFR 260.8(c) treats an unqualified degradable claim as deceptive for items entering the solid waste stream that do not completely decompose within one year. The word has been left off rather than qualified.]	SF-1 gives 55 percent, which is below the 60 percent that 260.12(b)(1) sets for an unqualified claim, and the wording used is the specimen the guides give for availability slightly below a substantial majority. Section 260.3(b) asks a claim to say whether it refers to the product or the packaging, which SF-2 settles. Section 260.13(c) allows an unqualified recycled content claim only where the whole item excluding minor incidental components is recycled, and SF-2 records the film as not recycled. The degradable claim is raised as a query, because whether the carton decomposes is not answerable from the file.
3	[certification seal, no wording]	[certification seal, captioned: certified fiber sourcing, paperboard only]	Section 260.6(d) provides that a seal that does not convey the basis for the certification likely conveys a general environmental benefit, and advises against using one. SF-3 gives the scope of the certificate, and paragraph (e) asks for qualifying language conveying that a seal refers only to specific and limited benefits.
4	Some restrictions apply. See our website for details. (5 pt, foot of panel)	(removed; the qualification now sits with the claim)	Section 260.3(a) asks for qualifications in sufficiently large type and "in close proximity to the qualified claim." SF-5 records the line at 5 point at the foot of the panel, away from the claim it was meant to qualify, and the words did not say what the restriction was.