

GREENWASHING IN THE SUSTAINABLE ECONOMY

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ABSTRACT: *Greenwashing constitutes a significant challenge to market transparency and consumer protection, referring to the presentation of a company's or product's environmental performance in a manner that is more favourable than warranted by available evidence. The literature identifies several manifestations, including vague or inadequately substantiated claims, the omission of relevant information, the use of misleading symbols, and the selective disclosure of environmental performance. TerraChoice (2010) and the European Commission (2021) indicate that insufficient evidence, vagueness, and the limited verifiability of environmental claims are among the most prevalent forms of greenwashing. Against this background, recent regulatory developments in the European Union, the United States, the United Kingdom, Australia, and Canada increasingly emphasise the substantiation, accuracy, and transparency of environmental claims. This study examines these developments through a case study of Fairphone, assessing the extent to which its corporate practices and sustainability communication mitigate the risk of greenwashing. The analysis highlights the use of measurable indicators, annual reporting, external verification, disclosure of methodological limitations, and acknowledgement of targets that have not been fully achieved. Fairphone also avoids absolute claims regarding climate neutrality and provides transparency concerning the book-and-claim mechanisms applied to the sourcing of certain materials. The findings suggest that Fairphone represents a comparatively well-substantiated approach to environmental communication, while remaining subject to environmental impacts and potential risks of selective disclosure. The case underscores the importance of verifiable evidence, transparency, and explicit recognition of limitations in establishing the credibility of sustainability claims.*

Keywords: *Greenwashing, Sustainability, Consumer Protection, Transparency, Circular Economy.*

JEL Classification: *M31; Q56; D18; K32*

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1. INTRODUCTION

Against the backdrop of growing concerns over climate change, natural resource use, and the transition towards more sustainable economic models, corporate environmental performance has become an increasingly salient consideration for consumers, investors, and public authorities. This development has contributed to the expansion of environmentally oriented corporate communication and marketing, while simultaneously increasing the risk of environmental performance being presented selectively, overstated, or insufficiently substantiated. Within this context, greenwashing has emerged as a significant issue in the economic literature and in the broader field of consumer protection, raising concerns regarding the credibility, transparency, and verifiability of corporate environmental claims.

The aim of this study is to examine the phenomenon of greenwashing, its principal manifestations, and the regulatory responses developed to address it, while illustrating, through a case study, how a company can communicate its environmental performance without misleading consumers.

Methodologically, the study adopts a documentary research approach based on an analysis of academic literature, empirical reports (TerraChoice, 2010; European Commission, 2021), legislative instruments and regulatory guidance issued by competent authorities in the European Union, the United States, the United Kingdom, Australia, and Canada, as well as impact reports and publicly available information published by Fairphone (2024, 2026).

Greenwashing may generate adverse consequences for companies, consumers, and investors by undermining trust in environmental information, increasing reputational and regulatory risks, and constraining the ability of consumers and investors to distinguish organisations with substantive sustainability performance from those relying primarily on symbolic or selectively disclosed environmental credentials. At the same time, increasing pressure on companies to substantiate the accuracy of their environmental claims may contribute to the emergence of *greenhushing*, characterised by the deliberate reduction or avoidance of communication concerning sustainability initiatives. Consequently, both the overstatement of environmental performance through *greenwashing* and its undercommunication through *greenhushing* may compromise the quality and completeness of information available to stakeholders and weaken the effectiveness of market mechanisms that increasingly rely on sustainability-related information.

2. CONCEPTUAL DEFINITION AND DELIMITATION OF GREENWASHING

The term “*greenwashing*” was first introduced by American environmentalist Jay Westerveld in a 1986 essay addressing the hotel industry's practice of encouraging guests to reuse towels on environmental grounds, despite the limited evidence of substantive environmental efforts by the hotels themselves (de Freitas Netto et al., 2020). The concept subsequently evolved into a broader analytical framework for examining discrepancies between corporate environmental performance and the way such performance is communicated to stakeholders.

Delmas and Burbano (2011) conceptualise greenwashing as the combination of **poor environmental performance and positive communication regarding such performance**. They examine the phenomenon at two levels: the firm level, referred to as **corporate greenwashing**, and the product level. Their framework identifies three broad categories of drivers: **external drivers**, including regulatory, non-governmental, and market pressures; **organisational drivers**, such as incentives, decision-making structures, and organisational ethics; and **individual drivers**, including managerial optimism and short-term decision-making.

Lyon and Montgomery (2015) distinguish between **selective greenwashing**, whereby organisations emphasise positive environmental aspects while concealing or downplaying negative ones, and **decoupling greenwashing**, whereby symbolic environmental commitments are not accompanied by substantive implementation. Their review also demonstrates the rapid expansion of academic interest in greenwashing after 2010. Subsequently, the systematic review conducted by de Freitas Netto et al. (2020) categorises greenwashing manifestations into **claim-based** and **executional** forms, the latter encompassing the use of images, colours, symbols, and other visual elements associated with nature and environmental protection. The authors further highlight the absence of a universally accepted definition of greenwashing, reflecting the conceptual heterogeneity of the phenomenon.

Another influential classification in the greenwashing literature is the framework proposed by TerraChoice (2010), which identifies seven practices through which environmental claims concerning products may mislead consumers. These include the **hidden trade-off, lack of proof, vagueness, irrelevance, lesser of two evils, fibbing, and worshipping false labels**. Collectively, these categories capture distinct mechanisms through which environmental information may be selectively presented, exaggerated, or communicated without adequate substantiation.

Building on these conceptual distinctions, de Freitas Netto et al. (2020) identify four categories of greenwashing: (a) **firm-level executional greenwashing**, whereby visual elements, language, and the overall communication context evoke associations with nature or environmental protection; (b) **firm-level claim greenwashing**, whereby corporate claims concerning environmental performance are misleading or inadequately substantiated; (c) **product-level executional greenwashing**, whereby product or packaging design conveys an environmentally favourable impression; and (d) **product-level claim greenwashing**, whereby an environmental claim concerning a product is misleading or problematic. This taxonomy is particularly relevant because it demonstrates that assessing the credibility of sustainability communication cannot be reduced to verifying the factual accuracy of an isolated statement. Rather, consumers interpret environmental communication holistically, responding to the overall message conveyed by textual, visual, symbolic, and contextual elements.

3. STUDIES ON GREENWASHING

The 2010 TerraChoice study examined **5,296 unique products** in Canada and the United States, with the products analyzed making a total of **12,061 environmental claims**. The researchers assessed these claims against the guidelines issued by the U.S. Federal Trade Commission, the guidance provided by the Canadian Competition Bureau, and the ISO 14021 standard on environmental labeling. Each product was independently evaluated by two analysts in an effort to minimize the risk of individual interpretations of the assessment criteria.

Table 1. Types of “Sins” among Consumer Products

Type of “Sin” / Form of Greenwashing	Percentage
No Proof (making environmental claims without supporting evidence or certification)	70.1%
Vagueness (using terms such as “natural,” “green,” or “environmentally friendly” without clearly specifying what they mean)	67.3%
Fake Labels (using symbols, images, or labels that create the impression that a product is environmentally certified when it is not)	30.9%

Type of “Sin” / Form of Greenwashing	Percentage
Hidden Trade-off (presenting a product as environmentally friendly on the basis of a single “green” attribute while disregarding other negative environmental impacts)	27.4%
Irrelevance (promoting a claim that is factually true but irrelevant to the product’s environmental impact)	5.8%
Lesser of Two Evils (presenting a product as “green” because it is less harmful than available alternatives, although it remains polluting or otherwise environmentally problematic)	0.5%
Fibbing (providing entirely false environmental information about a product)	4.5%

Note: The percentages should not be summed. A single product could exhibit more than one “sin”; therefore, the categories are not mutually exclusive and may overlap.

Source: TerraChoice (2010). *The Sins of Greenwashing: Home and Family Edition 2010*. Ottawa: TerraChoice Environmental Marketing / Underwriters Laboratories. p. 16. https://www.twosides.info/wp-content/uploads/2018/05/Terrachoice_The_Sins_of_Greenwashing_-_Home_and_Family_Edition_2010.pdf

Table 1 highlights the main forms of greenwashing identified by TerraChoice (2010), with the highest proportion corresponding to “No Proof,” accounting for 70.1% of the products examined. This was followed by “Vagueness,” at 67.3%, and “Fake Labels,” at 30.9%.

The distribution indicates that greenwashing primarily manifests itself through the omission of relevant information, insufficient substantiation of environmental claims, and the use of broad and difficult-to-verify statements. By contrast, “Fibbing,” understood as the direct provision of false information, was relatively marginal, accounting for 4.5% of the products examined. This finding indicates that explicitly false claims constitute a relatively small proportion of the phenomenon compared with forms of incomplete or ambiguous environmental communication. Accordingly, a legal regime that sanctions only “false” claims would address only a limited fraction of the phenomenon, thereby supporting a shift towards requirements concerning the substantiation of environmental claims.

From an economic and consumer protection perspective, these findings are particularly relevant because they highlight the difficulty consumers face in assessing the environmental performance of products on the basis of information provided by traders. The problem of greenwashing therefore extends beyond the provision of false information and also encompasses the selective, vague, or insufficiently substantiated manner in which the environmental characteristics of products are communicated. These findings support the need for mechanisms aimed at ensuring the substantiation, transparency, and verifiability of environmental claims.

In addition, the European Commission and national consumer protection authorities published the results of a website screening exercise, commonly referred to as a “sweep,” conducted as part of the annual efforts to identify potential breaches of European consumer protection legislation in online markets. For the first time, this exercise specifically targeted the phenomenon of “greenwashing,” namely situations in which companies present their environmental performance or actions in a manner that is more favorable than can be substantiated by the available evidence. The analysis examined environmental claims made on the websites of companies operating across various sectors, including the clothing industry, cosmetics, and household goods. Accordingly, the European Commission (2021), together with national consumer protection authorities, examined 344 environmental claims appearing on traders’ websites across the European Union.

Table 2. Typology and prevalence of potentially misleading environmental claims identified in the analyzed sample

Indicator	Percentage
Exaggerated, false, or misleading claims (potentially constituting an unfair commercial practice under the UCPD)	42%
Vague and general claims (e.g., “conscious,” “eco,” “sustainable”)	37%
Lack of easily accessible supporting evidence	59%

Source: European Commission (2021). Screening of websites for “greenwashing”: half of green claims lack evidence, https://ec.europa.eu/commission/presscorner/detail/en/ip_21_269

From an economic perspective, the data indicate a high incidence of insufficiently substantiated environmental communication, which may undermine the transparency and quality of information available to consumers. The largest proportion relates to the lack of easily accessible supporting evidence (59%), indicating significant difficulties in verifying claims concerning the sustainability of products and services. Furthermore, 42% of the claims were considered exaggerated, false, or misleading, while 37% relied on vague and general formulations, such as “eco” or “sustainable.” From an economic perspective, such practices may reduce the efficiency of consumer decision-making, distort competition among undertakings, and favor products promoted through insufficiently substantiated environmental claims over products whose environmental performance is supported by documented evidence.

The findings suggest that the primary concern is not necessarily the existence of false claims per se, but rather the difficulty of verifying environmental claims. From the consumer's perspective, an environmental claim for which accessible supporting information is unavailable may make it difficult to assess the actual environmental performance of a product or company. At the same time, the fact that some claims were found to be false indicates a significant risk that environmental information presented to consumers may create a more favorable perception of a product's environmental impact than is warranted by the available evidence. Furthermore, the use of general terms such as “eco” or “sustainable” may reduce consumers' ability to compare products and to understand what specifically makes a particular product less harmful to the environment. Such general terms may convey a positive environmental image without that image being supported by precise and verifiable criteria.

4. INTERNATIONAL REGULATIONS ON GREENWASHING

- **European Union**

Directive (EU) 2024/825 on empowering consumers for the green transition amends the Directive on Unfair Commercial Practices and the Consumer Rights Directive. The Directive introduces into the list of prohibited commercial practices general environmental claims that suggest superior environmental performance without adequate substantiation. It also prohibits, inter alia, situations in which a claim concerning the product as a whole or the trader's entire business is based solely on a particular aspect or characteristic. The Directive further addresses certain climate-neutrality claims that rely on the offsetting of greenhouse gas emissions outside the product's value chain (European Parliament & Council, 2024).

Member States were required to transpose the Directive into national law by 27 March 2026, with the new rules applying from 27 September 2026 (European Commission, 2024).

- **United States**

In the United States, the Federal Trade Commission (FTC) relies on the Green Guides, which were initially issued in 1992 and subsequently revised in 1996, 1998, and 2012. The

Guides explain how the principles governing deceptive advertising apply to environmental marketing claims and advise against the use of broad, unqualified claims such as “green” or “eco-friendly.” The FTC states that environmental claims should be supported by competent and reliable scientific evidence (FTC, 2012).

- **United Kingdom**

In the United Kingdom, the Advertising Standards Authority (ASA) and the Committee of Advertising Practice (CAP) apply advertising rules that include specific requirements concerning environmental claims. CAP states that absolute claims such as “green” or “environmentally friendly” are subject to a higher evidentiary standard and, as a general rule, should be supported by robust evidence covering the product’s entire life cycle, unless the scope of the claim is clearly qualified. For comparative claims such as “greener”, the basis of the comparison should be made clear (ASA/CAP, 2026).

In 2026, CAP updated its guidance on environmental claims and published practical resources aimed at promoting clear and evidence-based environmental communications. The ASA emphasizes that qualifying information must be sufficiently prominent and that the use of small print does not remedy a potentially misleading communication where the principal message has already created a misleading overall impression (ASA/CAP, 2026).

- **Australia**

The Australian Competition and Consumer Commission (ACCC) applies the Australian Consumer Law and recommends eight principles governing environmental claims: claims should be accurate and truthful; supported by evidence; free from material omissions; accompanied by explanations of relevant conditions; not expressed in broad or unqualified terms; communicated in clear language; supported by visual elements that do not mislead consumers; and transparent regarding the transition towards sustainability (ACCC, 2023).

- **Canada**

In 2024, Canada introduced amendments to the Competition Act addressing greenwashing. The Competition Bureau Canada subsequently issued guidance requiring environmental claims to be truthful and non-misleading and, where required by law, to be appropriately and adequately tested or substantiated (Competition Bureau Canada, 2025).

5. CASE STUDY – FAIRPHONE

Fairphone is a Dutch company established in 2013 as a social enterprise that manufactures modular and repairable smartphones, as well as audio products (Fairphone, 2024). Its stated mission is to create a viable market for ethical electronics and to encourage the industry to operate in a more responsible manner. The company is a certified B Corp and, in 2025, sold 145,259 devices, representing a 41% increase compared with the previous year, with revenues of approximately EUR 73 million (Fairphone, 2026).

The company’s business model is based on the premise that the largest environmental impact of a smartphone occurs during its manufacturing phase. According to the company’s reporting, up to 80% of a smartphone’s carbon footprint is attributable to production (Fairphone, 2026). Its strategy therefore focuses on extending the useful life of its devices, and the company’s environmental communication is structured around this principle.

Measures to Address Greenwashing

Specific and Measurable Claims. Rather than relying on broad claims such as “eco-friendly phone,” the company communicates specific and measurable commitments and

performance indicators. These include a five-year warranty, software support until 2033 for the Fairphone (Gen. 6), 12 user-replaceable modules, an iFixit repairability score of 10/10, and a carbon footprint of 29 kg CO₂e, compared with 42 kg CO₂e for the Fairphone 5. The proportion of “fair” materials is expressed as a percentage of total product weight: 51.31% for the Gen. 6, of which 37.92% consists of recycled materials, 0.39% of fairly mined materials, and 13.00% covered through credits (Fairphone, 2026).

Annual Reporting Based on a Defined Methodology and External Assurance. The company’s report includes a reporting basis explaining each indicator, while its key performance indicators are subject to third-party limited assurance. The appendices also provide lists of suppliers and mineral smelters and refiners, a level of supply-chain disclosure that remains relatively uncommon in the electronics industry (Fairphone, 2026).

Acknowledgement of Shortcomings and Failures. The 2025 report indicates that the company did not achieve its absolute emissions-reduction target, reaching 7.3% rather than the targeted 12% reduction. It also reports that the company was unable to trace the lithium used in the new model’s battery back to an independently assessed mine (Fairphone, 2026). In its 2023 report, Fairphone corrected one of its previously reported figures concerning recycled rare earth elements, revising the figure from 86% to 51% after a supplier had mistakenly conflated the concepts of “recyclable” and “recycled” (Fairphone, 2024). Such acknowledgement of limitations reduces the risk that partial environmental performance will be perceived as comprehensive environmental performance.

Rejection of “Climate Neutrality” Claims Based on Offsetting. The company distinguishes between “net zero” and “carbon neutral,” noting that the latter may be achieved through the purchase of carbon credits even where actual emissions increase (Fairphone, 2024). Fairphone has established a net-zero target for 2045, which has been validated by the Science Based Targets initiative (SBTi). The carbon credits purchased by the company —4,751 credits in 2025, associated with a Gold Standard-certified wind energy project — are presented as a contribution towards addressing residual emissions rather than as evidence that the product itself is carbon neutral (Fairphone, 2026).

Disclosure of Credit-Based Mechanisms. For materials such as cobalt, silver, and copper, supply chains are often too complex to enable the physical tracing of every individual unit of material. Fairphone therefore uses mechanisms based on the “book-and-claim” approach. The company explicitly describes these mechanisms and, for example, clarifies that Fairtrade gold is incorporated into the relevant supply chain but is not necessarily physically present in the specific component concerned (Fairphone, 2026).

Public or Independent Benchmarks. Fairphone’s environmental performance is also referenced against publicly recognized or independently established benchmarks, including the European Union energy label—with the Gen. 6 receiving Class A — as well as iFixit repairability scores, TCO certification, and B Corp recertification (Fairphone, 2026). B Lab is not a conformity assessment body within the meaning of European legislation, and its criteria are not ratified by public institutions (Fairphone, n.d.). This distinction is particularly relevant because it clarifies the nature and institutional status of the certification for consumers.

Supply-Chain Intervention. Since 2019, Fairphone has paid a premium intended to cover the gap between actual wages and living wages at partner manufacturing facilities. In 2025, this amounted to USD 215,000 for 1,650 workers, with the cumulative amount exceeding USD 1.25 million. The company nevertheless acknowledges that the premium applies only to the hours worked on the Fairphone production line and therefore does not fully resolve the underlying issue of living wages across the manufacturing workforce (Fairphone, 2026).

Overall, Fairphone’s approach to addressing greenwashing does not primarily rely on slogans but on verifiable practices: specific and measurable claims, a publicly disclosed methodology, independent assurance, acknowledgement of shortcomings, and the avoidance of claims that cannot be adequately supported by carbon offsetting mechanisms. This approach

illustrates how environmental communication can be structured around substantiation, transparency, traceability, and verifiability, thereby reducing the risk that consumers are presented with an environmental image that exceeds the evidence available to support it.

6. CONCLUSIONS

The analysis demonstrates that greenwashing is a complex phenomenon that extends beyond the communication of explicitly false information and encompasses the use of vague, insufficiently substantiated, selective, or difficult-to-verify claims. The academic literature and empirical studies reviewed indicate that indirect forms of greenwashing, such as the absence of supporting evidence, vagueness, and the omission of relevant information, are significantly more prevalent than environmental claims that are manifestly false. In this context, assessing the truthfulness of environmental communication should not be based solely on the existence of factual claims, but should also take into account the information omitted, the context in which claims are presented, and the extent to which consumers are able to verify them.

The findings of the TerraChoice (2010) study and the European Union website screening exercise (European Commission, 2021) confirm the existence of a structural problem concerning the transparency of environmental communication. The high proportion of claims for which accessible supporting evidence is not provided, or which rely on broad and general formulations, suggests that **information asymmetry between businesses and consumers** constitutes one of the key factors facilitating greenwashing. From an economic perspective, this situation may lead to inefficient consumer choices, distort competition, and place businesses that invest in improving their actual environmental performance at a competitive disadvantage when they do not possess comparable communication advantages.

The analysis of the regulatory framework also demonstrates an increasingly pronounced shift towards the **substantiation, verifiability, and transparency of environmental claims**. Regulatory approaches adopted in the European Union, the United States, the United Kingdom, Australia, and Canada seek to restrict the use of broad claims such as “eco,” “green,” or “sustainable” where such claims are not supported by sufficient evidence. This development indicates a transition from an approach focused exclusively on combating false information towards a broader regulatory paradigm that also addresses incomplete or ambiguous communication and claims that are liable to create a misleading impression of environmental performance.

Fairphone should be regarded as an example of an approach that reduces the risk of greenwashing rather than as evidence of its complete absence. The essential distinction lies between claiming that a product is “sustainable” and demonstrating concrete, specific, and verifiable improvements in its environmental and social performance. From this perspective, the credibility of environmental communication depends on the consistency between publicly communicated claims, actual performance, the methodology used for measurement, and the degree of transparency concerning limitations and uncertainties.

Addressing greenwashing requires an integrated approach based simultaneously on **regulation, standardization, independent verification, and corporate accountability**. For consumers, access to clear and comparable information is an essential prerequisite for informed decision-making. For businesses, transparency is therefore not merely a matter of regulatory compliance but also an increasingly important determinant of **credibility and long-term competitiveness**.

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