

ENVIRONMENTAL COURT CASES ACROSS THE WORLD

Climate Change

ASA RULING ON RYANAIR LTD

United Kingdom Advertising Standards Authority (ASA); Filed: 2019, Decided: February 5, 2020

BRITISH ADVERTISING AUTHORITY ORDERS RYANAIR ADS REMOVED FOR GREENWASHING

Parties

Complainants: Numerous parties, including a consultant in energy, transport and sustainable development

Defendant: Ryanair Ltd

Key Facts

Ryanair, an airline headquartered in Ireland, ran a series of advertisements in the United Kingdom in September 2019 boasting its “low CO2 emissions” and claiming to be the “lowest emissions airline.” Its emissions were 66g CO2 per passenger-kilometres flown, a figure which the airline claimed supported its low-emissions claims.

The Court's Decision and Reasoning

Decision

The Advertising Standards Authority (ASA) concluded that the company’s claims regarding emissions were misleading and constituted a violation of the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing.

Reasoning

The Advertising Standards Authority (ASA) concluded that the CO2 per passenger distance metric was appropriate and determined that consumers could understand the relative nature of that claim. However, the ASA determined that consumers would not be able to find sufficient information in the ads to determine that they would reduce their personal CO2 emissions compared to flying with another carrier. The ASA also critiqued Ryanair’s data references in arriving at its claims and highlighted the fact that well-known competitors were absent from the calculation.

What now?

Ryanair must remove the misleading ads.

International Impact

This case highlights an international issue called “greenwashing,” which is when companies brand or advertise a product or service as ecofriendly or climate-friendly when it is not. The practice misleads consumers into thinking that they are making planet-conscious decisions in purchasing particular products, when these products are just as bad, or worse, for the environment than any other product. There are cases all over the world—some before advertising standards authorities and others before courts—challenging these greenwashing and false advertising practices.



Key Issues

False advertising, airline emissions, greenwashing

Laws and Agreements Cited

United Kingdom Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing

References & Further Reading

Judgments

The decision is available [here](#)

Further Reading

[BBC - Climate change: Seven ways to spot businesses greenwashing](#)

[Bloomberg Law - Focus on 'Greenwashing' Claims in New Year of Climate Litigation](#)

[Climate Social Science Network - Climate-washing litigation: legal liability for misleading climate communications](#)

For more information:

Contact Natural Justice at
info@naturaljustice.org
Or find us @ www.naturaljustice.org

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