

HOUSE No. 4810

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, December 8, 2025.

The committee on Consumer Protection and Professional Licensure, to whom was referred the petition (accompanied by bill, House, No. 457) of David M. Rogers for legislation to further regulate the packaging of consumer goods that contain deceptive or misleading claims about the recyclability of the product or packaging, reports recommending that the accompanying bill (House, No. 4810) ought to pass.

For the committee,

TACKEY CHAN.

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In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to greenwashing in advertising and marketing.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The General Laws, as appearing in the 2022 Official Edition, are hereby
2 amended by inserting after chapter 93L the following new chapter:-

3 Chapter 93M. Environmental Marketing

4 Section 1. (a) For the purposes of this section the following terms shall, unless the
5 context clearly requires otherwise, have the following meanings:

6 “Chasing arrows symbol” or “triangle of arrows”, an equilateral triangle, formed by 3
7 arrows curved at their midpoints, depicting a clockwise path, with a short gap separating the
8 apex of each arrow from the base of the adjacent arrow, and versions of that symbol that are
9 likely to be interpreted as implying recyclability.

10 “Person”, includes a corporation, trust, partnership, retailer, wholesaler or other business
11 or legal entity.

(b) No person shall represent, in advertising or on the packaging of a consumer good that it manufactures or distributes, a deceptive or misleading claim about the recyclability, biodegradability or compostability of a product or packaging.

(c) Whoever represents in advertising or on the packaging of a consumer good that the consumer good is not harmful to, or is beneficial to, the natural environment through the use of such terms as “biodegradable”, “compostable”, “earth-friendly”, “eco”, “ecologically friendly”, “environmentally safe”, “green product”, “recyclable” or any other like term, or through the use of the chasing arrows symbol or by otherwise directing a consumer to recycle the consumer good, shall maintain in writing all of the following information and documentation:

(i) an attestation that the product is recyclable, biodegradable or compostable, as applicable, in the commonwealth;

(ii) any significant adverse environmental impacts directly associated with the production, distribution, use and disposal of the consumer good and any measures taken by the company to reduce these impacts; and

(iii) whether, if applicable, the consumer good conforms with the uniform standards contained in the Federal Trade Commission Guides for the Use of Environmental Marketing Claims.

(d) The company shall furnish the information and documentation maintained pursuant to this section to the department of environmental protection or the office of the attorney general upon request.

(e) A wholesaler or retailer who does not initiate a representation by advertising or by placing the representation on a package shall not be deemed to have made the representation.

(f) If a product or packaging contains multiple material types, a chasing arrows symbol or statement indicating recyclability may be displayed on the components that are recyclable in the commonwealth; provided, that the packaging makes it clear which other components of the product or packaging are not recyclable.

(g) Displaying a chasing arrows symbol or otherwise directing a consumer to recycle a consumer good shall not be considered misleading if the consumer good is: (i) required by any law or regulation to display a chasing arrows symbol; (ii) conforms to the most recent Guide for the Use of Environmental Marketing Claims, 16 CRF Part 260, as promulgated by the Federal Trade Commission; or (iii) a plastic bottle or rigid plastic container that complies with the requirements of section 323A of chapter 94.

Section 2. The attorney general shall have exclusive authority to enforce the provisions of this chapter. Each violation of this chapter shall be punished by a civil fine not to exceed \$1,000 per violation. The attorney may also seek injunctive relief to prevent further violations of this chapter.

SECTION 2. This act shall take effect 1 year after passage.