

## Overview of DUH legal proceedings concerning climate neutrality advertising promises

Status	Company	Advertising statement(s)	Criticism DUH / violation of competition law
Ongoing	1. FC Köln GmbH & Co. KGaA	<p>(1) In 2021, the 1. FC Köln will operate climate neutrally for the first time*</p> <p>(2) THE FC HAS OPERATED CLIMATE NEUTRALLY SINCE 2020*</p>	<p>1) No explanation or sufficient information provided about the climate protection projects.</p> <p>(2) Unsuitability of the climate protection projects: unsuitable compensation through forest projects without explaining how it is ensured that the trees in the forest project reach a certain age required for climate protection.</p> <p>(3) The company's climate neutrality is insufficiently justified. Information on the company's own efforts to reduce CO2 emissions through company-internal efforts is not presented in full.</p>
Ongoing	Danone Deutschland GmbH	<p>(1) evian was globally certified as carbon neutral by the Carbon Trust*</p> <p>(2) CARBON TRUST CLIMATE NEUTRAL*</p>	<p>(1) No linking to sufficient information immediately next to the advertising statement (on the products).</p> <p>(2) Unsuitability of the climate protection projects: unsuitable compensation through forest projects without explaining how it is ensured that the trees of the forest project reach a certain age required for climate protection.</p> <p>(3) The company's climate neutrality is insufficiently justified. Information on own efforts to reduce CO2 emissions through company-internal efforts is provided in some places in English only.</p>
Ongoing	Eurowings GmbH	<p>(1) Travel carbon neutral. Together we make flying more sustainable: offset CO2 emissions and take off.*</p> <p>(2) Eurowings offers two options to support sustainable travel. Working with our partner myclimate, we already offer our customers the opportunity to compensate the CO2 emissions of the flight themselves by making a voluntary contribution via compensaid during the booking process.*</p>	<p>(1) No linking to sufficient information immediately next to the advertising statement (in the booking process).</p> <p>(2) Unsuitability of the climate protection projects: unsuitable compensation through forest projects and/or climate protection projects in Europe, without evidence having been provided that the emissions from the European climate protection projects have not already been included in the inventory for the fulfilment of the national climate protection targets (NDC) of the respective states.</p>

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Ongoing	A.W. Faber-Castell Retail GmbH	(1) Carbon neutral product* (2) "Carbon neutral" (ClimatePartner label)	(1) No linking to sufficient information immediately next to the advertising statement (on the products).  (2) Unsuitability of the climate protection projects: unsuitable compensation through forest projects without explaining how it is ensured that the trees of the forest project reach a certain age required for climate protection.  (3) No explanation of the differences / meaning of the two different "climate neutral" labels on the product.
Ongoing	HelloFresh Deutschland SE & Co. KG	The first global climate neutral meal kit provider" and further "HelloFresh commits to offsetting 100% of your direct carbon emissions, making it the eco-friendly meal kit brand of your choice.*	(1) The company's climate neutrality is insufficiently justified. Information on own efforts to reduce CO2 emissions through company-internal efforts is provided in some places in English only.  (2) Compensation is insufficient (sustainable agriculture and forestry in Kenya, Kasigau Corridor region, forest protection project) and it is questionable whether this is an additional project (global green energy projects in the Netherlands, among others).
Ongoing	Netto Marken-Discount Stiftung & Co. KG	Climate neutral product* (ClimatePartner label)	(1) No explanation or sufficient information provided about the climate protection projects (when advertising on the Internet).  (2) Unsuitability of the climate protection projects: unsuitable compensation through forest projects without explaining how it is ensured that the trees of the forest project reach a certain age required for climate protection.
Ongoing	Tyczka Energy GmbH	(1) Consumption of carbon neutral LNG with TyczkaBlue*  (2) Thanks to an environmental offset, our TyczkaBlue liquefied gas is completely CO2 neutral.*	(1) No explanation or sufficient information provided on the climate protection project referred to.  (2) An explanation of the CDM certificate from 2019 is missing.

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<b>Pending in court</b>	TotalEnergie s Wärme& Kraftstoff Deutschland GmbH	CO2-compensated Thermoplus heating oil – offsets CO2 emissions as part of our climate plan*	<p>(1) Insufficient presentation of the measures implemented to achieve the claimed climate neutrality of the advertised “CO2-compensated heating oil”, therefore violation of Art. 5a Act against unfair competition [UWG] (misleading commercial practices).</p> <p>(2) Advertising heating oil as “CO2-neutral” and justifying the CO2-neutrality with the purchase of emission credits for a forest protection project in the Madre de Dios region, Peru (ClimatePartner Tambopata forest protection project).</p>
<b>Pending in court</b>	BP Europa SE	<p>(1) “certified carbon neutral product” (Castrol Magnatec motor oil, 5W-30, 1l)</p> <p>(2) Castrol PROFESSIONAL – a range of high-performance motor oils, as well as the world's first certified carbon neutral motor oil, according to BSI's PAS 2060 standard*</p> <p>(3) Castrol Magnatec &amp; Edge Bio-synthetic – certified carbon neutral motor oils made with 25% sugarcane derived oil compound*</p> <p>(4) Castrol Vecton – a range of certified carbon neutral lubricants specifically designed to meet the needs of the commercial vehicle industry*</p> <p>(5) climate neutral car dealerships* (certification is offered for all BP car dealerships)</p>	<p>(1) Advertising of motor oils as “carbon neutral” without providing sufficient information on the products or the company's website to enable consumers to obtain information as to why the product is supposed to be carbon neutral.</p> <p>(2) Information about the company's own efforts to avoid/reduce CO2 is missing.</p> <p>(3) Insufficient compensation through the purchase of carbon credits for a forest protection project in Zambia (“Lower Zambezi REDD+”). Advertising measure “climate neutral car dealerships” discontinued due to lack of interest.</p>
<b>Pending in court</b>	Beiersdorf AG	<p>(1) 100% climate neutralised product, offsetting remaining CO2 emissions through certified climate protection projects* (natural balance regenerating nightcare)</p> <p>(2) 100% climate neutralised by offsetting CO2 emissions with certified reforestation projects* (lemongrass shower gel &amp; oil)</p>	<p>(1) Advertising of cosmetic products as “climate neutralised” without providing sufficient information on the product or the company’s website to enable consumers to obtain information as to why this product has this environmental benefit.</p> <p>(2) Information about the company's own efforts to avoid/reduce CO2 is missing.</p> <p>(3) Insufficient information provided about the reforestation project in Liangdu (China) indicated as compensation.</p>

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<b>Pending in court</b>	dm-drogerie markt GmbH + Co. KG	(1) climate neutral* (ClimatePartner label on several products)  (2) environmentally neutral product*	(1) Advertising drugstore products as “climate neutral” without providing sufficient information on the product or the company’s website to enable consumers to obtain information as to why this product has this environmental benefit.  (2) Advertising drugstore products as “environmentally neutral” without providing sufficient information on the product or the company’s website to enable consumers to obtain information as to why this product has this environmental benefit.  (3) Insufficient compensation through the purchase of emission credits for a forest protection projects in Peru (Tambopata) and Brazil (Jari Pará, Brazil).
<b>Pending in court</b>	Shell Deutschland GmbH	(1) CO2-neutral* (motor oils: Shell HELIX ULTRA OW-20, Shell Helix Ultra ECT C2/C3 0W-30)  (2) CO2 offset, whereby motorists can offset the CO2 emissions produced on average by their car journey for 1.1 cents per litre of Shell petrol or diesel fuel filled up. The 1.1 cents per litre go to climate protection projects supported by Shell after deduction of the sales tax.*	(1) Advertising a motor oil as “CO2 neutral” and a “CO2 offset” without providing information on the product or website as to why this product or service has this environmental benefit.  (2) No information provided about own measures to reduce carbon emissions.  (3) Insufficient compensation through the purchase of carbon credits for a forest protection project in Cordillera Azul (Peru) and one in Katingan (Indonesia).

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