



Digital Greenwashing and Misleading Eco-Terms: A Critical Analysis of Consumer Protection Laws in Relation to Personal Care Products

Dhruv Soni¹, Dr. Akta Mehta²

¹Research Scholar, School of law, Gujarat University, Ahmedabad, Gujarat, India

²Assistant Professor and Principal (I/C), I. M. Nanavati Law College, Gujarat University, Ahmedabad, Gujarat, India

Abstract

Over the past years, the rapid growth of sustainability driven marketing in the personal care products in the digital sphere has significantly increased the use of environmental claims such as natural, eco friendly, green, sustainable and chemical free. While these terms appears environmentally friendly, however many are vague, unverified or misleading, inflating the phenomenon of Digital Greenwashing. This research critically examines the use of misleading eco terms in the advertising and branding practices of personal care products and analyzing the implications under consumer protection law. The research focuses on how digital platforms, influencers marketing, social media campaign and e commerce advertisements shape consumer perception and purchasing behaviour through deceptive environmental representations. The research evaluates the adequacy of consumer protection laws, the role of regulatory authorities, advertising standards in relation to greenwashing practices over digital sphere. It primarily relies on complaints and case data reported by the Advertising Standards Council of India to detect the pattern and regulatory responses. Further, it argues that the absence of clear definitions and standardized verification mechanisms weakens consumer protection and enables corporations to exploit environmental consciousness for commercial gain. The Research concludes by emphasizing the need for stricter regulatory oversight, standardized eco claim guidelines, and stronger enforcement mechanisms to ensure transparency and consumer protection.

Keywords: digital greenwashing, consumer protection law, asc complaints, personal care products, eco-terms

I. Introduction

Greenwashing is adopted by companies to increase consumer preference by spending time, money and efforts in marketing themselves as environment-friendly.¹ Moreover, it is

Published: 30 September 2026

DOI: <https://doi.org/10.70558/IJLBS.2026.v1.i3.261038>

Copyright © 2026 The Author(s). This work is licensed under a Creative Commons Attribution 4.0 International License (CC BY 4.0).

¹T. Tinne, S.W., Greenwashing: an alarming issue, ASA University Review, (2013), 7(1), 82-87.

acknowledged the Indian consumer's rising preference towards eco-friendly product.² This reflects a wider, organic, and natural market shift globally toward clean beauty, instilling trust in consumers and driving brand loyalty in the Indian beauty sector, thereby potentially shaping the growth trajectory of the industry. The fast-evolving trend within the personal care market is the growth of influencer-driven marketing. It is indicated through survey that the average highest greenwashing sector is personal care sector (62%).³ The cosmetics and personal care sector has seen a rapid increase in the use of unverified and vague "green" claims to attract consumers. Organizations engaged in greenwashing claims use This term which is widely used as an umbrella term representing as eco/environment-friendly, sustainable, organic, natural, chemical-free, 100 per cent natural, organic, recycled, environmentally friendly and paraben-free etc.

The India beauty and personal care market attained a value of USD 23.99 Billion in 2024. The market is further expected to grow in the forecast period of 2025-2034 at a CAGR of 10.80%, to reach USD 66.90 Billion by 2034. In 2024, 17% of Indian consumers purchased beauty products online, up from 13% a year ago.⁴ In this regard, These Social media influencers and beauty bloggers, are increasingly shaping consumer preference, like Instagram and YouTube have become important for brands, with 72% of Indian consumers trusting recommendations by influencers more than any other form of advertising. Due to increasing consumer awareness, the demand for Organic products are expected to gain the most traction, garnering a 12.7 CAGR through 2032. Companies like Nykaa have already taken full advantage of this, and through comprehensive virtual shopping experiences, they offer personalised recommendations⁵. Further, the ASCI report found 69% of India's top social media influencers breached advertising norms. These mechanisms of greenwashing and digital deception constitute violations of consumer protection principles encoded within Indian statutory law. Misleading environmental claims constitute "misleading advertisements" under the Consumer Protection Act, 2019, wherein representations about product characteristics diverge from actual product attributes; deceptive environmental assertions simultaneously constitute "unfair trade

² D. Jaiswal, & Singh, B. Toward sustainable consumption: Investigating the determinants of green buying behaviour of Indian consumers. *Business Strategy and Development*, (2018).1(1), 64–73. <https://doi.org/10.1002/bsd2.12>.

³ H. Han, Hsu, L. T. J., Lee, J. S., & Sheu, C. Are lodging customers ready to go green? An examination of attitudes, demographics, and eco-friendly intentions. *International Journal of Hospitality Management*, (2011) 30(2), 345–355. Laroche, M., Bergeron, J., & Barbaro-Forleo, G. Targeting consumers who are willing to pay more for environmentally friendly products. *Journal of Consumer Marketing*, (2001), 18(6), 503–520. <https://doi.org/10.1108/EUM000000006155> Pizam, A. (2009). Green hotels: A fad, ploy or fact of life? *International Journal of Hospitality Management*, 1(28), 1. <https://dx.doi.org/10.1016/j.ijhm.2008.09.001>

⁴ Angel One, Feb 2025, India's Beauty Market to Reach ₹2.95 Lakh Crore by 2028, Growing at 10-11% <https://www.angelone.in/news/india-beauty-market-reach-rs-2-95-lakh-crore-by-2028-growing-10-11-percent>

⁵India Beauty and Personal Care Market Growth Analysis - Forecast Trends and Outlook (2025-2034), Claight,<https://www.expertmarketresearch.com/reports/india-beauty-and-personal-care-market#:~:text=The%20market%20is%20further%20expected,toward%20physical%20and%20mental%20health>

practices" insofar as they exploit consumer information asymmetry and psychological vulnerabilities.⁶

A. Research Questions:

- a) Whether existing consumer protection and Advertising framework in India adequately regulates misleading Eco terms used in Digital Sphere?
- b) What constitutes digital greenwashing in personal care sector?
- c) To what extent do ASCI complaints reflect the prevalence of digital greenwashing and misleading eco terms in Digital sphere?
- d) What legal and regulatory reforms are necessary to ensure transparency and consumer protection?

B. Research Objectives:

The primary objectives of this research are:

- a) To examine the concept and evolution of Digital Greenwashing in the Personal Care industry.
- b) To analyze the use of misleading eco-terms in digital advertisement.
- c) To analyse how digital advertisements, influencer marketing and online branding strategies influence consumer perception regarding sustainability claims.
- d) To study role of Indian Regulatory bodies, particularly the Central Consumer Protection Authority (CCPA) and the Advertising Standards Council of India (ASCI) in addressing such practices.

C. Research Methodology:

This research uses a doctrinal and analytical research methodology. The research uses primary and secondary legal sources. The Sources includes statutes, rules, regulatory guidelines, judicial decisions, international conventions, reports and scholarly commentaries. It also incorporates case studies of personal care brands accused of greenwashing to illustrate the practical challenges in enforcement and consumer protection.

II. Conceptual Framework of Digital Greenwashing

A. Concept of Greenwashing:

The term "Greenwashing" was first used by Jay Westerveld in 1986 in his discussions of hotels asking guests to reuse towels on the grounds that the company as pursuing a water-saving strategy, without taking any action with a more significant environment impact at the same

⁶ Consumer Protection Act, 2019, § 2(47)-(49) (India), at http://consumeraffairs.gov.in/public/upload/files/CP%20Act%202019_1732700731.pdf (defining "misleading advertisement," "unfair trade practice," and "defect in service")

time.⁷ There is no universally accepted definition of the term “Greenwashing”. However, there is broad consensus on its core meaning across various academia, regulatory bodies and industry. So, it is generally defined as the act of misleading consumers regarding the environment-friendly practices of a company.⁸ India is actively involved in green marketing activities and also seems to be affected by greenwashing.⁹ This anecdote captures the essence of greenwashing: a superficial or insincere display of concern for the environment used for public relations and marketing advantage. Greenwashing tactics can range from using vague, unsubstantiated terms like “eco-friendly” to selectively disclosing positive environmental while concealing significant negative impacts—a form of decoupling between symbolic actions and substantive performance.¹⁰ This practice is not only unethical but also undermines and erodes consumer trust, creates unfair market competition and ultimately hinder the transition to a sustainable economy.¹¹

Academic And Authoritative Definitions:

The Cambridge Dictionary describes it as “behaviour or activities that make people believe that a company is doing more to protect the environment than it really is”.

Section 2(f) of the Indian Guidelines for Prevention and Regulation of Greenwashing (issued by the Central Consumer Protection Authority, CCPA) defines greenwashing as any deceptive or misleading practice that conceals or exaggerates a product's environmental benefits. Broadly, it is an act of misleading stakeholders about an organization's environmental performance or the environmental benefits of a product or service.¹² Greenwashing is the deceptive or misleading practice of falsely promoting an entity's environmental efforts or allocating greater resources to project an environmentally responsible image than the actual commitment to eco-friendly practices warrants. It entails the dissemination of inaccurate information regarding an organization's environmental intention, goals, incentives, and conduct.¹³

As per OECD (Organisation for Economic Co-operation and Development): “Greenwashing is a form of misleading marketing about environmental practices of a company or the environmental benefits of a product or service.” As per European Commission: “Greenwashing is the practice of giving a false impression of environmental impact or benefits.” As per United

⁷ Guo, R., Zhang, W., Wang, T., Li, C. B., & Tao, L. (2018). Timely or considered? Brand trust repair strategies and mechanism after greenwashing in China—From a legitimacy perspective. *Industrial Marketing Management*, 72(9), 127–137. <https://doi.org/10.1016/j.indmarman.2018.04.001>

⁸ Parguel, B., Benoit-Moreau, F. and Cristel, A.R. (2015)

⁹ Mukherjee, R. and Ghosh, I. (2014) Greenwashing in India: a darker side of green marketing, *International Journal of Business and Management*, 2(1), 6-10.

¹⁰ D.Delmas, M.A., & Burbano, V.C.. The drivers of greenwashing. *California Management Review*, (2011),54(1), 64-87.

¹¹ Guo,R.,Tao, L.,C.B.&Wang,T. A path analysis of greenwashing in a trust crisis among Chinese energy companies: The role of brand legitimacy and brand loyalty. *Journal of Business Ethics*, (2017),140(3),523-536.

¹² L.yon, T.P., & Maxwell, J.W. Greenwash:Corporate environmental disclosure under threat of audit. *Journal of Economics & Management Strategy*, (2011 20(1), 3-41

¹³ K.Becker-Olsen, & Potucek, S. G.. In *Encyclopedia of Corporate Social Responsibility*. Idowu, SO, Capaldi, N., Zu, L., Gupta, AD, Eds, (2013), 1318-1323.

Nations (UNEP): “Greenwashing is the act of misleading the public to believe that a company or entity is doing more to protect the environment than it really is.”

B. Evolution of Digital Greenwashing:

In recent years, the concept of Digital Greenwashing is relatively new having surfaced naturally in scholarly articles, media and sustainability conversations. In other words, the term involves using online platforms to spread deceptive or overstated information about a brand's environmental and social impact.¹⁴ The transition from traditional marketing to digital commerce creates distinctive and deceptive mechanisms that amplify consumer vulnerabilities.¹⁵ Thus, digital greenwashing has evolved as an extension of greenwashing in marketing and sustainability discussions.¹⁶

Digital greenwashing differs from traditional greenwashing, expanding the practice by creating visually captivating content, such as images of untouched nature, recycled packaging, or animations.¹⁷ These elements are often crafted to give off an impression of environmental responsibility without providing evidence for the claims. The digital age has brought significant changes in their representation because it uses new media channels to spread deceptive techniques, which digital platforms make possible.¹⁸ The combination of short-lived content with visual storytelling, the use of influencer marketing, and the rapid spread of shallow stories has created a more subtle and pervasive form of greenwashing.¹⁹ The companies use different taxonomies in digital age such as the use of lush greenery or Earth symbols as to highlight environmental friendliness. These can influence how consumers perceive a product's environmental impact even when there are no factual assertions to back it up.

1. Eco-Claims In Personal Care Products- Indian Context

In the Indian context, companies are actively involved in green marketing activities²⁰ and these sustainability narratives increasingly shape consumer preferences. It represents a critical intersection of environmental claims, consumer protection, and digital deception.²¹ Indian consumers are now routinely exposed to sustainability-related claims such as “eco-friendly,”

¹⁴ R.Cownie,. Sustainable digital advertising and greenwashing. In D. Manika & I. MacRury (Eds.), *Digital Advertising Evolution* (2023) (pp. 65–81). London: Routledge. <https://doi.org/10.4324/9781003168485-6>

¹⁵ S. Saumya, *Digital Deception Or Eco-Branding? Navigating The Intermediary Liability Paradox And Greenwashing In India's E-Commerce Ecosystem*, IJCRT, 2026 IJCRT | Volume 14, Issue 1 January 2026 | ISSN: 2320-2882.

¹⁶ K.Gupta , & Singh, N.. Greenwashing perception and attitude-intention relationship towards green products purchase: A mediating model. *Environment, Development and Sustainability*, (2024), 1–24. <https://doi.org/10.1007/s10668-024-05486-5>

¹⁷ C.Leonidou, & Skarmeas, D.. Gray shades of green: Causes and consequences of green skepticism. *Journal of Business Ethics*, (2017),144, 401–415. <https://doi.org/10.1007/s10551-015-2829-4>

¹⁸ S.S. Rana & Co., *Greenwashing: A Deceptive Marketing Strategy*, LEXOLOGY (2024) (analyzing the fragmented nature of India's pre-2024 greenwashing regulations); see also Gidage et al.

¹⁹ U.Adhikari,. Greenwashing and its consequences in brand equity: A systematic bibliometric review. *Journal of Business and Management*, 8(1), (2024), 199–214. <https://doi.org/10.3126/jbm.v8i1.72137>

²⁰ R. Mukherjee, and Ghosh, I. Greenwashing in India: a darker side of green marketing, *International Journal of Business and Management*, (2014),2(1), 6-10.

²¹ *ibid*

“carbon neutral,” or “environmentally responsible” in online marketplaces, social media advertising, and influencer driven promotions. Empirical studies indicate that a substantial proportion of large Indian corporations engage in superficial environmental disclosures, often without independent verification, thereby distorting consumer choice and undermining genuine sustainability efforts.²² Consumers associate green colour with eco-friendliness, enabling greenwashing. To make choices, they should look beyond packaging colours for credible certifications and product information. Understanding the psychology behind colour usage in marketing can help consumers navigate these tactics and make more environmentally conscious decisions. The notion that green is synonymous with eco-friendliness has become increasingly prevalent in our consumer-driven society.²³

India's e-commerce sector has undergone transformative expansion, with the digital retail market projected to reach USD 300 billion by 2030, driven by over 900 million internet users and 650 million smartphone users, affordable digital infrastructure, and platforms such as Amazon India, Flipkart, and emerging direct-to consumer brands proliferating across urban and rural markets.²⁴ In 2024, 17% of Indian consumers purchased beauty products online, up from 13% a year ago.²⁵ In this regard, These Social media influencers and beauty bloggers, are increasingly shaping consumer preference, like Instagram and YouTube have become important for brands, with 72% of Indian consumers trusting recommendations by influencers more than any other form of advertising. ASCI found 69% of India's top social media influencers breached advertising norms. Further the research works shows the average highest greenwashing sector is personal care sector (62%).²⁶

Under Indian law, "personal care products" are legally classified and regulated as **cosmetics**²⁷. However, ASCI has given different guidelines for Cosmetics and Personal Care products as different one. Personal Care brands and its advertisement in digital sphere frequently employ terms such as Natural, Eco-friendly, clean beauty, chemical free, green, sustainable, cruelty free, Organic Inspired, planet-safe, to create an impression of environmental safety. However, these terms lacks standardized statutory definitions under Indian Law. The absence of precise regulatory definitions enables ambiguity leading towards digital greenwashing particularly influencer driven and online advertising environments.²⁸

²² G.Mithilesh et al., Greenwashing in the Indian Corporate Landscape: An Empirical Assessment of ESG Disclosures of NIFTY 50 Companies, 27 ENV'T DEV. & SUSTAINABILITY 21861, 21863-65 (2024).

²³ T.Vrinda, Prachi Agarwal and Dr. Rohit Rajwanshi, ASSESSING GREENWASHING PRACTICES WITH SPECIAL RELEVANCE TO THE FOOD & BEVERAGE INDUSTRY, International Journal of Agriculture and Environmental Research ISSN: 2455-6939, DOI: <https://doi.org/10.51193/IJAER.2024.10401>

²⁴ Bain & Company, How India Shops Online 2024 (projecting \$300 billion e-retail market by 2030); see also IAMAI & Kantar, Internet in India 2024 (reporting ~900 million internet users); India to have 650 million smartphone users by 2025, ECON. TIMES (2024)

²⁵ Angel One, Feb 2025, India's Beauty Market to Reach ₹2.95 Lakh Crore by 2028, Growing at 10-11% <https://www.angelone.in/news/india-beauty-market-reach-rs-2-95-lakh-crore-by-2028-growing-10-11-percent>

²⁶ https://www.researchgate.net/publication/275755662_Greenwashing_The_Darker_Side_Of_CSr

²⁷ Section 3(aaa) of the Drugs and Cosmetics Act, 1940.

²⁸ DARK PATTERNS IN DIGITAL MARKETING AND CONSUMER MANIPULATION (2025) (documenting prevalence of dark pattern tactics on Indian e-commerce platforms including false urgency, hidden costs, and forced continuity); See also Sholapur et al., How People Recognize Dark Pattern in E-Commerce?, 13 J. SYS. &

Following Illustrations are taken from ASCI reports:²⁹

- a) Go green / eco-friendly with our product!
- b) Harnessing the power of sustainable technology!
- c) Made with minimal impact on the environment!

As a result, greenwashing in e-commerce is not merely a marketing ethics issue but a form of digital deception where consumers often rely on visual impressions and promotional representations rather than scientific verification.

C. Role of E-Commerce, Influencer and Digital Advertisement in Promoting Eco-Claims:

1. Role of E-Commerce:

E-commerce platforms facilitate targeted advertising algorithmic targeting based on consumer profiles, enabling firms to direct misleading environmental claims toward consumers

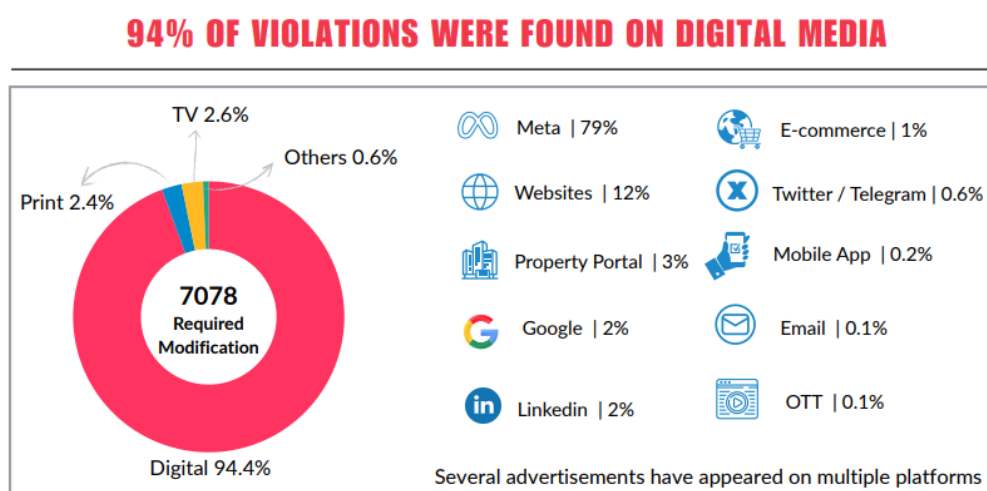


Image-1: Data taken from Annual Complaint report of published by ASCI 2024-2025.³⁰

most susceptible to such messaging.³¹ In the specific context of greenwashing, these manifest as “False Urgency” (e.g., “Only 2 Eco-friendly units left at this price!”) and “Basket Sneaking” (automatically adding ‘carbon offset’ donations to the cart without consent). Other common tactics include “Green Crowding” (hiding in a group or initiative to avoid individual scrutiny)

INFO. (2025) (analyzing consumer inability to recognize dark patterns despite exposure on Indonesian platforms analogous to Indian e-commerce ecosystem).

³⁰ <https://www.ascionline.in/wp-content/uploads/2025/05/Digital-ASCI-Annual-Complaints-Report-2024-2025.pdf>

³¹ S. Saumya, Digital Deception Or Eco-Branding? Navigating The Intermediary Liability Paradox And Greenwashing In India’s E-Commerce Ecosystem, IJCRT, 2026 IJCRT, Volume 14, Issue 1 January 2026, ISSN: 2320-2882.

and “Greenhushing” (under-reporting sustainability data to evade scrutiny).³² The opacity of platform ecosystems, where multiple sellers operate under unified storefronts with inconsistent information verification, creates accountability vacuums wherein platforms become complicit in propagating deceptive environmental claims without rigorous substantiation mechanisms.³³

Even 1% violation by E-commerce shows the potential role in amplifying the digital greenwashing. Within commerce ecosystems, environmental claims are ubiquitous across product listings, advertisements, social media content, interfaces, and marketplace filters, often paired with unverifiable badges, certifications, and eco-label imagery.³⁴

2. Role of Influencers:

Unlike traditional advertisement, influencer marketing is oriented on the degree of trust and relatability that an influencer cultivates in his or her followers.³⁵ Influencers are perceived as authentic, knowledgeable and consistent in their messages, which increase their opportunity to impact attitude and behavior towards sustainable practices in consumers. In a survey-based study on Indians under conducted by Vemuri, Jahnavi, Manasa, and Pallavi (2023), the trust and utilization of influencers were a rich predictor of sustainable behavior.³⁶ Influencer targets the level of consumer knowledge as well as future action intentions.³⁷ The India beauty and personal care market attained a value of USD 23.99 Billion in 2024. The market is further expected to grow in the forecast period of 2025-2034 at a CAGR of 10.80%, to reach USD 66.90 Billion by 2034. In 2024, 17% of Indian consumers purchased beauty products online, up from 13% a year ago.³⁸ In this regard, These Social media influencers and beauty bloggers, are increasingly shaping consumer preference, like Instagram and YouTube have become important for brands, with 72% of Indian consumers trusting recommendations by influencers more than any other form of advertising. Empirical research demonstrates that Indian consumers are exposed to environmental information exhibit heightened willingness to

³² DARK PATTERNS IN DIGITAL MARKETING AND CONSUMER MANIPULATION (2025) (documenting prevalence of dark pattern tactics on Indian e-commerce platforms including false urgency, hidden costs, and forced continuity)

³³ S.Sholapur et al., How People Recognize Dark Pattern in E-Commerce?, 13 J. SYS. & INFO. (2025) (analyzing consumer inability to recognize dark patterns despite exposure on Indonesian platforms analogous to Indian e-commerce ecosystem).

³⁴ Role of Sustainable Packaging Practices in the Fast-Moving Consumer Goods (FMCG) Industry: The Indian Scenario, 7 INT'L J. SUSTAINABILITY & JUST. ECON. MGMT. 1 (2025); Optimizing Short Food Supply Chains Through Understanding Consumer Preferences for Organic Foods via E-Commerce Platforms and Last-Mile Logistics, 127 BRIT. FOOD J. 1788 (2024).

³⁵ *ibid*

³⁶ S.Vemuri, Jahnavi, B., Manasa, K., & Pallavi, M.. The effectiveness of influencer marketing in promoting sustainable lifestyles and consumer behaviours. *Journal of Business Strategy and Finance Management*, 5(2), (2023) 54–64. <https://doi.org/10.1108/JBSFM-05-2023-0098>.

³⁷ J.Lim, X., Radzol, A. M., Cheah, J. H., & Wong, M. W.. The impact of social media influencers on purchase intention and the mediation effect of customer attitude. *Asian Journal of Business Research*, 10(2), 17–32, (2020)<https://doi.org/10.14707/ajbr.200086>

³⁸ Angel One, Feb 2025, India's Beauty Market to Reach ₹2.95 Lakh Crore by 2028, Growing at 10-11% <https://www.angelone.in/news/india-beauty-market-reach-rs-2-95-lakh-crore-by-2028-growing-10-11-percent>

purchase eco-friendly products and, in some instances, to pay premium prices for perceived environmental authenticity.³⁹

Furthermore, a comparison of compliance rates of the latest Forbes India Top 100 Digital Stars (2024), shows that violations among leading influencers have increased, with 76% in contravention in 2025 compared to 69% in 2024. Brands face serious compliance and reputational risk, working with such content creators.⁴⁰ The use of green filters (e.g., Instagram's nature-themed overlays) and hashtags like #SustainableLiving or #EcoFriendly further amplifies greenwashing by creating visual associations with sustainability, even when claims lack substance. A 2023 Greenpeace analysis found that 40% of #EcoFriendly posts on Instagram featured products with no verifiable environmental benefits.⁴¹

3. Role of Digital Advertisement:

“Greenwashing uses advertising to paint a veneer of environmental care over potentially polluting activities.”⁴²

There are generally two ways of placing advertisements on social media platforms. First, paid advertising executed directly through the social media platform's network and which is subject to the platform's policies on advertisements specifically, and the platform's content policies generally. Second, advertising by users as user-generated content including user / privileged accounts operated by advertisers, influencers, etc.

The brands posit product as “natural”, “safe”, while simultaneously promising targeted, visible, and often transformative hair and skin benefits driven by specialised ingredients and formulations.⁴³ The halo effect is particularly potent: a single positive attribute, like a “recycled packaging” label, can create an impression that an entire product or brand is sustainable, even when evidence suggests otherwise.⁴⁴ For instance, ashampoo bottle touting “natural ingredients” might overshadow the brand's reliance on environmentally harmful production processes.⁴⁵

III. Analysis of ASCI Complaint Report and Case Studies

A. Analysis of ASCI Report

³⁹ Pro-environmental Concern Influencing Green Buying: A Study on Indian Consumers, 19 INT'L J. BUS. & MGMT. 1 (2011)

⁴⁰ ASCI, Annual Complaint Report 25-26. <https://www.ascionline.in/wp-content/uploads/2026/05/annual-complaints-report-25-26-final.pdf>

⁴¹ Greenpeace (2023). Social Media and Greenwashing: A 2023 Analysis. Greenpeace

⁴² T.Wahida Shahan “Green Washing: An Alarming Issue” ASA University Review, Vol. 7 No. 1, January–June(2013). S.Sudhir Eco-Friendly Products and consumer Perception. International Journal of Multidisciplinary Research 1: (2011)279-287.What Role Does Advertising Play in Greenwashing?,

⁴³ ASCI complaint report 2025-2026

⁴⁴ Richardson-Greenfield, Pamela A. A Meta-Analysis of Deceptive Advertising: An Abstract. Springer, 2018, p. 321, https://doi.org/10.1007/978-3-319-99181-8_101.

⁴⁵ Dr. Pallavi Jha, et., Greenwashing In Advertising: Decoding Media's Environmental Claims, international Journal of Environmental Sciences, (2025), ISSN: 2229-7359 <https://theaspd.com/index.php/ijes/article/view/3493/2611>

Established in 1985, The Advertising Standards Council of India is the self-regulatory body of advertising industry. ASCI reviews advertisements across TV, print, digital, radio, and packaging, and works on consumer protection.

The Beauty & Personal Care sector is witnessing rapid brand proliferation, intense competition, influencer promotions and evolving consumer preferences around efficacy, natural ingredients, and visible results. With regards to the research topic, the ASCI Complaint reports (Half yearly as well as Yearly of 2025-2026) provides valuable insights into the nature and extent of violation within digital ecosystem.

Table A: Comparative analysis of ASCI Complaint report in regards to Personal Care Sector Complaints.

Particulars	Annual Report (2024-2025)	Annual Report (2025-2026)	Critical Observation
Total Complaints	9599 [7199 ads scrutinized for potential violation]	11581 [9841 ads scrutinized for potential violation]	21% increase from previous year. [37% increase from previous year in ads scrutinised]
Ads required modification	98% of the ads scrutinized required some modification	98% of the ads scrutinized required some modification	High modification rates indicate persistent non-compliance despite detailed guidelines.
Dominant Medium	94.8% Ads scrutinised for potential violation appeared on the digital medium	97.3% Ads scrutinised for potential violation appeared on the digital medium	Digital media has become the primary source of misleading advertising practices.
Major Violative Category	Personal care sector among top violators	Personal care sector among top violators	Personal Care advertising shows high vulnerability to misleading promotional practices.
Influencer violation in Personal care Sector	Out of total ads- 1015 ads investigated. 14.8% of 995 ads were in violation in personal care sector by influencer	Out of total ads- 639 ads investigated. 45% of the cases processed involved influencer led advertising.	These trends suggest a category that is highly dynamic, competitive, and susceptible to overstatements, particularly in digital environments.

Greenwashing Claims	Out of total ads, 19 ads escalated for violation	Lack of data	It does not indicate that Greenwashing is decreased. But lack of data shows lack of proper mechanism to deal in Greenwashing
---------------------	--	--------------	--

Table No.-1: Author's own analysis using ASCI annual complaint report 2024-25 and ASCI annual complaint report 2025-26⁴⁶.

A comparative analysis shows that the personal care sector consistently among the leading categories involved in advertising violations. The repeated appearance of personal care advertisement within violative category reflects its involvement in misleading marketing practices. Despite of regulatory awareness and detailed regulatory guidelines, there is an increase in influencer disclosure violations or non-compliance continue to exist within digital advertisement environment. This data becomes highly relevant in the context of digital greenwashing in personal care sector because environmental oriented claims are generally disseminated through social media, promotions, influencer marketing.

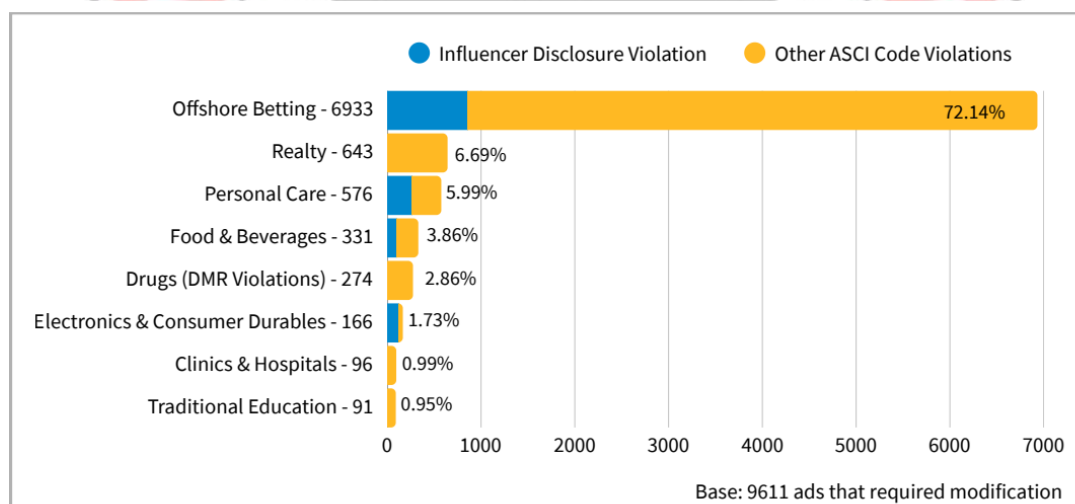


Image No-2: Number of ads required modification due to code violations.⁴⁷

This data taken from ASCI annual Complaint report 2025-26, shows two indicating colors- Blue for Influencer Disclosure Violation and Orange for other ASCI code violations. The analysis shows the Personal care among the top three violators where Influencer. Disclosure violations is also near to half of the its total complaints. This shows high involvement of marketing strategy towards greenwashing in the personal care products sector.

B. Case Study: Mamaearth (Honasa Consumer Ltd. -The “Toxin-Free” Vs. ASCI Violations)

Mamaearth launched in 2016 under Honasa Consumer Ltd. markets itself as a Nautral, toxin free and dermatologically tested personal care brand. Mamaearth is a classic digital-first

⁴⁶ ASCI's Annual Complaint Report 2025-26

⁴⁷ ASCI's Annual Complaint Report 2025-26

D2C(Direct to Consumer) brand that built its empire on Instagram and E-Commerce through Clean, green imagery.⁴⁸

Utilizing digital platforms, the brand heavily markets broad environmental assertions like 100% natural, toxin free along side its prominent “Made-safe” digital badge.⁴⁹ However, independent investigations and empirical content analysis have exposed this strategy revealing standard chemical formulation hidden beneath the digital fold.⁵⁰ This disconnect between corporate imagery and scientific reality is formally quantified by the Advertising Standards Council of India.⁵¹ Mamaearth parent company Honasa has emerged as the largest violator of advertising in FY-24 with a total of 187 incidents of violations identified as per the advertising standards council of India annual report for FY24.⁵² This case study demonstrates a foundational example of digital -first marketing requires strict judicial and algorithmic oversight in modern India.

IV. Consumer Protection Laws and Guidelines Related to Digital Greenwashing.

To address contemporary digital commerce challenges, the Consumer Protection Act, 1986 has undergone several changes and introduced the Consumer Protection Act, 2019 which defines “E-Commerce” and “Electronic Commerce Entity” considering digital platforms as a separate market structure to be regulated in this regard. It defines Misleading Advertisement under section 2(28) as- any advertisement that directly or by implication falsely represents facts concerning product characteristics, benefits, or environmental attributes, thereby establishing a textual basis for regulating greenwashing claims.⁵³ The definition of "unfair trade practice" under Section 2(47) encompasses deceptive representations, concealment of material facts, and exploitation of consumer vulnerability, all directly applicable to misleading environmental claims.⁵⁴

The Central Consumer Protection Authority released the Guidelines for Prevention and regulation of Greenwashing, 2024. These guidelines attempt to mitigate industry-wide ambiguity by mandating that corporations substantiate environmental assertions, such as “Organic”, “Carbon neutral”, or “eco-friendly”, with verifiable evidence. They further prohibit future-oriented claims lacking clear transition plans. These guidelines are designed not to stifle companies' environmental efforts of manufacturers and service providers but to ensure that such claims are transparent and made with integrity. Companies are encouraged to highlight their environmental initiatives, provided these claims are backed with proper disclosures and

⁴⁸ Center for consumer protection law and Policy. The influencer Market and Consumer Deception: The Mamaearth case study. Rajiv Gandhi National University of Law(RGNUL)working Paper series, February 2026.

⁴⁹ Ecoldeaz. Greenwashing in India: Are popular FMCG brands Misleading Consumers with Eco friendly Claims? (2025)

⁵⁰ *ibid*

⁵¹ *ibid*

⁵² Advertising Standards Council of India(2024).Annual Complaints and Non-Compliance Report FY 2023-24

⁵³ Id. § 2(28) (defining "misleading advertisement" as any advertisement that falsely represents facts regarding goods, services, or their benefits)

⁵⁴ Id. § 2(47) (defining "unfair trade practice" as practices misleading consumers or concealing material information).

credible evidence. The objective behind these guidelines is to shield consumers from misleading information while promoting genuine environmental responsibility within the business community. By mandating that companies substantiate their environmental assertions, the guidelines seek to foster a marketplace where environmental claims are both truthful and meaningful, thus encouraging sustainable business practices.⁵⁵ However, the present paper argues that even these new definitions overlook the technical mechanisms through which online platforms works.⁵⁶

The Consumer Protection (E-Commerce) Rules, 2020 impose explicit obligations on marketplace and inventory e-commerce entities to ensure accurate, non-misleading product information, exercise due diligence regarding seller representations, and maintain grievance redressal mechanisms for false environmental claims.⁵⁷

Further, the CPA does not specifically regulate advertising in the beauty and personal care sector. The general provisions regulating advertising will apply, including specifically, the CPA and the Misleading Advertisements Guidelines.⁵⁸ Due to the pervasiveness of advertisements of fairness products, on 14 August 2014, ASCI recognized the need for targeted guidelines and developed the ‘Guidelines for advertising of skin lightening or fairness improvement products’ (Skin Lightening Guidelines), to ensure that commercial messaging does not reinforce discriminatory notions that equate darker skin with inferiority.⁵⁹ Advertisements on digital media, such as over-the-top platforms (OTT platforms) and websites are regulated under the IT Act and rules thereunder, advisories issued by MeitY and medium-agnostic laws applicable to advertising content in India. Publishers of online curated content are responsible for complying with the Intermediary Rules and advisories issued by MeitY under the Intermediary Rules.⁶⁰

V. Regulatory Gaps and Recommendations

Gap-1: Requirement of Pre-Screening Approval:

The supreme court mandated from the case *Indian Medical Association (IMA) & Anr. v. Union of India (UOI)*, triggered by misleading advertising (notably the Patanjali case), that the self-declaration has to be uploaded by the advertiser on the Broadcast Sewa Portal run under the aegis of the Ministry of Information and Broadcasting (“MIB”). In relation to advertisements in the Press/Print Media/Internet, the MIB has been directed to create a dedicated portal. The

⁵⁵ Central Consumer Protection Authority Issues Guidelines for ‘Prevention and Regulation of Greenwashing and Misleading Environmental Claims’

<https://www.pib.gov.in/PressReleasePage.aspx?PRID=2064963®=3&lang=2>

⁵⁶ Saumya Singh, Digital Deception Or Eco-Branding? Navigating The Intermediary Liability Paradox And Greenwashing In India’s E-Commerce Ecosystem, 6 IJCRT ,Volume 14, Issue 1 January 2026 , ISSN: 2320-2882

⁵⁷ Consumer Protection (E-Commerce) Rules, 2020, Ministry of Consumer Affairs, Food and Public Distribution, Noti. No. G.S.R. 462(E) (July 23, 2020), <https://consumeraffairs.gov.in/sites/default/files/E%20commerce%20rules.pdf>.

⁵⁸ ASCI, the Ad law Compendium, <https://www.ascionline.in/wp-content/uploads/2026/03/The-AdLaw-Compendium.pdf>

⁵⁹ Ibid

⁶⁰ Ibid.

advertisers are required to upload a self-declaration before any advertisement is issued on any platform. Proof of uploading the self-declaration has to be made available by the advertisers to the concerned broadcaster/printer/ publisher/ electronic media platform, for records. No advertisements shall be permitted to be run without uploading the self-declaration.⁶¹

Recommendation-1:

An FMCG or Cosmetics brand simply logs onto the Press Council of India or Broadcast Seva Portal and checks a box stating, “I certify that my ad is complaint.” The portal instantly spits out a certificate. There is Zero substantive verification of their green claims at the entry point. If a brand checks that box but continues to use the unverified term 100% natural, the ad still hits the internet immediately. The actual complaint only helps to takedown that advertisement after a consumer flags the lie. Instead the system right back into reactive i.e. post facto enforcement, there should be pre-screening approval process for advertisement

Gap-2: Lack of Specific Definitions:

Lack of Specific Definitions on Natural Terms let the Companies and amplifiers of digital media enjoy to manipulate the nature based terms everytime which make it even difficult for ASCI to recognize the activity on complaint because they enter into picture only after the consumer makes a complaint in that regards. That also takes time to decide whether it is actually violative in nature or not as the companies takes time to substantiate the claim.

Recommendation-2:

Even after sector specific guidelines given by ASCI in regards to Personal Care Sector, the ASCI complaint report shows the continuance of Violations, so in order to decline such ambiguity Umbrella Structure of Definitions to be given for better enforcement of guidelines.

Gap-3: Algorithmic Vulnerability:

Indian Consumer Protection jurisprudence is relying on reasonable consumer standard. But the hyper-personalised machine-learning algorithms exploit consumer cognitive vulnerabilities, causing traditional standard of consumerism caution to completely fail when processing tailored digital eco-ads.⁶²

Recommendation-3

If a personal care brand puts a fake “eco friendly” ad on your private Instagram or facebook feed, the government has no way of seeing it. The law can only catch the brand if a person files a complaint and manually report it. So, the suggestion is CCPA should collaborate with Ministry of Electronics and Information Technology to mandate for brands to upload version

⁶¹ Supreme Court’s Mandate on Self-Declaration: An Added Compliance Challenge for Advertisers?, <https://www.saikrishnaassociates.com/supreme-courts-mandate-on-self-declaration-an-added-compliance-challenge-for-advertisers/>

⁶² Aurits Kaptein & Dean Eckles, Heterogeneity in the Effects of Online Persuasion, 26 J. INTERACTIVE MKTG. 176, 178-82 (2012). 29 See generally Amazon Seller Central, Product Compliance Documentation Requirements (Sept. 2024); Flipkart Green: Sustainability Storefront (Launched Jan. 5, 2023).

of their digital ads into massive Public Digital Ad Repository (mirroring Article 39 of the EU Digital Services Act.)⁶³

VI. CONCLUSION

The rapid expansion of digital advertisement and influencer led marketing has changed the manner of representation of personal care products to consumer. The misleading Environmental claims such as Eco-friendly, Clean, Chemical Free, have become powerful tools for within the digital marketplace. While such representations may positively influence consumer perception, their vagueness creates substantial risks of digital greenwashing. The study shows the existing Consumer Protection Act, CCPA guidelines and ASCI self-regulatory mechanisms work towards awareness. Further, influencer disclosure norms make an important attempt to make responsible advertising practices.

However, the continuing pattern of violations evidenced in ASCI complaints report shows that there are still substantial challenges. Consumers can have a major shift in perspective when they discover such deceit. As consumers start to question the authenticity of similar marketing messages, distrust and cynicism set in. They may feel cheated, which will damage their confidence not just in the company that has offended them but in the wider industry. Feelings of anger and betrayal may also occur. The study further suggests that the personal care sector is especially vulnerable to deceptive sustainability-related marketing tactics as it increasingly relies on influencer recommendations, visual marketing, and emotionally engaging ecological language. The increasing numbers of digital greenwashing highlights the need for preventive monitoring, clearer substantiation standards, and greater consumer protection. It is important to note that the growing complexity of deceptive environmental messaging requires more advanced interpretive tools for its analysis. Further, the increasing use and involvement of generative AI and synthetic content will lead to more sophisticated forms of environmental deception. The growing use of generative AI and synthetic content will lead to more sophisticated forms of environmental deception. Therefore, future research should examine both how consumer behaviour changes over time and how algorithmic amplification affects the spread of greenwashing content. Ultimately, effective regulation of digital greenwashing is not merely a matter of advertising compliance, but an essential component of protecting consumer trust within the modern digital economy.

⁶³ Article 39, Additional online advertising transparency - the Digital Services Act (DSA)