

Case #7286
HoldOn Bags Inc.
HoldOn Trash Bags

(05/02/2024)

Challenger: *The Glad Products Company*
Product Type: *Household Products*
Issues: *Environmental Claims; Express Claims; Implied Claims / Consumer Perception*
Disposition: *Modified / Discontinued*

BBB NATIONAL PROGRAMS

NATIONAL ADVERTISING DIVISION

THE GLAD PRODUCTS COMPANY,
Challenger,

HOLDON BAGS INC.,
Advertiser.

Case No. 7286
Closed 05/02/2024

FINAL DECISION

- Environmental claims must be specific and supported by competent and reliable scientific evidence.
- Claims concerning the breaking down of compostable items should specifically identify the environments and circumstances where break down occurs.

I. **Basis of Inquiry**

The advertising industry established the National Advertising Division (“NAD”) and the National Advertising Review Board (“NARB”) in 1971 as an independent system of self-regulation designed to build consumer trust in advertising. NAD reviews national advertising in all media in response to third-party challenges or through inquiries opened on its own initiative. Its decisions set consistent standards for advertising truth and accuracy, delivering meaningful protection to consumers and leveling the playing field for business. Challenger The Glad Products Company (“Glad” or “Challenger”) challenged express and implied claims made by Advertiser HoldOn Bags Inc. (“HoldOn” or “Advertiser”) for its bags for trash and composting. The following are representative of the claims that served as the basis for this inquiry:

A. *Express Claims*

- “Plant-Based”
- “Made with a unique mix of cornstarch, plant-based renewables and nontoxic materials”
- “Great for trash, composting, recycling”
- “Use HoldOn bags just like you would a normal garbage bag: fill, tie, and toss. Once in a dump or landfill, it will break down into nontoxic elements”
- “Trash bags that break down in weeks, not centuries”
- “Breaks down in weeks without filling up landfills and oceans”
- “Breaks down cleanly without producing microplastics or toxic residue”
- “HoldOn bags are designed to reduce plastic waste, no matter how you take out your trash”

- “A sustainable replacement for traditional plastic bags”
- “Nontoxic”

B. Implied Claims

- HoldOn bags are not plastic
- HoldOn bags can be properly disposed of in all waste channels (landfill, recycling, composting)¹
- HoldOn bags are good for the environment
- HoldOn bags are safer than traditional trash bags

II. Evidence Presented

The Challenger presented the following evidence:

- Examples of HoldOn bags advertisements from its website
- Examples of HoldOn bags appearance in internet search results
- Examples of HoldOn bags social media posts
- A video available on vimeo.com and HoldOn’s website
- A declaration from Nancy Mack-Robles, R&D Associate Director of Glad

The Advertiser presented the following evidence:

- A print-out of a webpage from the B Corp Certification website entitled “Measuring a company’s entire social and environmental impact.”
- Report by Dr. Ramani Narayan, Ph.D., Michigan State University Department of Chemical Engineering and Materials Science Professor (hereinafter “composting expert”), concerning HoldOn bags’ claim “Breaks down cleanly without producing microplastics or toxic residue.”
- Certificate for Awarding and Use of the “OK COMPOST HOME” Conformity Mark Issued by TÜV AUSTRIA CERT GMBH to HoldOn Bags, Inc.
- A print-out of a TÜV Austria webpage concerning its OK compost Home Certification
- License Agreement between International Biodegradable Products Institute, Inc. (“BPI”) and Ecopro Manufacturing Co. Ltd (and sublicense to HoldOn Bag, Inc.) concerning rights to use the BPI Certification Marks
- Webpages from the Environmental Protection Agency
- Report and Supplemental Report by Dr. Tarek Abichou, Ph.D, a Florida State University Professor of Civil and Environmental Engineering (hereinafter “landfill expert”), concerning conditions in landfills
- Webpages with New York City and Washington, D.C. recycling rules
- Examples of Glad advertisements from its website
- Information concerning Thickness and Tensile Strength of HoldOn and other trash bags
- An article from the *Biscayne Times* titled “Trash Trouble: Miami-Dade’s Looming Landfill Crisis”

¹ Glad argued in its papers that “HoldOn bags should not be used for trash that is destined for a landfill or recycling.” As discussed below, NAD’s review is limited to whether the challenged advertising conveys misleading messages and, as a result, NAD did not reach whether HoldOn’s bags may be appropriately disposed of in any particular waste channel.

- A document titled “TÜV Rheinland, Certification Scheme: Products Made of Compostable Materials for Home and Garden Composting According to NFT 51-800
- A document from TÜV Austria titled “Program OK 2, Home compostability of products”
- ASTM D6400 “Standard Specification for Labeling of Plastics Designed to be Aerobically Composted in Municipal or Industrial Facilities”
- A printout of a webpage from National Oceanic and Atmospheric Administration’s website titled “What are microplastics?”

III. Decision

A. Background

HoldOn is a provider of trash bags that have been certified by Biodegradable Products Institute, Inc. (“BPI”) and TÜV Austria as compostable in commercial and home composting settings. HoldOn markets its bags as being “[g]reat for trash, composting, [and] recycling” and as more “sustainable” than competitor trash bags that are typically made from polyethylene, a polymer that is resistant to biodegradation.² Increasingly consumers choose products based in part on the environmental benefits touted by advertisers. Consumers eager to reduce their impact on the environment do not usually have the knowledge or expertise to evaluate environmental benefit claims and the support for those claims. As NAD has noted, manufacturers can educate consumers about disposable products, but the benefits of recyclable, biodegradable or compostable products should not overstate the support for those claims; the claims should be truthful, accurate, and non-misleading.³

B. Standard of Review

Advertisers must possess a “reasonable basis” for claims disseminated in advertising.⁴ What constitutes a “reasonable basis” depends on several factors, including the type of product, the type of claim, the consumer benefit from a truthful claim, the ease of developing substantiation for the claim, the consequences of a false claim, and the amount of substantiation experts in the field believe is reasonable.⁵

NAD follows guidance from Federal Trade Commission’s Guides for the Uses of Environmental Marketing Claims (“Green Guides”)⁶ that advises, in the context of environmental marketing claims, “a reasonable basis often requires competent and reliable scientific evidence,” which “consists of tests, analyses, research or studies that have been conducted and evaluated in an objective manner by

² While the exact composition of HoldOn’s bags is not part of the record, HoldOn’s website indicates that its bags are comprised of a combination of cornstarch and two biodegradable polymers (polybutylene adipate terephthalate (“PBAT”) and polylactic acid (“PLA”)).

³ *Kauai Coffee Company, LLC (Certified 100% Compostable Pods)*, Report #6078, NAD/CARU Case Reports (May 2017) (determining there was reasonable basis for many compostability claims but recommending the discontinuance of overstated environmental benefit claims).

⁴ *Guardian Technologies, LLC (GermGuardian and PureGuardian Air Purifiers and Replacement Filters)*, Report #6319, NAD/CARU Case Reports (November 2019).

⁵ *Pfizer Inc.*, 81 F.T.C. 23 (1972). See also FTC, *Policy Statement Regarding Advertising Substantiation* (Nov. 23, 1984), <https://www.ftc.gov/public-statements/1984/11/ftc-policy-statement-regarding-advertising-substantiation>.

⁶ 16 CFR Part 260

qualified persons.”⁷ The Green Guides and NAD precedent further note that generalized environmental claims are particularly difficult to substantiate because they can convey to consumers that a product provides wide-ranging benefits that are unlikely to be supported given the inherent impact on the environment that product manufacturing entails.⁸ Whether advertising conveys such a message depends on the context in which the claims are made.

In an NAD proceeding, an advertiser is responsible for all messages reasonably conveyed by the advertising, not merely the message it intended to convey.⁹ NAD has also recognized that a claim may be literally true but still misleading.¹⁰ In the absence of consumer perception evidence, NAD relies on its expertise to determine the messages reasonably conveyed by the challenged advertising.¹¹ In analyzing the express and implied messages conveyed by a particular advertisement, NAD typically reviews the totality or overall net impression created by an advertisement as a whole, not merely words or phrases standing alone, taking into consideration both the words and the visual images.¹²

a) *Background on Composting and Degradation Claims*

Both the FTC and NAD/NARB¹³ caution against unqualified claims regarding degradability and composting, particularly to the extent the claims imply effectiveness in landfill conditions. The FTC’s Green Guides advise that “[a] marketer should clearly and prominently qualify compostable claims to the extent necessary to avoid deception if ... the claim misleads reasonable consumers about the environmental benefit provided when the item is disposed of in a landfill.”¹⁴ To avoid deception,

⁷ 16 CFR § 260.2

⁸ *PurposeBuilt Brands (Green Gobbler Drain Clog Dissolve)*, Report #6982, NAD/CARU Case Reports (January 2022); 16 CFR § 260.4.

⁹ *Dyper Inc. (Dyper Baby Wipes & Diapers)*, Report #7144, NAD/CARU Case Reports (January 2023).

¹⁰ *Coca-Cola Company (Powerade)*, Report #7198, NAD/CARU Case Reports (August 2023).

¹¹ *Dyper Inc. (Dyper Baby Wipes & Diapers)*, Report #7144, NAD/CARU Case Reports (January 2023).

¹² *Id.*

¹³ See, e.g., *Dyper Inc. (Dyper Baby Wipes & Diapers)*, Report #7144, NAD/CARU Case Reports (January 2023) (recommending that a company’s “biodegradable” claim for its diapers be qualified to make clear the circumstances in which the stated diaper components would actually degrade); *FP International (Biodegradable SUPER 8 Loosefill Environmentally Friendly Packaging)*, Report # 5256, NAD/CARU Case Reports (December 2010)(advertiser was able to support its claim that its product would degrade in aerobic conditions (like those in typical compost facilities) but could not support claims that it would degrade in anerobic conditions (like a typical landfill)); *GP Plastics Corp. (PolyGreen Plastic Bags)*, Report #4944, NAD/CARU Case Reports (March 2009)(recommending an advertiser discontinue its claim that its plastic bags are “100% oxo-biodegradable and otherwise modify its advertising to avoid conveying the message that [its] bags will quickly or completely biodegrade when disposed of through ‘ordinary channels’ e.g., when placed in landfills); NARB panel #57 (June 1992) (appeal of *Stone Container Corporation (Yard Master Lawn & Refuse Bags)*, Report #2932, NAD/CARU Case Reports (February 1992))(recommending claims of biodegradability of a compostable “lawn & refuse” bag be qualified such as “biodegradable when composted” because “some consumers might be induced to buy or use the product for every day household trash, despite its much higher cost, in the mistaken belief that the bags would degrade in a landfill.”).

¹⁴ 16 CFR § 260.7(c)(2).

“[d]egradable claims should be qualified clearly and prominently to the extent necessary ... about: (1) The product’s ... ability to degrade in the environment where it is customarily disposed.”¹⁵

In 2013, the FTC for the first time announced five enforcement actions addressing biodegradable plastic claims as part of the agency’s ongoing crackdown on false and misleading environmental claims.¹⁶ Consistent with the Green Guides, the actions prohibited four companies from making biodegradability claims unless the representations are true and supported by competent and reliable scientific evidence. In one case, the FTC enforced civil penalties of \$450,000 for violation of a consent order where a company labelled its products compostable or biodegradable and did not have evidence that its products will biodegrade within one year when disposed in a landfill.¹⁷

b) Background on “non-toxic” claims

NAD and the FTC have also addressed the standards for making “non-toxic” claims. The Green Guides provide that “marketers making non-toxic claims should have competent and reliable scientific evidence that the product, package, or service is non-toxic for humans and for the environment or should clearly and prominently qualify their claims to avoid deception.”¹⁸ NAD has relied on this guidance in recommending that an advertiser discontinue its “non-toxic” claims where it did not provide any competent and reliable scientific evidence that its product is non-toxic to landfill sites, where the product customarily ended up.¹⁹

C. Discontinued Claims

During the course of the proceeding the Advertiser indicated that it would voluntarily discontinue the following express claims:

- “Nontoxic”
- “Plant-Based”
- “Great for trash, composting, recycling”
- “Once in a dump or landfill, it will break down into nontoxic elements”

NAD will treat the discontinued claims, for compliance purposes, as though NAD recommended their discontinuance and the Advertiser agreed to comply.

¹⁵ 16 CFR § 260.8(d).

¹⁶ *FTC Cracks Down on Misleading and Unsubstantiated Environmental Marketing Claims: Actions Challenge Deceptive Biodegradable Plastics Claims for the First Time*. (October 29, 2013 Press Release) <https://www.ftc.gov/news-events/news/press-releases/2013/10/ftc-cracks-down-misleading-unsubstantiated-environmental-marketing-claims>

¹⁷ *Id.*

¹⁸ 16 CFR § 260.10.

¹⁹ See *LEI Electronics Inc. (Eco Alkaline Batteries)*, Report #5927, NAD/CARU Case Reports (February 2016).

D. Analysis

1. Claims that trash bags break down in compost facilities

HoldOn voluntarily modified its “Trash bags that break down in weeks, not centuries” and “Breaks down in weeks without filling up landfills and oceans” claims to include explicit references to composting.²⁰ Accordingly, NAD will examine the support provided for the modified claim.

In support of these claims as modified, HoldOn presented evidence through its composting expert and its certifications from BPI and TÜV Austria that indicated their bags suitability for composting in both commercial and home composting environments. HoldOn’s composting expert explained that BPI certified products must have 90% of their carbon converted to carbon dioxide within 180 days and that no more than 10% of the product’s dry mass must remain after sieving through a 2.0mm sieve in 84 days in a pilot scale composting; the remaining dry mass must not show an adverse effect on the ability of the compost to support plant growth.

Based on its expert’s declaration and HoldOn’s certifications from BPI and TÜV, NAD found that HoldOn has a reasonable basis to make these claims when modified to indicate the trash bags break down in compost environments. NAD will treat the original claims, for compliance purposes, as though NAD recommended their modification and the Advertiser agreed to comply.

2. Claim that trash bags break down without producing microplastics or toxic residue

Variations of HoldOn’s claim “breaks down cleanly without producing microplastics or toxic residue” appeared on its website and social media. In support of its claim, “HoldOn relied on its composting expert’s report who concluded that “BPI certified compostable products [like HoldOn bags] will leave no ‘toxic residues’ after the composting process” and “that HoldOn’s BPI certified products “[b]reak[] down cleanly without producing microplastics or toxic residues in a composting environment.”

There is no evidence in the record, however, that would support the challenged claim that the HoldOn bags will broadly breakdown without producing microplastics or toxic residue in any non-composting environment, including a landfill.

Indeed, HoldOn’s experts in their reports and accompanying research agree that the ability of polymers to biodegrade and compost is affected by their environment. HoldOn’s landfill expert acknowledged in his supplemental report that scientific literature suggests PBAT and PLA (components of HoldOn’s bags) degrade more slowly in a landfill than under fully aerobic conditions. And its composting expert cited to an article (which he co-authored) that indicates that PLA “is a biobased polymer that complies with the criteria of industrial compostability; however, it is not biodegradable under normal environmental conditions.”²¹ The article further states that biodegradable-compostable plastics do produce microplastics during their service life, however these particles have the ability to biodegrade unlike persistent microplastics (which may have serious

²⁰ The original claims appeared in various media including websites, social media, and the bags themselves.

²¹ Mulchandani, Neha, and Ramani Narayan. “Redesigning Carbon–Carbon Backbone Polymers for Biodegradability–Compostability at the End-of-Life Stage.” *Molecules* 28.9 (2023): 3832; <https://doi.org/10.3390/molecules28093832>.

impacts on wildlife and ecosystems along with human health).²² In another article, he wrote that “plastic biodegradability is not a material property but also largely depends on the properties of the receiving environment.”²³

Similarly, documentation accompanying the TÜV Austria home composting standard explicitly states that the “*OK compost HOME* certification of a product may not be used to make a claim of (bio)degradation in the soil, (bio)degradation in water or renewability. Formal certification to a separate standard such as *OK biodegradable SOIL*, *OK biodegradable WATER* or *OK biobased* is required in order to make such a claim.”²⁴

In sum, HoldOn bags’ certifications and its composting expert’s report conclusions support claims related only to the ability of its bags to break down in composting environments.²⁵

NAD recommended that HoldOn discontinue its claim, “breaks down cleanly without producing microplastics or toxic residue” or modify it to limit the message to the bag’s ability to “break down” in a composting environment.²⁶

3. “A sustainable replacement for traditional plastic bags” and the implied claims that HoldOn bags are good for the environment

In addition to HoldOn’s express claim that HoldOn bags are “a sustainable replacement for traditional plastic bags,” HoldOn’s advertisements convey messages of environmental benefits that are not limited to biodegradability in a composting environment.

HoldOn argued that, because its bags do not contribute to the growing waste in landfills and because they break down cleanly without producing microplastics or toxic residue, that its bags are better for the environment than conventional trash bags. As described above, the evidence only supports that those specific benefits are manifested when the bags are disposed of as compost and there is no evidence in the record that the bags are better for the environment when disposed of other than in a composting environment.

For its part, Glad argued, with support from its internal R&D Associate Director’s declaration, that polyethylene bags bound for landfills are better for the environment than compostable ones because compostable bags sent to a landfill will either not degrade and produce microplastics or, if they do degrade, they and their organic contents will produce methane that is destructive to the environment.

²² Id.

²³ Zumstein, M. T., Narayan, R., Kohler, H. P. E., McNeill, K., & Sander, M., “Dos and Do Nots When Assessing Biodegradation of Plastics”, *Environ. Sci. Technol.* 2019, 53, 9967–9969.

²⁴ TÜV Austria, Program OK 2: Home Compostability of Products, Ref. 17, https://www.tuv-at.be/fileadmin/user_upload/docs/download-documents/CS/CS-OK02-EN_OK_compost_HOME.pdf (Mar. 1, 2012)

²⁵ To be clear, NAD did not determine that HoldOn’s bags do not degrade in other environments, it simply was not presented with competent and reliable scientific evidence that would provide a reasonable basis to say that they do.

²⁶ See *Dyper Inc. (Dyper Baby Wipes & Diapers)*, Report #7144, NAD/CARU Case Reports (January 2023) (“NAD therefore recommended that Dyper’s ‘biodegradable’ claim be further qualified to make clear the circumstances in which the stated diaper components would actually degrade”).

HoldOn argued, with support from its landfill expert, that Glad’s analysis did not properly consider actual landfill conditions or the potential for methane capture and further did not include a life cycle analysis to properly compare environmental impact between the types of products. It is the advertiser’s burden, however, to substantiate its claims. Without tests, analyses, research, or studies evaluating HoldOn bags in landfill conditions, the advertiser lacks support that could provide a reasonable basis for its advertising claims.

HoldOn further argued that the Environmental Protection Agency (“EPA”) recommends certified “compostable” trash bags as a “greener” alternative to traditional trash bags. EPA’s website, in fact, cautions consumers about vague or generic claims on products and maintains a list of “recommended standards and ecolabels” to help consumers quickly and easily identify those products that meet specific environmental performance criteria.²⁷ One of those labels is the BPI compostable certification held by HoldOn’s bags, which EPA recommends for the “single-attribute: compostability;” EPA explains “single-attribute” means the label addresses a singular attribute or singular lifecycle stage.²⁸ EPA’s website is, thus, simply informing consumers and those involved in federal procurement that the BPI certification symbol can help identify products with the specific environmental benefit of being compostable in commercial compost environments and is not, as HoldOn argues, promoting BPI certified products as generally better for the environment than those without the certification.

Accordingly, NAD recommended that HoldOn discontinue the claim “a sustainable replacement for traditional plastic bags” and otherwise modify its advertising to avoid conveying messages of general environmental benefits.

4. “HoldOn bags are designed to reduce waste from traditional plastics, no matter how you take out your trash”

HoldOn voluntarily modified its claim “HoldOn bags are designed to reduce plastic waste, no matter how you take out your trash” to explicitly reference “traditional plastics” instead. NAD examined HoldOn’s support for the modified claim “HoldOn bags are designed to reduce waste from traditional plastics, no matter how you take out your trash.”

HoldOn argued that the modified claim is true on its face and does not convey an environmental benefit message. The original claim appeared in the FAQ section of HoldOn’s website: the answer to “DO I NEED TO COMPOST HOLDON BAGS?” is “You can, but you don’t need to. HoldOn bags are designed to reduce plastic waste, no matter how you take out your trash. If you want to compost your HoldOn bags, you can compost them commercially using a compost service, or compost at home. HoldOn bags will break down cleanly in a matter of weeks.”

Consumers can reasonably interpret the term “traditional plastics,” as used on HoldOn’s landing webpage and FAQ, to mean “plastics that are harmful to the environment” or “plastics that do not biodegrade,” unlike the plastic that HoldOn bags are made of. In the first interpretation, the claim is

²⁷ *Buying Green for Consumers*, <https://www.epa.gov/greenerproducts/buying-green-consumers>

²⁸ *Recommendations of Specifications, Standards, and Ecolabels for Federal Purchasing*, <https://www.epa.gov/greenerproducts/recommendations-specifications-standards-and-ecolabels-federal-purchasing> (requires clicking “custodial” under “service category”, “trash bags” under “product sub-category”, and toggling on the “plastics criteria” check box)

an unqualified general environmental claim,²⁹ for which HoldOn does not have support as described above. In the second interpretation, the claim touts the ability of HoldOn bags to break down in any environment, a claim that HoldOn cannot support as detailed above. The evidence in the record provides support for the limited claim that HoldOn bags break down in a compost environment. As a result, NAD recommended that HoldOn bags discontinue its claim “HoldOn bags are designed to reduce waste from traditional plastics, no matter how you take out your trash,” or further modify it to clearly and conspicuously disclose the circumstances in which the bag would degrade, compost, or “break down.”

5. Claims that HoldOn bags provide environmental benefits in all waste channels (landfill, recycling, composting)

Glad challenged express and implied claims that HoldOn bags provide environmental benefits when the bags are disposed of in waste channels other than composting. As described above, the evidence of record supports that HoldOn bags biodegrade in a composting environment.

The claim “Great for trash, composting, recycling” appeared in the “PRODUCT DETAILS” section of the webpage where one could purchase HoldOn’s “tall kitchen trash” bag. The webpage included the message “Plastic bags create an enormous amount of pollution, piling up in landfills and oceans long after we’ve thrown them away. We knew there had to be a better way – so we created HoldOn. Our 100% compostable bags are made from nontoxic, plant-based material. Now, you don’t have to compromise to care for the planet.” The “Materials” section on that page included the text “HoldOn bags break down cleanly without producing microplastics or toxic residue, when composted.” In this context, consumers could reasonably understand the claim “Great for trash ...” means that the bags break down when sent to a landfill.

The claim “Use HoldOn bags just like you would a normal garbage bag: fill, tie, and toss” appears in the answer to the FAQ “CAN I USE HOLDON BAGS FOR TRASH?,” directly after the FAQ “DO I NEED TO COMPOST HOLDON BAGS?” The latter question is answered “You can, but you don’t need to. HoldOn bags are designed to reduce plastic waste, no matter how you take out your trash.” Without qualifying the claim to specify that that HoldOn bags will break down only in composting environments, the claim reasonably conveys the message that HoldOn bags break down when filled with ordinary trash and sent to a landfill.

As described above, the evidence in the record provides support that HoldOn’s bags break down only in a compost environment.

Accordingly, NAD recommended that the Advertiser discontinue its claims or modify the claims to clearly and conspicuously disclose the circumstances in which the bag would degrade, compost, or “break down.”

6. Not plastic claims

HoldOn’s advertisements on its website, social media and other media expressly state or convey the message that its bags are not made from plastic. For example, its Instagram post captioned “Say NO to plastic trash bags and YES to HoldOn Bags!” conveys the message its bags are not plastic. There was

²⁹ *Dyper, Inc. (Dyper Baby Wipes & Diapers)*, Report #7144, NAD/CARU Case Reports

no evidence in the record that supported the message that HoldOn bags are not made of plastic. As a result, NAD recommended that HoldOn discontinue or modify its claim to avoid conveying the message that HoldOn bags are not plastic.

7. HoldOn bags are safer than traditional trash bags

The Challenger argued that HoldOn's advertising conveys the message that its bags are safer than traditional trash bags. Other than messages related to toxicity, which are addressed above, NAD did not find that any other messages related to safety were conveyed, either expressly or impliedly, by HoldOn's advertising.

IV. Conclusion

HoldOn indicated it would voluntarily discontinue the following claims:

- "Nontoxic"
- "Plant-Based"
- "Made with a unique mix of cornstarch, plant-based renewables and nontoxic materials"
- "Once in a dump or landfill, it will break down into nontoxic elements"

NAD will treat the discontinued claims, for compliance purposes, as though NAD recommended their discontinuance and the Advertiser agreed to comply.

HoldOn indicated it would voluntarily modify the following claims to include explicit references to composting:

- "Trash bags that break down in weeks, not centuries"
- "Breaks down in weeks without filling up landfills and oceans"

NAD found the claims, as modified to include references to composting, to be supported. NAD will treat the modified claims, for compliance purposes, as though NAD recommended their modification and the Advertiser agreed to comply.

HoldOn indicated it would modify the claim "HoldOn bags are designed to reduce plastic waste, no matter how you take out your trash" to instead read "HoldOn bags are designed to reduce waste from traditional plastics, no matter how you take out your trash." NAD recommended that the modified claim be discontinued or further modified to clearly and conspicuously disclose the circumstances in which the bag would degrade, compost, or "break down."

NAD recommended that HoldOn discontinue its claim, "breaks down cleanly without producing microplastics or toxic residue" or modify it to limit the message to the bags ability to "break down" in a composting environment.

NAD recommended that the Advertiser discontinue the claims "Great for trash, composting, recycling" and "Use HoldOn bags just like you would a normal garbage bag: fill, tie, and toss," along with the implied claim that "HoldOn bags can be properly disposed of in all waste channels (landfill, recycling, composting)" or modify the claims to clearly and conspicuously disclose the circumstances in which the bag would degrade, compost, or "break down."

NAD recommended that HoldOn discontinue the claim “a sustainable replacement for traditional plastic bags” and otherwise modify its advertising to avoid conveying messages of general environmental benefits.

NAD recommended that HoldOn discontinue or modify any claims that convey the message that HoldOn bags are not plastic.

Other than claims related to the toxicity of HoldOn bags and their residue (which are addressed elsewhere), NAD did not find that HoldOn’s advertising conveyed any additional messages that “HoldOn bags are safer than traditional trash bags.”

V. Advertiser’s Statement

HoldOn will comply with the NAD’s decision. Although HoldOn disagrees with certain aspects of it, HoldOn is heartened that NAD’s decision recognized that HoldOn’s certifications substantiate HoldOn’s claims about the compostability of its bags in composting environments, and that NAD’s decision is focused on specific presentations of certain challenged claims. (**#7286 SRM, closed 05/02/2024**)

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