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## ASK AN EXPERT

Ask an Attorney

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I see a lot of building materials and other products advertised as "green" or somehow beneficial to the environment; is there a government agency or required certification process that ensures these claims are true?

The "green" revolution has spawned a booming market for "green" products, including a growing demand for "green" building materials, but there is very little regulation or government scrutiny of these claims. No doubt, there are examples of products that are labeled "green" or "eco-friendly" that are not. Other products lay claim to being "green" simply because they are not quite as harmful to the environment as some other alternative, "green" should not mean "not the worst." Consumers are forced to look beyond the packaging of the product and to consider the underlying claim. Is this a low VOC product? Is this product made from a renewable resource? What is the



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basis for the claim of being "green"?

Websites and other resources that consumers can turn to for information and recommendations about "green" products have begun to emerge. But, it is also important for consumers to remember that a product which may be "green" because it was manufactured in an energy efficient way or from a renewable resource may cease to be "green" by the time it arrives at your door step or warehouse because it has traveled half way around the world by plane, truck or freighter to get there.

Claims that products are "green" are coming

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under greater scrutiny and some type of formal certification seems necessary and likely. In the meantime, the federal government's expanding Energy Star program, which awards Energy Star designations to products meeting strict energy efficiency guidelines, is a reliable resource for finding energy efficient products and identifying energy efficient practices.

Energy Star describes itself as "a joint program of the U.S. Environmental Protection Agency and the U.S. Department of Energy helping us all save money and protect the environment through energy efficient products and practices." Energy Star began in 1992 with the labeling of selected, energy efficient computer equipment and has ex-

panded over the years to a point where its labels are now applied to selected models in more than 50 product categories. In addition, Energy Star designation can be obtained for qualifying residential and commercial buildings. In a sign of things to come, the borough of West Chester, Pennsylvania recently adopted an ordinance reported to require new private commercial buildings that need conditional use approval from the borough, which includes any building exceeding forty-five feet in height, to be designed to meet Energy Star standards. The owner must then apply for the Energy Star label. This type of third-party verification that a construction project meets specified environmental standards is

becoming increasingly common. Hopefully, it is just a matter of time before consumers of other products have a labeling or certification process they can turn to in order to ensure that the products and materials they are buying are truly "green."

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