

**Ruling**

16. Juli 2023

**Case number**

22/02988, 22/02960, 22/02963, 22/02965, 22/02966, 22/02974, 22/02977, 22/02980, 22/02985, 22/02957, 22/02959, 22/02975, 22/02962, 22/02967, 22/02958, 22/02981, 22/04914, 22/06499, 22/06501, 22/06502, 22/03004, 22/02983, 22/02987

**Regulation**

§ The Marketing Practices Act 2017 - present

§ 5

§ 6

[Translated by Green Global Future. Link to original below. Complaint as appendix 1]

## Deceptive to promote wood stoves, firewood and briquettes with statements of environmentally friendly and CO<sub>2</sub> neutrality

**It was against the prohibition of misleading that 22 companies used statements of environmentally friendly or CO<sub>2</sub> neutrality in their promotion strategy of wood stoves, firewood and briquettes as the promotion could lead to wrongful interpretation by consumers that wood burning is less climate and environmentally harmful than it is.**

The Consumer Ombudsman received in the spring of 2022 complaints against 22 companies' promotion of wood stoves, firewood and briquettes from Green Transition Denmark and four consumers.

The companies had used statements on the environmentally friendliness and CO<sub>2</sub> neutrality in their marketing including statements as "*environmentally friendly*", "*eco-friendly*", "*good for the environment*", "*fire with a clear conscience*", "*gentle to the environment*" and "*CO<sub>2</sub> neutral*".

### *Statement on environmentally friendliness*

Wood burning in wood stoves and wood boilers emit particles and a number of polluting compounds such as tar compounds, dioxins, volatile organic compounds (VOCs). These compounds are harmful to the environment, and the use of wood stoves and wood boilers are according to the Danish EPA the largest Danish contributor to particle pollution.

The Consumer Ombudsman assessed that statements in the sales promotion regarding wood stoves and wood burning being environmentally friendly, eco-friendly, or similar can lead consumers to a fallacy of the environmental impact of wood burning.

A number of the promoted wood stoves were eco-labelled. Although they were, environmentally harmful particles were still emitted. It is the perception of the Consumer Ombudsman that relative environmental statements such as "*less polluting wood stove*" and "*less polluting wood burning*" in the marketing of eco-labelled wood stoves would be legal. This provided that consumers understand that in doing so a comparison is made with non-eco-labelled wood stoves.

The sales promotion must thus not lead to wrongful interpretation by the consumer, that wood burning in an eco-labelled wood stove is less polluting than it is.

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It was also the perception of the Consumer Ombudsman that a comparison of the particle emission from eco-labelled new wood stoves with older wood stoves was irrelevant to sales promotion as it has been mandatory for purchasers when requiring a new house to uninstall wood stoves produced prior to 1<sup>st</sup> January 2003 since 1<sup>st</sup> August 2021, and because the Danish EPA estimate that only 260,000 out of 700,000 wood stoves in Denmark are produced prior 2003.

### Statement on CO<sub>2</sub> neutrality

When burning wood, the emission of CO<sub>2</sub> is immediate. Thus, a forcing of the CO<sub>2</sub> emission will take place, which would otherwise happen far later and slower, if the tree continued to grow in the forest and disintegrate over a long period of years as global warming is ongoing, the climate will according to the Danish Energy Agency be affected by the temporary staggering of the CO<sub>2</sub>-pool from forest to atmosphere.

That biomass burning is characterized as "CO<sub>2</sub> neutral" under the inventory of greenhouse gas emissions of EU countries is due to the classification regulations of the EU and UN, after which the emission of CO<sub>2</sub> purely technically is included where the tree is felled – and not where it is burned.

The Consumer Ombudsman assessed that the use of CO<sub>2</sub> neutrality in the marketing of wood stoves, wood and briquettes could lead to the wrongful interpretation by the consumer that no CO<sub>2</sub> is emitted when burning wood, or at least that wood burning has a less harmful impact on *the climate* than is actual. Likewise, the perception of the Consumer Ombudsman was that the statement qualified to give the impression that wood burning is environmentally less impacting than is actual. The statement was thereby eligible to mislead consumers on both the climate and environmental impacts of wood burning.

The Consumer Ombudsman estimated that the used statements on environmentally friendliness and CO<sub>2</sub> neutrality could lead to misleading consumers against regulations of the prohibition of misleading in the Marketing Practices Act §§ 5 and 6, compared to § 8.

The Consumer Ombudsman strongly emphasized the rules to all 22 companies and moreover referred to the [Consumer Ombudsman guideline on the use of environmental and ethical claims, etc.](#) and [The quick guide](#) [only in Danish and repealed, replaced by [The Consumer Ombudsman's recommendations to companies environmental marketing](#), only in Danish], which is a short version of the guideline.

Direct link to the ruling (in Danish): <https://forbrugerombudsmanden.dk/find-sager/sager/markedsfoeringsloven/sager-etter-markedsfoeringsloven/miljoeogetik/vildledende-at-markedsfoere-braendeovne-braende-og-traebriketter-med-udsagn-om-miljoevenlighed-og-co2-neutralitet>

Direct link to all the rulings/news of the case (in Danish):

<https://forbrugerombudsmanden.dk/menu/soegeresultat?dateSorting=1&query=br%C3%A6ndeovn>

# Appendix 1: Complaint to the consumer ombudsman

## Description and reasoning of your complaint

[Company X] writes on its website that wood burning is [environmentally friendly and/or CO<sub>2</sub>-neutral] ... link to website.

According to DCE at Aarhus University, wood burning is the dominant Danish source of harmful particle pollution. Wood smoke is according to DCE at Aarhus University causing roughly 280 Danish deaths per year and cost 5-6 billion DDK in health impacts. Additionally, wood smoke is our largest pollution source of environmentally harmful dioxins and PAHs. Finally, wood burning contributes to indoor air pollution. Wood burning is therefore one of the most health hazardous and environmentally harmful heat sources.

According to DCE, a new eco-labelled wood stove emits more than 20 times more particles than coal-driven district heating, more than 200 times more particles than heat pumps and natural gas, and roughly 20 times more particles than oil-fired boiler, this is at optimal conditions pr. GJ. Newer eco-labelled wood stoves emit more soot than old wood stoves.

A new eco-labelled wood stove emits – at optimal conditions in a laboratory – roughly 2 g of particles per kg of wood. WHO's (World Health Organisation) air quality criteria is 0.00000005 g particles per liter of air. That means that burning just one kg of wood in a new eco-labelled wood stove pollutes roughly 400.000.000 liters of clean air to the WHO air quality criteria.

This is why wood burning and new wood stoves are anything but environmentally friendly, and it is impossible to burn in an environmentally friendly manner.

According to DCE at Aarhus University, wood burning is the heat source that emits most CO<sub>2</sub> and black carbon per GJ energy. One kg of CO<sub>2</sub> emitted from burning firewood contributes the same to global warming as does one kg of CO<sub>2</sub> emitted from burning coal – our climate does not distinguish. That, in the long term, a similar amount of CO<sub>2</sub> may be absorbed by newly planted trees somewhere else entirely over the next 30-50 years, does not make wood burning CO<sub>2</sub>-neutral. And the new trees would take up CO<sub>2</sub> anyways, regardless of whether the wood is used for firewood and burned. Finally, the CO<sub>2</sub> emitted from burned wood will in any case contribute to global warming for the next 30-50 years, until the new trees are fully grown. Living and dead trees are the CO<sub>2</sub>-storage of the environment. If dead trees are left in the forest, they will become part of the natural life cycle and decompose at a similar pace as new trees grow and absorb the emitted CO<sub>2</sub>. Hence, a balance remains. That balance is disturbed when wood is burned releasing all the CO<sub>2</sub> momentarily. In addition, soot particles are formed when burning wood (black carbon), which, according to DCE, contributes significantly to global warming. Black carbon from wood burning is estimated to increase the climate impact by 50% when only including CO<sub>2</sub> emissions. Therefore, we cannot define wood burning as CO<sub>2</sub>-neutral or climate friendly.

We will gladly provide specific sources of every single statement above on request.

## What would you like to achieve by your complaint to the Consumer Ombudsman

That the Consumer Ombudsman strongly emphasizes to the company that it cannot write or indicate that wood stoves, fireplaces, wood burning, firewood, etc., are environmentally friendly heating sources or can be used environmentally correctly as a heating source.

That the Consumer Ombudsman strongly emphasizes to the company that it cannot write or indicate that wood stoves, fireplaces, wood burning, firewood, etc., are climate friendly or CO<sub>2</sub>-neutral heating sources.