

THE DUTY TO INFORM AND THE RESTRAINT OF GREENWASHING UNDER THE CONSUMER PROTECTION CODE

O DEVER DE INFORMAR E A COIBIÇÃO DO GREENWASHING NO CÓDIGO DE DEFESA DO CONSUMIDOR

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ABSTRACT: This article analyzes the duty to inform, regulated by the Consumer Protection Code, as a legal instrument capable of identifying, preventing, and curbing the practice of greenwashing, also known in Brazil as environmental makeup or greenwashing. It starts from the premise that the distortion of ecological marketing, driven by the emergence of the so-called green consumer, has created space for suppliers to manipulate information regarding the environmental attributes of products, services, and production processes, using labels

and advertisements lacking a valid factual basis. The article examines the constitutional and legal foundation of the right to information, enshrined as a basic consumer right by Article 6, items II and III, of the Consumer Protection Code, as well as its function as a logical and normative presupposition of sustainable consumption. This study investigates how greenwashing violates this right, both in labeling and advertising, with emphasis on the categories of misleading and abusive advertising, as provided for in Article 37 of the aforementioned legal instrument. Finally, it analyzes the instruments of civil, administrative, and criminal liability of the supplier, notably counter-advertising, the reversal of the burden of proof, and the objective and joint liability of the agents involved in disseminating the illicit message. The hypothetical-deductive method is adopted, through bibliographic and legislative review. It concludes that the Brazilian legal system already has sufficient normative instruments to curb greenwashing, with the main challenge residing not in the absence of specific legislation, but in the effective monitoring and application of existing provisions.

Keywords: Duty to Inform. Greenwashing. Consumer Protection Code. Misleading Advertising. Sustainable Consumption.

RESUMO: O presente artigo tem por objeto a análise do dever de informar, disciplinado pelo Código de Defesa do Consumidor, como instrumento jurídico apto a identificar, prevenir e coibir a prática do greenwashing, também denominada, no Brasil, maquiagem ambiental ou maquiagem verde. Parte-se da premissa de que o desvirtuamento do marketing ecológico, impulsionado pelo surgimento do chamado consumidor verde, abriu espaço para que fornecedores manipulassem informações relativas aos atributos ambientais de produtos, serviços e processos produtivos, valendo-se de rótulos e anúncios publicitários desprovidos de lastro fático idôneo. Examina-se o fundamento constitucional e legal do direito à informação, consagrado como direito básico do consumidor pelo artigo 6º, incisos II e III, do Código de Defesa do Consumidor, bem como sua função enquanto pressuposto lógico e normativo do consumo sustentável. Investiga-se, na sequência, de que modo o greenwashing

viola tal direito, tanto na rotulagem quanto na publicidade, com destaque para as categorias da publicidade enganosa e da publicidade abusiva, previstas no artigo 37 do referido diploma legal. Por fim, analisam-se os instrumentos de responsabilização civil, administrativa e penal do fornecedor, notadamente a contrapropaganda, a inversão do ônus da prova e a responsabilidade objetiva e solidária dos agentes envolvidos na veiculação da mensagem ilícita. Adota-se o método hipotético-dedutivo, mediante revisão bibliográfica e legislativa. Conclui-se que o ordenamento jurídico brasileiro já dispõe de instrumentos normativos suficientes para a coibição do greenwashing, residindo o principal desafio não na ausência de legislação específica, mas na efetiva fiscalização e aplicação dos dispositivos já existentes.

Palavras-chave: Dever de Informar. Greenwashing. Código de Defesa do Consumidor. Publicidade Enganosa. Consumo Sustentável.

1 INTRODUCTION

The Industrial Revolution led to the development and consolidation of a strong industrialization process, which, in turn, caused a true depersonalization of the commercial transaction established between a consumer and a producer. This circumstance allowed for easy and increasing manipulation of the consumer by the supplier, who came to possess not only the knowledge and mechanisms of production, but also increasingly advanced techniques of persuasion, capable of constituting a veritable army of “impulse consumers,” eager to satisfy needs programmed by new products.

In this context of informational asymmetry between supplier and consumer, the consumer market began to incorporate, from a certain historical moment, an ecological appeal as a marketing differentiation strategy. This appeal quickly spread across the most varied productive sectors, disseminating, through carefully crafted advertisements, the production cycle, the activities involved, the distribution method, the marketing, or any other business aspect that could be perceived by the consuming public as environmentally correct.

However, alongside the legitimate dissemination of sustainable practices, abuses also flourished: suppliers began to manipulate information, disseminating incomplete, incorrect, or even false data on labels and advertisements, with the purpose of conveying to the consumer the perception that their brand or product was environmentally correct, or that it originated from sustainable production processes, inducing the consumer to believe that they were acquiring goods that do not contribute to environmental degradation, or that, at least, they would have a reduced impact, when, in reality, they were being deceived.

This practice, which consists of trying to deceive the consumer by making them mistakenly believe that the institution, product, or service offered has an ecologically efficient, sustainable, and environmentally responsible bias, has become known as greenwashing, an expression that, in Brazil, is also referred to as “environmental makeup” or “greenwashing”.

Given this scenario, it is necessary to ask which legal instrument is most directly suited to curbing such practices. The answer necessarily leads to the right to information, established by the Consumer Protection Code as a basic consumer right. This is because greenwashing, in its essence, constitutes nothing more than a qualified violation of the duty to inform: the supplier, by inserting incomplete, distorted, or false data into the market regarding the environmental attributes of its products, services, or production processes, frustrates precisely what the consumer protection legal system sought to ensure, that is, the possibility for the consumer to form their consumption will in a free, conscious, and informed manner.

The research problem guiding this article can be formulated as follows: to what extent is the duty to inform, as regulated by the Consumer Protection Code, capable of identifying, preventing, and curbing the practice of greenwashing, safeguarding the consumer and the ecologically balanced environment from the resulting damage? To answer this, the central hypothesis adopted is that the duty to inform, articulated with the principles of advertising and the regime of civil and administrative liability of the supplier, constitutes the most appropriate normative axis for confronting environmental manipulation, even though its

effectiveness depends on systematic interpretation and consistent oversight.

To develop this proposal, the article is structured as follows: initially, it examines the distortion of ecological marketing and the formation of the so-called “green consumer,” contextualizing the emergence of greenwashing as a market phenomenon; then, it analyzes the right to information as a basic consumer right, with constitutional and legal foundations; subsequently, it investigates how greenwashing violates the duty to inform, both in labeling and in advertising; finally, it discusses the instruments of the Consumer Protection Code aimed at curbing this practice, notably the principles of advertising, the characterization of misleading advertising, and the regimes of civil and administrative liability of the supplier.

2. Sustainable Consumption and the Misrepresentation of Green Marketing

2.1 From green marketing to the “new green consumer”

The configuration of mass consumer society, deliberately established in the period following the Second World War, shaped human behavior towards the continuous pursuit of contentment in the material sphere. In this arrangement, the individual ceased to be understood merely as a citizen and was reconstructed, from the market’s perspective, as a consumer in a permanent state of dissatisfaction, always available to acquire a new good that promised to fulfill a need recently manufactured by the advertising machine itself. This logic, sustained by an uninterrupted cycle of production and disposal, found its most evident material limit on the planet, insofar as natural resources, contrary to consumerist appetite, are not inexhaustible.

The consequences of this process, notably the depletion of natural resources and profound environmental degradation, provoked, at the beginning of the 21st century, a perceptible change in the sensitivity of a segment of the population. This is not to say that consumer society has been overcome or even cooled down in its essence, but to recognize that, alongside the traditional consumer, indifferent to the effects of their own ecological footprint,

a new figure has emerged, dubbed by doctrine and the market itself as the “green consumer.” This refers to the individual who, by integrating environmental variables into their decision-making process, begins to value products and services from companies that demonstrate ethical and responsible stances, choosing, whenever possible, the supplier that presents itself as ecologically committed over those who ignore, or pretend to ignore, the effects of their productive activity on the environment.

This new behavior, it must be stated clearly, far from being merely a spontaneous movement of citizenship or mature ecological awareness, was quickly identified and absorbed by the structures of industrial capitalism as an extremely lucrative market niche. Where previously the corporate discourse was restricted to attributes of price, quality, or status, it began to exploit, with increasing sophistication, the appeal that a particular product or service would bring with it an environmental advantage. Thus, Green Marketing, also called Ecological Marketing, was born, which can be understood as the set of activities that aim to meet human needs with the minimum use of natural resources, and whose stated purpose is to reconcile the economic interests of the supplier with environmental preservation.

The mere existence of a marketing strategy labeled “ecological” does not, in itself, guarantee that the underlying business practice actually corresponds to a genuine commitment to sustainability. When the supplier understands that socio-environmental responsibility is, ultimately, a strategic asset for differentiation from competitors, sustainability ceases to be treated as an ethical, structural pillar of business activity and becomes a mere tool of persuasion, incorporated into advertising discourse to the exact extent that it proves capable of generating financial return. In this shift, there is a reversal of values that cannot be underestimated: the ecological discourse, which should be a consequence of a profound reformulation of production processes, begins to precede and, often, replace such reformulation.

For the consumer, this change in corporate attitude is almost always perceived as a concrete

possibility to act positively against the climate crisis, without requiring any significant sacrifice in their consumption habits. It seems that simply replacing one brand with another, within the same universe of goods and services already available, is enough to satisfy the individual's ecological conscience. However, and this is the central point we intend to highlight here, Green Marketing does not eliminate the logic of consumerism; on the contrary, it keeps it intact, offering the consumer the feeling that, by opting for a supposedly sustainable brand, they are offsetting the impact of their own consumption, when in reality they have only reallocated their demand within the same system of intensive resource exploitation.

As critical literature on the subject reminds us, this strategy ends up limiting the consumer's choice to the range of goods already available on the market, without ever questioning the necessity of the act of excessive consumption itself. The focus, which should be on reducing waste, decreasing the volume of purchases, and extending the lifespan of goods, is deliberately shifted to simply "greening" the offerings, so that the consumer continues to consume with the same intensity, or even greater intensity, only changing the label of what they acquire. Therefore, we have a paradox: the ecological discourse, which should contain the consumerist impulse, ends up fueling it under a new guise, providing the individual with a kind of symbolic absolution that exempts them from any deeper reflection on their own consumption patterns.

It is precisely in this space, created by the distance between the ecological discourse adopted by companies and the effective transformation of their production practices, that the door opens for the manipulation of the good faith of the green consumer. If the market has realized that it is enough to appear sustainable to conquer this new niche of consumers, it becomes only a matter of time before appearance definitively replaces substance.

2.2 Greenwashing as a distortion of environmental discourse in the consumer market

It is in this scenario of strong pressure for corporate responses to growing environmental concerns that greenwashing finds fertile ground to manifest and multiply. The term, originally coined in the 1980s, is defined by the use, devoid of real commitment, of elements that confer an ecologically responsible facet to products, services, or the corporate image as a whole. It is important to clarify that this is not an isolated phenomenon or a case of unscrupulous suppliers acting on specific occasions, but a systematic practice, disseminated horizontally across the most diverse sectors of the economy, from the food industry to civil construction, from the textile sector to finance, all of them competing, with equal voracity, for the market share represented by the environmentally engaged consumer.

In short, it is a veritable “makeover” that distorts the essence of socio-environmental responsibility, transforming it into mere deceptive rhetoric, devoid of any factual basis to support it. The image of makeup, moreover, is not gratuitous: just as cosmetics conceal imperfections without actually eliminating them, greenwashing covers, with a layer of green discourse, productive practices that remain as predatory as before, or even more harmful, insofar as the false sense of environmental responsibility transmitted to the market discourages any social pressure for effective change.

In Brazil, the practice of greenwashing is undoubtedly a direct affront to the protective system established by the Consumer Protection Code, especially to the principles of objective good faith and the basic right to adequate, clear, and precise information, as provided for in Article 6, item III, of said legal instrument. A supplier who omits essential data about the impact of their production chain, or who uses images, colors, and seals without any technical rigor or valid certification backing, is acting illegally, since they artificially alter the consumer’s capacity for discernment, a party recognized as vulnerable in the consumer relationship. This is not a mere advertising hyperbole, tolerable within certain limits by commercial practice, but a deliberate manipulation of the consumer’s perception of objective attributes of the product or service offered.

According to the well-known theory of the “seven deadly sins of greenwashing,” formulated from empirical studies on environmental labeling, the practice manifests itself in multiple forms, ranging from the camouflage of environmental costs—highlighting a single positive aspect of the product to hide the systemic degradation of the entire production process—to outright lies, where information is entirely fabricated to give the product an “ecologically correct” status that never corresponded to reality. Between these extremes lie sins such as the absence of proof for what is claimed, the vague imprecision of expressions like “natural” or “eco-friendly,” devoid of any objective measurement parameter, the irrelevance of certain true information that is absolutely insignificant in the face of the real impact of the activity, the lesser of two evils, where the product is compared to others in the same category that are equally harmful, and false certification, consisting of displaying seals that do not correspond to any audit or reputable technical evaluation.

The danger of this phenomenon, however, is not limited to the individual relationship between supplier and consumer. It lies, above all, in the erosion of the very concept of sustainability as a category useful for public debate. By using sustainability as an uncommitted marketing asset, companies not only deceive the consumer in isolation, but also discourage the development of truly clean technologies and genuinely less impactful production processes, since the ease of profit obtained through environmental manipulation proves manifestly superior to the expenditure necessary for the structural change of production processes. Why invest heavily in industrial redesign if a well-oriented communications department can produce the same effect on the consumer at an infinitely lower cost?

Furthermore, this practice affects the community as a whole, promoting transindividual and diffuse harm that extends beyond the legal sphere of any specific consumer. Greenwashing, used to conceal the predatory exploitation of natural resources, is ultimately a practical denial of the right to an ecologically balanced environment, constitutionally guaranteed in Article 225 of the Federal Constitution, which imposes on the Public Authorities and the

community the duty to defend and preserve it for present and future generations. In this sense, greenwashing transforms an asset that should belong to all generations, present and future, into a commodity with a short advertising lifespan, consumed and discarded with the same speed as any other product with fleeting marketing appeal.

It is evident, therefore, that the distortion of ecological marketing does not constitute a marginal or isolated deviation from corporate discourse, but a structural phenomenon that perfectly accommodates the very functioning of consumer society, insofar as it takes advantage of precisely what should represent a counterweight to this logic—the growing environmental awareness—to reproduce it under a renewed guise. It is in this context that it becomes necessary to examine, subsequently, how the Brazilian consumer protection legal system structures the right to information as an instrument capable of unmasking and curbing such practices.

3. The Right to Information as a Basic Consumer Right

3.1 Constitutional and legal basis of the duty to inform

Consumer protection is not presented in the Brazilian legal system as an option for sub-constitutional legislative policy left to the discretion of the ordinary legislator, but as a fundamental right expressly enshrined by the 1988 Constitution. As I have already had the opportunity to explain in “Greenwashing,” the protection and defense of the needs and interests of consumers is a matter provided for in the 1988 Constitution as a fundamental right, since Article 5, item XXXII, prescribes that the State must promote, in accordance with the law, the defense of the consumer, so that consumer protection, being a fundamental right, forms the basis on which the Brazilian legal system is founded. It is not, therefore, a mere programmatic guideline devoid of immediate effectiveness, but a mandate that binds all legislative, administrative, and judicial activity aimed at regulating consumer relations.

This choice by the original drafters of the Constitution was not accidental or a mere rhetorical

attachment to the protection of a particular social category. Rather, it stemmed from the recognition that the consumer relationship, as structured in industrial society and, subsequently, in post-industrial society, is characterized by a structural inequality between the contracting parties. In this inequality, the supplier ordinarily holds a monopoly on technical knowledge about the production process, the composition of the product, the risks involved in its use, and the impacts of its business activity, while the consumer, the final recipient of that good or service, remains in a position of clear informational vulnerability. It is precisely to rebalance this asymmetry that the right to information was elevated to the status of a fundamental right, serving as an instrument for rebalancing the legal consumer relationship.

At the sub-constitutional level, this constitutional mandate was further developed by Law No. 8,078, of September 11, 1990, the Consumer Protection Code, which structured an entire framework of principles and regulations designed to ensure, among other rights, the consumer's access to correct, clear, and precise information about the products and services offered on the market. The duty to inform, in this context, is not presented as an isolated or accessory obligation, but as a true guiding thread that runs throughout the entire consumer protection system, from the pre-contractual phase, which includes offers and advertising, to the contract execution phase and even the period after the acquisition of the good, when information about use, maintenance, disposal, and subsequent risks is necessary.

In the National Consumer Relations Policy, governed by Article 4 of the Consumer Protection Code, the Principle of Education and Information is stated in its item IV, which, as I noted in "Greenwashing," aims to improve the consumer market through the education and information of consumers and suppliers. The scope of this principle stems from the following question, which I reproduce here as I formulated it in the work: how can we think of a balanced, fair, and harmonious consumer relationship if consumers and suppliers are unaware of their rights and duties? The question is not merely rhetorical; it synthesizes the logic that sustains the entire consumerist microsystem, insofar as it shows that informational

asymmetry, when not corrected, converts the autonomy of will into a mere legal fiction, incapable of translating into a truly free and informed choice on the part of the consumer.

This general principle, established within the framework of principles of the National Consumer Relations Policy, finds a direct and complementary correspondence in the list of basic consumer rights, provided for in Article 6 of the Consumer Protection Code. As I have already highlighted, the Consumer Protection Code has an exclusive chapter to address Basic Consumer Rights, and Article 6 presents a list of rights that, as the name itself suggests, should be understood as a list of fundamental consumer rights, so that they should be interpreted as the minimum rights that the consumer has in consumer legal relations.

Within this minimum and inalienable set of rights, two closely related clauses stand out for the purposes of this article. The first, provided for in clause II of Article 6, ensures the consumer's right to education and information about the proper consumption of products and services, guaranteeing freedom of choice and equality in contracts. This is, as I have already noted, the second basic right established by the Consumer Protection Code, which reinforces the Principle of Education and Information established in the National Policy on Consumer Relations. The second, contained in clause III of the same provision, guarantees the consumer the right to adequate and clear information about different products and services, with correct specification of quantity, characteristics, composition, quality, applicable taxes and price, as well as the risks they present. I have already examined this basic right on another occasion, noting that the consumer has informational vulnerability, that is, the consumer does not have sufficient information about the characteristics, qualities and use of the product they are acquiring or the service they are contracting.

It is precisely on this informational vulnerability, expressly recognized by consumer protection legislation, that the entire legal framework designed to curb greenwashing is based. If the consumer does not, on their own, have the technical means to verify the veracity of the environmental claims made by a supplier, the legal system must impose on

the latter the burden of providing true, accurate, and verifiable information, under penalty of civil and administrative liability, a topic that will be revisited later.

3.2 Information as a prerequisite for sustainable consumption in the CDC

Having overcome the analysis of the constitutional and legal basis of the duty to inform, it is necessary to examine how this basic right relates specifically to the construction of a sustainable consumption model, capable of reconciling economic development with the preservation of an ecologically balanced environment. The answer, I anticipate, necessarily involves recognizing that sustainable consumption is not possible without adequate information, since the conscious choice of the consumer presupposes, as a logical and legal antecedent condition, access to truthful data on the environmental impact of what one intends to acquire.

As I have already explained, the supplier must provide correct, clear, precise, conspicuous information in Portuguese so that the consumer, possessing adequate knowledge about the characteristics, qualities, quantities, composition, price, warranty, expiration dates, origin, use, and other data about their products and services, acquires awareness and has real possibilities to expand their power of rational choice and informed decision-making, in addition to being able to choose to help reduce the environmental impacts caused by consumer relations, thus also fulfilling the basic right to information.

This passage, which I reproduce from my own work, accurately summarizes the instrumental function that information plays in the architecture of sustainable consumption: it is not an end in itself, but the means by which the exercise of a truly free choice by the consumer is made possible, a choice that can, if so desired, incorporate environmental variables into its decision-making process. Without adequate information about the origin of the raw material, about the production process employed, about the existence or not of valid certifications, about the real impact of the product's disposal after its use, the consumer is prevented from

exercising, in practice, what doctrine calls conscious consumption or green consumption. Information, therefore, is not an accessory to sustainable consumption, but its indispensable logical and normative presupposition.

It is precisely at this point that the seriousness of greenwashing practices becomes evident from the perspective of the Consumer Protection Code. By disseminating incomplete, distorted, exaggerated, or simply false information about the environmental attributes of its products, services, or production processes, the supplier not only frustrates the legitimate expectations of the individual consumer but also corrupts the very function that the right to information plays within the sustainable consumption system envisioned by consumer protection legislators. A consumer who believes they are contributing to environmental preservation by purchasing a particular product, when in reality they are being manipulated by a marketing strategy dissociated from any effective environmental commitment, not only suffers individual patrimonial or extra-patrimonial damage but is also unknowingly instrumentalized to legitimize business practices that, ultimately, contribute nothing to reducing the environmental impacts caused by consumer relations, as required by item III of article 6 of the Consumer Protection Code.

It is also important to highlight that the information required by the Consumer Protection Code is not satisfied with the mere dissemination of data; it requires that such data be correct, clear, precise, conspicuous, and written in Portuguese, requirements which, applied specifically to the context of advertising and environmental labeling, take on their own contours. The correctness of the information presupposes its correspondence with the factual reality of the production process; clarity requires that the information be understandable to the average consumer, the recipient of the message, without requiring specialized technical knowledge to decipher the real meaning of a given environmental statement; precision requires that the information be specific and not generic, so as not to allow vague generalizations such as “sustainable product” or “ecological process,” devoid of any objective parameter for measurement; And the ostentatious nature dictates that relevant information

should not be diluted, hidden, or presented in a way that would go unnoticed by the consumer, a common practice, including in certain forms of greenwashing that relegate relevant negative information to footnotes, tiny footnotes, or excessively technical language.

In this sense, environmental information, in order to effectively fulfill its function as a prerequisite for sustainable consumption, must simultaneously possess the attributes of truthfulness, specificity, verifiability, and proportionality in relation to the real environmental impact of the product or service to which it refers. Truthfulness, evidently, is the most basic requirement, and its absence already qualifies, by itself, the illegality of the supplier's conduct. Specificity requires that the information not be limited to generic adjectives, but indicate, with precision, which aspect of the product or production process is environmentally advantageous, and in relation to which comparison parameter. Verifiability demands that the information be capable of being proven through technical data, reports, recognized certifications, or demonstrably reliable methodologies, and not be the result of mere self-declaration by the supplier interested in selling the product. Finally, proportionality requires that the emphasis given to environmental information be compatible with its actual relevance within the overall production process, in order to prevent a single positive attribute, however true, from being used to camouflage a set of practices that have a strong impact on the environment.

It can be seen, therefore, that the right to information, as structured by the Consumer Protection Code, not only legally grounds the repression of greenwashing, but also provides the normative criteria from which it can be determined, in a specific case, whether a given environmental claim constitutes lawful advertising or, on the contrary, constitutes a manifestation of so-called environmental manipulation. It is from this framework that it becomes possible to move forward, in the following section, to the specific examination of how greenwashing violates, in practice, the duty to inform, whether through product labeling or through advertising disseminated in various media.

4. Violation of the duty to inform through the practice of greenwashing.

The national protective system, based on the Consumer Protection Code, establishes as a basic right the adequate and clear information about different products and services, with correct specification of quantity, characteristics, composition, quality, applicable taxes and price, as well as the risks they present, as stipulated in article 6, item III, of the aforementioned legal instrument. The practice of greenwashing, by disseminating manipulated information, distorts the reality about the socio-environmental responsibility of the supplier and directly attacks this basic right, to the exact extent that the consumer, the final recipient of the message, is led to form their consumption decision based on false or distorted premises about the real environmental impact of what they are acquiring.

As I have already had the opportunity to explain, the supplier is obligated to provide correct, clear, precise, conspicuous information in Portuguese, so that the consumer, possessing adequate knowledge, has real possibilities to expand their power of rational choice and informed decision-making. Any deviation from this conduct, whether through the intentional omission of negative data or through the exaggeration of non-existent advantages, constitutes a violation of the basic regulations of the National Consumer Relations Policy. The mere absence of explicit falsehood is not sufficient for the legality of the supplier's conduct; it is also required that the information provided does not lead the consumer to erroneous conclusions through strategically calculated omissions.

This violation of the duty to inform, however, does not manifest itself uniformly, appearing in marketing practice on two main fronts that deserve individualized examination: on the one hand, product labeling and the provision of information directly linked to the good or service offered; on the other hand, advertising itself, disseminated through various media, with considerably greater reach and persuasive potential. Although both fronts are related and frequently overlap in business practice, each has its own normative specificities and mechanisms of repression, which I will now examine separately.

4.1 Greenwashing in product and service labeling and information

Labeling is one of the main means of communication between the supplier and the end consumer, since it is precisely on the label, or the packaging that accompanies it, that the consumer looks for objective data to support their choice immediately before making a purchase decision. The practice of greenwashing in this context occurs when the supplier uses words, symbols, or images to try to convey an environmentally friendly concept, image, or opinion about a particular product or service, without there actually being a genuine environmental commitment underlying such graphic or textual representation.

As warned by the TerraChoice Environmental Marketing Inc. Institute, in a study that has become an essential reference on the subject, this conduct is frequently perpetrated through some of the seven sins of greenwashing, notably when the sin of disguised environmental cost is observed, in which the supplier claims that the product is ecological based on an isolated and limited attribute of its composition or production process, without any attention to other equally relevant environmental issues, or even the sin of the cult of false labels, in which the supplier uses seals or emblems created by itself, without any certification conferred by a competent environmental agency or independent certifying entity, inducing the consumer to believe that it is a genuinely certified product, when, in reality, the seal is nothing more than a graphic piece produced internally by the company's own marketing department.

In Brazilian and international marketing practices, it is not uncommon to encounter packaging that displays greenish hues, images of leaves, trees, or water droplets, associated with generic expressions such as "eco," "bio," or "green," without any technical or documentary basis to support such visual representation. This manipulation of aesthetic appeal, although subtle, has a significant effect on the perception of the average consumer, who tends to automatically and often unconsciously associate such graphic elements with an environmental commitment that, in practice, may simply not exist.

Brazilian legislation, especially Article 31 of the Consumer Protection Code, mandates the correct and conspicuous provision of information about the composition and characteristics of a product. It stipulates that the offer and presentation of products or services must ensure correct, clear, precise, conspicuous information in Portuguese about their characteristics, qualities, quantity, composition, price, warranty, expiration dates, and origin, among other data, as well as about the risks they present to the health and safety of consumers. When this duty is neglected to cover up obscure practices of environmental degradation, whether by omitting relevant negative data or by disseminating generic information devoid of any objective technical parameter, the supplier incurs a serious infraction of the consumer protection regime, subjecting themselves to the administrative and criminal sanctions provided for in the legal system, including those related to misleading advertising by omission, a category that includes the conduct of failing to provide information about essential product or service data, as per paragraph 3 of Article 37 of the Consumer Protection Code.

It should be noted that the violation of the duty to inform on labeling does not require, for its configuration, the demonstration of specific intent on the part of the supplier; it is sufficient to objectively ascertain that the information provided, or omitted, is capable of misleading the consumer regarding the environmental characteristics of the product. This is a direct application of the strict liability regime that informs the entire consumer protection microsystem, according to which the supplier's intention is irrelevant for the characterization of the infraction, with the only relevant factor being the harmful result produced, or potentially produced, in the sphere of the consumer's interests.

Furthermore, environmentally misleading labeling presents a specific aggravating factor when compared to other forms of misleading advertising, insofar as the label physically accompanies the product throughout its entire shelf life, reinforcing, with each new use, the false perception initially created in the consumer. Unlike a television advertisement or a commercial broadcast for a specific period and then withdrawn from circulation, the label

remains attached to the packaging, functioning as a constant and repetitive reinforcement of the misleading message, which considerably increases the harmful potential of the conduct and justifies rigorous treatment by consumer protection and regulatory bodies.

4.2 Greenwashing in advertising

Advertising represents the most powerful tool in marketing and, consequently, the main stage for the dissemination of misleading information related to environmental discourse. When the guise of green marketing is applied through advertising, it possesses immeasurable potential for harm, as the damage is transindividual, affecting the health and safety of all living beings. It is not limited to the patrimonial sphere of an individual consumer, but extends to the entire indeterminate collective of people exposed to the advertising message, whether through television, radio, the internet, print media, or any other mass communication vehicle.

It is imperative to highlight that the Consumer Protection Code, in its article 37, prohibits all misleading or abusive advertising, establishing, in its paragraph 1, that any form of information or communication of an advertising nature, wholly or partially false, or, in any other way, even by omission, capable of misleading the consumer regarding the nature, characteristics, quality, quantity, properties, origin, price and any other data about products and services, is considered misleading. In the case of greenwashing advertising, the supplier frequently uses catchy phrases and emotional appeals, such as “ecologically correct,” “nature-friendly,” “sustainably produced,” or “carbon neutral,” without any factual basis or reliable scientific evidence, taking advantage of the emotional charge that such expressions carry with the environmentally sensitive consumer public.

This type of deception can occur through both commission and omission. Advertising is deceptive by commission when it presents entirely or partially false information, or, even if true, information capable of misleading the consumer regarding the nature, quality,

properties, or origin of the product. This occurs, for example, when the supplier claims that a certain production process is “free of environmental impact,” when in reality such a claim is technically unattainable or, at the very least, grossly exaggerated. Deceptive advertising by omission occurs when the supplier, although not expressly stating anything false, fails to provide essential information about the product or service, creating, through the strategic absence of certain negative information, a generally favorable impression that does not correspond to the reality of the production process as a whole.

The supplier’s liability for illegal advertising is objective and independent of fault or intent, so that the mere finding of the misleading or abusive nature of the advertising message is sufficient to constitute an infraction. For the purposes of liability, it is irrelevant to inquire whether or not the advertiser was aware of the falsity or distortion of the information disseminated. This regime of objective liability is justified by the protective logic of the Consumer Protection Code itself, which recognizes the practical impossibility for the consumer, or even the regulatory bodies, to prove the subjective element of the advertiser in each specific case. The legislator opted to shift the burden of demonstrating the legality of the conduct to the supplier itself.

In this sense, the principle of the burden of proof resting on the supplier, provided for in article 38 of the Consumer Protection Code, determines that it is up to the advertiser to prove the veracity and accuracy of the advertising information, whenever requested by the competent authority. This is a rule of reversal of the burden of proof of extreme practical relevance in the fight against greenwashing, insofar as it shifts to the supplier, the exclusive holder of technical knowledge about its own production process, the responsibility of demonstrating documentarily, through technical reports, valid certifications or environmental impact studies, that the ecological claims conveyed in its advertising correspond to the factual reality of its business activity.

Furthermore, advertising that disrespects environmental values by directly or indirectly

encouraging degradation constitutes abusive advertising, a category distinct from misleading advertising and equally prohibited by Article 37 of the Consumer Protection Code. While misleading advertising relates to falsehood or the ability to induce the consumer into error regarding objective characteristics of the product, abusive advertising is linked to offenses against fundamental social values, such as respect for the environment, public health, safety, or human dignity, regardless of whether or not it contains false information. Thus, even if a particular advertisement does not contain any untruthful statement, it may be considered abusive if, by its nature or the context in which it is disseminated, it encourages the consumer to engage in wasteful or environmentally predatory consumption practices, under the pretext that such practices would be compensated by some isolated and insufficient ecological advantage.

The punishment for such conduct, as stipulated in Article 60 of the Consumer Protection Code, imposes on the supplier the obligation to carry out counter-advertising, an administrative sanction of a pedagogical and reparative nature that consists of the obligation to disseminate, in the same proportion, frequency, and dimension as the means of communication used for the original misleading or abusive advertising, corrective information capable of undoing the effects of the previously disseminated illicit message. Counter-advertising, therefore, by correcting the improper information, seeks to undo the harm caused to society, not only compensating for the individual damage eventually suffered by specific consumers, but also restoring, as far as possible, the informational integrity of the consumer market as a whole, diffusely affected by the misleading message originally disseminated.

It is therefore clear that, in both labeling and advertising, the practice of greenwashing represents a blatant and systematic violation of the duty to inform enshrined in the Consumer Protection Code, differing only in the medium used and the extent of the potential damage caused. Advertising, due to its capacity for mass reach, is the most serious form and consequently requires a more forceful legal response from consumer protection agencies.

5 Instruments of the Consumer Protection Code for Combating Greenwashing

Having established the premise that greenwashing, in its essence, constitutes a qualified violation of the duty to inform, and having examined the two main fronts through which such violation manifests itself in marketing practice—labeling and advertising—it is now necessary to examine the legal instruments that the Consumer Protection Code makes available to the protective system to identify, prevent, and repress such conduct. For the purposes of this article, it is not enough to acknowledge the illegality of environmental manipulation; it is necessary to demonstrate, with the technical rigor that the subject demands, how the Brazilian consumer protection legal system structures mechanisms capable of unmasking and sanctioning it, both in the civil, administrative, and criminal spheres.

5.1 Advertising principles applicable to the control of environmental messages

Advertising, embedded within marketing dynamics and employing persuasive techniques to enhance consumer conviction, must be strictly linked to the principles governing the matter in the Brazilian legal system. When advertising uses environmental appeals to promote products or services, adherence to these principles becomes even more imperative, since the distortion of the message can negatively impact not only the individual consumer but also the community and the ecosystem's balance. It is from this set of principles, and not merely from isolated and scattered rules, that it becomes possible to build a coherent system for controlling environmental messages disseminated in the consumer market.

The first of these normative vectors is the Principle of Transparency, enshrined in Article 4 of the Consumer Protection Code, which requires that advertising communication be clear, objective, and devoid of subterfuge or ambiguities that could confuse the consumer. In the field of greenwashing, transparency is violated when the supplier conceals essential information about the product's life cycle or its real socio-environmental impacts, restricting the advertising message to a single favorable aspect of the production process, deliberately

remaining silent about all other aspects that, if known by the consumer, could substantially alter their perception of the product or service offered.

In turn, the Principle of Identifying the Advertising Message, derived from Article 36 of the Consumer Protection Code, requires that the advertisement be easily and immediately perceived as such. The practice of inserting ecological attributes into content without properly highlighting that it is advertising violates this principle, constituting a subterfuge that prevents the consumer's critical scrutiny. It is not uncommon, in this regard, for suppliers to finance reports, journalistic articles, or seemingly independent digital content in which a particular product or brand is praised for its supposed environmental attributes, without any clear identification that it is, in reality, sponsored content. This type of disguised advertising is particularly pernicious in the context of greenwashing, as it appropriates the credibility and apparent impartiality of the journalistic outlet to lend greater plausibility to the environmental claim conveyed, making it extremely difficult for the consumer to exercise the same critical spirit on such a message that they would naturally dedicate to an advertisement identified as such.

Furthermore, the Principle of Contractual Binding, set forth in Article 30 of the Consumer Protection Code, obliges the supplier to fulfill all sufficiently precise information or advertising disseminated. If the advertisement promises an environmental benefit, such as 100% recyclable packaging or a carbon-neutral production process, the supplier must be able to deliver on the promise, under penalty of forced fulfillment of the obligation. This principle has considerable practical relevance, as it transforms the environmental promise, even if conveyed in an advertising piece devoid of any contractual formality, into a legally enforceable obligation, automatically integrating itself into the content of any consumer contract eventually entered into. A consumer who purchases a certain product motivated by the promise that its packaging would be fully recyclable, and subsequently finds that only a tiny fraction of the material used meets this characteristic, can demand, based directly on this provision, the fulfillment of what was promised, regardless of whether such information is

expressly stated in the signed contractual instrument.

The Principle of Burden of Proof, derived from Article 38 of the Consumer Protection Code, establishes that the burden of truthfulness and accuracy of the message rests with the party sponsoring it. Thus, when advertising ecological virtues, the supplier assumes, *ex lege*, the responsibility of scientifically proving such attributes. As I have already had the opportunity to highlight elsewhere in this work, this is a rule of reversal of the burden of proof of extreme practical relevance in the fight against greenwashing, insofar as it relieves the consumer, or even the regulatory body, from producing complex technical evidence of the falsity of the environmental claim, shifting this burden to whoever actually possesses the knowledge and access to the technical data of the production process itself. Therefore, the consumer is not required to demonstrate the untruthfulness of the information; it is sufficient for the competent authority to request proof from the supplier of what was stated by the supplier, and the absence of such proof, in itself, already authorizes the characterization of the infraction.

Taken together, these four principles form an articulated system of prior and repressive control of advertising messages with environmental content, requiring the supplier to simultaneously demonstrate clarity in the presentation of information, unequivocal identification of the advertising nature of the message, legal binding to what was promised, and permanent availability to technically prove the veracity of what is advertised.

5.2 Misleading advertising: characterization and distinction from abusive advertising

Misleading advertising, according to article 37, paragraph 1, of the Consumer Protection Code, occurs when the information is wholly or partially false, or, by omission, capable of misleading the consumer about the nature, characteristics, quality, or properties of the product or service. Greenwashing, in its classic form, constitutes misleading advertising when

it attributes non-existent environmental virtues to a good or when it omits essential data about the pollution generated in its production chain, configuring what doctrine calls deception by omission. This is an inducement to error that attacks objective good faith, since the consumer is led to acquire the good believing they are making a sustainable choice, but is deceived by green rhetoric without factual basis.

It is important to note, on this point, that the omission-based form of misleading advertising is, in the specific context of greenwashing, as frequent as, or even more frequent than, the commission-based form, that is, the one in which the supplier expressly states something false. This is because the most recurrent business strategy does not consist of openly lying about a particular attribute of the product, which would expose the supplier to a more evident and easily provable legal risk, but rather in selecting, from the vast set of true information available about the production process, only that which is favorable from an environmental point of view, deliberately remaining silent about all the others that, if known, would compromise the intended ecological image. This informational selectivity, even if it does not constitute a lie in the strict sense, produces an effect on the consumer identical to that of express falsehood, which is why the consumer protection legislator, correctly, equated both forms for the purposes of characterizing deception.

Abusive advertising, on the other hand, as defined in paragraph 2 of the same article, prohibits messages that are contrary to ethics, morals, and public order, and that induce consumers to engage in behaviors that are harmful to health, safety, or the environment. Unlike misleading advertising, which lies about content or quality, abusive advertising focuses on the harm the message can cause to consumer behavior or society. When a company promotes rampant and predatory consumption under a false guise of sustainability, the advertisement becomes abusive because it induces behavior that is harmful to the environment, disrespecting essential ecological values. While misleading advertising denies the reality of the product, abusive advertising promotes conduct that clashes with the protection of an ecologically balanced environment, a right constitutionally guaranteed by

Article 225 of the Federal Constitution.

This conceptual distinction, although it may seem, at first glance, of merely academic interest, has relevant practical consequences for the legal qualification of the conduct and for defining the procedural strategy to be adopted in each specific case. An advertisement can be simultaneously misleading and abusive when, for example, in addition to falsely attributing a certain environmental attribute to the product, the advertisement also encourages excessive consumption under the pretext that such consumption is being offset by non-existent sustainable practices. In this case, the combination of the two categories reinforces the seriousness of the conduct and broadens the spectrum of administrative and civil sanctions applicable to the supplier, without one qualification necessarily excluding the other.

It is also worth highlighting that both misleading and abusive advertising do not require, for their characterization, actual proof that any consumer has been concretely deceived or induced into a certain behavior. The message's ability to produce such an effect on the average consumer—a standard of assessment commonly used by consumer law doctrine and jurisprudence—is sufficient to constitute an infraction, regardless of proof of actual individual harm. This is a preventive protection, consistent with the diffuse nature of the interests protected by the Consumer Protection Code in advertising matters.

5.3 Civil and administrative liability for illegal environmental advertising

Civil liability arising from illegal environmental advertising is objective and joint and several. The Consumer Protection Code, by establishing objective liability, dispenses with the need to prove the supplier's fault, focusing instead on the flaw in the message and the damage caused. Since greenwashing is a form of misleading or abusive advertising, all those who participated in its conception and dissemination, from the advertiser to the advertising agency, when the latter acts negligently or intentionally, are liable under the terms of

consumer law. This joint and several liability, which extends to the entire chain involved in the creation, approval, and dissemination of the advertising message, proves to be an instrument of extreme practical importance, as it considerably expands the possibilities of liability and reparation for damages, not restricting redress exclusively to the manufacturer or direct supplier of the product.

Administratively, suppliers who engage in greenwashing practices are subject to the sanctions provided for in Article 56 et seq. of the Consumer Protection Code, which include fines, product seizure, suspension of supply, temporary suspension of activity, revocation of concession or permission to use, cancellation of the establishment's license, and administrative intervention, depending on the severity and recurrence of the conduct. Among these sanctions, the principle of correcting advertising misrepresentation through counter-advertising, provided for in Article 60 of the aforementioned code, stands out. According to this principle, the supplier is compelled to publish, at its own expense and with the same scope as the original advertisement, a rebuttal of the irregularly disseminated message. The penalty aims to undo the harm caused to society, correcting the deceptiveness or abuse that affected consumers' discernment.

Counter-advertising presents a peculiar legal nature within the consumer protection sanctioning system, as it is not limited to punishing the offending supplier, going beyond a merely repressive function to also assume a pedagogical and restorative character for the informational health of the market. By determining that the corrective message be disseminated with the same frequency, scope, and in the same media used for the dissemination of the original advertisement, the legislator sought to ensure that the consumer public, affected by the misleading or abusive message, is equally reached by the corrective information, restoring, as far as possible, the informational balance broken by the supplier's illicit conduct.

In addition to administrative sanctions, the practice of greenwashing is subject to criminal

liability, under articles 63 to 69 of the Consumer Protection Code, which criminalize conduct such as the omission of data on the harmfulness of products or the promotion of advertising that the supplier knows or should know is capable of misleading the consumer. This is an additional reinforcement of the protective system, which is not satisfied with mere civil compensation for individual damage, nor with administrative sanctions of a pecuniary or restrictive nature, but also extends into the criminal sphere to discourage, through the threat of more severe sanctions, the repetition of conduct that is seriously harmful to consumers and the environment.

The effectiveness of these mechanisms depends inextricably on state oversight and the actions of the Public Prosecutor's Office and consumer protection agencies, to ensure that the health protection sought by the Constitution and the Consumer Protection Code does not become a dead letter in the face of the voracity of those who use environmental manipulation to seek immediate profit. Therefore, the mere formal existence of legal provisions capable of curbing greenwashing is not enough; for such provisions to produce a concrete practical effect, a minimally equipped oversight structure is required, both from a technical standpoint and in terms of human and material resources, capable of identifying, investigating, and prosecuting irregular conduct before its harmful effects become irreversibly consolidated on the consumer market and the environment.

It is thus evident that the Consumer Protection Code offers a relatively complete normative framework for addressing greenwashing, articulating principles of conduct applicable to advertising, specific legal categories for qualifying deceptiveness and abuse, and a regime of civil, administrative, and criminal liability capable of reaching all agents involved in the production and dissemination of the illicit message. However, it remains to be seen whether this framework, however well-structured it may be in normative terms, has been effectively mobilized by state oversight with the intensity that the gravity and dissemination of the phenomenon demand—a question we will address in the concluding remarks of this article.

6. FINAL CONSIDERATIONS

The path developed throughout this article allows us to conclude that greenwashing, also known in Brazil as environmental makeup or green makeup, constitutes a legal, ethical, and behavioral problem that occurs in the consumer market, impacts the protection of consumer rights, and directly affects the depletion of environmental resources, disrupting the balance of the environment. As we have sought to demonstrate, it is a phenomenon that cannot be reduced to a mere isolated deviation in corporate conduct, but must be understood as a structural manifestation of a consumer society that, by incorporating ecological discourse as a marketing differentiation strategy, has created the conditions conducive to the appearance of sustainability largely replacing the effective commitment to less impactful production practices.

This work has demonstrated that the right to information, enshrined in the Consumer Protection Code as a fundamental right, constitutes the normative axis most directly aimed at combating environmental misinformation. This is because greenwashing, examined in its various manifestations, whether in product labeling or advertising, amounts to nothing more than a qualified violation of the duty to inform, insofar as it deprives the consumer of what the consumer protection legal system sought to guarantee: the possibility of forming their consumption decisions freely, consciously, and based on truthful, clear, and precise data.

The analysis revealed that the Consumer Protection Code does not lack instruments capable of identifying and suppressing the practice of greenwashing. On the contrary, the Brazilian legal system includes, in multiple normative texts, provisions that encompass all the conduct listed by the TerraChoice Environmental Marketing Inc. Institute as the cardinal sins driving this practice. These provisions are distributed throughout the 1988 Constitution of the Federative Republic of Brazil, the Consumer Protection Code itself, and the Brazilian Advertising Self-Regulation Code of the National Advertising Self-Regulation Council (CONAR). In addition to this framework, there is Law No. 12,305 of 2010, which establishes the National

Solid Waste Policy, and Law No. 13,186 of 2015, which establishes the Policy on Education for Sustainable Consumption, laws that reinforce, each in its own way, the requirement for an environmentally responsible stance on the part of economic agents.

In this context, it is relevant to note that legislative initiatives aimed at creating specific regulations on the subject, such as Bill No. 4,752 of 2012, were shelved, and rightly so, since, although there is no provision in the Brazilian legal system that expressly uses the term “greenwashing,” “environmental makeup,” or any term directly alluding to the translation of the foreign word “greenwashing,” current Brazilian legislation already addresses the harmful aspects arising from this practice. The problem, therefore, does not lie in a regulatory gap to be filled by a new legal instrument, but in something of a different nature and, to some extent, more complex to resolve.

Thus, it is concluded that, for the correct treatment of the practices analyzed in this work, it is not necessary to create new legislative instruments, but only to ensure compliance with and oversight of the conduct that constitutes the practice of environmental manipulation. This conclusion, which stems directly from the systematic examination undertaken throughout this article, should not be interpreted as an assertion that the Brazilian protective system is infallible or that it does not require any specific improvements. Rather, it means recognizing that the insufficiency lies not in the abstract plane of the norm, but in the concrete plane of its application, which shifts the center of the problem from the Legislative Branch to the oversight bodies, the Public Prosecutor’s Office, consumer protection agencies, and the Judiciary itself, insofar as it is up to them to give practical effect to what the law already mandates.

Returning to the research problem formulated in the introduction of this article, it is possible to affirm, in light of everything that has been presented, that the duty to inform, as regulated by the Consumer Protection Code and articulated with the principles of advertising and the regime of civil and administrative liability of the supplier, proves to be capable, in normative

terms, of identifying, preventing, and curbing the practice of greenwashing. This confirms the central hypothesis that guided this work, according to which this framework constitutes the most adequate normative axis for confronting environmental manipulation, notwithstanding, however, the warning that its practical effectiveness remains conditional on the systematic interpretation of the examined provisions and, above all, on consistent oversight capable of identifying irregular conduct before its harmful effects become irreversibly consolidated on the consumer market and the environment.

Given these considerations, it is understood that curbing greenwashing in Brazil does not primarily depend on legislative innovation, but on a joint effort between state oversight bodies, consumer protection entities, the Public Prosecutor's Office, and the Judiciary, in order to give practical effect to the provisions already existing in the Brazilian legal system. Only through this consistent oversight and the rigorous application of the civil, administrative, and criminal sanctions already provided for will it be possible to concretely safeguard both the individual consumer, in their informational vulnerability, and the community and the ecologically balanced environment, in the face of the diffuse damages resulting from the practice of environmental manipulation.

REFERENCES

BAUMAN, Zygmunt. Vida para o consumo: a transformação de pessoas em mercadoria. Tradução: Carlos Alberto Medeiros. Rio de Janeiro: Zahar, 2008.

BRASIL. Constituição da República Federativa do Brasil: texto constitucional promulgado em 5 de outubro de 1988. Brasília: Senado Federal, Subsecretaria de Edições Técnicas, 2006.

BRASIL. Lei nº 8.078, de 11 de setembro de 1990. Código de Defesa do Consumidor. Disponível em: http://www.planalto.gov.br/ccivil_03/leis/l8078compilado.htm. Acesso em: 21 mar. 2022.

BRASIL. Lei nº 12.305, de 2 de agosto de 2010. Institui a Política Nacional de Resíduos Sólidos; altera a Lei nº 9.605, de 12 de fevereiro de 1998; e dá outras providências. Disponível em: http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2010/lei/l12305.htm. Acesso em: 21 mar. 2022.

BRASIL. Lei nº 13.186, de 11 de novembro de 2015. Institui a Política de Educação para o Consumo Sustentável. Disponível em: http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/l13186.htm. Acesso em: 19 mar. 2022.

CONAR. Uma breve história do CONAR. Disponível em: <http://www.conar.org.br>. Acesso em: 10 nov. 2021.

FILOMENO, José Geral Brito. Manual de direitos do consumidor. 14. ed. rev., atual. e ampl. São Paulo: Atlas, 2016.

GARCIA, Leonardo de Medeiros. Consumo sustentável: a proteção do meio ambiente no Código de Defesa do Consumidor. Salvador: Juspodivm, 2016.

LICZBINSKI, Cátia Rejane Mainardi. Meio ambiente e consumo sustentável: o papel do Código de Defesa do Consumidor na concretização da cidadania. 2. ed. Curitiba: Appris, 2021.

MARQUES, Claudia Lima. O “diálogo das fontes” como método da nova teoria geral do direito: um tributo a Erik Jaime. In: MARQUES, Claudia Lima (Coord.). Diálogo das fontes: do conflito à coordenação de normas do direito brasileiro. São Paulo: Editora Revista dos Tribunais, 2012.

MÉO, Letícia Caroline. Greenwashing e o direito do consumidor: como prevenir (ou reprimir) o marketing ambiental ilícito. São Paulo: Thomson Reuters Brasil, 2019.

MIRAGEM, Bruno. Curso de direito do consumidor. 6. ed. rev., atual. e ampl. São Paulo: Editora Revista dos Tribunais, 2016.

MONTEIRO, Philippe Antônio Azedo; KEMPFER, Marlene. Intervenção estatal em face da publicidade ambiental “greenwashing”. In: CONPEDI/UFPB (Org.). Intervenção estatal em face da publicidade ambiental “greenwashing”. 1. ed. João Pessoa: Congresso Nacional do CONPEDI/UFPB, 2014, v. 1, p. 252-266. Disponível em:

<http://www.publicadireito.com.br/artigos/?cod=6b04380b67c55d60>. Acesso em: 19 mar. 2022.

NORAT, Markus Samuel Leite. Curso de direito do consumidor. 2. ed. João Pessoa: Editora Norat, 2020.

NORAT, Markus Samuel Leite. Greenwashing. 1. ed. João Pessoa: Editora Norat, 2023.

NORAT, Markus Samuel Leite. Manual de direito do consumidor. 3. ed. João Pessoa: MSLN Editor, 2018.

NORAT, Markus Samuel Leite; ALMEIDA, Ithanyê Heloísa Arcoverde. Obsolescência programada e consumo sustentável. João Pessoa: Markus Samuel Leite Norat, 2019.

SILVA, André Ricardo Fonseca da; ALVES, André Luiz Cordeiro. A educação ambiental e o novo conceito de fake green. Revista de Direito Econômico e Socioambiental, Curitiba, v. 10, n. 2, p. 185-207, maio/ago. 2019. DOI: 10.7213/rev.dir.econ.soc.v10i2.23739.

TERRACHOICE ENVIRONMENTAL MARKETING Inc. The Seven Sins of Greenwashing: environmental claims in consumer markets: Summary Report: North America. Abr. 2009. Disponível em: <http://www.sinsofgreenwashing.org/index3c24.pdf>. Acesso em: 08 nov. 2021.

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