

Lululemon's Sustainability Ads Are 'Greenwashing,' Suit Says

By **MJ Koo**

Law360 (July 15, 2024, 6:11 PM EDT) -- Lululemon's global "greenwashing" marketing campaign has lied to consumers that its products and businesses are eco-friendly while the athleisure company has continued to have a negative impact on the environment, a lawsuit in a Florida federal court said.

In a **proposed class action** filed Friday, a Florida-based purchaser, Amandeep Gyani, said she bought Lululemon products relying on its "Be Planet 'greenwashing' campaign," which she said misled consumers into believing the company's business practices, products and actions are environmentally sound.

However, the company's greenhouse gas emissions "have more than doubled since the start of the campaign in 2020," according to the complaint.

The complaint references the company's reports, which suggest that in 2022, Lululemon's indirect greenhouse gas emissions grew to 1.7 million tons of carbon dioxide equivalent, two times more than 2020's record.

It also claimed Lululemon releases seriously harmful amounts of microplastics and landfill waste into the environment.

"The polyester and nylon materials so heavily relied on by Lululemon are known to release significant amounts of microplastics into the planet's oceans and inland waters when washed," the complaint said. "And a significant amount of Lululemon's garments and packaging end up in landfills each year."

"Lululemon has a significant and growing climate and environmental footprint," the complaint said. "And its actions and products directly cause harm to the environment and the deterioration of the planet's health — the opposite of its Be Planet promises and representations."

The company launched its Be Planet campaign in October 2020, promising to use sustainable materials for at least 75 percent of its products; offer consumers resell, repair and recycle options; and reduce its water use and plastic packaging by half by 2025, according to the complaint.

Lululemon's misrepresentations convinced consumers who are concerned about the environmental crisis, including herself, to pay premiums for its products, Gyani said.

She said the sportswear company "knowingly and intentionally" made false statements that its products were sustainably produced and concealed facts showing its negative effects on the climate and environment.

"[Consumers] are willing to pay premium prices for products that are sustainably produced, environmentally friendly, and positively restore the planet. In other words, these issues are not only material to consumers' purchasing decisions, but they are a priority," the suit said. "Lululemon knows this and exploits it."

The lawsuit seeks to represent a nationwide class of U.S. shoppers and a subclass of Florida shoppers who bought any Lululemon-branded product for personal use and not for resale since the marketing campaign started in October 2020.

It asks the court to block the company's campaign and award actual damages, compensatory damages, punitive damages, attorney fees, restitution and disgorgement based on Florida consumer protection laws.

Counsel for Gyani declined to comment Monday.

Representatives for Lululemon did not immediately respond to comment requests Monday.

Gyani is represented by Chris Gold of Gold Law PA, Joshua H. Eggnatz, Michael J. Pascucci and Steven N. Saul of Eggnatz Pascucci.

Counsel information for Lulelmon was not immediately available on Monday.

The case is Gyani v. Lululemon USA Inc. et al., case number 1:24-cv-22651, in the U.S. District Court for the Southern District of Florida.

--Editing by Stephen Berg,