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Federal Trade Commission

Subject: Proposed, Revised Green Guides, 16 CFR Part 260, Project No. P954501

Our company would like to take the opportunity to comment on the Guides for the Use of Environmental Marketing Claims; Proposed Rule.

As a company we have spent considerable time and resources in evaluating technologies that may offer products and materials the ability to have a better environmental impact on our planet and how they are disposed of. We agree wholeheartedly with your commentary that any claims be substantiated with competent and reliable scientific evidence, as we feel having the proper technical data to support any performance claims is necessary to insure products perform both as they are intended to as well as how they are promoted to. In reviewing your document, our biggest concern is there are areas within the document that establish technical “boundaries” that could prohibit the commercialization / use / development of technologies that can offer defined benefits compared to where certain products and materials are today in terms of their sustainable attributes or lack thereof.

As an example, the comments on degradable claims and biodegradable solid waste state expectations to decompose in one year or less. Our concern here is that there is not a considerable amount of current technology that can offer biodegradability in one year or less, and that extensive feedback we have received from both consumers and end-users are that most do not know the difference between biodegradability and compostability, much less understand it enough to have defined thoughts on the timing or term a product would decompose under. We are currently working with a technology partner on a technology that can provide convert conventional plastic materials into biodegradable products, when put in a conventional landfill – without any specific conditions or variables required. We have tested the technology under current ASTM standards it has passed the criteria of being defined as biodegradable. However, it does not make the materials decompose fully in one year or less. The concern here is with the vast amount of plastic materials that are going into landfills, and are dormant for hundreds if not thousands of years (do not degrade at all), being able to have a technically proven technology that can offer the ability for a product to decompose over time is a much better option than is currently available. I think if consumers knew a product would break down over time (but not one year or less) versus not decompose at all, that this would be found favorable and seen as beneficial to our planet and environment. We obviously believe that any claims around such a product or products would need to be properly phrased and conveyed, with the technical data available, so



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that the consumer was not be mislead or made to believe the technology was something more than what it actually is.

Based on the proposed revised green guides, this technology would not be able to be defined as degradable. We feel there needs to be a broader review of technologies made, as trying to put them all under “one roof” so to speak only hurts the consumer and the marketplace by not allowing technically viable options to be explored.

The area regarding compostability is also confusing as we have seen many firms promoting composting of materials, yet those products and materials are not accepted at commercial composting facilities. In addition, our infrastructure is not prepared to handle commercial composting across our country at this time, so many products that are promoted as being compostable never actually find their way to a composting facility, therefore the consumer is purchasing something they feel offers something that in actuality is never going to happen.

As a manufacturing company that believes in providing our customers with the highest quality products that meet all pertinent technical and performance criteria, we applaud the FTC for moving requiring firms to provide true data to support any product claims, and insuring their claims are not misleading and are fully accurate. However, we would ask that in regards to certain claims that rather than putting defined criteria together to try to make all items fit under one roof, that guidelines are established for different levels of technology regarding sustainable, green or environmentally responsible products that can allow various technologies that can offer attributes that are better.

I would be happy to elaborate in more detail on these comments if so needed, and appreciate the FTC taking the time to review these.

Thank you again for your work in this area.

Very truly yours,

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