



# US Composting Council

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Executive Director

December 8, 2010

Federal Trade Commission  
Office of the Secretary, Room H-135 (Annex J)  
600 Pennsylvania Avenue, NW,  
Washington, DC 20580

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

To whom it may concern:

The United States Composting Council (USCC) submits the following comments regarding the guidance found in the proposed revisions of Proposed Green Guides.

Specifically we would like to comment on what constitutes "competent and reliable scientific evidence" of compostability (§ 260.7(b)) and the types of qualifications required (§ 260.7 (c) & (d)).

The USCC believes the FTC should recognize the ASTM standards D6400 and D6868, or their comparable international standards, as a valid scientific basis for a qualified compostable claim, while acknowledging that those standards will continue to be refined and improved as the composting industry itself evolves.

As the organization that represents commercial scale composters in this country, we have a very strong interest in having a clear and robust standard for what constitutes a valid compostable claim. Indeed, it is our members who suffer the most when a product claiming compostability comes in to their facility but does not break down sufficiently in a timely manner, as they are then left with a product that is either devalued due to apparent contamination or costs more to produce due to the need to clean it up.

Composters need a clear and reliable means of verifying that a product is compostable. That is why the Compostable Logo Project was launched over 8 years ago by the US Composting Council and the Biodegradable Products Institute. The use of the logo is only available to a product that independent third-party testing verifies that it meets or exceeds the ASTM standards D6400 and D6868. These standards were developed to assure that a plastic-type material would successfully decompose under the conditions found at a commercial-scale composting facility. There are hundreds of products meeting these standards and composting successfully. There are also well-publicized examples of problems. It appears that many of these failures are due to products making false claims (not meeting the ASTM standard), yet some did meet those standards and still did not function well.

We recognize the limits of the ASTM standards. In fact, we have established a working group comprised of composters, laboratories, product manufacturers and researchers to understand and address the limitations. It appears that the problems in fact lies more with the D5338 testing protocol than with the standards themselves. As noted in your report (p. 78), that protocol was designed to represent optimum conditions, rather than minimum or standard conditions. Our working group has a subcommittee focusing on improving that protocol as part of the ASTM process.



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The USCC believes the FTC should recognize the ASTM standards D6400 and D6868, or their comparable international standards, as a valid scientific basis for a qualified compostable claim, while acknowledging that those standards, and the underlying testing protocols on which those standards depend, will continue to be refined and improved as the composting industry itself evolves.

Composting is a form of biodegradation that is characterized by deliberate management of key parameters of pile size, feedstocks (ingredients), moisture and aeration. That management allows elevated temperatures into the thermophilic range (>45°C) and accelerated decomposition. Home composters also manage the process by turning and watering, but the pile size is often too small to achieve thermophilic conditions, so that the composting is “mesophilic” (25-45°C) .

The USCC accepts that a product with an unqualified claim of compostable would be expected to breakdown through microbial action in any operating compost system, whether at a commercial/large or home/small scale. Materials, such as certain bioplastics, that require thermophilic conditions strictly in order to trigger chemical-state changes in the structure should be qualified as such.

ASTM compostability standards D6400 and D6868, or their comparable international counterparts, should be used as the criteria for biodegradable plastic and paper structures designed to be composted at facilities that generate thermophilic conditions in order to promote biodegradation.

For products claiming to be “compostable at home” or generically “compostable”, a class of tests operating at “mesophilic” conditions should also be acceptable, once they are developed. Additionally, this test should clearly outline other key parameters, such as time frames, oxygen and moisture parameters.

Composting is a form of recycling, and so claims of “compostable” should be held to the same standards as claims for “recyclable” in terms of availability of programs and facilities.

The U.S. Composting Council is a 501(c)(6) trade and professional organization that includes compost manufacturers, local governments, equipment suppliers and others. The USCC is dedicated to the development and expansion of the composting industry based upon science, principles of sustainability, and economic viability.

We welcome your comments or questions.

Sincerely,

Wayne King, President

Dr. Stuart Buckner, Executive Director