

December 9, 2010

Re: EPI Comments on Proposed FTC Revisions to Green Guides

EPI Environmental Products Inc. (EPI) is a manufacturer of Oxobiodegradable plastics additives that are added to conventional plastic resins to allow plastic products made from these resins to degrade and biodegrade in the environment. Over the last few years, Oxobiodegradable technology has become established as an economical approach for imparting accelerated degradability and biodegradability capability to conventional plastics that otherwise would take decades or possibly centuries to degrade.

1. Consumer Perception Comments

EPI understands that, while consumer perception is important, it should not be the main criterion used to establish guidelines and policies. FTC investigation indicates that, in general, the consumer understands that degradation and biodegradation claims made for a particular product means that the decomposition would be completed within one year of disposal.

The one year timeframe may not be relevant when considering the real environmental benefit, and certainly the primary consideration should be the scientific support for the environmental benefits gained from any given technology. It is also vital that new technologies, and the benefits they provide, must be fully understood and the consumer may need to be educated about these benefits.

Therefore, EPI asserts that science should take precedence over consumer perception and the FTC position that environmental claims should be substantiated by sound scientific methods should be maintained. The addition of consumer perception to the proposed Green Guides revisions does not affect the responsibility of the manufacturer to provide truthful claims, and may only serve to limit the understanding of what the real environmental benefits of a particular technology may be.

2. Oxobiodegradable Technology

As Oxobiodegradable plastics are relatively new in comparison to other biodegradable plastics alternatives, it is not surprising that there is a lack of understanding about the way they degrade, biodegrade, and benefit the environment. The wording of the proposed FTC revisions document, where it is stated that the elements for degradation to occur “are lacking in customary methods of disposal”, is a testament to the lack of understanding. For example, EPI has demonstrated that oxygen persists for long enough in a landfill environment for plastic containing its additives to completely degrade.

EPI has been the leader in substantiation and validation of oxobiodegradable plastic technology and the environmental benefits. EPI promotes the qualification of environmental claims with statements indicating the substantiation of those claims in order to comply with current FTC Green Guides and considers that this will not change, even if proposed revisions are enacted. However, the proposal to treat oxobiodegradable claims like all other degradable claims may further confuse matters as oxobiodegradable technology is distinct from other degradable plastics (i.e. compostable plastics).

Best regards,

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