



December 8, 2010

Mr. Donald Clark
Office of the Secretary
Federal Trade Commission 600 Pennsylvania Ave, NW
Washington, DC 20580

Dear Mr. Clark:

My name is Michael Berk and I am the Executive Director for the Pennsylvania Automotive Recycling Trade Society (PARTS). Our association represents approximately 200 automotive recyclers located throughout the Commonwealth of Pennsylvania.

On behalf of our Board of Directors and membership, I would like to submit comments on the proposed modifications and additions to the Federal Trade Commission's (FTC) *Guides for the Use of Environmental Marketing Claims (Guides)*, as published in the October 15, 2010 edition of the Federal Register. PARTS continues to support the use of the *Guides* and we are pleased to learn that the existing *Guide* language addressing the recycled content claims (Sec. 260.12) for automotive parts (see Sec 260.12, Examples 12 and 13) is being retained.

However, PARTS would like to suggest that the language in these examples be amended as follows to specifically include automotive recyclers. The suggested additional language appears in **bold text**.

Example 12: An automotive dealer, **automobile recycler or other qualified entity** recovers a serviceable engine from a wrecked vehicle. Without repairing, rebuilding, re-manufacturing, or in any way altering the engine or its components, the dealer attaches a "Recycled" label to the engine, and offers it for sale in its used auto parts store. In this situation, an unqualified recycled content claim likely is not deceptive because reasonable consumers likely would understand that the engine is used and has not undergone any rebuilding.



Example 13: An automobile parts dealer, automobile recycler or other qualified entity purchases a transmission that has been recovered from a salvaged or end-of-life vehicle. Eighty-five percent of the transmission, by weight, was rebuilt and 15% constitutes new materials. After rebuilding the transmission in accordance with industry practices, the dealer packages it for resale in a box labeled “Rebuilt Transmission,” or “Rebuilt Transmission (85% recycled content from rebuilt parts),” or “Recycled Transmission (85% recycled content from rebuilt parts).” These claims are not deceptive.

The FTC's recognition that automobile parts recovered from vehicles are appropriately described as recycled, lends crucial support to the automotive recycling industry. But, we respectfully ask that the commission go a step further and note specifically in the examples that automotive recyclers or other qualified entities recover the parts as state statutes are very specific on this subject.

Ninety-five percent of all end-of-life vehicles in the U.S. go through a market-driven recycling infrastructure beginning with the automotive recycler. The suggested *Guide* language affirms recyclers' efforts to keep contaminants and hazardous materials out of landfills, water and air.

We appreciate the continued inclusion of language addressing the recycled content claims for automotive parts but do hope the FTC will consider revising the wording in Examples 12 and 13 as suggested above. Thank you for your consideration.

Sincerely,

Michael Berk
Executive Director

Cc: PARTS Board of Directors