

Guides for the Use of Environmental Marketing Claims; Project No. P954501

Comments submitted by the Green Cleaning Network

December 10, 2010

Pursuant to 16 C.F.R. Part 260: Guides for the Use of Environmental Marketing Claims: Request for Public Comment on Proposed, Revised Guides, FTC File No. P954501, the Green Cleaning Network offers the following two comments to help clarify environmental marketing claims, especially as they apply to commercial and institutional consumers.

Background on the Green Cleaning Network

The Green Cleaning Network is a 501(c)3 nonprofit organization whose mission is to educate the marketplace in an effort to accelerate the adoption of greener cleaning products and practices. Our founding members include some of the largest and most influential building owners and purchasers in the United States including the Building Owners and Managers Association International (BOMA), Healthy Schools Campaign, Hospitals for a Healthy Environment, International Executive Housekeepers Association, Responsible Purchasing Network and the US Green Building Council.

Recognize And Clarify The Differences Between Household Consumers And Commercial And Institutional Purchasers

Market research is quite clear that in some product categories such as cleaning products, the “typical” household consumer spends less than 5 seconds making a decision about which product that they will purchase. However in the commercial and institutional market segment, these “consumers” are professional purchasers who are often members of professional associations and receive specific training on the issues affecting with how they buy products, including those specifically related to buying what we commonly call Green Cleaning products. And even when purchasing somewhat common products like cleaning agents, a professional purchaser will often spend days doing their diligence because they may literally be purchasing thousands of dollars worth of the product, if not hundreds of thousands of dollars.

Thus the Green Cleaning Network would like to request/suggest that the new Guides include a specific discussion and example acknowledging that what may be

“reasonable” for a professional commercial and institutional purchaser may be different compared to a household consumer. This is especially true relative to the amount of information and use of websites accompanying ecolabels and other claims because the typical commercial and institutional purchaser by profession and habit will rely on additional information when making their purchasing decision, which again is very different from how a household consumer behaves at the “point of sale”.

This type of additional clarification would be very helpful to GSA and other government purchasers, as well as those at universities, schools, healthcare, commercial office buildings and other commercial and institutional buildings. And for clarity, we suggest that the example clarify that the information for a “reasonable” purchaser at a retail store is different for those cleaning products purchased to keep the store itself clean, while a different standard should be considered for those cleaning products purchased by the retailer intended for resale to household consumers.

Clarify The Claims Made By The USDA’s BioPreferred Program

The Green Cleaning Network would like to request that the FTC Guides help clarify what is being conveyed to commercial and institutional purchasers relative to the use of the ecolabel from USDA’s BioPreferred Program.

Our members use a Presidential Executive Order to define “environmental preferability” (which we use interchangeably with the term “green”) to “reduce the health and environmental impacts of a product compared to a similar product used for the same purpose.” Currently there is an enormous amount of confusion among our members who often feel misled when they are informed that a cleaning product bearing the USDA’s BioPreferred logo has never been tested relative to its impacts on workers’ or building occupants’ health, nor on environmental impacts.

While we are advocates for the use of products developed in a less impactful manner or are “sustainable”, and often prefer those derived from agricultural products, but our members are concerned that the use of the USDA’s BioPreferred label is misleading and may actually be placing people at risk. We are also keenly aware that not all agricultural products and their derivatives are “safe” including ephedra, poison ivy, cocaine and tobacco. And as a specific example within the realm of cleaning products there is growing concern that turpenes derived from pine trees and citrus fruits when mixed with naturally occurring ozone inside a building can create compounds that are known to cause cancer.

Thus while we clearly understand that USDA is acting based on the requirements of the 2003 Farm Act passed by Congress, we are asking that the FTC encourage USDA to further enhance their program through appropriate testing to guarantee commercial and institutional purchasers that products using their logo are not only derived from

agricultural products, but they have also been tested to insure that they are protective of both human health and the environment, which is what these purchasers are expecting.

If the Commission would like clarification or more information on these suggestions, the Green Cleaning Network is prepared to be of further assistance.

Respectfully submitted by:

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