RE: Comments regarding the FTC Green Guides
12/8/2010

To whom it may concern,

I am writing on behalf of Martex Fiber Southern Corp, a leading textile waste management company in the United States, to provide input on the Federal Trade Commission's October 6, 2010 proposed updates to the Commission's "Guides for the Use of Environmental Marketing Claims" (a.k.a. "Green Guides"),

Specifically, Martex Fiber Southern Corp ("Martex") would like to address the Green Guides' proposed pre-consumer recycled content claim requirements that call for advertisers to have "**substantiation that the pre-consumer material would otherwise have entered the solid waste stream, (p.217)."** Martex believes that adopting such a stringent standard ignores the inherent challenges in verifying solid waste streams (due to fluctuations in regional availability, fiber content, market conditions) and would discourage manufacturing practices that have diverted substantial amounts of waste from landfills for many years. As we will elaborate upon below, Martex believes it is far more appropriate and beneficial to the overall purpose of the Guides for recycled content to be qualified based on material transformation (significant "reprocessing" and/or "repurposing") and the economic reuse of waste materials outside of the original manufacturing process*, as is the broadly-accepted definition of "recycled" throughout the global marketplace.

(*we do see material from the original manufacturing process going back into the process and called "recycled" – we agree this can be misleading or "Green-washing.")

For the past 40 years, Martex has been directly involved with post-industrial textile waste management, collections and the material transformation of cutting scrap. When much of apparel and industrial textiles were still being made in the United States, Martex supported these industries by providing waste removal and brokering services that created new financial and market opportunities throughout the world. Much of the waste was primarily used outside the U.S. for things like papermaking, pad and building materials, as well as yarn spinning. While some cutting waste had economic value, much of the waste still ended up in landfills because the fiber content was not suitable for spinning, re-fiberization or chemical recycling, or it was not economical to transport or reprocess the material further. This is often still the case today.

In 1986 to accommodate the request of one of our largest waste suppliers, we vertically integrated with refiberization lines so to mechanically transform this lowest end (typically negative value) seamer waste from sewing machines, which would have gone to a landfill, into re-processed fiber that could be used by the domestic automotive industry and other sectors for various fill applications.

In the late 1990's, when much of the apparel industry began moving offshore, we extended our collection services to Mexico and Central America to support American brands who wanted to continue to "do the right thing" and divert their waste streams. At the time, there was very poorly organized post-industrial recycling going on in these regions, much like what we see today in the Far East and third world countries.

We have painstakingly built the recycled fiber market on very low margins, so that we can guarantee to our Brand customers that 100 percent of their waste will be diverted from landfill. Again, we have found that where there is economy of scale, the waste is diverted; however, many of the smaller producers both in the U.S. and overseas still landfill their waste materials. Complicating matters, brokers, who do not manufacture, often "cherry pick" waste streams selling off high value items, and landfilling those that are considered less economical/more challenging to mechanically recycle (e.g. stretch nylon and seaming waste).

Today, with major retailers encouraging/ scoring their suppliers on waste reduction and more and more supply coming on to market, we are challenged to find enough markets for waste materials.

Yet even with these challenges, the one great silver lining has been the "green movement." Consumers and manufacturers alike have a more sophisticated and holistic understanding of what it means to be "green" which considers a slew of factors including water and natural resource use and impact, greenhouse gas and other emissions, energy consumption, solid waste reduction and more. This sophistication and holistic view carries over into what it means for something to be made from "recycled content." Consumers, manufacturers, and retailers recognize the benefits of finding higher and better uses for post-industrial/pre-consumer materials, which still reduce the amount of waste that ends up in landfills and have far less overall environmental impact than virgin materials. Many U.S. products, including items like t-shirts, insulation, and wall coverings, which were typically made of virgin materials, are starting to be made with post-industrial textile waste. LEED standards, which have become the widely recognized way to score the environmental impact of building projects, bases its definition of recycled content on the use of pre and post-consumer recycled materials.

Look no further than cotton to understand why. Here, the benefits of reusing post-industrial materials is great…no new crop growth, no extensive irrigation/added pesticides, and little, if any, chemical applications. Furthermore, recycled cotton requires no water processing or dyeing. The designation of pre-consumer recycled cotton in apparel, hygiene (e.g. disposable wipes) and LEED building materials content gives the consumer an informed choice. The consumer is able to buy a second-generation product, rather than buying virgin materials.

In 2001, we opened the first and only plant in the US that is exclusively dedicated to spinning yarn out of pre-consumer textile waste. Interesting to note is that in the case of cotton yarn spinning, post consumer recycled materials are not yet a consumer option. In many cases, there are strict chemical/material guidelines and manufacturing constraints

that make it impossible for manufacturers to make products from used (post-consumer) clothing from unidentified sources. In apparel, for example if you want to buy a "recycled" t-shirt, you can only find products made out of pre-consumer waste materials and related yarns.

Yet, despite consumer and marketplace recognition that these kinds of post-industrial/pre-consumer materials are indeed "recycled content" and clearly making a contribution to environmental responsibility, their future use would be threatened by a requirement to substantiate that a good would have otherwise entered the solid waste stream**.**

If we, as a society, are to reward best practices, find the highest and best uses of the pre-consumer waste materials, as well as give consumers the ultimate choice of using virgin materials or recycled, it is important that industries have an appropriate lexicon to conduct business. Business to business communications as well as direct retail claims can be better served, if the definition of recycled is clear and the word not necessarily linked to solid waste streams.

We hope that we have offered some useful information for your determination of the green guides and welcome any further communications that might be useful.

Best Regards,

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