



December 10, 2010

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

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

Dear Secretary Clark:

In response to the Federal Trade Commission's October 15, 2010, Federal Register notice regarding Guides for the Use of Environmental Marketing Claims, The North American Laminate Flooring Association ("NALFA") submits the following comments on the proposed revisions. While these comments reflect the distinct concerns of NALFA's membership, our concerns are likely to coincide with those of countless other trade associations, individual membership societies, and voluntary organizations across the United States.

The FTC's proposed revisions to its Guides for the Use of Environmental Marketing Claims ("Green Guides") will have a substantial impact on marketing practices within the non-profit sector. Theoretically, the proposed revisions endeavor to apply a more rigorous standard to environmental claims used in marketing, promotional materials, and digital and electronic media. While NALFA recognizes the importance of stemming the contemporary tide of false or unsubstantiated environmental claims, we are very concerned that the proposed Green Guides revisions are biased toward Associations and have the potential to further confuse consumers.

Associations have long been recognized for the creation, maintenance, and development of industry certifications and standards of quality, ethics, sustainability, and safety. However, the proposed Green Guides revisions – provided as part of a 200-plus page document – appear to discriminate against legitimate and highly valuable Association-sponsored programs for certification and seals of approval. If the Green Guide revisions are accepted as proposed, they will disincentivize Associations' traditional participation in the creation, maintenance, and development of highly credible industry standards.

Specifically, §260.6 requires all Association programs to comply with special disclosure requirements while allowing third-party certifications not administered by Associations to be used without further disclosure. This requirement is burdensome to Associations, erroneously suggests that Association-issued certifications and seals of approval are inferior and/or deceptive in nature, and is likely to undermine legitimate and valuable Association seals of approval and certification programs. §206.6 additionally requires the party whose name is on the logo to disclose that they are a trade association and/or that the certified company is a dues paying member. Such a requirement will likely lead the consumer to the mistaken conclusion that the certification or seal of approval does not meet the same standards of independent action and integrity that are applied to third-party programs that do not collaborate with Associations. This is of course false and, ironically, is the sort of outright misrepresentation that the Green Guides revisions ostensibly intend to eradicate.

NALFA supports the modernization of the Green Guides and the FTC's attempts to decrease misleading environmental claims, but the proposed revisions have the potential to undermine and even eliminate many excellent Association programs. This is not in the public interest. As such, NALFA urges the Federal Trade Commission to consider extending the filing deadline for comments by 60-90 days. The very lengthy proposed revisions implicate complicated issues, and it would be extremely beneficial for Associations to consult more fully with their memberships in order to prepare complete comments.

Thank you for your consideration.

Sincerely,

E.C. "Bill" Dearing
NALFA President