

Proposed, revised Green Guides, 16 CFR Part 260, Project No.
P954501
Comments for the FTC

The following are my comments on particular questions. (I will put the question number down and not the entire question.)

1. I do not think consumers have any idea of what a net environmental benefit means. I think they do not read or research a product, but merely go off of what the product says. For example, the Sunchip bag stated it was biodegradable and would break down in composts. This is incorrect as PLA will only break down in commercial and municipal composts that have temperatures over the 109 degrees F. that is the minimum requirement for PLA to break down. They misled the public in saying it would break down in backyard composts and in sunlight. The public does not look at the entire Life Cycle Analysis of a product. For example, the Franklin Associates did one comparing HDPE milk cartons vs. PLA in 2006. The results showed that the HDPE carton consumes less energy, produces less post-consumer solid waste, and generates fewer greenhouse emissions than PLA. Did we hear about this? No. I believe most consumers believe corn plastics will break down in landfills which is not true.
2. Yes, please include examples. The Bamboo sheets are a good example of misperception.
3. I believe we should definitely follow the definition of sustainable: **«Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.** »Any product that ultimately can harm someone or the environment should not be eco-friendly or green. Examples” Oxy-degradable plastics break down and can blow anywhere creating pollution. I have read where they have blown into a neighbor’s farm (when used as mulch films) and the cows have eaten the film as well as damaged farm equipment that tried to plow fields with the film in it. PLA and corn ethanol has resulted in the over planting of corn with nitrogen runoff that has polluted aquifers and created a dead zone in the Gulf of Mexico. The World Bank has stated that the diverging of corn from food and feed stock is 75% responsible for the high cost of the world’s food and the shortages. PLA also uses in some cases GMO corn which can cause birth defects. We have to examine the total picture and see the future harm.
5. I believe using one year as the time line for complete decomposition is totally wrong. One should first realize that there is confusion of what is compostable and what is biodegradable. I believe biodegradability is connected to the breaking down of an item with interaction of biota found in nature. For example, if a tree falls in the woods, it interacts with biota and slowly breaks down. The leaves will break down quickly, by the limbs and trunk could take up to several years to break down. This is an example of biodegradation. If you are talking about composting, then yes, that can work more quickly and a year could be a possible guideline. I think one should not put compostable time lines with ones for biodegradability. Composting requires

certain products in the composts, with particular temperatures, moisture, and aeration or they do not work. Landfills do not have any set criteria. They are two separate methods of breaking down and should not be put together. Honestly, I think the best way to set this up is to follow the ASTM guidelines for plastics. Standards are set up for compostability, landfill biodegradability, and degradation. The tests require one to have guidelines to meet in order to be certified. ASTM 6400 requires a plastic to break down in 180 days or less in commercial or municipal compost. However ASTM 5338.98 is a standard for compostability without a time requirement. ASTM D 5511 and D 5526 are the test methods for determining anaerobic biodegradation in landfills. Neither have time requirements, only that they must biodegrade into mulch/humus under high solids anaerobic conditions. You have totally ignored these plastics that are landfill biodegradable. There is no way plastics can break down in a year or less in landfills. Landfills are unique in their requirements as opposed to composts and they should be separated, not bunched together. Without having to hire an entire staff of scientists and set up labs, the easiest way to define “Green” should be by the tests required by the ASTM standards. Products have to go through tests in order to prove compostability, biodegradability, and degradability.

7. Yes. Right now there are no set requirements for recycled content. People can put in one per cent and meet the standard.

13. I believe we should have “free-of” claims. Currently there is much concern about BPA’s in plastics and the harm they can do. I think we should include the free-of” claims to protect consumers who may not even know that certain products are harmful. I would extend “free-of” to include GMOs in PLA products and foods. I would also add “free-of” to oxy-degradable plastics that have harmful cadmium and other heavy metals in them.

17. I do not believe consumers understand “carbon offset” or any off-sets for that matter. I barely understand them myself. Typically it is a smoke-screen to make a bad product look good. It is used by larger companies who can afford to buy the off-sets. For example, NatureWorks advertised its products as using less fossil fuel than plastics when it launched its products into Sam's Clubs. However, this statement had an asterisk that one looked up at the bottom of the page that said this claim was based on buying energy credits. So it in reality does not use less fossil fuel. This is very confusing to the consumer and misleading as far as I am concerned.