

December 10, 2020
Defense Logistics Agency
Installation Support Environmental Management
Comments on the Federal Trade Commission (FTC) Proposed Rule
Guides for the Use of Environmental Marketing Claims
Federal Register, Friday, October 15, 2010

Comment: Reference is made to the Federal Register Notice, page 63589, wherein FTC provides a logical explanation for its decision not to address the issue of biobased content / biobased claims in the Guides, in light of the biobased product labeling rule pending at the time, and USDA's associated work. However, once this labeling action has been resolved, FTC may want to consider an addition to the Guides to address "biobased content claims." To ensure consistency, this section could be prepared in conjunction with USDA. Note that as biobased products become more common and recognizable in the marketplace, it will be more important for the Guides to include biobased to be a more complete and useful tool.

Our thoughts on the specific questions are as follows:

Q(15): How should marketers qualify "made with renewable materials" claims, if at all, to avoid deception?

A: A renewable material is basically something that can be grown, raised or created over and over again, which means that means it will never run out if managed correctly. This concept is already covered in the Federal supply system by the term "bio-based" and implemented through the US Department of Agriculture's (USDA) BioPreferred Program. One option is to continue to pursue bio-based products (USDA's definition) in the supply system and not use the term "renewable materials."

Q(4, Paraphrased): Should the FTC provide guidance concerning how long consumers think it will take a liquid substance to completely degrade?

A: Yes, it is anticipated that most average consumers and military buyers would expect a substance to completely degrade within one year when exposed to air, sunlight, etc. It passes the "reasonable person" test.

Q(17): How do consumers understand "carbon offset" and "carbon neutral" claims?

Is there any evidence of consumer confusion concerning the use of these claims?

A: Most consumers don't understand these terms and see a need for them to be understood.