



STATE OF CALIFORNIA AUTO DISMANTLERS ASSOCIATION

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December 8, 2010

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Mr. Donald Clark
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December 8, 2010

Mr. Donald Clark
Office of the Secretary
Federal Trade Commission 600 Pennsylvania Ave, NW
Washington, DC 20580

Dear Mr. Clark:

My name is Wayne Chagnot and I am the Vice President of South Windsor Auto Parts, Inc. I would like to submit comments on the proposed modifications and additions to the Federal Trade Commission's (FTC) *Guides for the Use of Environmental Marketing Claims (Guides)*, as published in the October 15, 2010 edition of the Federal Register. I continue to support the use of the *Guides* and am pleased to learn that the existing *Guide* language addressing the recycled content claims (Sec. 260.12) for automotive parts (see Sec 260.12, Examples 12 and 13) is retained.

However, I believe that the language in these examples should be amended as follows to specifically include automobile recyclers:

Example 12: An automotive dealer, automobile recycler or other qualified entity recovers a serviceable engine from a wrecked vehicle. Without repairing, rebuilding, re-manufacturing, or in any way altering the engine or its components, the dealer attaches a "Recycled" label to the engine, and offers it for sale in its used auto parts store. In this situation, an unqualified recycled content claim likely is not deceptive because reasonable consumers likely would understand that the engine is used and has not undergone any rebuilding.

Example 13: An automobile parts dealer, automobile recycler or other qualified entity purchases a transmission that has been recovered from a salvaged or end-of-life vehicle. Eighty-five percent of the transmission, by weight, was rebuilt and 15% constitutes new materials. After rebuilding the transmission in accordance with industry practices, the dealer packages it for resale in a box labeled "Rebuilt Transmission," or "Rebuilt Transmission (85% recycled content from rebuilt parts)," or "Recycled Transmission (85% recycled content from rebuilt parts)." These claims are not deceptive.

INDUSTRY LEADER: FTC's recognition that automobile parts recovered from vehicles are appropriately described as recycled, lends crucial support to the automotive recycling industry. But, I ask that the FTC go further and note specifically in the examples that automotive recyclers or other qualified entities recover the parts as state statutes are very specific on this subject.

Ninety-five percent of all end-of-life vehicles in the U.S. go through a market-driven recycling infrastructure beginning with the automotive recycler. The suggested *Guide* language affirms

INDUSTRY LEADER - FTC's recognition that automobile parts recovered from vehicles are appropriately described as recycled, lends crucial support to the automotive recycling industry. But we ask that the FTC go further and note specifically in the examples that automotive recyclers or other qualified entities recover the parts as state statutes are very specific on this subject.

The suggested *Guide* language affirms recyclers' efforts to keep contaminants and hazardous materials out of landfills, water and air. In fact, every motor vehicle that is recycled saves 2,500 pounds of iron ore, 1,400 pounds of coal, and 120 pounds of limestone.

We appreciate FTC's continued inclusion of language recognizing the legitimacy of the recycling descriptor for the management of older vehicles in the *Guides* and request that the existing language be changed as noted above.

Sincerely,

Martha Cowell
Executive Director