



January 18, 2011

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

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

Dear Sir/Madam:

Founded in 1955, the Kitchen Cabinet Manufacturers Association (KCMA) is a non-profit section 501(c)(6) trade association representing companies who manufacture kitchen, bath or other residential cabinets. Today, KCMA has more than 400 members in the U.S. and Canada – members who manufacture kitchen cabinets and bath vanities, fabricate countertops, and supply goods and services to the industry.

KCMA appreciates this opportunity to submit comments to the Federal Trade Commission regarding the Proposed Revised Green Guides.

1. Use of Internet Site References to Qualify Claims

KCMA agrees with others that have commented to the FTC in support of the use of Internet site references as effective qualifications to general environmental benefit claims.¹ The FTC has resisted supporting the use of websites to qualify claims "because consumers likely would not see that information before their purchase."² While the FTC's reasoning may apply to certain consumer purchasing decisions, it does not apply across the board to all products. For example, consumers increasingly rely on the Internet for information prior to making major purchases. In the case of cabinetry, consumers are unlikely to make purchases on first sight of a product without doing further research. In the cabinet industry, in the overwhelming majority of cases consumers make more than one store visit and engage in multiple sales consultations prior to making a buying decision. Even if a consumer were to decide to purchase cabinetry upon first seeing the cabinets in a store display, consumers increasingly carry mobile devices that allow access to the Internet prior to making a purchasing decision.

As other commenters have stated, due to size limitations and other factors, Internet site references allow for more detailed information to be delivered to a consumer than would other qualifiers on product packaging or labels. In many cases, consumers

¹ FTC Federal Register Notice, October 15, 2010, p. 63557.

² FTC Federal Register Notice, October 15, 2010, p. 63557.

have ample opportunity to visit Internet sites for further information prior to making purchasing decisions.

2. Use of Association Certification Logos and Seals

KCMA agrees with comments to be submitted by American Society of Association Executives (ASAE) regarding the use of association certification logos and seals by association members. KCMA urges the FTC to reconsider and clarify its position regarding whether association membership is a material connection that must be disclosed to prevent consumer deception in connection with certification programs.³

For many years, KCMA has sponsored the nationally recognized voluntary testing and certification program for cabinets, ANSI/KCMA A161.1, Performance & Construction Standard for Kitchen and Vanity Cabinets. The program is referenced by U.S. government agencies, architects, builders, remodelers, and other specifiers. Cabinets that meet the performance standard and bear the KCMA certification seal are recognized in the marketplace as a quality product able to perform after a rigorous battery of tests simulating years of typical household use. Tests are performed by approved third-party independent laboratories. This open program is administered in an objective, independent manner.

Like other association certification programs, membership in the association provides no advantage when a laboratory administers the performance tests to evaluate a product under the ANSI/KCMA A161.1 standard. Requiring a disclosure simply because a cabinet manufacturer happens to be a member of the association could actually mislead consumers into thinking that association members have an unfair advantage in certification determinations when that is not the case.

3. Free-Of Claims

KCMA believes that in order for a marketer to claim that its product is free-of a substance, the product should in fact totally be free-of the relevant substance or the free-of claim should be qualified. Allowing a claim that is incorrect on its face is inconsistent with the intent of the Green Guides to alleviate deception in the marketplace.

KCMA appreciates this opportunity to comment on the FTC's proposed revision to the Green Guides.

Yours truly,

C. Richard Titus
Executive Vice President

³ See FTC *Federal Register* Notice, October 15, 2010, p. 63567.