



June 4, 2014

Federal Trade Commission (FTC)
Office of the Secretary
Room H-113 (Annex N)
600 Pennsylvania Ave, NW
Washington, DC 20580

Dear Sir or Madam:

RE: Fuel Rating Rule Review, 16 CFR Part 306, Project No. R811005

The California Department of Food and Agriculture (CDFA) supports the ongoing efforts of the FTC to develop clear guidelines for the labeling of retail fuel dispensers. CDFA is responsible for enforcing the fuel quality, advertising, and labeling laws for motor vehicle fuels sold in the State of California, including the FTC's labeling requirements, so we appreciate the opportunity to provide comments on proposed amendments to the FTC Rule for Automotive Fuel Ratings, Certification and Posting.

CDFA has reviewed the proposed rule changes for gasoline-ethanol fuel blends and would like the FTC to consider the following comments:

1. CDFA supports the FTC adoption of the US EPA-required E15 label for fuel blends of 11% to 15% ethanol. However, CDFA is concerned that with this adoption, the FTC is waiving its automotive fuel label (octane label) for gasoline. CDFA believes both labels are important for consumer protection. Vehicles manufactured after 2001 also have varying octane requirements, and requiring use of the US EPA label alone does not ensure that consumers will purchase a fuel that meets their vehicle's needs. CDFA recommends that FTC address this issue with the US EPA and develop a clear set of guidelines for the minimum (R+M)/2 octane of E15 fuels.
2. CDFA supports the FTC'S proposed posting of the warning statement "USE ONLY IN FLEX-FUEL VEHICLES, MAY HARM OTHER ENGINES", to be placed on label of fuel blends with an ethanol content of greater than 15% to 83%. CDFA would like the FTC to consider a different warning statement for fuel blends with 84% to 100% ethanol, stating that the fuel is not suitable for Flex-Fuel vehicles and may harm other engines.
3. CDFA does not support the FTC's proposed requirement that fuel blends of greater than 15% ethanol to be posted with the ethanol content to the nearest unit of 10 (20, 30, 40, 50, 60, 70, 80). CDFA proposes that the labeling of fuel blends with greater than 15% ethanol be divided into three categories:
 - a) 16% to 50% ethanol blends labeled "EXX (minimum EXX-5% ethanol)"
 - b) 51% to 83% ethanol blends labeled "Ethanol Flex Fuel (minimum 51% ethanol)"
 - c) 83% to 100% ethanol blends should be labeled "EXX (minimum XX% ethanol)"

In conclusion, CDFA appreciates the opportunity to offer comments and suggestions regarding the proposed amendments to the FTC Rule for Automotive Fuel Ratings, Certification and Posting.

Sincerely,

Kristin Macey
Director

