

**PAPER
RECYCLING
COALITION**

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Federal Trade Commission
Office of the Secretary
Room H-135 (Annex B)
600 Pennsylvania Avenue, N.W.
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Green Guides Regulatory Review, 16 CFR Part 260,
Comment, Project No. P954501

The Paper Recycling Coalition (PRC) urges the Federal Trade Commission (FTC) to revise the language in the 'Guides for the Use of Environmental Marketing Claims' (Green Guides) to incorporate the International Standards Organization (ISO) definitions of "recycling" and "post-consumer recycled content". We advocate this change because of the proliferation of competing definitions in the marketplace today and the high probability of consumer confusion about the meaning of these terms. The Green Guides should be reconciled to an internationally recognized method of calculation to ensure consistency and reduce the risk of confusion.

Background

The Paper Recycling Coalition is a coalition of companies¹ who make a variety of paper products out of 100% recycled paper. The PRC has always supported the work of the FTC in clarifying environmental claims for the consuming public. The PRC testified before the Agency in 1991 and has been involved at every stage of the development of the guidelines. We applaud the FTC's timely commitment to reviewing the Green Guides and keeping them relevant to today's market.

At the time the Green Guides were issued, the only definition of post-consumer recycled content, used by the federal government, was a definition in the Resource Conservation and Recovery Act (RCRA) Section 6002 which specifically and exclusively relates to Federal government procurement of products containing recovered materials. The Green Guides, while they don't actually use that definition of post-consumer, in the Q & A section imply that this is the appropriate definition.

¹ Members of the PRC include: Altiivity Packaging LLC; Cascades Inc.; Graphic Packaging; The Newark Group; Newman & Company; The Rock-Tenn Company; and White Pigeon Paper Company.

However, this situation has now changed for two reasons:

- 1) The establishment by the International Standards Organization (ISO)², in a painstaking and deliberative process, of inclusive terminology to define recycling and post-consumer recycled content.
- 2) U.S. law requires that government agencies use voluntary consensus standards where they are available and appropriate.³

Today we are faced with an international marketplace. No company epitomizes this trend more than Wal-Mart. Recently, the Wal-Mart Corporation began a process of identifying which packaging for their products were the least likely to cause harm to the environment. Wal-Mart's leadership has spurred many other major distributors such as Target and Costco to follow suit. If the FTC uses the RCRA definitions the Agency could put American companies at a competitive disadvantage to companies operating outside the United States. However, using the ISO definitions will establish a level playing field competitively and, at the same time, reduce the risk of confusion to consumers who are exposed to seemingly inconsistent claims and standards.

Conclusion

The growth of consumer interest in buying green is very encouraging. Consumers want, among other things, accurate, reliable information on recycled content in the packaging they purchase with their products. Our suggestion would reinforce that trend by avoiding, as much as possible, inconsistency and contradiction in guidelines leading to confusion both for the consumer and for the industry. In light of the international nature of business today, we believe that the FTC would advance its policy goals by adopting the ISO definitions. Furthermore, because the market place is moving rapidly, prompt action by the FTC would be very beneficial.

Finally, we would like to thank you for your continued commitment to improving the Green Guides and to offer any assistance that you might need. We would be interested in participating in any workshop on this issue that you schedule. If we can provide additional information, please do not hesitate to contact us.

Sincerely,

Terese Colling
Washington Representative

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Washington Representative

² The ISO is a non-governmental organization comprised of over 130 member countries that set standards by international agreement. ISO is currently responsible for over 12,000 international standards managed by almost 3,000 different committees, subcommittees and working groups. These include everything from bank cards to freight containers, and from paper size to screw threads.

³ Pub. L. 104-113, Sec. 12(d), Mar. 7, 1996, 110 Stat. 783, as amended by Pub. L. 107-107, div. A, title XI, Sec. 1115, Dec. 28, 2001, 115 Stat. 1241,