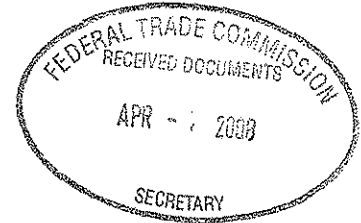


bp



April 2, 2008

BP Products North America, Inc.
28100 Torch Parkway
Warrenville, IL 60555

FTC/Office of the Secretary
Room H-159 Annex F
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Comments on Proposed Rule for Biodiesel Labeling, Matter No. R811005

BP appreciates the opportunity by the Federal Trade Commission (FTC) to comment on the "Proposed Rule for Biodiesel Labeling, Matter No. R811005". As one of the largest marketers of fuel in the nation, BP is committed to making sure our customers can quickly and without confusion choose the fuel that is compatible with their vehicle. BP also supports the standardization of biomass-based diesel or biodiesel labels throughout the U.S. with respect to color, size, font, and language, thus allowing consumers to easily distinguish their choice of fuel regardless of where they are in the country. We would like to take this opportunity to voice our support for the regulation and to make some suggestions regarding the determination of the biodiesel fuel rating and color, layout, and language of the labels on the dispensers.

Proposed paragraph 306.5(b) states that the evidence used to form the basis for the volume of biodiesel in the fuel should be the "minimum percentages by volume." As the Preamble suggests "customers purchasing such fuels are more likely to be concerned about applicable percentages." Due to concerns regarding current and future vehicle manufacturer warranty specifications, the level of concern is more likely to be the maximum percentages by volume of biodiesel over 20 volume percent. BP suggests that the proposed language be modified to reflect "the maximum percentages by volume of other components that you choose to disclose."

DISPATCH UNIT 11/18/00
TS-11/MA F- 29A 0005

We agree with the FTC that the labels should be bold and easily visible to the motoring public. However, we recommend changing the minimum percent for the more than 5 percent biomass-based diesel or biodiesel by volume but not more than 20 percent by volume label under section 306.12(a)(4) to read as follows "contains biomass-based diesel or biodiesel in quantities between 6 percent and 20 percent". We feel this more closely aligns with the direction that the American Society for Testing and Materials (ASTM) is taking in their specification development for biodiesel blends. Since most engine manufacturers are allowing up to 5 percent biodiesel in their warranties, no label should be required for 5 percent or less, as correctly stated in EISA.

Regarding the specific language for the labels under section 306.12(a)(5), we recommend that the greater than 20 percent biomass based or biodiesel by volume label be required to state the maximum volume percentage of biodiesel or biomass-based diesel in the fuel in the black band (e.g, "B-XX" where "XX" would be the maximum volume). The words directly underneath the black band should read, "Contains biomass diesel or biodiesel in quantities between 21 percent and XX percent," where the "XX" would represent the maximum volume percentage of biodiesel or biomass-based diesel in the fuel to be dispensed.

If you or the staff at the FTC has any questions about BP's comments, please call Ms. Irene Banas, BP Regulatory Fuel Issues Specialist, at 630-536-3356.

Sincerely,

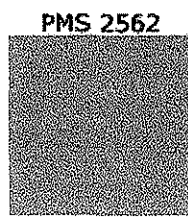
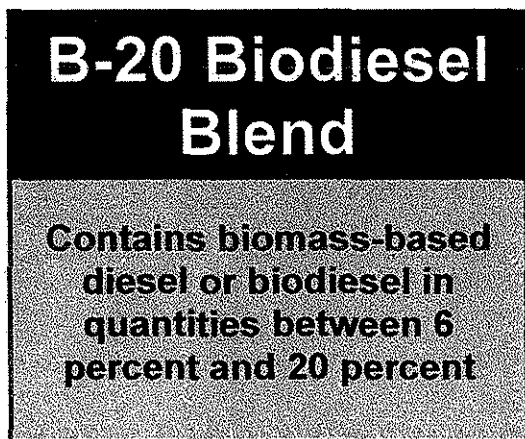

Kevin J. Phelan
Vice President
BP Products North America, Inc.

Sample Biodiesel Label (6 vol% to 20 vol%)

3" X 2 ½" Label [Same size as octane label]

B-20 Biodiesel Blend / Helvetica Bold 24

Contains biomass-based diesel or biodiesel in quantities between 6 percent and 20 percent / Helvetica Bold 14



Sample Biodiesel Label (21 vol% to XX vol%)

3" X 2 ½" Label

B-XX Biodiesel Blend / Helvetica Bold 24

Contains biomass-based diesel or biodiesel in quantities between 21 percent and XX percent / Helvetica Bold 14

