

Back on the Road

The Tire Retread Information Bureau, an industry association, offers free material on retreading and tire repair. In addition to information about the U.S. Environmental Protection Agency's guidelines on retread tires for government agencies and contractors required to use retread tires, the bureau distributes an information packet on retread tires, publishes a "rubber on the road" booklet, lends videos on the use of retread tires, and facilitates tours through retreading plants. For more information or to get on the bureau's mailing list, call Harvey Brodsky at 408/372-1917.

Sustainable Landscapes and Gardens

Environmental Resources, Inc., publishes the *Resource Guide to Sustainable Landscapes and Gardens*, listing more than 1100 environmentally responsible land-scaping materials, products, and information sources. The cost is \$35.50. For more information, contact 801/485-0280.

Other Material Resources:**Aluminum**

Aluminum Association, Inc.
900 19th Street NW, Suite 300
Washington, DC 20006
202/862-5100

Aluminum Recycling Association
1100 16th Street NW, Suite 603
Washington, DC 20036

Can Manufacturers' Institute
1625 Massachusetts Ave NW, Suite 500
Washington, DC 20036
202/232-4677

Automobile Parts

Auto Parts Rebuilders Association
4401 Fair Lakes Court, Suite 210
Fairfax, VA 22033
703/968-2772

Automotive Recyclers Association
3975 Fair Ridge Dr., Suite 20, T-N,
Fairfax, VA 22030
703/385-1001

Batteries

Battery Council International
401 N. Michigan Ave.
Chicago, IL 60611
312/644-6610

Glass

Glass Packaging Institute
1625 K Street NW, Suite 800
Washington, DC 20006
202/887-4850

Iron / Steel

American Iron & Steel Institute
1133 15th Street NW, Suite 300
Washington, DC 20006
202/452-7100

Institute of Scrap Recycling Industries (ISRI)
1325 G Street NW, Suite 1000
Washington, DC 20006
202/737-1770

Steel Recycling Institute
Foster Plazas 10
680 Andersen Drive
Pittsburgh, PA 15220
800/876-7274

Oil

American Petroleum Institute
1220 L Street NW, Suite 900
Washington, DC 20005
202/682-8000

Association of Petroleum Re-Refiners
PO Box 427
Buffalo, NY 14205
716/631-8246

United Association of Used Oil Service
318 Newman Rd.,
Seabring, FL 33870-6702
941/655-3880

National Petroleum Refiners' Association
1899 L Street NW, Suite 1000
Washington, DC 20036
202/457-0480

Paper

American Forest and Paper Association
(Listing of Recovered Paper Dealers)
1111 19th Street NW, Suite 800
Washington, DC 20036
202/463-2420

Envelope Manufacturers' Association
300 N. Washington St., Suite 500
Alexandria, VA 22314-2530
703/739-2200

Graphics Arts Technical Foundation
4615 Forbes Ave.
Pittsburgh, PA 15213-3796
412/621-6941
(Information on using recycled paper, inks, and solvents and on the recovery of silver.)

Yellow Pages Publishers Association
340 E. Big Beaver Road, 5th Floor
Troy, MI 48083
(List of products made from old phone books)

National Office Paper Recycling Project
U. S. Conference of Mayors
1620 I Street NW, 4th Floor
Washington, DC 20005
202/293-7330

(Handbook on office paper collection and buying recycled office paper products.)

Plastics/Packaging

Aseptic Packaging Council
2111 Wilson Blvd., Suite 700,
Arlington, VA 22201
703/351-5062

Council on Packaging in the Environment
1255 23rd. St., NW, Suite 850,
Washington, DC 20037
202/331-0099

National Association for Plastic Container
Recovery (NAPCOR)
100 North Tryon Street, Suite 3770
Charlotte, NC 28202
704/358-8882

Polystyrene Packaging Council
1275 K St., NW, Suite 400
Washington, DC 20005
202/371-2487

Tired Rubber

National Tire Dealers' and Re-Treaders'
Association
1250 I Street NW, Suite 400
Washington, DC 20005
202/789-2300

Rubber Manufacturers' Association
1400 K Street NW, Suite 900
Washington, DC 20036
202/682-4800

Other

Council for Textile Recycling
(Buyers Guide and Directory)
7910 Woodmont Ave., Suite 1212
Bethesda, MD 20814
301/656-1077

On-Line Resources

Green Business Forum On-Line

The Green Connection, a Prodigy on-line service, serves environmental professionals as a business forum to network and exchange information, conduct research, and market products. Green Connection also provides a *Recycled Products' Guide* and an on-line library. For more information, contact Steven Fox at 213/953-8555.

Recycled Computer Media Products

Peripheral Manufacturing, Inc. remanufactures a complete line of computer media products including; diskettes, tape cartridges, disk packs, disk cartridges, and magnetic tape. Each product is cleaned, tested, and recertified to meet and exceed the original manufacturers' specifications. 4775 Paris St., Denver, CO 80239, contact Ronald Carboy on (800) 468-6888 or E-mail: periphman@eazy.net

Recycling Goes On-Line

The Global Recycling Network (GRN) has joined the Internet to connect businesses around the world that are buying and selling wastes, surplus manufactured goods, outdated or used machinery, and other recyclable or reusable commodities. For more information, contact GRN at 516/286-5580 or 800/8GRNINC.

A Directory of on-line resources in recycling and composting, issued by Resource Recycling (503) 227-1319. \$12.95.

Eco Living Sourcebook

This database contains listing for more than 500 recycled content building and construction products from 80 U.S. companies on 4 diskettes. Includes descriptions, content percentages, standards, test results, specifications, distributors and pictures. Price: \$39.95. Contact the Kirsten Ritchie & Co., 5810 McAndrew Dr., Oakland, CA 94511-3133. 510/339-8916, E-mail: ecoliving@aol.com

Resources for Environmental Design Index (REDI)

Guide Lists more than 1800 environmentally conscious building materials. The database can be searched by manufacturer, brand name, CSI division, geographical region of distribution, or product category. Price: \$49.00. Contact Iris Communications, Inc., PO. Box 5920, Eugene, OR 97405-0911
Internet: <http://www.oikos.com>
1-800-346-0104 or 541/484-9353

Sustainable Building Resource Center Database

Database contain information about more than 2000 green building materials. Information is dispensed by customer request at no charge. Contact Environmental Works, 402 15th Ave. E., Seattle, WA 98112. Call 206/329-3848

Other

NRC Directory Highlights Purchasing Officials

The National Recycling Coalition (NRC) has published its second *Market Development Directory*. This 1994-95 update contains contact names, addresses, phone numbers, and pertinent information on the recycling market development officials in all 50 states and *many* local jurisdictions.

In addition to the numerous grants, loans, and other market development information, NRC's directory provides up-to-date information on the purchasing departments and buy recycled efforts of all 50 states.

The directory, a \$25 value, is free to anyone who subscribes to NRC's *Market Development Newslink*. Copies of the directory are also available to non-subscribers. For ordering information, contact the NRC Office, 703/683-9025.

Event Recycling

A number of California cities have joined together to produce *Event Recycling*, a brochure

offering tips on how to reduce waste at marathons, parades, festivals, and sporting activities. There is additional information on promoting recycling and buying recycled. For copies of *Event Recycling*, contact the L.A. Integrated Solid Waste Management Office (ISWMO) at 213/237-1444.

Corporate Recruitment

The Buy Recycled Business Alliance has developed a package of information to encourage more companies to commit to increasing their purchases of recycled products. The recruitment package includes an interim report on how Alliance companies are increasing the recycled products marketplace. For information, contact the NRC office at 703/683-9025.

Environmental Issues Influence on Paper Industry

Tappi Press announces the release of *Environmental Issues and Technology in the Pulp and Paper Industry: a Tappi Press Anthology Of Published Papers, 199X-2994*. This anthology, taken from papers presented at non-environmental Tappi conferences shows the influence of environmental issues on all aspects of the pulp and paper industry. The book costs \$97 for Tappi members and has a \$145 list price. For more information, contact Tappi at 800/446-9431.

Industrial Source Reduction

The 1995 Coalition of Northeastern Governors' Policy Research Center, Inc.'s update, *Voluntary Reduction by Industry*, provides information on industry efforts to reduce packaging wastes. To obtain a copy, call the Coalition at **202/624-8453**.

Waste Wise

The EPA offers a voluntary business program to assist and encourage source reduction recycling and buying recycling through recognition and technical assistance. For more information, contact 800/EPA-WISE (800/372-9473).

Southwest Public Recycling Association

is a non-profit organization (AZ, CO, NE, UT, TX & Native American Tribes); which promotes, strengthens, and provides leadership in waste reduction, reuse and recycling throughout the SW. Conducts cooperative marketing, and training workshops, publishes a "Buy Recycled Guide," and organizes the annual SW Recycling Market Development Conference. PO Box 27210, Tucson, AZ 85726, Contact Gary J. Olson, Executive Director on (520) 791-4069

States

Arizona

Small Business Reduce, Reuse, & Recycle Project
34 West Monroe, Suite 900
Phoenix, AZ 85003
602/495-6469

California

California Buy Recycled Guide
San Jose University Environmental Studies Program
San Jose, CA 95192-0204
408/924-5453

California Against Waste Foundation
"Shoppers Guide to Recycled Products"
"Business & Government Buyers Guide"
926 J Street, Suite 606
Sacramento, CA 95814
(916) 443-8317

The San Diego EcoNetworker Directory
Imagination Station
PO Box 2929
Vista, CA 92085
(619) 726-3755
E-mail: muzikwritr@aol.com

L.A. NETWORK RESOURCE LIST

L. A. Network Guide To Buying Recycled
Integrated Solid Waste Mgmt. Office
200 North Main Street, Rm 580
Los Angeles, CA 90012
213/237-1444

MARKETWATCH

Recycled Products, Manufacturers, Processors
InfoCycle Bulletin Board
CA Dept. of Conservation
Market Development Section
801-K Street, MS. 18-55
Sacramento, CA 95814
916/322-0969
I-SOO-Recycle

California's Department of Conservation (DOC) granted \$75,000 to build a model house from recycled materials, which will be displayed at county fairs throughout the state. DOC also gave \$25,000 to the Long Beach Children's Museum for a buy recycled exhibit set up as a grocery store where children can run the items over a scanner to see if they are recycled. For information, call Jim Kuhl at 310/570-2850

District of Columbia

The Metropolitan Washington Recycled Products Directory

Metropolitan Washington Council of Governments
777 North Capitol St.; NE, Suite 300
Washington, DC 20002-4226
(202)962-3256

Colorado

Buy Recycled, Colorado
Colorado Office Of Energy Conservation
1675 Broadway, Suite 1300
Denver, CO 80202-4613
303/620-4292

Georgia

Buy Recycled...Buy Georgia
Georgia Department of Community Affairs
1200 Equitable Building
100 Peach Tree St.
Atlanta, GA 30303
404/656-3851

Indiana

Buy Recycled Indiana!
Indiana Department of Commerce
One North Capitol, Suite 700
Indianapolis, IN 46204-2288
Contact: Jim Mahern, 317/232-8940
Alex Yovanovich, 317/232-8873

Iowa

Buy Recycled Iowa Products Guide
Waste Management Assistance Division
Iowa Department of Natural Resources
900 East Grand Ave.
Des Moines, IA 50319-0034
Contact: Beth Hicks 515-281-8672
Jeff Geerts 515/281-8176
To order call 515/281-2079

Maryland

Buy Recycled Training Manual
Northeast Maryland Waste Disposal Authority
25 South Charles Street, Suite 2105
Baltimore, MD 21201
Contact: Richard Keller
410/333-2730 or 2721

Massachusetts

Guide to Information Source About Recycled Products
MA Department of Environmental Protection
1 Winter St., 4th Floor
Boston, MA 02108
Contacts; Jeffery Lissack 617/292-5583
Nancy Ballantyne 617/292-5960

Michigan

Recycled Products: Recycled Materials Market Directory
Office Of Waste Reduction Service
Environmental Service Division
Dept of Commerce and Natural Resources
PO Box 30004
Lansing, MI 48909-7504

Michigan's Department of Natural Resources, Environmental Assistance Division published the *Michigan Manufactured Recycled Products*, a directory listing recycled products made or distributed in the state. The publication includes several categories of products, contacts, and information on postconsumer content. For more information call the Michigan Waste Reduction Information Clearinghouse at 800/662-9278.

Minnesota

Minnesota Recycled Product Directory
Minnesota Office of Environmental Assistance (OEA)
520 Lafayette Road N., 2nd Floor
St. Paul, MN 55108
800/657-3843
612/296-3417

Environmentally Responsible Government Procurement Guide
Metropolitan Area Solid Waste Management Coordinating Board
235 East 6th Street
St. Paul, MN 55101-1919
Contact: Linda Gondringer 612/222-7227

Missouri

Missouri Buy-Recycled Initiative
Missouri Market Development Program
P.O. Box 744
Jefferson City, MO 65102
Contact Lee Fox 314/520-5555

Mo-Kan Simply Buy Recycled Directory
Bridging the Gap
PO Box 10220
Kansas City, MO 64171
(816)561-1087

New Jersey

New Jersey Business Guide To Recycled Products
120 Finderne Ave.
Bridgewater, NJ 08807
(908) 722-7575

New Jersey Department Of Environmental Production & Energy
Division of Solid Waste Management
Trenton, NJ 08625-0414
Contact: Helen Kushner
609/530-8208

New Mexico

Business Directory New Mexico Recycling
New Mexico Environmental Department
Solid Waste Bureau
1190 St. Francis Dr.
P.O. Box 26110
Santa Fe, NM 87502
Contact Butch Tongate 505/827-0488

New Mexico State Purchasing Division is revising the specification for materials currently being procured and establishing contracts for new materials as they become available. For more information, contact Melinda Via at 505/827-0488

New York

Earth General
Stephan H. Doering
72 Seventh Ave
Brooklyn, NY 11217-3649
781/398-4648

North Carolina

NC Manufacturers of Recycled Products
NC Office of Waste Reduction
PO. Box 29569
Raleigh, NC 27121-9569
919/571-4100
800/763-0136

Ohio

Directory of Ohio Vendors of Recycled Products
Ohio Department of Natural Resources
Division of Recycling and Litter Prevention
1889 Fountain Square Court, F-2
Columbus, OH 43224-1331
Contact: George Peters 614/265-6333

Buy Recycled Directory of the Tri-County Vendors of Recycled Products Mahonig County Solid Waste Management District
126 Boardman-Poland Rd.
Youngstown, OH 44512
Contact: 216/629-2176

Oregon
Guide to Recycled Products: Consumer-Retail Edition
Metro/Solid Waste Dept.
600 NE Grand Ave.
Portland, OR 97232-2736
(503)234-3000

Index Of Recycled Products
The Metropolitan Service District
2000 SW First Ave.
Portland, OR 97021
503/234-3000

Earth- Wise Purchasing
Metro
600NE Grand Ave.
Portland, OR 97232-1700
503/234-3000

A Guide to Recycled Products, Commercial and Industrial
600 NE Grand Ave.
Portland, OR 97232-1700
503/234-3000

A Shoppers Guide to Buying Recycled
Metro
600 NE Grand Ave.
Portland, OR 97232-1700

Pennsylvania

The Guide for Buying Recycled Products
Pennsylvania Resource Council
3606 Providence Rd.
Newtown Square, PA 19073
(610) 353-1555 or (BOO)GO-TO-PRC

Close The Loop: Guide to Recycled Products
Pennsylvania Resource Council
P.O. Box 88
Media, PA 19063

Environmental Shopper
Pennsylvania Resources Council
PO. Box 88
Media, PA 19063

Rhode Island

The Buy Recycled Guide
RI Dept. of Environmental Management
83 Park Street
Providence, RI 02903-1037
Contact: Garrett Iannella 401/277-3434 x4409

South Carolina

Buy Recycled Procurement Guide
SC Dept. of Health & Environmental Council
Office of Solid Waste Reduction and Recycling
2600 Bull St.
Columbia, SC 29201
Contact: Jana White 803/896-4221

Texas

Buy Recycled, E-Source Database
Educational Videos
Texas General Land Office
1700 N Congress Ave, # 620
Austin, TX 78701
Contact: Terry Robinson 512/463-5344
Ted Hazen 512/475-1600

Texas recycling contacts for the city, county, and state levels are listed in a directory published by the Texas Natural Resources Conservation Commission (TNRCC) The volume also summarizes curbside and drop-off programs across the state, indicating the materials collected. For more information, contact Heidi Wittenborn, TNRCC Box 13087-MC 114, Austin, TX 78711-3087.

Utah

Guide to Buying Recycling Products In Utah
Utah Dept. Of Environmental Quality
324 South State Street, Suite 500
Salt Lake City, UT 84114-7360
(800)458-0145

Vermont

Closing The Loop: A Guide to Recycled Products and Services
Association of Vermont Recyclers
PO Box 1244
Montpelier, VT 05601
Contact: Barry Lampke 802/229-1833

Washington

Recycled Product Directory/Recycled Content Building & Construction Products
Dept. of Trade & Economic Development
2001 6th Ave., Suite 2700
Seattle, WA 98121
(206) 587-5520

The Essential Guide to Recycled Office Products
King County Commission for Marketing Recyclable Materials
400 Yesler Way, Room 200
Seattle, WA 98104

Pierce County, Washington's Solid Waste Division, built a modular home from recycled and reused materials and has a list of more than 100 recycled products made by 60 different companies. For more information, contact Nancy Thurston at 206/593-4050.

King County, Washington's Commission for Marketing Recyclable Materials, has been working to encourage purchases of recycled products through its "Get in the Loop" campaign. The county sponsored a demonstration garden in the Northwest Flower and Garden Show featuring recycled plastic lumber, paint, garden hoses, glass paving, decorative tiles, and compost.

The county has also issued a summary of a construction industry market assessment. The report covers the recycled construction products markets, looking at different perspectives in the industry, issues and barriers, and finally presenting trends and conclusions. For more information, contact Joyce Gagnon at 206/296-0232.

Wisconsin

Wisconsin's Guide to Recycled Products: An Introduction to the Department of Administrations' Recycled Product Clearinghouse.

WIDOA
PO. Box 7867
Madison, WI 53707
Contact: Dan Wehrman 608/267-6922

Wisconsin Recycled Products Retailers' Directory
UW-Green Bay
ES 317
Green Bay, WI 54311-7001
Contact: Mary Kohrell 414/465-2707

Information in this directory was, in part, taken from the Recycled Products Business Letter with permission from Alan Orloff, editor. The Buy Recycled Business Alliance, Program of the National Recycling Coalition, is a group of companies committed to increasing their use of recycled content products. The Buy Recycle Newslines provides information about purchasing recycled products for members of the Buy Recycled Business Alliance.

Recycled Products Market

These products have appeared in past issues of the *Buy Recycled Newsline*. The Buy Recycled Business Alliance provides this resource as a service to its members and does not endorse or guarantee any of the following products or services.

100% Postconsumer Plastic Office Products

A full line of 100% postconsumer plastic office products has been created from RE-UN a post-consumer resin made exclusively from bottles and containers collected through U.S. and Canada recycling programs. The line includes binders, clipboards, report covers, and promotion cases. For more information contact Daystar Recycling Corporation at 315/476-7122.

Office Supplies

The John Christian Company made "Popoly" binders from 100% PET soda bottles and from 100% HDPE milk cartons. For more information call William Meinke at 800/703-7033.

Specialty Paperboard makes notebooks, fileholders, index cards, three-ring binders, and other office and school paperboard supplies with 25-100% recycled paper, including 25-100% postconsumer recovered paper. For more information call 800/451-4378.

Recycle Your Software

Every year, millions of software packages become obsolete, even before being opened or are returned for updated versions, then discarded. Now, two new companies are changing that trend.

Peripheral Manufacturing, Inc., has a line of recycled/remanufactured computer media products, including diskettes, cartridge tapes, and cartridges. Green Disk, Co. remanufactures old disks by erasing, reformatting, and relabeling them. Disks have been used only once, but pass quality control at least three times. For more information, call Ron Carboy at Peripherals, 800/468-6888, or Green Disk, 206/222-7734.

Georgia-Pacific Introduces GeoCycle Line of Office Paper

Georgia-Pacific is offering a free sample ream of its GeoCycle line of paper that contains 20% post-consumer fiber. The sample ream, packaged in wrap and cartons comprised of 15% post-consumer fiber, includes sheets in pink, green, blue, canary golden, ivory, and white. The GeoCycle line is suitable for general office applications, including printers, copiers, and fax machines. For information, contact Georgia-Pacific Corp., Sample Service Dept. at 800/635-6672.

100% Recycled Stock Envelopes Price Competitive

A line of recycled letterheads and matching envelopes in a variety of colors and finishes are produced by the Massachusetts Envelope Company in Somerville, MA and the General Business Envelopes Company of Hartford, CT. The envelopes can include recycled window materials, are laser printer compatible, and meet or exceed EPA standards. For a complimentary sample of recycled letterhead, envelope or presentation folder, contact Tom Cummings at 800/445-0900 or 800/368-1368..

Paper from Jeans

Watson Paper Co., in Albuquerque, NM has developed a line of paper products from 100% denim and cotton, including blue jean scraps from a Levi Strauss & Co., plant. About 80,000 pounds per month of Levi's materials that was going to landfill is now being made into envelopes, business cards, packaging materials, and other specialty paper products. For more information, call 505/242-9100.

Re-Ink Fabric Printer Ribbons

Ribbon Recyclers, Inc., mink used printer ribbons to be returned directly to the consumer. Through this process, the same fabric ribbon can be used many times, avoiding the toxic waste occurring when immediately discarding used printer ribbons. For more information, contact Errol Rowland at 800/477-3465 or 303/3774695.

Reusing Envelopes

Green Works Envelopes are recycled attachments that go over an envelope for a return **mailig**. The envelopes use 40% of the paper required for new envelopes and weigh half as much. For more information contact Green Works at **503/234-2893**.

Recycled Packaging

Corrupad Protective Packing has developed a cushion packaging product made from 100% postconsumer waste paper. For more information, call Mike Weiner at 630/238-8090.

Ship In Recycled

Global Industries' shipping cartons contain at least 65% recycled cardboard and are printed with water based inks that contain no heavy metal pigments or harmful solvents. For more **information**, contact Brian Gagnon at 800/220-1900, ext.224.

Naturewise recycled shipping and mailing supplies include bubble mailers, corrugated mailing boxes, and tubes, craft wrapping paper "Poly Tough" mailing envelopes, and mailing labels. For information contact Jennifer Balsley at 800/648-1871.

Reuseables Instead of Paper

Reuseables offers a recycled paper alternative, including reusable fax transmittal sheets, phone **message** sheets, scratch sheets, and paper. For more information, call Reuseables at 818/707-0449

Write With Recycled

Enviromark is a water-based marker that contains and is packaged in-recycled material. The marker's barrel and cap are made from recycled **mate-**rials, and the paperboard blister card is 100%

recycled. Enviromark comes in red, blue, and black non-toxic ink made with water-soluble food-grade dyes. For more information contact the Sanford Corporation at 800/323-0749.

Recycled in the Office

Recycled Office Furniture Systems, Inc., offers remanufactured desks, chairs, conference tables, modular office systems, custom cabinetry, and more. Quality, name-brand used furniture is reupholstered, repaired, refinished, and sold for a fraction of its original cost. For more information contact Edward Bury at 312/890-0700.

Reclaiming Wood Packaging Discards

A new line of reclaimed wood garden products, introduced by Big City Forest, Bronx 2000's wood reclaiming subsidiary, includes planters, benched display stands, towers, tables, and book-cases made exclusively from lumber reclaimed from discarded wooden shipping pallets, crates, and other non-construction wood.

In addition to the garden products, Big City Forest uses the discarded wood from businesses in the New York metropolitan area to make products such as pallets, furniture, and flooring. For information, contact Big City Forest at 718/299-1183.

Glass on Floors

Terra Green is using recycled glass to make Traffic Tiles floor tiles. About 70% of the tiles come from old glass, much of which is from old cars. For more information, contact 317/9354760.

New Recycled Plastics

RENEW Plastics, a division of N.E.W. Plastics Corp., has introduced a line of recreational products made from recycled plastic lumber. The lumber is manufactured from high quality recycled plastic materials into picnic tables, park benches, refuse containers, and other items. RENEW also makes Perma Poly boards and sheets **from recycled plastic**. With the texture and feel of wood, they can be used in a number of construction applications. For more information, call 414/845-2326.

Finish With Recycled

Phoenix Biocomposites has introduced Environ, a biocomposite interior finishing material made from waste paper and other waste materials. Made to look like granite, the material can be adhered to wood and used for furniture, counter-tops, and architectural detailing.

Environ consists of 40% old newspaper and 40% soybean flour, an industrial by-product of the soybean oil manufacturing process. The material comes in four shades: emerald, midnight, sunset, and imperial. For more information call 800/324-8187.

Paper Into Mulch

Green Stone Industries converts newspaper into insulation, poultry bedding, and custom fibers that replace asbestos in roofing applications and asphalt coatings. For more information call Eric Oganessoff at 540/825-8000.

NewPlast Plastic Sheeting

Prize Plastics & Chemicals, a Long Island based manufacturer and reprocessor of plastic film and sheeting, has introduced NewPlast, an alternative to traditional Plastic sheeting products. NewPlast is composed of 15% postconsumer recycled plastic and is non-leaching, UHF heat sealable, self-extinguishing, sewable, printable (including hot stamping), and flexible.

NewPlast may be specified in thickness ranging from .004" through .50", in any color plus Frosty Clear. For more information, contact Brandon Miller at 516/239-9145.

James River Corporation Introduces New Premium Recycled Products

Among the James River Corporation lines are Quilted Northern and Brawny 100% recycled bathroom tissue, napkins, and paper towels, made from recovered high-grade book and magazine overruns, office paper, and excess computer ledger paper. These premium products include a minimum of 10% postconsumer recovered paper. The cardboard tubes and shipping boxes are

made from 100% recycled paper, and the plastic packaging contains a minimum of 20% recycled material.

In addition to Quilted Northern and Brawny, the James River Corporation introduced Eureka!, a line of premium recycled communication papers, including xerographic paper used in high-speed copy and fax machines and Renaissance tissue, towel, and napkin products for the institutional market. For more information, contact Dick Elder at 804/343-4785.

Colorado Company Introduces Recycled Route Signs

Approximately 30% less expensive than equivalent redwood signs, these route signs are manufactured from HDPE, with postconsumer content ranging from 20% to 70% depending which color is selected. The recycled content signs do not require painting or staining and are moisture and vandal resistant, providing a longer life-cycle than their wood counterparts. Four standard color selections are available, and the HDPE has been specifically formulated for optimum UV stability and color retention. For more information, contact Wood Product Signs at 303/641-1675.

Trash Can Liners From Recycled Grocery Bags

Phoenix Recycling manufactures plastic trash cans with up to 30% postconsumer waste. The postconsumer waste is recovered through the Phoenix School Recycling Program, which allows students to earn \$1 for every pound of plastic grocery bags they collect. For more information contact Jad Anthony at Phoenix Recycling, 803/237-1711.

Eco-sTuff Manufactures Children's Furniture from Recycled Paper

Eco-sTuff is a line of educational and ecological children's furniture made from 100% recycled newspaper. Chairs and tables are sold in easy to assemble kits that can be finished using any type of paint, and the chair backs **come in** a variety of styles- letters from A-Z and several shapes. Also

available are Ecoflats! Half inch letters, symbols and numbers that can be used as wall hangings, blocks, and game pieces. For more information contact Eco-Furniture, Inc. at 212/431-3723.

Rising Star Futons

Rising Star Futons, Inc., sells a variety of futons and futon-related items and accessories made with recycled PET fiber from discarded soda bottles. For more information, contact Leslie Blok at 541/3824221.

Sleep on Recycled Products

Hospitals and hotels can buy recycled through recycled fiber fill pillows and bedding from Bio Clinic. Renew brand bedding products are made with high grade, recycled polyester fiber from polyethylene terephthalate (PET) soda bottle. For more information, call Sunrise Habitat at 800/388-4083.

Recycled Cotton Textile Fiber

Eco Bay manufactures fashion apparel and specialty products using Eco Fiber, where waste fiber is spun into new yarn, either jersey fleece or cotton twill, then finished with phosphate free soaps and treated with hydrogen peroxide. Eco Bay manufactures 18 different types of garments, which contain up to 100% recycled fiber. For more information, contact Gary Hanneken at 800/247-2160.

Recycled Gardening Products

Blueberry Plastics, Ltd., manufactures PET products and kids' products in addition to garden products such as gardening tools, flower pots, plant sprayers, and water cans out of 100% post-consumer recycled plastic. For a catalog, contact 800/247-2160.

Amofoam-Rcy Certified By Scientific Certification Systems

A foam insulation board made with a minimum of 50% recycled polystyrene received certification by Scientific Certification Systems (SCS), an independent organization that evaluates manufacturers' environmental claims. Amofoam-RCY and Amofoam-RCX, containing a minimum of 50% recycled polystyrene resin, can be used in both

commercial and residential construction applications. A minimum of half the recycled material is derived from postconsumer sources. The remainder comes from industry-related sources. For more information, contact Jack Lubker at 404/350-1457.

Johnson Control Receives FDA Clearance for Recycled PET in Direct Food Contact

Johnson Controls, Inc., a PET bottle manufacturer, has received clearance from the Food and Drug Administration (FDA) to use conventionally recycled postconsumer PET in direct-contact food packaging. Johnson Controls received an FDA letter of non-objection to use as much as 100% Supercycled, the brand name for the Johnson Controls' postconsumer product, for direct contact with food. The letter allows use of the material at any filling temperature, including temperatures suitable for hot fill food operations. For more information, contact David Smith at 708/381-8835.

PET Beverage Bottle

Very Fine is now packaging some of its products in hot-fillable, multi layer, 16.ounce single serve, PET plastic bottles, comprising 35% postconsumer content. This multi layer design maintains product quality by preventing the oxygen transfer that causes color and taste-degradation, a technology not achievable with small-sized monolayer PET plastic bottles. The multi layer package is a clear, lightweight, shatterproof, and recyclable single layer PET. In addition, the package is hot-fillable which is critical to the pasteurization process. For more information, contact Bill Lindsey at 508/692-0030.

Tires On The Floor

Dodge-Regupol, Inc. is using 100% recycled rubber tires in its new line of rubber flooring. The flooring is offered in a variety of colors suitable for indoor or outdoor use, and provides noise reduction, shock absorption, and pedestrian comfort. For more information contact Laura Dodge 717/295-3400.

Recycled Tires Into Brake Pads and Floor Mats

Royal Rubber & Manufacturing company manufactures Royal Floor Mats made from 80% post-consumer recycled rubber tires, recycling more than 18 million pounds of tires annually. For more information contact Scott Mutch at 800/237-8628.

Recycled in the Field

JaiTire Industries has created a soil amendment product from recycled crumb rubber and compost materials. "Rebound", a patented, 100% recycled material, can be used in high traffic areas to reduce soil compaction on paths, increase root mass of a soil area, and improve the turf of baseball fields. For more information, contact 800/795-TIRE.

Recycling Old Carpets

Collins & Aikman floor covering has developed "Infinity Initiative," a process to recycle used vinyl backed carpet and carpet tile into a variety of consumer products. The first new product, car parking stops, is already available, while other products, including industrial flooring, highway soundwall barriers, and marine bulkheads are currently being tested. For more information, contact 404/880-5254.

Appleton Papers, Inc., Closes The Loop in Packaging

Appleton Papers, a manufacturer of carbonless paper, uses new packaging of bubble wrap and clear film made from 30% recycled plastic, including 15% postconsumer materials. Appleton has initiated a program for customers to recycle the packaging, which will then be made into new packaging to be used directly by Appleton Paper, Inc.

Appleton Papers, Inc. is interested in sharing information on developing the program with other companies that may want to pursue similar strategies. For more information: 414/749-8118.



Appendix D

Where Can Agencies Buy Recycled Content Products?

The following Federal agencies were established by law to provide supplies and services to the Federal Government. Users can be assured the products containing recovered materials have been procured based on appropriate specifications and standards meeting the Executive Order and RCRA requirements. These procurement sources can greatly help agencies achieve their “buy recycled” goals.

An additional benefit to buying from these sources is their ability to track and report recycled content product purchases directly to OMB and FEE, thereby reducing agency reporting requirements.

General Services Administration

Through a multifaceted supply system, the General Services Administration (GSA) Federal Supply Service provides the Federal community with thousands of environmentally oriented products and services including EPA designated items such as:

More than 1,000 EPA designated items such as; recycled content paper and paper products, retread tires, and building insulation;

Energy conserving items including: appliances, Energy Star computers, office equipment, and alternative fueled vehicles;

Reformulated paint and chemical products; and

Regional contracts for the recovery, recycling, and disposal of hazardous and nonhazardous materials.

Contracts for excess furniture recycling

Information concerning these products and services is contained in **GSA’s Environmental Products Guide** (EPG), a handy reference companion to the GSA Supply Catalog, Customer Supply Center Catalogs, Federal Supply Schedules, and other publications.’ The EPG is also available on GSA’s Multi-User File for Interagency News (MUFFIN), an electronic bulletin board. To get a copy of the latest EPG or MUFFIN manual, contact the GSA Centralized Mailing List Service (CMLS), Box 6477, Fort Worth, TX 76115 or call (817) 334-5215. For computer support help with MUFFIN, call (703) 305-7200.

Soon, GSA’s environmentally oriented products and services will be available on the Internet through GSA ADVANTAGE!-an on-line shopping service. This new system will enable GSA’s customers to browse, search for product specific information, review delivery options, and place orders instantly. The system is being developed incrementally and tested by a select group of activities. Full implementation extends to 1998. A variety of announcements including “Marketips” will be used to keep the Federal community apprised of the progress. The address is: [http:// www.gsa.gov](http://www.gsa.gov). Advantage On-line Shopping Service Internet e-mail address: GSA.Advantage@gsa.gov. Voice mail Hotline: (703) 305-7359.

**It is important to verify that purchases meet specific environmental requirements.*

GSA's customer base is being expanded for Federal Supply Schedules. The Cooperative Purchasing section of the 1994 Federal Acquisition Streamlining Act provides for the use of GSA's schedules by state and local governments. The Proposed Implementation Plan for § 1555 of the Federal Acquisition Streamlining Act of 1994 (P.L. 103.355), Cooperative Purchasing, was published in the Federal Register on April 7, 1995 (60 FR 17764). The necessary changes to the GSA Acquisition Regulations implementing cooperative purchasing were targeted to be in place by October 1, 1995 but this action is on hold as of January 1996. For more information, call FSS Schedule Information Center (703) 305-6477 or (703) 305-7937.

Another service GSA provides allows new products to be introduced to Federal customers. The **New Item Introductory Schedule** (NIIS) is a specialized Federal Supply Schedule designed to introduce **new** or improved products to the Federal government in order to test demand. If sufficient demand develops, products are moved from the NIIS to a permanent placement method of supply (PPMOS). NIIS contracts are awarded for three years under multi-year contracting authority.

GSA Forms 1171, New Item Applications are prepared by vendors and are reviewed and processed by the appropriate Business Service Center (BSC), the Logistics Data Management Division, and the appropriate commodity center, in accordance with FSS P 2901.11A.

Defense Logistics Agency

The Defense Logistics Agency (DLA) is an important source of supply for environmental products and supplies. DLA's Inventory Control Points (buying activities) support both the Department of Defense and civilian agencies with such diverse products as energy-efficient lighting and motors, re-refined oil products, alternatives to ozone-depleting chemicals, or any of the other "Top 17" chemicals on EPA's

33/50 Target Chemical List, as well as recycled content or remanufactured products.

Two important DLA resource catalogs, the **Energy Efficient Lighting Catalog** and the expanded **DLA Environmental Products Catalog**, are dedicated to environmental product awareness. The DLA Environmental Products Catalog includes items from all DLA Inventory Control Points containing recycled material or having other environmental benefits. Products managed by DLA can be ordered by simply using standard ordering procedures in the FEDSTRIP/MILSTRIP format and submitted via autodiv, MUFFIN, DAMES, fax, or telephone.

To obtain information on these items or to be added to the mailing database, call (800) DLA-BULB [(SOO) 352-28521 or fax (800) 352-3291. Military customers can call DSN 695-5699 or fax DSN 695-5695. For information on the CD-ROM version of the DLA Environmental Products Catalog, contact the Defense Logistics Service Center (DLSC) at (616) 961-4459 or DSN 932-4459.

The Defense Supply Center, Richmond (DSCR), within the DLA organization, can be accessed on the Internet: Home Page Address is <http://www.dscr.dla.mil>. On-line catalogs and ordering is possible. Products include energy efficient lighting, environmentally preferable products, motor oil, saws, welding machines, food services, etc. Home pages and catalogs are expected by early 1996. Their Director for Business Development can be reached at (800) 352-2852.

Government Printing Office

The U.S. Government Printing Office (GPO) supplies printing paper and printing services to Federal departments and agencies, primarily those in the Washington, DC, area. Papers purchased through GPO on its three-month term contracts or in printing contracts contain recycled fiber in accordance with the Government Paper Specification Standards. Generally, these

papers contain the minimum recycled fiber content as prescribed in EPA's recommendations and Executive Order 12873.

In GPO's blank paper sales program, many types of printing and copying paper are available. The program is explained in two catalogs, with pricing information published quarterly. These are available upon request from the Paper and Materials Control Section. The Blank **Paper and Envelopes, Inks, and Services** catalog contains cost information on smaller sheet sizes or office-sized paper wrapped in quantities of **500** or **1,000** sheets. The **Paper Catalog** lists paper used in printed and bound jobs. Both of these catalogs contain tables of recycled fiber content for each specified paper product sold by the GPO. Call (202) 512-0209 or fax requests to (202) 512-1569.

GPO sells three kinds of copier paper under specifications JCP O-60, O-65, and O-70. JCP O-60. Plain copier paper has no minimum recycled fiber content requirement; therefore, it does not meet the requirements in the Executive Order. JCP O-65 contains the mandatory 20 percent postconsumer fiber content. JCP O-70, 100 percent recycled plain copier, xerographic paper, specifies at least 50 percent postconsumer fiber.

All copier paper purchased and sold by GPO is subject to careful testing and evaluation of performance before being placed on the qualified products list (QPL). GPO's technical staff assists customers with all printing paper and paper used for office printers, copiers, and other machines specified in agency requisitions.

Again, it is important that the customer verify that the purchase meets the specified requirements.



The first annual "America Recycles Day" will be held on November 15, 1997. This is a national environmental partnership effort aimed at increasing consumer purchases of recycled products, increasing nationwide media attention and promoting public support for recycling and waste reduction. To reinforce public support for recycling, this new partnership will encourage businesses, industry, government agencies, schools, civic and environmental groups to organize special events, education campaigns and incentive programs. Vice President Al Gore will serve as the Honorary Chairman of the 1997 "America Recycles Day" campaign.



Appendix E

Big Three U.S. Automobile Manufacturer's



Ford Motor Company Position One Re-Refined Base Engine Oils

Ford Motor Company does not specify the type of base oils to be used for engine oil meeting Ford's requirements. Regardless of the origin of the base oils, a nonFord engine oil is acceptable for use if manufacturing and quality control practices ensure the oil continuously meets Ford's performance requirements.

Ford recommends using engine oil meeting Ford Specification ESEMZC153E and licensed as CERTIFIED FOR GASOLINE ENGINES by the AMERICAN PETROLEUM INSTITUTE (API Certification). Both virgin and re-refined engine oils are capable of meeting these requirements by qualifying against a series of rigorous tests designed to ensure their suitability for modern gasoline engines. While these tests confirm a specific sample of the oil qualifies with acceptable performance, it is the responsibility of the oil marketers to ensure that their products meet the requirements consistently and continuously.

In general, vehicle operation, adjustments and maintenance procedures, such as oil changes, performed contrary to recommended manufacturer specifications may, but do not automatically, void the applicable warranty. Each warranty claim is reviewed on its own merits. If, however, the use of a nonFord product causes or contributes to the failure of a Ford component, the cost of repairing the affected component is not covered by the Ford vehicle warranty. In such cases, the vehicle owner would have to look to the seller or installer of the nonFord product for the replacement of the affected components and for any related damage to the vehicle.

Based on recent engine oil market surveys, Ford has concerns that some engine oils made with re-refined base oils may not consistently meet Ford's engine oil requirements. Test results show viscosity characteristics and low temperature performance of some engine oils made with m-refined base oils are unacceptable. However, there are other engine oils made with re-refined base oils which have met API Certification requirements and have met viscosity and low temperature characteristics.

Customers considering the use of engine oils made with re-refined base oils should be aware that the final product quality may vary if improper manufacturing controls are used. Marketers of engine oils made with r-refined base oils must adhere to standards for their base oils which ensure variations in re-refining processes or incoming raw materials do not adversely affect performance. In addition to a standard for the base oil properties, it is Ford's view that a r-refined oil produced with stringent manufacturing controls and batch to batch testing of low temperature viscosity performance and other significant characteristics would comply with Ford's recommendations.

Look for this
Certification Mark
September 9, 1994





GENERAL MOTORS POSITION ON USE OF RE-REFINED ENGINE OILS

General Motors recommends for use in its vehicles engine oils which meet the performance requirements specified in the latest International Lubricant Standardization and Approval Committee (ILSAC) Minimum Performance Standard (currently ILSAC GF1), and which are certified by the American Petroleum Institute for use in gasoline engines. Such oils may be identified in the marketplace by looking for the Certification Mark Shown below on the front of the engine oil container.

Engine oils meeting these requirements can be made with either virgin or re-refined base oils. In both cases it is the oil marketer's responsibility to ensure that the product satisfies the performance requirements specified above both during initial product approval, and during the time that the product is being manufactured for sale. It is particularly important that steps be taken by marketers of engine oils made from re-refined base oils to ensure that variations in re-refining processes or raw materials do not adversely affect oil performance.

General Motors encourages the use of properly qualified re-refined products which consistently satisfy recommended performance requirements as a means of conserving vital petroleum resources. Use of re-refined products that have not been properly qualified or do not consistently meet performance requirements, however could result in engine damage, and could harm the reputation of all re-refined products. Engine damage caused by the use of an engine oil which does not meet the recommended performance specifications may not be covered by the General Motors new vehicle warranty.



Look for this
Certification Mark
December 1, 1994



CHRYSLER CORPORATION POSITION ON RE-REFINED ENGINE OILS

The engine oil used in Chrysler vehicles must meet the Owners' Manual recommendation to satisfy warranty requirements. This recommendation is to use an oil displaying the American Petroleum Institute Certification Mark (shown below). It must also be the SAE viscosity grade appropriate to the temperature, as shown in the Owner's Manual.

Oils that display this registered mark on the front of the container are certified to meet all the requirements of the International Lubricant Standardization and Approval Committee (ILSAC) GFI standard for engine oil. This specification does not differentiate between products made from virgin base oils or re-refined base oils. The marketer of the product must make sure that not only the initial product, but every batch of oil, meets the requirements of this specification.

Oils made from re-refined base oils can meet these requirements; however, not all of them do. By careful control of re-refining and blending processes, some marketers produce good quality oils from re-refined base oils. These are acceptable for use under the Chrysler New Vehicle Limited Warranty, Low or inconsistent quality oils may cause engine damage not covered by warranty.

Chrysler encourages the proper disposal and recycling of used oil to preserve natural resources and the quality of the environment. Recycling is encouraged by the purchase and use of these products.



9/95



General Services Administration
Federal Supply Service
Washington, DC 20406

FEBRUARY 27,1995

MEMORANDUM FOR FEDERAL FLEET MANAGERS

FROM:LESTER D. GRAY, JR.
DIRECTOR, FLEET MANAGEMENT DIVISION (FBF)

SUBJECT: Use of Rerefined Oil in Interagency Fleet
Management System (IFMS) Vehicles

Recently, the General Services Administration (GSA) and the Federal Environmental Executive jointly sponsored a Conference on Re-refined Oil Use in Motor Vehicles. The December 7,1994, conference included presentations by members of the re-refined oil industry, the American Petroleum Institute (API), and the American Automobile Manufacturers Association (AAMA), and the industry representative for the original equipment manufacturers (OEMs). The conference also included a number of representatives from Federal agencies which operate significant numbers of motor vehicles

Prior to the December conference, the major issue affecting use of re-refined oil in IFMS vehicles was the position of the OEM's concerning vehicle warranty coverage. However, the AAMA representative indicated that the OEMs recently had updated their policies in this area. We then reviewed the OEM's new positions to determine if a change in the IFMS policy was necessary. Based upon this new information and the ability of some re-refined oils to meet API standards, we are revising our policy in this area.

Re-refined oil should be used in IFMS passenger vehicles and light duty trucks when available and where:

1. The re-refined Oil meets current API standards, as evidenced by the presence of the "Starburst" symbol on the front of the container;
2. The oil is the proper grade and viscosity for the vehicle being serviced (i.e., 5W30,10W30,10W40, etc.); and
3. The price of the re-refined oil is less than or equal to that of a comparable virgin oil product.

The IFMS has very few inhouse maintenance facilities. At these few locations, however, we are working with the Defense General Support Center in Richmond, Virginia, to acquire re-refined oil, consistent with our new policy. Where we have crossservice agreements with other Federal agencies, our Fleet Managers and inspectors will be working with local motor vehicle representatives to encourage the use of re-refined oil through these agreements.

Current availability at service stations and quicklube type outlets varies throughout the country. We have requested the two major basestock providers, Evergreen and SafetyKleen, to supply us with information about their present capability to meet our needs and their plans for expanding their distribution network. When this information, arrives it will be shared.

In light of the steps we are taking, we recommend reviewing agency policy on the use of re-refined oil for your own vehicle fleet. We plan to address this issue at the next meeting of the Interagency Motor Equipment Management Committee, now scheduled for March 3,1995.

If you have questions or need additional information, please contact Mr. Larry Frisbee, (703) 305-6837.

"Note: the Defense General Supply Center is now the Defense Supply Center Richmond (DSCR).



Appendix F

Changes to the Federal Acquisition Regulation FAC 90-27

The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council issued a revision to the Federal Acquisition Regulation (FAR) for environmentally preferable products on May 31, 1995. The FAR revisions were published as a final interim rule, effective immediately. The rule amends the FAR to clearly reflect the government's preference for the acquisition of items containing the maximum practicable recovered materials content.

More specifically, these FAR revisions:

1. Encourage contractors to maximize the use of double sided recycled paper for submitting written acquisition documents.
2. Require all procurements of EPA-designated items meet the EPA's minimum standards for recovered material content, unless otherwise approved.
3. Require new certification and oversight requirements for new contractors. Included is an annual certification of EPA-designated items used or provided and dollar value to be provided to and reported by an agency designated office.
4. Require new contractors operating government owned-contractor operated (GOCO) facilities to establish cost effective waste reduction programs
5. Call for agency programs favoring the acquisition of environmentally preferable and energy efficient products and services.



Appendix G

Description of the Model Affirmative Procurement Program

The OFEE model Affirmative Procurement Program is a user-friendly “boiler plate” document which is easily expandable to accommodate additional items. It references the sources for components and sections that go beyond the minimum requirements as specified by RCRA 6002 and/or the Executive Order, making the final Plan more comprehensive. The following sections are recommended:

- Cover Page
- Table of Contents
- Applicability
- Motivational Factors
- Affirmative Procurement Program
 - Preference Program
 - Promotion Program
 - Procedures for Vendor Estimation, Certification
 - Annual Review and Monitoring Program
- Waivers
- Reports
- Specification Control
- Awards
- Goals
- Waste Prevention Opportunities
- Various Appendices (glossary, data collection forms, acronyms, etc.)

An electronic copy of this Model may be obtained by calling the Office of the Federal Environmental Executive or on our website www.ofee.gov. Also, the model is available through EPA’s EnviroSense on the World Wide Web (Internet): <http://es.inel.gov>, Access to the Internet and World Wide Web navigational software such as Mosaic™ is necessary.



Appendix H

Frequently Asked Questions About RCRA (Resource Conservation and Recovery Act) Section 6002 and EPA's, Comprehensive Procurement Guideline

What Does RCRA Section 6002 Require?

RCRA Section 6002 establishes a program to promote government purchases of products made with recovered materials. The purpose of the program is to use the purchasing power of federal, state, and local governments to develop markets for products made from materials recovered from the solid waste stream. To achieve this objective, section 6002 imposes requirements on EPA, the Office of Federal Procurement Policy (OFPP), federal specification-writing agencies, and procuring agencies.

EPA - EPA is required to designate products that are or can be made from recovered materials. EPA is also required to recommend practices, including recovered materials content levels, to assist procuring agencies in purchasing the items EPA designates.

OFPP - OFPP is required to implement the RCRA section 6002 requirements and to report to Congress every two years on Federal compliance with these requirements.

Federal specification-writing agencies - By May 3, 1986, these agencies were required to examine their specifications and eliminate requirements for products manufactured from virgin materials or that prohibit use of recovered materials. This requirement pertains to Executive agencies purchasing \$10,000 or

more of a EPA designated item in the current or previous fiscal year.

Procuring agencies - Once EPA designates an item, these agencies have one year to (1) revise their specifications for the designated item to allow procurement of the item containing recovered materials to the maximum extent practicable and (2) develop affirmative procurement programs (APPs) for the designated item. The APP's must have four elements - a preference program, a promotion program, mechanisms for obtaining estimates and certifications of recovered materials content and for verification, and an annual review of the program. Section 6002 conditions the requirement to purchase products containing recovered materials on four factors: the effect of purchases of products made with recovered materials on competition, and the performance, price, and availability of these products.

Who is Required to Comply?

To answer this question, three additional questions need to be answered.

Are you a procuring agency?

RCRA section 1004(17) defines a procuring agency as "any Federal agency, or any State agency or agency of a political subdivision of a

²⁰These questions and answers were provided by the EPA Office of Solid Waste

State which is using appropriated Federal funds for such procurement, or any person contracting with any such agency with respect to work performed under such contract.” Thus, Federal agencies are always procuring agencies. A state or local agency is a procuring agency when it uses appropriated Federal funds for a procurement. A contractor is a procuring agency when it is contracting with a Federal agency or state or local agency which is using appropriated Federal funds for a procurement.

NOTE: Only government agencies and their contractors are potentially “procuring agencies” for purposes of RCRA section 6002. Private party recipients of Federal loans, grants, or funds under cooperative agreements are not procuring agencies.

Are you purchasing or acquiring a designated item?

Are you purchasing \$10,000 or more of a designated item or did you purchase at least \$10,000 of a designated item in the preceding fiscal year?

RCRA section 6002(a) requires that “a procuring agency shall comply with the requirements set forth in this section and any regulations issued under this section, with respect to any purchase or acquisition of a procurement item where the purchase price of the item exceeds \$10,000 or where the quantity of such items or of functionally equivalent items purchased or acquired in the course of the preceding fiscal year was \$10,000 or more.”

The \$10,000 threshold applies to each procuring agency as a whole. If a procuring agency has determined that it purchased \$10,000 worth of a designated item or functionally equivalent items during the preceding fiscal year, it is subject to RCRA section 6002. If so, the requirements apply to all purchases of these items occurring

in the current fiscal year. If the procuring agency did not procure \$10,000 worth of a designated item in the preceding fiscal year, it is not subject to RCRA section 6002, unless, in the current fiscal year, it purchases \$10,000 or more of a designated item in a **single** procurement action. If so, the requirements apply to the single procurement and to all **subsequent** purchases of the designated item made during the current fiscal year.

If the answer was yes to all three of these questions, then RCRA section 6002 applies.

How Does RCRA Section 6002 Apply to Recipients of Federal Assistance Funding?

Does RCRA section 6002 apply to grant and loan recipients?

Yes. On October 14, 1994, OMB published revisions to Circular A-102 to clarify the circumstances in which RCRA section 6002 applies to state and local recipients of Federal funds.

How do state agencies that are grant recipients know when RCRA section 6002 applies to them?

The Federal grant-administering agencies should include notices and clauses in the grants alerting the state or local agencies about the requirements of section 6002.

Does RCRA section 6002 apply to Federal block grant programs?

Yes. RCRA defines a procuring agency to include state and local agencies that use appropriated federal money for a procurement. Therefore, RCRA section 6002 would also apply to purchases of designated items made with Federal block grant monies.

Does the RCRA section 6002 apply to Farm Home Administration loans? (These loans go to individual home buyers.)

RCRA defines procuring agency as Federal, state, and local agencies, and contractors with such agencies. Individuals receiving Federal loan funds are neither the agencies described previously nor contractors with such agencies under RCRA section 6002. Therefore, RCRA section 6002 would not apply.

Does section 6002 of RCRA apply to Department of Transportation grant programs?

Yes. The conference committee report from the Hazardous and Solid Waste Amendments of 1984 (Cong. Rec. H 11138 [Oct. 3, 1984]) states:

To assure the fullest participation by procuring agencies, the Conferees wish to resolve any ambiguity with respect to §6002's coverage of the Department of Transportation, in particular the Federal Highway Administration (FHWA). The FHWA is a "procuring agency" under the Solid Waste Disposal Act, and is therefore fully responsible for implementing the guidelines and other requirements of §6002. It is the intent of Congress that both FHWA's direct procurement and indirect Federal-aid programs (Federal Highway Trust Fund) be covered by the requirements of §6002 as amended by this Act. Indirect purchases by the Federal Aviation Administration are also covered under Section 6002 in the same manner as is the FHWA. Coverage of the FHWA's direct and indirect procurement activities under this amendment extends to the review of procurement specifications pursuant to Section 6002(d), as amended, in addition to the affirmative procurement program required under this section.

If a state receives several hundred thousand dollars in grant monies and three of the state agencies purchase \$10,000, \$7,000, and \$3,000 worth of EPA-designated products, how does RCRA section 6002 apply?

First, keep in mind that the requirements of RCRA section 6002 apply to individual agencies, not to a state as a whole. Only the state agency purchasing \$10,000 worth of a designated product is subject to section 6002.

How Does RCRA Section 6002 Apply to Government Contractors?

Does RCRA section 6002 apply to Federal, state, and local government contractors? Under what circumstances?

Yes. RCRA section 6002 applies to the contractor with a Federal agency (or a state or local agency that is a procuring agency under section 6002) when the contractor is purchasing a designated item, is using Federal money to do so, and exceeds the \$10,000 threshold. There is an exception for purchases that are "incidental to" the purposes of the contract, i.e., not the direct result of the funds disbursement. For example, a courier service contractor is not required to purchase re-refined oil and retread tires for its fleets because purchases of these items are incidental to the purpose of the contract.

Are subcontractors procuring agencies?

Subcontractors are not procuring agencies. Section 6002 limits contractors subject to its requirement to direct contractors with a Federal agency or state or local "procuring agency."

More Questions About Applicability of RCRA Section 6002.

Is a Federal agency that uses revolving funds a procuring agency?

As stated above, all Federal agencies are procuring agencies regardless of the funding authority.

How should large Federal agencies calculate the \$10,000 threshold?

The \$10,000 threshold applies to each Federal agency as a whole, such as the entire Department of the Interior, rather than individually to its subagencies, such as the National Park Service, the Bureau of Indian Affairs, the Bureau of Mines, or its regional offices.

Is the \$10,000 threshold measured as purchases of all items covered by a designation, purchases of individual categories of items, or purchases of groups of items?

It depends on which item is being purchased. EPA's recommendations provide how the Agency interprets "functional equivalence" when determining whether the \$10,000 threshold has been crossed. Within the paper and paper products category, if an agency purchases, for example, \$4,000 worth of computer paper, \$3,000 worth of Federal forms, and \$3,000 worth of other office papers, these combined purchases achieve the threshold for that designated item, and the agency should develop an affirmative procurement program for all paper and paper products containing recovered materials.

What if the cost of services cannot be separated from the product value, for example, when concrete is provided and poured by a contractor?

If the cost of services and the material cost are inextricably linked, the \$10,000 threshold can be applied to the combined cost figure. If a procuring agency contracts for construction of a concrete structure, the agency may include the cost of the services (pouring) with the cost of the product (concrete) when calculating how much is spent on cement and concrete. Alternatively, the agency may devise a method of separating the cost of the concrete product from the cost of pouring and finishing.

What are the requirements if purchases are made from another Federal agency, such as GSA?

Many Federal agencies procure paper and paper products through GSA and GPO. Although both of these agencies have their own affirmative procurement programs, agencies that make purchases through GSA and GPO should still have their own affirmative procurement programs for the products they purchase. However, the agencies would need to request estimates and certifications from GSA and GPO, because these agencies will have already obtained this information in the initial purchases. Similarly, the verification requirement is also fulfilled by GSA and GPO.

In other words, GPO requests estimates and certifications from its vendors and contractors and verifies that the estimates and certifications are correct. It routinely supplies recycled paper whenever possible, even when not specifically requested by a procuring agency. Any order for printing on offset, writing, or newsprint stock, which is the bulk of the jobs, is automatically printed on recycled paper that meets the EPA's requirements (if the paper is available).

When GSA supplies products containing recovered content to other agencies, GSA has already obtained and verified estimates and certifications. Nonetheless, agencies are still responsible for monitoring purchases made through other agencies, such as GSA and GPO.

How is RCRA Section 6002 Enforced?

Section 6002 of RCRA provides for the President's Office of Procurement Policy to implement its requirements. In addition, section 7002 of RCRA authorizes citizens' suit in Federal district court to seek relief against any person alleged to be in violation of requirements of the Act, including section 6002. The

district court has jurisdiction to enforce the requirements.

Will a Federal agency take away grant funding from state and local recipients if recycled products are not purchased?

Under section 6002, Federal grant administering agencies should inform state and local agency grant recipients about the requirements of section 6002. The grant recipients, in turn, are considered to be “procuring agencies” when they are using appropriated Federal funds to purchase designated items and must purchase these items containing recovered materials to the maximum extent practicable. Section 6002 states that procuring agencies need not purchase recycled products if the products are not reasonably available, are only available at an unreasonable price, or do not meet reasonable performance standards. It is silent, however, regarding penalties for failure to purchase recycled products without these limitations. Therefore, each grant administering agency must determine the appropriate response when a grantee does not comply with section 6002.

May vendors sue a municipality under RCRA?

RCRA section 7002 authorizes citizens to file a civil action in Federal district court against any person alleged to be in violation of a requirement under RCRA. Therefore, a municipality that violates section 6002 may be subject to suit.

How Does a Federal Agency Administer Its Affirmative Procurement Program¹

The answer depends on whether the agency is a purchasing agency or a grant administering agency. A purchasing agency must revise its specifications and implement affirmative procurement programs. A grant administering

agency should require that state and local agency grantees and their contractors comply with the affirmative procurement program requirements.

What Procurement Methods Can Be Used to Purchase Designated Products?

Are any Federal agencies paying a price premium for recycled products?

The purchase of recycled products under RCRA section 6002 consistent with other Federal procurement law, which requires that contracts be awarded to the lowest priced, responsive, responsible bidder. Federal law does not currently authorize agencies to pay a premium price for recycled products. Agencies are using other means of purchasing recycled products that may be higher priced than virgin products, such as soliciting only for recycled products.

Can a GOCO (Government-Owned/Contractor-Operated) facility develop an alternative program?

Any affected procuring agency, including contractors, can develop an alternative program. It should be noted, however, that only an alternative preference program can be developed. Section 6002 does not authorize alternatives to the other three components of an affirmative procurement program (i.e., promotion, certification, and annual review).

Are the RCRA Section 6002 Requirements Covered in the Federal Acquisition Regulation¹

On May 31, 1994, an interim rule was published amending the Federal Acquisition Regulation (FAR) to incorporate policies for the acquisition of environmentally preferable and energy-efficient products and services. As part of the amendment, there were significant revisions to the coverage given to RCRA section 6002 requirements. The FAR now contains an expanded general section on recovered materials (Subpart 23.4 - Use of Recovered Materials), which includes the requirement for agencies to establish an affirmative procurement program. The FAR also contains estimate and certification provisions beginning at 52.223 (also see Appendix F).

How is the Government Buy-Recycled Program Monitored¹

Executive Order 12873 requires the Federal Environmental Executive to take necessary actions to ensure that agencies comply with the provisions of the Executive Order. In addition, the Executive Order requires Agency Environmental Executives to track agency purchases of EPA-designated items and report these purchases to the Federal Environmental Executive. RCRA also requires OFPP to submit biennial reports to Congress.

How are Estimates and Certifications Handled?

The Paperwork Reduction Act of 1995 (PRA) makes explicit the responsibilities of Federal agencies with respect to the development of proposed collections of information and submission of these to the Office of Management and

Budget (OMB) for review approval. Accordingly, Federal procuring agencies should consult with their legal offices to determine whether their requirements for estimation and certification would require OMB clearance under the PRA.

EPA recommends that when an estimate has been provided in a bid, the certification of what materials were actually used in the performance of the contract should be submitted with the last invoice.

Is Further Assistance Available²

EPA assists procuring agencies by investigating and identifying products that can be made with recovered materials. Based on this research, EPA conducts in-depth analyses of the feasibility of including the product in the Federal government's procurement program. In addition, EPA, through its Recovered Materials Advisory Notices, provides recommendations and guidance to procuring agencies in their efforts to comply with section 6002 of RCRA.

Additional questions may be addressed to the RCRA/Superfund Hotline at 1-800-424-9346 (703-412-9810 for Washington, DC users).



Appendix I

Federal Trade Commission Guides for the Use of Environmental Marketing Claims*



- 260.1 statement of Purpose.
- 260.2 Scope of guides.
- 260.3 Structure of the guides.
- 260.4 Review procedure.
- 260.5 Interpretation and substantiation of environmental marketing claims.
- 260.6 General principles.
- 260.7 Environmental marketing claims.

260.1 Statement of purpose

These guides represent administrative interpretations of laws administered by the Federal Trade Commission for the guidance of the public in conducting its affairs in conformity with legal requirements. These guides specifically address the application of Section 5 of the FTC Act to environmental advertising and marketing practices. They provide the basis for voluntary compliance with such laws by members of industry. Conduct inconsistent with the positions articulated in these guides may result in corrective action by the Commission under Section 5 if, after investigation, the Commission has reason to believe that the behavior falls within the scope of conduct declared unlawful by the statute.

260.2 Scope of guides

These guides apply to environmental claims included in labeling, advertising, promotional materials and all other forms of marketing, whether asserted directly or by implication, through words, symbols, emblems, logos, depictions, product brand names, or through any other means. The guides apply to any claim about the environmental attributes of a product or package in connection with the sale, offering for sale, or marketing of such product or package for personal, family or household use, or for commercial, institutional or industrial use.

Because the guides are not legislative rules under Section 18 of the FTC Act, they are not themselves enforceable regulations, nor do they have the force and effect of law. The guides themselves do not preempt regulation of other federal agencies or of state and local bodies governing the use of environmental marketing claims. Compliance with federal, state or local law and regulations concerning such claims, however, will not necessarily preclude Commission law enforcement action under Section 5.

* The Commission is currently reviewing the Compostable and Recyclable sections of the Guides 260.7 (c)-(d). These sections remain in effect during the review process. The Commission is also considering whether product parts that can be reconditioned and/or reused in the manufacture of new products can be claimed to be "recyclable" under the Guides, and whether products manufactured from such reconditioned and/or reused parts can be labeled "recycled" under the Guides. For further information, please call 202-326-3022.

260.3 Structure of the guides

The guides are composed of general principles and specific guidance on the use of environmental claims. These general principles and specific guidance are followed by examples that generally address a single deception concern. A given claim may raise issues that are addressed under more than one example and in more than one section of the guides.

In many of the examples, one or more options are presented for qualifying a claim. These options are intended to provide a “safe harbor” for marketers who want certainty about how to make environmental claims. They do not represent the only permissible approaches to qualifying a claim. The examples do not illustrate all possible acceptable claims or disclosures that would be permissible under Section 5. In addition, some of the illustrative disclosures may be appropriate for use on labels but not in print or broadcast advertisements and vice versa. In some instances, the guides indicate within the example in what context or contexts a particular type of disclosure should be considered.

260.4 Review procedure

The Commission will review the guides as part of its general program of reviewing all industry guides on an ongoing basis. Parties may petition the Commission to alter or amend these guides in light of substantial new evidence regarding consumer interpretation of a claim or regarding substantiation of a claim. Following review of such a petition, the Commission will take such action as it deems appropriate.

260.5 Interpretation and substantiation of environmental marketing claims

Section 5 of the FTC Act makes unlawful deceptive acts and practices in or affecting commerce. The Commission’s criteria for determining whether an express or implied claim has been made are enunciated in the Commission’s Policy Statement on Deception.’ In addition, any party making an express or implied claim that presents an objective assertion about the environmental attribute of a product or package must, at the time the claim is made, possess and rely upon a reasonable basis substantiating the claim. A reasonable basis consists of competent and reliable evidence. In the context of environmental marketing claims, such substantiation will often require competent and reliable scientific evidence, defined as tests, analyses, research, studies or other evidence based on the expertise of professionals in the relevant area, conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results. Further guidance on the reasonable basis standard is set forth in the Commission’s 1983 Policy Statement on the Advertising Substantiation Doctrine. 49 Fed. Reg. 30999 (1984); appended to Thompson Medical Co., 104 ETC. 648 (1984). The Commission has also taken action in a number of cases involving alleged deceptive or unsubstantiated environmental advertising claims. A current list of environmental marketing cases and/or copies of individual cases can be obtained by calling the FTC Public Reference Branch at (202) 326-2222.

260.6 General principles

The following general principles apply to all environmental marketing claims, including, but not limited to, those described in 5 260.7. In addition, 5 260.7 contains specific guidance applicable to certain environmental marketing claims. Claims should comport with all relevant provisions of these guides, not simply the provision that seems most directly applicable.

(a) Qualifications and Disclosures: The Commission traditionally has held that in order to be effective, any qualifications or disclosures such as those described in these guides should be sufficiently clear and prominent to prevent deception. Clarity of language, relative type size and proximity to the claim being qualified, and an absence of contrary claims that could undercut effectiveness, will maximize the likelihood that the qualifications and disclosures are appropriately clear and prominent.

(b) Distinction Between Benefits of Product and Package: An environmental marketing claim should be presented in a way that makes clear whether the environmental attribute or benefit being assert-

ed refers to the product, the product's packaging or to a portion or component of the product or packaging. In general, if the environmental attribute or benefit applies to all but minor, incidental components of a product or package, the claim need not be qualified to identify that fact. There may be exceptions to this general principle. For example, if an unqualified "recyclable" claim is made and the presence of the incidental component significantly limits the ability to recycle the product, then the claim would be deceptive.

Example 1: A box of aluminum foil is labeled with the claim "recyclable," without further elaboration. Unless the type of product, surrounding language, or other context of the phrase establishes whether the claim refers to the foil or the box, the claim is deceptive if any part of either the box or the foil, other than minor, incidental components, cannot be recycled.

Example 2: A soft drink bottle is labeled "recycled." The bottle is made entirely from recycled materials, but the bottle cap is not. Because reasonable consumers are likely to consider the bottle cap to be a minor, incidental component of the package, the claim is not deceptive. Similarly, it would not be deceptive to label a shopping bag "recycled" where the bag is made entirely of recycled material but the easily detachable handle, an incidental component, is not.

(c) **Overstatement of Environmental Attribute: An environmental marketing** claim should not be presented in a manner that overstates the environmental attribute or benefit, expressly or by implication. Marketers should avoid implications of significant environmental benefits if the benefit is in fact negligible.

Example 1: A package is labeled, "50% more recycled content than before." The manufacturer increased the recycled content of its package from 2 percent recycled material to 3 percent recycled material. Although the claim is technically true, it is likely to convey the false impression that the advertiser has increased significantly the use of recycled material.

Example 2: A trash bag is labeled "recyclable" without qualification. Because trash bags will ordinarily not be separated out from other trash at the landfill or incinerator for recycling, they are highly unlikely to be used again for any purpose. Even if the bag is technically capable of being recycled, the claim is deceptive since it asserts an environmental benefit where no significant or meaningful benefit exists.

Example 3: A paper grocery sack is labeled "reusable." The sack can be brought back to the store and reused for carrying groceries but will fall apart after two or three reuses, on average. Because reasonable consumers are unlikely to assume that a paper grocery sack is durable, the unqualified claim does not overstate the environmental benefit conveyed to consumers. The claim is not deceptive and does not need to be qualified to indicate the limited reuse of the sack.

Example 4: A package of paper coffee filters is labeled "These filters were made with a chlorine-free bleaching process." The filters are bleached with a process that releases into the environment a reduced, but still significant, amount of the same harmful byproducts associated with chlorine bleaching. The claim is likely to overstate the product's benefits because it is likely to be interpreted by consumers to mean that the product's manufacture does not cause any of the environmental risks posed by chlorine bleaching. A claim, however, that the filters were "bleached with a process that substantially reduces, but does not eliminate, harmful substances associated with chlorine bleaching" would not, if substantiated, overstate the product's benefits and is unlikely to be deceptive.

(d) Comparative Claims: Environmental marketing claims that include a comparative statement should be presented in a manner that makes the basis for the comparison sufficiently clear to avoid consumer deception. In addition, the advertiser should be able to substantiate the comparison.

Example 1: An advertiser notes that its shampoo bottle contains "20% more recycled content." The claim in its context is ambiguous. Depending on contextual factors, it could be a comparison either to the advertiser's immediately preceding product or to a competitor's product. The advertiser should clarify the claim to make the basis for comparison clear, for example, by saying "20% more recycled content than our previous package." Otherwise, the advertiser should be prepared to substantiate whatever comparison

is conveyed to reasonable consumers.

Example 2: An advertiser claims that “our plastic diaper liner has **the most** recycled content.” The advertised diaper does have more recycled content, calculated as a percentage of weight, than any other on the market, although it is still well under 100% recycled. Provided the recycled content and the comparative difference between the product and those of competitors are significant and provided the specific comparison can be substantiated, the claim is not deceptive.

Example 3: An ad claims that the advertiser’s packaging creates “less waste than the leading national brand.” The advertiser’s source reduction was implemented sometime ago and is supported by a calculation comparing the relative solid waste contributions of the two packages. The advertiser should be able to substantiate that the comparison remains accurate.

260.7 Environmental marketing claims

Guidance about the use of environmental marketing claims is set forth below. Each guide is followed by several examples that illustrate, **but do not** provide an exhaustive list of, claims that do and do not **comport** with the guides. **In each** case, the general principles set forth in § 260.6 should also be followed.**

(a) **General Environmental Benefit Claims:** It is deceptive to misrepresent, directly or by implication, that a product or package offers a general environmental benefit. Unqualified general claims of environmental benefit are difficult to interpret, and depending on their context, may convey a wide range of meanings to consumers. In many cases, such claims may convey that the product or package has specific and far-reaching environmental benefits. As explained in the Commission’s Ad Substantiation Statement, every express and material, implied claim that the general assertion conveys to reasonable consumers about an objective quality, feature or attribute of a product must be substantiated. Unless this substantiation duty can be met, broad environmental claims should either be avoided or qualified, as necessary, to prevent deception about the specific nature of the environmental benefit being asserted.

Example 1: A brand name like “Eco-Safe” would be deceptive if, in the context of the product so named, it leads consumers to believe that the product has environmental benefits which cannot be substantiated by the manufacturer. The claim would not be deceptive if “Eco-Safe” were followed by clear and prominent qualifying language limiting the safety representation to a particular product attribute for which it could be substantiated, and provided that no other deceptive implications were created by the context.

Example 2: A product wrapper is printed with **the** claim “Environmentally Friendly.” Textual comments on the wrapper explain that the wrapper is “Environmentally Friendly because it was not chlorine bleached, a process that has been shown to create harmful substances.” The wrapper was, in fact, not bleached with chlorine. However, **the** production of the wrapper now creates and releases to the environment significant quantities of other harmful substances. Since consumers are likely to interpret the “Environmentally Friendly” claim, in combination with the textual explanation, to mean that no significant harmful substances are currently released to the environment, the “Environmentally Friendly” claim would be deceptive.

Example 3: A pump spray product is labeled “environmentally safe.” Most of the product’s active ingredients consist of volatile organic compounds (VOCs) that may cause smog by contributing to ground-level ozone formation. The claim is deceptive because, absent further qualification, it is likely to convey to consumers that use of the product will not result in air pollution or other harm to **the** environment.

Example 4: A lawn care pesticide is advertised as “essentially non-toxic” and “practically non-toxic.” Consumers would likely interpret these claims in the context of such a product as applying not only to human health effects but also to the product’s environmental effects. Since the claims would likely **convey to consumers** that the product does not pose any risk to humans or the environment, if the pesticide in fact poses a significant risk to humans or the environment, the claims would be deceptive.

Example 5: A product label contains an environmental seal, either in the form of a globe icon, or a globe icon with only the text “Earth Smart” around it. Either label is likely to convey to consumers that the product is environmentally superior to other products. If the manufacturer cannot substantiate this broad claim, the claim would be deceptive. The claims would not be deceptive if they were accompanied by clear and prominent qualifying language limiting the environmental superiority representation to the particular product attribute or attributes for which they could be substantiated, provided that no other deceptive implications were created by the context.

Example 6: A product is advertised as “environmentally preferable.” This claim is likely to convey to consumers that this product is environmentally superior to other products. If the manufacturer cannot substantiate this broad claim, the claim would be deceptive. The claim would not be deceptive if it were accompanied by clear and prominent qualifying language limiting the environmental superiority representation to the particular product attribute or attributes for which it could be substantiated, provided that no other deceptive implications were created by the context.

(b) Degradable/Biodegradable/Photodegradable: It is deceptive to misrepresent, directly or by implication, that a product or package is degradable, biodegradable or photodegradable. An unqualified claim that a product or package is degradable, biodegradable or photodegradable should be substantiated by competent and reliable scientific evidence that the entire product or package will completely break down and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time after customary disposal.

Claims of degradability, biodegradability or photodegradability should be qualified to the extent necessary to avoid consumer deception about: (a) the product or package’s ability to degrade in the environment where it is customarily disposed; and (b) the rate and extent of degradation.

Example 1: A trash bag is marketed as “degradable,” with no qualification or other disclosure. The marketer relies on soil burial tests to show that the product will decompose in the presence of water and oxygen. The trash bags are customarily disposed of in incineration facilities or at sanitary landfills that are managed in a way that inhibits degradation by minimizing moisture and oxygen. Degradation will be irrelevant for those trash bags that are incinerated and, for those disposed of in landfills, the marketer does not possess adequate substantiation that the bags will degrade in a reasonably short period of time in a landfill. The claim is therefore deceptive.

Example 2: A commercial agricultural plastic mulch film is advertised as “Photodegradable” and qualified with the phrase, “Will break down into small pieces if left uncovered in sunlight.” The claim is supported by competent and reliable scientific evidence that the product will break down in a reasonably short period of time after being exposed to sunlight and into sufficiently small pieces to become part of the soil. The qualified claim is not deceptive. Because the claim is qualified to indicate the limited extent of breakdown, the advertiser need not meet the elements for an unqualified photodegradable claim, i.e., that the product will not only break down, but also will decompose into elements found in nature.

Example 3: A soap or shampoo product is advertised as “biodegradable,” with no qualification or other disclosure. The manufacturer has competent and reliable scientific evidence demonstrating that the product, which is customarily disposed of in sewage systems, will break down and decompose into elements found in nature in a short period of time. The claim is not deceptive.

Example 4: A plastic six-pack ring carrier is marked with a small diamond. Many state laws require that plastic six-pack ring carriers degrade if littered, and several state laws also require that the carriers be marked with a small diamond symbol to indicate that they meet performance standards for degradability. The use of the diamond, by itself, does not constitute a claim of degradability. “*“

(4) Compostable: It is deceptive to misrepresent, directly or by implication, that a product or package is compostable. An unqualified claim that a product or package is compostable should be sub-

stantiated by competent and reliable scientific evidence that all the materials in the product or package will break down into, or otherwise become part of, usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner in an appropriate composting program or facility, or in a home compost pile or device.

Claims of compostability should be qualified to the extent necessary to avoid consumer deception. An unqualified claim may be deceptive: (1) if municipal composting facilities are not available to a substantial majority of consumers or communities where the package is sold; (2) if the claim misleads consumers about the environmental benefit provided when the product is disposed of in a landfill; or (3) if consumers misunderstand the claim to mean that the package can be safely composted in their home compost pile or device, when in fact it cannot.

Example 1: A manufacturer indicates that its unbleached coffee filter is compostable. The unqualified claim is not deceptive provided the manufacturer can substantiate that the filter can be converted safely to usable compost in a timely manner in a home compost pile or device, as well as in an appropriate composting program or facility

Example 2: A lawn and leaf bag is labeled as “Compostable in California Municipal Yard Waste Composting Facilities.” The bag contains toxic ingredients that are released into the compost material as the bag breaks down. The claim is deceptive if the presence of these toxic ingredients prevents the compost from being usable.

Example 3: A manufacturer indicates that its paper plate is suitable for home composting. If the manufacturer possesses substantiation for claiming that the paper plate can be converted safely to usable compost in a home compost pile or device, this claim is not deceptive even if no municipal composting facilities exist.

Example 4: A manufacturer makes an unqualified claim that its package is compostable. Although municipal composting facilities exist where the product is sold, the package will not break down into usable compost in a home compost pile or device. To avoid deception, the manufacturer should disclose that the package is not suitable for home composting.

Example 5: A nationally marketed lawn and leaf bag is labeled “compostable.” Also printed on the bag is a disclosure that the bag is not designed for use in home compost piles. The bags are in fact composted in municipal yard waste composting programs in many communities around the country, but such programs are not available to a substantial majority of consumers where the bag is sold. The claim is deceptive since reasonable consumers living in areas not served by municipal yard waste programs may understand the reference to mean that composting facilities accepting the bags are available in their area. To avoid deception, the claim should be qualified to indicate the limited availability of such programs, for example, by stating, “Appropriate facilities may not exist in your area.” Other examples of adequate qualification of the claim include providing the approximate percentage of communities or the population for which such programs are available.

Example 6: A manufacturer sells a disposable diaper that bears the legend, “This diaper can be composted where municipal solid waste composting facilities exist. There are currently [X number of] municipal solid waste composting facilities across the country.” The claim is not deceptive, assuming that composting facilities are available as claimed and the manufacturer can substantiate that the diaper can be converted safely to usable compost in municipal solid waste composting facilities.

Example 7: A manufacturer markets yard waste bags only to consumers residing in particular geographic areas served by county yard waste composting programs. The bags meet specifications for these programs and are labeled, “Compostable Yard Waste Bag for County Composting Programs.” The claim is not deceptive. Because the bags are compostable where they are sold, no qualification is required to indicate the limited availability of composting facilities.

(d) Recyclable: It is deceptive to misrepresent, directly or by implication, that a product or pack-

age is recyclable. A product or package should not be marketed as recyclable unless it can be collected, separated or otherwise recovered from the solid waste stream for use in the form of raw materials in the manufacture or assembly of a new package or product. Unqualified claims of recyclability for a product or package may be made if the entire product or package, excluding minor incidental components, is recyclable. For products or packages that are made of both recyclable and non-recyclable components, the recyclable claim should be adequately qualified to avoid consumer deception about which portions or components of the product or package are recyclable.

Claims of recyclability should be qualified to the extent **necessary** to avoid consumer deception about any limited availability of recycling programs and collection sites. If an incidental component significantly limits the ability to recycle the product, the claim would be deceptive. A product or package that is made from recyclable material, but, because of its shape, size or some other attribute, is **not** accepted in recycling programs for such material, should not be marketed as recyclable.

Example 1: A packaged product is labeled with an unqualified claim, “recyclable.” It is unclear from the type of product and other context whether the claim refers to the product or its package. The unqualified claim is likely to convey to reasonable consumers that all of both the product and its packaging that remain after normal use of the product, except for minor, incidental components, can be recycled. Unless each such message can be substantiated, the claim should be qualified to indicate what portions are recyclable.

Example 2: A plastic package is labeled on the bottom with the Society of the Plastics Industry (SPI) code, consisting of a design of arrows in a triangular shape containing a number and abbreviation identifying the component plastic resin. Without more, the use of the SPI symbol (or similar industry codes) on the bottom of the package, or in a similarly inconspicuous location, does not constitute a claim of recyclability.

Example 3: A container can be burned in incinerator facilities to produce heat and power. It cannot, however, be recycled into new products or packaging. Any claim that the container is recyclable would be deceptive.

Example 4: A nationally marketed bottle bears the unqualified statement that it is “recyclable.” Collection sites for recycling the material in question are not available to a substantial majority of consumers or communities, although collection sites are established in a significant percentage of communities or available to a significant percentage of the population. The unqualified claim is deceptive since, unless evidence shows otherwise, reasonable consumers living in communities not served by programs may conclude that recycling programs for the material are available in their area. To avoid deception, the claim should be qualified to indicate the limited availability of programs, for example, by stating, “Check to see if recycling facilities exist in your area.” Other examples of adequate qualifications of the claim include providing the approximate percentage of communities or the population to whom programs are available.

Example 5: A soda bottle is marketed nationally and labeled, “Recyclable where facilities exist.” Recycling programs for material of this type and size are available in a significant percentage of communities or to a significant percentage of the population, but are **not** available to a substantial majority of consumers. The claim is deceptive since, unless evidence shows otherwise, reasonable consumers living in communities not served by programs may understand this phrase to mean that programs are available in their area. To avoid deception, the claim should be further qualified to indicate the limited availability of programs, for example, by using any of the approaches set forth in Example 4 above.

Example 6: A plastic detergent bottle is marketed as follows: “Recyclable in the few communities with facilities for colored HDPE bottles.” Collection sites for recycling the container have been established in a half-dozen major metropolitan areas. This disclosure illustrates one approach to qualifying a claim adequately to prevent deception about the limited availability of recycling programs where collection facilities are not established in a significant percentage of communities or available to a significant percent-

age of the population. Other examples of adequate qualification of the claim include providing the number of communities with programs, or the percentage of communities or the population to which programs are available.

Example 7: A label claims that the package “includes some recyclable material.” The package is composed of four layers of different materials, bonded together. One of the layers is made from the recyclable material, but the others are not. While programs for recycling this type of material are available to a substantial majority of consumers, only a few of those programs have the capability to separate out the recyclable layer. Even though it is technologically possible to separate the layers, the claim is not adequately qualified to avoid consumer deception. An appropriately qualified claim would be, “includes material recyclable in the few communities that collect multi-layer products.” Other examples of adequate qualification of the claim include providing the number of communities with programs, or the percentage of communities or the population to which programs are available.

Example 8: A product is marketed as having a “recyclable” container. The product is distributed and advertised only in Missouri. Collection sites for recycling the container are available to a substantial majority of Missouri residents, but are not yet available nationally. Because programs are generally available where the product is marketed, the unqualified claim does not deceive consumers about the limited availability of recycling programs.

(e) Recycled Content: A recycled content claim may be made only for materials that have been recovered or otherwise diverted from the solid waste stream, either during the manufacturing process (pre-consumer), or after consumer use (post-consumer). To the extent the source of recycled content includes pre-consumer material, the manufacturer or advertiser must have substantiation for concluding that the pre-consumer material would otherwise have entered the solid waste stream. In asserting a recycled content claim, distinctions may be made between pre-consumer and post-consumer materials. Where such distinctions are asserted, any express or implied claim about the specific pre-consumer or post-consumer content of a product or package must be substantiated.

It is deceptive to misrepresent, directly or by implication, that a product or package is made of recycled material. Unqualified claims of recycled content may be made only if the entire product or package, excluding minor, incidental components, is made from recycled material. For products or packages that are only partially made of recycled material, a recycled claim should be adequately qualified to avoid consumer deception about the amount, by weight, of recycled content in the finished product or package.

Example 1: A manufacturer routinely collects spilled raw material and scraps left over from the original manufacturing process. After a minimal amount of reprocessing, the manufacturer combines the spills and scraps with virgin material for use in further production of the same product. A claim that the product contains recycled material is deceptive since the spills and scraps to which the claim refers are normally reused by industry within the original manufacturing process, and would not normally have entered the waste stream.

Example 2: A manufacturer purchases material from a firm that collects discarded material from other manufacturers and resells it. All of the material was diverted from the solid waste stream and is not normally reused by industry within the original manufacturing process. The manufacturer includes the weight of this material in its calculations of the recycled content of its products. A claim of recycled content based on this calculation is not deceptive because, absent the purchase and reuse of this material, it would have entered the waste stream.

Example 3: A greeting card is composed 30% by fiber weight of paper collected from consumers after use of a paper product, and 20% by fiber weight of paper that was generated after completion of the paper-making process, diverted from the solid waste stream, and otherwise would not normally have been reused in the original manufacturing process. The marketer of the card may claim either that

the product “contains 50% recycled fiber,” or may identify the specific pre-consumer and/or post-consumer content by stating, for example, that the product “contains 50% total recycled fiber, including 30% post-consumer.”

Example 4: A paperboard package with 20% recycled fiber by weight is labeled as containing “20% recycled fiber.” Some of the recycled content was composed of material collected from consumers after use of the original product. The rest was composed of overrun newspaper stock never sold to customers. The claim is not deceptive.

Example 5: A product in a multi-component package, such as a paperboard box in a **shrink**-wrapped plastic cover, indicates that it has recycled packaging. The paperboard box is made entirely of recycled material, but the plastic cover is not. The claim is deceptive since, without qualification, it suggests that both components are recycled. A claim limited to the paperboard box would not be deceptive.

Example 6: A package is made from layers of foil, plastic, and paper laminated together, although the layers are indistinguishable to consumers. The label claims that “one of the three layers of this package is made of recycled plastic.” The plastic layer is made entirely of recycled plastic. The claim is not deceptive provided the recycled plastic layer constitutes a significant component of the entire package.

Example 7: A paper product is labeled as containing “100% recycled fiber.” The claim is not deceptive if the advertiser can substantiate the conclusion that 100% by weight of the fiber in the finished product is recycled.

Example K: A frozen dinner is marketed in a package composed of a cardboard box over a plastic tray. The package bears the legend, “package made from 30% recycled material.” Each packaging component amounts to one-half the weight of the total package. The box is 20% recycled content by weight, while the plastic tray is 40% recycled content by weight. The claim is not deceptive, since the average amount of recycled material is 30%.

Example 9: A paper greeting card is labeled as containing 50% recycled fiber. The seller purchases paper stock from several sources and the amount of recycled fiber in the stock provided by each source varies. Because the 50% figure is based on the annual weighted average of recycled material purchased from the sources after accounting for fiber loss during the production process, the claim is permissible.

Example 10: A packaged food product is labeled with a three chasing arrows symbol without any further explanatory text as to its meaning. By itself, the symbol is likely to convey that the packaging is both “recyclable” and is made entirely from recycled material. Unless both messages can be substantiated, the claim should be qualified as to whether it refers to the package’s recyclability and/or its recycled content. If a “recyclable claim” is being made, the label may need to disclose the limited availability of recycling programs for the package. If a recycled content claim is being made and the packaging is not made entirely from recycled material, the label should disclose the percentage of recycled content.

(f) Source Reduction: It is deceptive to misrepresent, directly or by implication, that a product or package has been reduced or is lower in weight, volume or toxicity. Source reduction claims should be qualified to the extent necessary to avoid consumer deception about the amount of the source reduction and about the basis for any comparison asserted.

Example 1: An ad claims that solid waste created by disposal of the advertiser’s packaging is “now 10% less than our previous package.” The claim is not deceptive if the advertiser has substantiation that shows that disposal of the current package contributes 10% less waste by weight or volume to the solid waste stream when compared with the immediately preceding version of the package.

Example 2: An advertiser notes that disposal of its product generates “10% less waste”. The claim is ambiguous. Depending on contextual factors, it could be a comparison either to the immediately

preceding product or to a competitor's product. The "10% less waste" reference is deceptive unless the seller clarifies which comparison is intended and substantiates that comparison, or substantiates both possible interpretations of the claim.

(g) Refillable: It is deceptive to misrepresent, directly or by implication, that a package is refillable. An unqualified refillable claim should not be asserted unless a system is provided for: (1) the collection and return of the package for refill; or (2) the later refill of the package by consumers with product subsequently sold in another package. A package should not be marketed with an unqualified refillable claim, if it is up to the consumer to find new ways to refill the package.

Example 1: A container is labeled "refillable x times." The manufacturer has the capability to refill returned containers and can show that the container will withstand being refilled at least x times. The manufacturer, however, has established no collection program. The unqualified claim is deceptive because there is no means for collection and return of the container to the manufacturer for refill.

Example 2: A bottle of fabric softener states that it is in a "handy refillable container." The manufacturer also sells a large-sized container that indicates that the consumer is expected to use it to refill the smaller container. The manufacturer sells the large-sized container in the same market areas where it sells the small container. The claim is not deceptive because there is a means for consumers to refill the smaller container from larger containers of the same product.

(h) Ozone Safe and Ozone Friendly: It is deceptive to misrepresent, directly or by implication, that a product is safe for or "friendly" to the ozone layer or the atmosphere.

For example, a claim that a product does not harm the ozone layer is deceptive if the product contains an ozone-depleting substance.

Example 1: A product is labeled "ozone friendly." The claim is deceptive if the product contains any ozone-depleting substance, including those substances listed as Class I or Class II chemicals in Title VI of the Clean Air Act Amendments of 1990, Pub. L. No. 101-549, and others subsequently designated by EPA as ozone-depleting substances. Chemicals that have been listed or designated as Class 1 are chlorofluorocarbons (CFCs), halons, carbon tetrachloride, 1,1,1-trichloroethane, methyl bromide and hydrobromofluorocarbons (HBFCs). Chemicals that have been listed as Class II are hydrochlorofluorocarbons (HCFCs).

Example 2: An aerosol air freshener is labeled "ozone friendly." Some of the product's ingredients are volatile organic compounds (VOCs) that may cause smog by contributing to ground-level ozone formation. The claim is likely to convey to consumers that the product is safe for the atmosphere as a whole, and is therefore, deceptive.

Example 3: The seller of an aerosol product makes an unqualified claim that its product "Contains no CFCs." Although the product does not contain CFCs, it does contain HCFC-22, another ozone depleting ingredient. Because the claim "Contains no CFCs" may imply to reasonable consumers that the product does not harm the ozone layer, the claim is deceptive.

Example 4: A product is labeled "This product is 95% less damaging to the ozone layer than past formulations that contained CFCs." The manufacturer has substituted HCFCs for CFC-12, and can substantiate that this substitution will result in 95% less ozone depletion. The qualified comparative claim is not likely to be deceptive.

By direction of the Commission.

Donald S. Clark
Secretary

Acknowledgements

Major contributions to this publication came from the Northeast Maryland Waste Disposal Authority and the Region 9 offices of the Environmental Protection Agency (EPA) and the General Services Administration (GSA). These offices sponsor waste reduction and buy recycled activities. Other key contributions came from the GSA's Public Buildings Service and Federal Supply Service, the Defense Logistics Agency, the Government Printing Office, and EPA's Office of Solid Waste, and Office of Enforcement and Compliance Assurance. Our thanks go to these agencies and offices for their continuing leadership and support, the Government Printing Office for funding the first publication of this document and the U.S. Postal Service for funding the second publications of this document.

In addition, the U. S. Conference of Mayors, Buy Recycled Training Institute and the Buy Recycled Business Alliance of the National Recycling Coalition have provided invaluable leadership and guidance in 'Closing the Loop.'

For more information, and/or to get on the mailing list for the "Closing the Circle News" please contact the Office of the Federal Environmental Executive, Mail Code 1600,401 M Street SW, Washington, DC 20460, (202) 260-1297 or E-mail McPoland.Fran@epamail.epa.gov. This document is available in Enviro\$en\$e at EPA or on the Office of Federal Environmental Executive website at www.ofee.gov.

Dear Reader:

If you find yourself with a copy of this guide but you can't use it, please pass it along to someone who can.