



# CONSUMER NEWS

## SAN DIEGO CITY ATTORNEY'S OFFICE

### Green Guides

#### Compostable v. Biodegradable

July 2014

With more and more people trying to be environmentally conscientious, we are now faced with numerous products that claim to be "green." But are they?

What does it mean to be compostable, degradable, biodegradable, and recyclable?

Let's take a look at the Federal Trade Commission's (FTC) guidance on 'green marketing.' Website links are located at the end of this newsletter.

#### *WHAT IS COMPOSTABLE?*

According to the FTC's Guides for the Use of Environmental Marketing Claims, compostable means "all the materials in the item will break down into, or otherwise become part of, usable compost in a safe and timely manner in an appropriate composting facility, or in a home compost pile or device."

When you purchase a product that states it is compostable, make sure that you read the entire label. Some of these products are only compostable via a composting facility. The marketer should clearly state if there are any limitations to its claims. This is important because the product needs to break down in approximately the same time as the materials with which it is composted per the FTC's Green Guides.

#### *WHAT IS DEGRADABLE?*

A product is degradable if it is capable of being slowly broken down into simple parts, either chemically or biologically.

In order for the product to be represented as degradable, the marketer "should have competent and reliable scientific evidence that the entire item will completely break down and return to nature within a reasonably short period of time after customary disposal." The items need to completely decompose within one year after customary disposal.

#### *DIFFERENT TYPES OF DEGRADABLE*

There are various ways in which products break down. For example, there is biodegradable which is when a product is able to decompose naturally by biological means, such as bacteria.

Other terms you may see are oxo-biodegradable, hydro-biodegradable, or photodegradable.

Oxo-biodegradable plastics are made from oil or natural gas byproducts. Per the Oxo-Biodegradable Plastics Association, an additive is added to the formulation of a particular resin package to give the package a service-life.

The service-life of a product refers to how long a product can live; it is

its expected lifetime. Typically the shelf and service-life is about eighteen months.

After the service-life of the product, the "pro-degradant additive causes the molecular chains within the polymer to break down," through oxidation. This process will only occur if there is oxygen present. "It can occur in the open environment or in the upper layers of a landfill, but deeper down in a landfill, [where there is no oxygen], the process stops and the undegraded material will not emit methane."

"Landfills shut out sunlight, air, and moisture, so even paper and food could take decades to decompose," states the FTC. Make sure you check the labels on the products you buy and dispose of them appropriately. If products are not disposed of in their correct environment it may not breakdown and decompose.

Hydro-biodegradable plastics are usually made from vegetable products such as starch and decomposition is initiated by hydrolysis. Hydrolysis means that water is added to the substance to begin the first phase of the degradation process, and that is followed by further biodegradation.

Per the Oxo-biodegradable Plastics Association, "Hydro-biodegradable plastics are not genuinely 'renewable' because the process of making them from crops is itself a

significant user of fossil-fuel energy and a producer therefore of greenhouse gases.”

Photo-degradable plastics “react to ultra-violet light, but unless they are also oxo-biodegradable they will not degrade in a landfill, a sewer, or other dark environment, or if heavily overprinted.”

Photodegradable items “will break down into small pieces if left uncovered in sunlight,” per the FTC.

*WHAT IS RECYCLABLE?*

When a company sells a product that is recyclable or uses the universal recycling symbol, per the FTC, this means that most people who buy the product can recycle it.

Although the product may have this information, always check with your local city or county waste services to determine if the product can be recycled through the recycling services.

City of San Diego – Environmental Services Department  
<http://www.sandiego.gov/environmental-services/>

Cal Recycle  
<http://www.calrecycle.ca.gov/>

Products that claim to be made with recycled materials must specify what part of the product was made from the recycled materials and “how much of the product or package is recycled.”

For more information on “green” marketing please see the links below.

*HELPFUL WEBSITES*

Federal Trade Commission – “Green” Claim Check  
<http://www.consumer.ftc.gov/blog/green-claim-check-0>

Shopping “Green”  
<http://www.consumer.ftc.gov/articles/0226-shopping-green#biodegradable>

Guides for the Use of Environmental Marketing Claims  
<http://www.ftc.gov/sites/default/files/attachments/press-releases/ftc-issues-revised-green-guides/greenguides.pdf>

Oxo-biodegradable Plastics Association  
<http://www.biodeg.org/>

<http://www.biodeg.org/position-papers/degradable>

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The information provided in this newsletter is intended to convey general information and is not intended to be relied upon as legal advice.



The San Diego City Attorney’s Consumer & Environmental Protection Unit prosecutes criminal and civil violations of California’s unfair competition and other consumer laws committed in the City of San Diego. The Unit maintains a Phone Hotline for consumers to report possible violations. You can reach the Hotline at **(619) 533-5600**.

\*(All references, unless otherwise noted, are from the FTC website).