

October 28, 2004

Ken McEntee  
Composting News  
13727 Holland Rd.  
Cleveland, OH 44142-3920

Dear Ken,

After our discussions last month, I read with great interest your article “Feud festering over BPI and biodegradables”. I would like to take a few minutes to reiterate what we discussed and to point out some errors in the article.

1. As I mentioned, the BPI’s program is strictly voluntary. Manufacturers are always free to “self certify” and use this with customers, composters and end users. However, I believe that many communities and composters look for the BPI symbol because they realize that they have neither the time, nor the expertise to sort through the data needed to verify claims.
2. The BPI membership is open to all producers and users that support the use of scientifically based specifications (ASTM D6400 and D6868) for labeling, advertising and product development. There are no requirements to use specific materials.
3. The specifications behind the BPI symbol (ASTM D6400 and D6868) are based solely on scientific research, which took place over the course of 7-8 years. The purpose of these specifications is to identify those materials that will compost swiftly and safely in municipal and industrial facilities. These specifications are similar to those used in Europe, Japan and Taiwan. I was glad to see that you were able to contact Drs. Pettigrew and Narayan, who were actively involved in the development of these criteria.
4. The ASTM specifications require products to fulfill 3 criteria (your article only focused on one):
  - a. Products must disintegrate rapidly during the composting process;
  - b. Products must be converted to carbon dioxide at a satisfactory rate during composting;
  - c. The resulting compost must be able to support plant life and not leave behind high levels of regulated metals.
5. The BPI is required by its contract with the USCC to perform product evaluations on every product that is awarded the Compostable Logo. This includes those products that have previously been approved by DIN Certco and the BPS. For these products, there is an “expedited review” process to confirm that everything

is in order. All work is done under confidentiality agreements with knowledgeable, independent scientists.

6. I was happy to see that you had a chance to speak with Jack Macy. I believe that his comment on page 15 is the most important point in your article and deserves repeating, "Other bags were tested, he said (Macy), and didn't sufficiently degrade in the compost applications", referring to non-approved BPI bags. I believe that this should have been the focus of your story. Your readers would have benefited from knowing that there are specifications and a process in place to effectively identify plastics that compost swiftly and satisfactorily from those that do not.

Additionally I would like to correct some impressions made by the article:

No data has been presented by the oxidatively degradable products to show that their materials meet the requirements in ASTM D6400.

- Disintegrate under composting conditions in 12 weeks
- Biodegrade rapidly enough under composting conditions
- Satisfy the regulated metals limits in all the countries where they are sold.

The BPI has not approved any coated paper products. Manufacturers will need to conduct the appropriate tests to demonstrate that these products meet ASTM D6868 or EN 13432, especially the disintegration portion of the tests. In the specifications for Europe, the US and Japan, it is not enough to say that you use a biodegradable plastic on paper, therefore it will meet the specifications.

ASTM participation is open to everyone on a volunteer basis. In fact, three EPI people (Drs. Swift, Baciu and Wiles) are members of the subcommittee that originated ASTM D6400, D6868 and D6954. EPI is the additive supplier to PSI, Dick Freeman's organization.

The ASTM subcommittee welcomes new technologies. BPI members who participate in the ASTM process, including myself, worked directly with EPI personnel to develop the new guide to support research on oxo-biodegradables. It is now up to the oxo-biodegradable industry to develop and present the data to support their claims, using this guide. Until this is done, the ASTM subcommittee can not move forward.

No Biocorp or BioTru products are under BPI evaluation. Should Biocorp wish to be approved by the BPI, the same procedures will be followed as in other evaluations and as are called for in our agreement with the USCC.

To clarify costs. The BPI charges \$1,200 for an "expedited evaluation" of products that have prior DIN Certco or "OK Compost" Certifications. The fees cover the independent reviewer's time and BPI legal fees for contract review. \$4,500 is charged for a comprehensive review, which uses 4 reviewers.

The "Product Supplier Section" for Biodegradable Suppliers is incomplete. It only contains one supplier and does not mention the growing list of BPI approved products.

Also, I would like to point out the oversight in your article on Page 13: "California adopts ASTM standard for compostable bags".

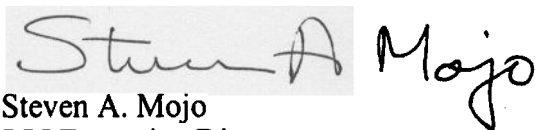
The California legislation adopted "Standard Specifications" for the labeling claims of "biodegradable", "compostable" and "degradable" for plastic bags. Not just Standards. To be in compliance with the law, plastic bag manufacturers will need to meet ASTM D6400. While there are many ASTM standards, there is only 1 specification that addresses the terms "biodegradable" and "compostable" for plastic bags (D6400). All plastic bags that carry the BPI symbol clearly meet this specification.

Below is the relevant section of the bill, which lays out the regulations:

*"42357. (a) A person shall not sell a plastic bag in this state that is labeled with the term "compostable," "biodegradable," "degradable," or any form of those terms, or in anyway imply that the bag will break down in a landfill, composting, marine, or other natural terrestrial environment, unless, at the time of the sale, the plastic bag meets a current ASTM standard specification for the term used on the label."*

The Biodegradable Products Institute (BPI) together with Californian Film Extruder and Converters Assoc. (CFECA) and the California Bag and Film Alliance and the environmental group, Californians Against Waste strongly supported this bill and applaud Senator Karnette and the State for enacting it. The bill will start to put an end to the misleading claims and disappointing performances that have plagued this industry for the past 15 years. BPI members hope to see similar legislation enacted in other states and recognition by the FTC.

Sincerely,

The image shows a handwritten signature in black ink that reads "Steven A. Mojo". The signature is written in a cursive style. The name "Steven A." is written in a smaller, more compact script, while "Mojo" is written in a larger, more prominent cursive font.

Steven A. Mojo  
BPI Executive Director

cc. BPI Board of Directors