

Definition and History of “Recycled” in FTC Environmental Marketing Guides

FTC Definition

Product that can be collected, separated or otherwise recovered from the solid waste stream for reuse, or in the manufacture or assembly of another package or product, through an established recycling program. Recyclable claims must also be qualified to the extent necessary to avoid consumer deception about any limited availability of recycling programs and collection sites. A product made of recyclable and nonrecyclable material, the recyclable claim should clearly indicate which portions or components are recyclable. If any attribute of the product, such as size, shape or presence on nonrecyclable material results in recycling programs not accepting that product, it should not be marketed as recyclable. <http://www.ftc.gov/bcp/grnrule/guides980427.htm>

EPA Definition

Recyclable products can be collected and remanufactured into new products after they've been used. These products do not necessarily contain recycled materials and only benefit the environment if people recycle them after use. Check with your local recycling program to determine which items are recyclable in your community. <http://www.epa.gov/epawaste/consERVE/rrr/buyrecycled.htm>

FTC Environmental Marketing Guides: Rulemaking background/history

The FTC first released the guides in 1992 and three years later took comments in anticipation of revising the guides in 1996. Because of extensive comments and the need for further consumer research, the sections regarding “recyclable” and “recycled” were not revised until 1998.

The comments generally regarded the required qualifications of the claim of recyclability of certain products. Specifically, marketers and others objected to qualifying recyclable based on the availability of recycling programs for a “substantial majority” of the population. Although recycling programs are widely available, the FTC chose to keep that required qualification based on consumer research, which indicated that consumers are likely to assume a product is recyclable in their community if there is an unqualified recyclable claim. In reaching that decision, the FTC took into account EPA and other’s claims that the cost of recycling increases as consumers place more non-recyclable materials in recycling bins. The FTC rejected suggestions to qualify “recyclable” with stipulations the consumer should “check to see” if the recycling program is available in their community. Finally, the FTC guides no longer allow the words “please recycle” on products that are not eligible to use unqualified recycling claims, due to the words having a similar effect to an unqualified recyclable claim.

Federal Register Vol. 62, No. 84, May 1, 1998: <http://frwebgate1.access.gpo.gov/cgi-bin/PDFgate.cgi?WAISdocID=joBXVg/2/2/0&WAISaction=retrieve>