

The USDA Accepting Applications for Biobased Product Label

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As of February 21, 2011, the U.S. Department of Agriculture ("USDA") through its BioPreferred Labeling Initiative, is accepting applications from manufacturers and distributors for the "USDA Certified Biobased Product" label for qualified biobased products. The label, which could apply to over 15,000 products currently sold at retail, is intended to boost marketing and sales of biobased products by reassuring consumers that products under this label contain biological ingredients in the amounts advertised. Manufacturers, distributors and importers of biomass products should consider applying.

Biobased products eligible for labeling are domestic or foreign products (other than food or feed) made from biological products, including renewable domestic agricultural materials, forestry materials, and marine and animal materials. Product examples include flooring materials, cleaners, solvents, soaps, cutlery, hair products, repellents, fertilizers, paints and many others. The label will not apply to motor vehicle fuels, heating oil or electricity produced from biomass. It will also exclude any "mature market" biomass product (e.g. cotton shirts or towels, paper plates, wood furniture to name a few). The rationale for this exception is to encourage manufacturers to develop *new* biobased products.

This labeling opportunity is an out-growth of the USDA's BioPreferred program (www.biopreferred.gov), which was designed to increase the use of biobased products by requiring federal agencies to prefer biobased products in procurement. But this labeling program goes beyond the federal procurement program. First, with few exceptions, products that qualify for the BioPreferred procurement program still must undergo testing in order to obtain the label. Second, manufacturers that do not sell products through the federal procurement program may obtain the label. In other words, the labeling requirements apply across the board and are intended to guide average retail consumers looking to purchase environmentally-friendly products.

To apply for a label, applicants submit an application to USDA and pay for testing of their products at approved labs using ASTM International standards developed for this program. The cost for testing is estimated at \$200-300 per product. Currently, the USDA has identified approximately 200 BioPreferred product categories and subcategories and the minimum biobased content standard for each. Products that fall outside an identified product category or sub-category are subject to a minimum 25% biomass content requirement. According to the USDA applications will be processed

within 60 days following submission.

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