

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Edith Ramirez, Chairwoman**
 Julie Brill
 Maureen K. Ohlhausen
 Joshua D. Wright
 Terrell McSweeny

In the Matter of)	
)	
)	
ECM BioFilms, Inc.,)	Docket No. 9358
a corporation, also d/b/a)	
Envioplastics International)	PUBLIC
)	
)	

**COMPLAINT COUNSEL’S COMPILATION OF MATERIALS
TO FACILATE ORAL ARGUMENT PRESENTATION**

Jessica L. Rich
Director

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Assistant Director

Counsel Supporting the Complaint

Dated: May 7, 2015

Pursuant to the Commission's April 14, 2015, Order Scheduling Oral Argument, Complaint Counsel submits the following electronic compilation of materials, which contains only public information that is already in the record of the proceeding.

Respectfully Submitted,

/s/ Katherine Johnson

Katherine Johnson

Elisa Jillson

Dated: May 7, 2015

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Counsel Supporting the Complaint

GENERIC PACKAGE

Survey/Question	1 Year or Less	5 Years or Less
APCO (CCX-860 at 53 (Appendix D))		
Q4: If a package is labeled “biodegradable,” what should be the maximum amount of time that it should take for that package to decompose?	60%	65%
Google Consumer Surveys (CCX-860 at 27 (Appendix A))		
(1A) If a package is labeled “biodegradable,” how long will it take to decompose?	53%	71%
(1B) If a package is labeled “biodegradable,” how long will it take to biodegrade?	51%	70%
(1C) If a package is labeled “biodegradable,” how long will it take to degrade?	53%	71%
(1D) How much time do you think it would take a biodegradable product to biodegrade?	47%	66%
(1E) How much time would it take a biodegradable product to biodegrade?	50%	71%
(1F) How much time would it take a biodegradable product to biodegrade in a landfill?	42%	70%
(1G) If a package is labeled “biodegradable,” what should be the maximum amount of time that it should take for that package to decompose?	74%	89%
(1H) If a package is labeled “biodegradable,” what would be the maximum amount of time that it would take for that package to decompose?	60%	79%

PLASTIC PACKAGE

Survey/Question	1 Year or Less	5 Years or Less
Synovate (CCX-860 at 50 (Appendix C))		
Q19: What do you believe is a reasonable amount of time for a “biodegradable” plastic package to decompose in a landfill?	25%	45%
Google Consumer Surveys (CCX-860 at 30 (Appendix A))		
(3A) Suppose a plastic package is labeled biodegradable. How long do you think it will take to biodegrade?	31%	56%
(3B) Suppose a plastic package is labeled biodegradable. How much time do you think it will take to biodegrade?	28%	47%
(3C) If a plastic package is labeled “biodegradable,” how long will it take to decompose?	44%	64%

CLOSED-ENDED QUESTIONS VS. RESPONDENT'S SURVEY

Survey/Question	Less Than 1 Year	1 to 5 Years	5 Years or Less
Close-ended (Generic Package)			
If a package is labeled "biodegradable," what should be the maximum amount of time that it should take for that package to decompose?			
APCO (Q4)	34%	31%	65%
Google Consumer Survey (1K)	37%	17%	54%
Respondent's Survey (No Product or Package Specified)			
If something is biodegradable, how long do you think it would take for it to decompose or decay? (Q4: RX-846 at 20-21)			
Totals out of 206 (Stewart Tr. 2788-2793)	24%	34%	58%
Totals out of 400	12%	18%	30%

CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2015, I caused a true and correct copy of the foregoing to be served as follows:

One electronic copy, one copy through the FTC's e-filing system, and twelve hard copies to the **Office of the Secretary:**

Donald S. Clark, Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Room H-159
Washington, DC 20580
Email: secretary@ftc.gov

One electronic copy to the **Office of the Administrative Law Judge:**

The Honorable D. Michael Chappell
Administrative Law Judge
600 Pennsylvania Ave., NW, Room H-110
Washington, DC 20580

One electronic copy to **Counsel for the Respondent:**

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I further certify that I possess a paper copy of the signed original of the foregoing document that is available for review by the parties and the adjudicator.

Date: May 7, 2015

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