

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

COMMISSIONERS: **Edith Ramirez, Chairwoman**
 Julie Brill
 Maureen K. Ohlhausen
FARBERWARE® EcoFresh)

_____)

COMPLAINT

5. In its advertising and promotional materials, including, but not limited to, those shown in Exhibit 1, respondent has made the following statements and depictions:

Respondent's Website (Exhibit 1):

i. Homepage:

(Ex. 1, at 1).

ii. FAQs Page:

“What makes your products biodegrade? EcoPure, a patented blend of organic ingredients, is the catalyst that promotes microbial activity to devour and biodegrade the plastic.” (Id., at 2).

iii. EcoPure® Page:

1. “FARBERWARE® EcoFresh has the exclusive rights to a revolutionary biodegradable additive, EcoPure, making our containers the first ever biodegradable, recyclable & reusable food storage container system in the world.” (Id., at 3).

2. “EcoPure® is a second generation additive, which once

Each FARBERWARE® EcoFresh Container is described as “biodegradable.” (Id., at 4-8).

6. Approximately 92 percent of total municipal solid waste in the United States is disposed of either in landfills, incinerators, or recycling facilities. These disposal methods do not present conditions that would allow respondent’s FARBERWARE® EcoFresh Containers to completely break down and decompose into elements found in nature within a reasonably short period of time.

7. Consumers likely interpret unqualified degradable claims to mean that the entire product or package will complete

ASTM D5511.

10. In truth and in fact:
 - A. FARBERWARE® EcoFresh Containers will not completely break down and decompose into elements found in nature within a reasonably short period of time after customary disposal;
 - B. FARBERWARE® EcoFresh Containers will not completely break down and decompose into elements found in nature within a reasonably short period of time after disposal in a landfill;
 - C. FARBERWARE® EcoFresh Containers will not completely break down and

IN WITNESS WHEREOF, the Federal Trade Commission has issued this complaint against respondent and has caused it to be signed by its Secretary and its official seal to be hereto affixed, at Washington, D.C. this _____ day of _____, 2013.

By the Commission.

Donald S. Clark
Secretary

SEAL