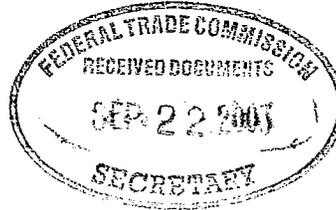




September 19, 2003

Office of the Secretary  
Federal Trade Commission  
Room 159  
600 Pennsylvania Avenue, N.W.  
Washington, DC 20580



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Atlanta, Georgia 30328

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**RE: FTC Proposed Rule Comment, "R-value Rule", 16 CFR Part 460, of Pactiv Building Products, a Pactiv Corporation Business**

Dear Secretary,

This letter is in reference to the Commission's recent request for comments regarding proposed amendments to the "R-value Rule" published on July 15, 2003. We greatly appreciate the opportunity to provide the commission with our comments and we would once again like to commend the Commission on its extensive analysis of a large number of comments and the accuracy of the summarized comments. With this in mind, we would like to provide the Commission with our comments regarding the following proposed amendments as they pertain to materials manufactured by Pactiv Building Products:

**Section 460.5(a) (R-value Tests): Temperature Differential**

We agree with the Commissions proposal to amend Section 460.5 to specify that tests be conducted using a temperature differential of 50 degrees Fahrenheit plus or minus 10 degrees Fahrenheit.

**Section 460.5(a)(1), (R-value Tests) (page 41874): Aging of Cellular Plastics**

We fully support the FTC's decision not to incorporate ASTM C 1303 into the Rule. The insulation industry is presently divided on the issue of aging test methodology. While some industry members feel that ASTM C 1303<sup>1</sup> is an appropriate method, others prefer the Canadian test method CAN/ULC S770<sup>2</sup>. At this time, an ASTM Task Group is working to resolve various technical issues associated with ASTM C 1303 and revisions will need to be balloted for approval before this document is considered technically sound. In addition, the CAN/ULC S770 Task Group has revised S770 to include reference to the positive bias associated with the use of this particular test method, thus acknowledging the shortcomings of the test methodology. It is apparent that there is still significant work to be done before either test methodology is considered technically sound.

It is important to note that the potential regulatory use of ASTM C 1303 or CAN/ULC S770 would be of limited value, since most insulative sheathing products used in residential construction are faced. Neither test method is applicable to testing of faced products and therefore, would not be applicable.

We also believe that the potential regulatory use of ASTM C 1303 and CAN/ULC S770 should take into consideration the number of independent testing laboratories certified to conduct either test method, the test cost, and the test duration. Presently, there are very few qualified independent testing laboratories in the United States that are certified to conduct ASTM C 1303 or CAN/ULC S770. There is a need to have more

- 1 ASTM C 1303: Standard Test Method for Estimating the Long-Term Change in the Thermal Resistance of Unfaced Rigid Closed Cell Plastic Foams by Slicing and Scaling Under Controlled Laboratory Conditions)
- 2 CAN/ULC S770: Standard Test Method for Determination of Long-Term Thermal Resistance of Closed-Cell Thermal Insulating Foams

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than one or two qualified independent testing laboratories, since most insulation manufacturers will need to rely on independent testing laboratories to conduct the testing. Secondly, the cost to have one sample evaluated in accordance with ASTM C 1303 or CAN/ULC S770 is about \$6,000.00, which makes testing of a statistically valid number of samples cost prohibitive. Finally, the time required to test one sample can take as long as a year, which means that it will take manufacturers several years to develop data that represents the product that they have already sold. Therefore, the current FTC requirements for aging of foam plastic insulation in accordance with the applicable Industry material specification or at 180 days at ambient conditions provides manufacturers with a more realistic approach to verifying aged thermal performance for their respective products.

**Section 460.5(b) and Section 460.5(c) (R-value Tests): Aluminum Foil Systems**

We support the Commission's proposal to the redesignated Section 460.5(c) to require that single and multiple sheet aluminum foil systems be tested in accordance with ASTM C 1363-97<sup>3</sup>. It is our understanding that ASTM C 1363-97 combines the test methodology of ASTM C 236-89<sup>4</sup> and ASTM C976-90<sup>5</sup>.

**Section 460.5(d) (R-value Tests): Insulation Material With Foil Facings and Air Space**

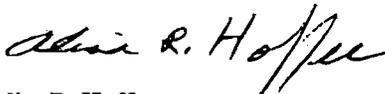
We support the Commission's proposal to the redesignated Section 460.5(d) to require that single and multiple sheet aluminum foil systems be tested in accordance with ASTM C 1363-97<sup>3</sup>. It is our understanding that ASTM C 1363-97 combines the test methodology of ASTM C 236-89<sup>4</sup> and ASTM C976-90<sup>5</sup>.

**Section 460.8 (R-value Tests): R-value Tolerances**

We support the Commission's proposal to amend Section 460.8 to clarify that the mean R-value of sampled specimens of a production lot of home insulation must meet or exceed the R-value shown in a label, fact sheet, ad, or other promotional material and that the R-value of an individual specimen of that insulation must not be more than 10% below the R-value shown in a label, fact sheet, ad, or other promotional material.

If you have any questions regarding the information provided in this letter, please feel free to call (678)589-7309.

Sincerely,



Alisa R. Hoffee  
Technical Manager  
Codes, Standards, & Marketing Services  
:ah

cc: P. Sullivan W. Thomas J. Lubker S. Hart  
G. Castner M. Zafar L. Carter

- 3 ASTM C 1363: Standard Test Method for the Thermal Performance of Building Assemblies by Means of a Hot Box Apparatus
- 4 ASTM C 236: Standard Test Method for Steady-State Thermal Performance of Building Assemblies by Means of a Guarded Hot Box
- 5 ASTM C 976: Standard Test Method for Thermal Performance of Building Assemblies by Means of a Calibrated Hot Box