

PMAA COMPLIANCE BULLETIN

NEW LABEL REQUIREMENTS FOR BIODIESEL DISPENSERS

BACKGROUND: Section 205 of the Energy Independence and Security Act of 2007 directs the Federal Trade Commission (FTC) to require new biodiesel content labels for all dispensers.

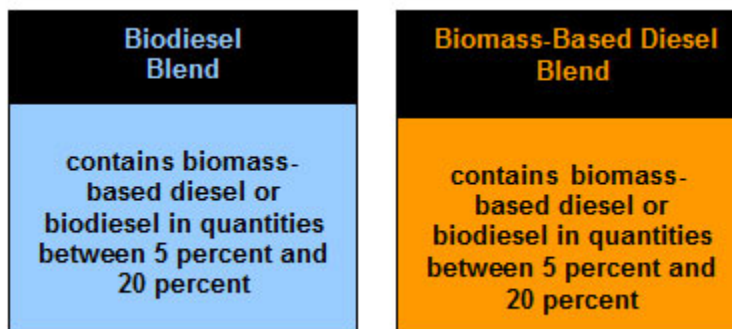
COMPLIANCE DATE: Labels must be placed on all biodiesel and biomass-based diesel dispensers no later than December 16, 2008.

DEFINITIONS:

- **Biodiesel** - Biodiesel means the monoalkyl esters of long chain fatty acids derived from plant or animal matter that meet EPA fuel registration regulations and ASTM standard D6751 requirements.
- **Biomass-Based Diesel** - Biomass-based diesel means a diesel fuel substitute produced from non-petroleum renewable resources that meets EPA registration requirements and includes fuel derived from animal wastes, including poultry fat and poultry wastes and other waste materials, or from municipal solid waste, sludge and oils derived from wastewater. Biomass-based diesel does not include biodiesel as defined above.

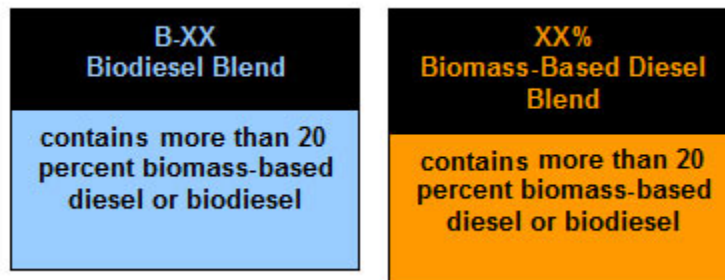
COMPLIANCE - Required Dispenser Labels:

- **Blends Up to 5 percent** - No dispenser label required.
- **Blends Greater than 5 percent and up to 20 percent** - The label must state:



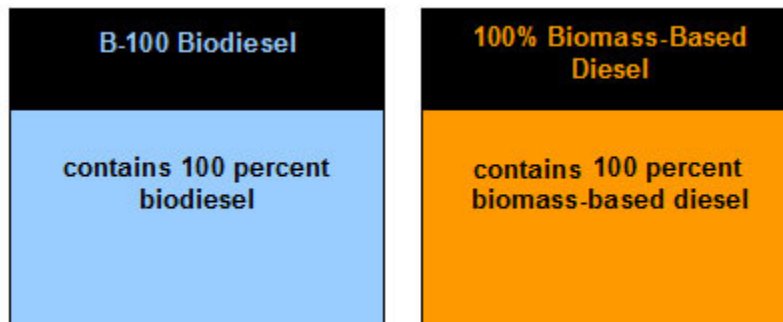
* Any specific designation of biodiesel content (B-2, B-5, B-10, B-15 etc.) may be displayed if desired. Use "B-X" where X=biodiesel volume content and place before the words "Biodiesel Blend" in the black box of the blue label. Any specific designations of biomass-based diesel content (2 percent, 5 percent 10 percent or 15 percent etc.) may be displayed. Place the numerical percentage of the biomass content before "Biomass-Based Diesel Blend" in the black box of the orange label.

- **Blends greater than 20 percent** - The label must state:



* XX denotes the percentage of biodiesel or biomass-based diesel in the diesel fuel blend.

- **100 percent biodiesel or bio-mass based diesel blends** - The label must state:



LABEL PLACEMENT: The label, or labels, must be placed conspicuously on the dispenser face in full view of consumers and as near to the price per unit as reasonably practicable.

FUEL RATING CERTIFICATION: In each transfer a fuel distributor makes to anyone who is not a consumer, the biodiesel content or biomass-based diesel content of the blend must be certified on the delivery ticket, bill or lading product transfer document or invoice that accompanies transfer of the fuel. Certification is made by indicating on the transfer document the volume percentage of the biodiesel or biomass-based diesel contained in the blend. Example: "B-5" or "B-20" or "Contains 20 percent biodiesel" etc. Most distributors are already complying with these requirements.

RECORD KEEPING REQUIREMENTS: The FTC requires distributors and retailers to keep documents containing fuel certifications for one year. Retailers and distributors are already required to keep such records under existing EPA and DOT regulations so no additional record keeping burden is added by this rule.

WHERE TO PURCHASE LABELS: Labels are available at: <http://www.biodieselpumplabels.com> or http://www.pmcofiowa.com/forms/FTC-BioBlend_Labels_OrderForm.pdf.

Got Questions? Contact Mark S. Morgan, Regulatory Counsel
(202) 364-6767 or mmorganpsa@cox.net