

The Federal Role: Who is Required to Buy Biobased Products?



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Who is Required to Buy Biobased Products?

All federal agencies are required to have affirmative procurement preference programs for biobased Products.

Let's review the 3 compliance requirements.



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Who is Required to Buy Biobased Products?

- I. The Biobased Final Rule, 7 CFR Part 2902, authorized by section 9002 of FSRIA, was published on January 11, 2005. Federal agencies must establish an affirmative procurement preference program by January 11, 2006 that includes:
 1. a preference for purchasing Designated Items;
 2. a promotion to promote the preference, &
 3. provisions to review and monitor program effectiveness on an annual basis.



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- II. The requirement applies to all biobased products within Designated Items costing over \$10,000 or when the quantities of functionally equivalent items purchased over the preceding fiscal year equaled \$10,000 or more. This threshold applies to Federal agencies as a whole entity.



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- III. FSRIA Section 9002(c)(1) requires Federal agencies to procure Designated Items composed of the highest percentage of biobased products practicable, consistent with maintaining a satisfactory level of competition.**



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In considering The Federal Role and compliance, there are two exceptions:

1. Procurements by a Federal agency subject to Section 6002 of the Solid Waste Disposal Act (42 U.S.C. 6962) are not subject to the requirements Section 9002 to the extent that the requirements of the two programs are inconsistent.



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2. Federal agencies may decide not to procure designated biobased products if the Items are:
 - a. not reasonably available,
 - b. fail to meet applicable performance standards, or
 - c. are available only at an unreasonable price.



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In summary, The Federal Role is similar to that of other affirmative procurement preference programs, such as Green Purchasing. Although it will require some changes, it's clear to see that the long term benefits far outweigh the immediate effort of implementing a preference program.



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Biobased products can easily be integrated into a framework that enhances and improves the overall efficiency and effectiveness of the environmental management plan. Let's take a look at 2 more success stories.

U.S. Forest Service

Road, recreation, and trail signs made from a wood composite product called Atree™

Yellowstone National Park

Lube Oils



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To learn “How to Purchase Biobased Products”, take the Awareness Self Tests, and then click on the link provided at the end.

[Awareness Self Tests](#)



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