



**Asia-Pacific
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Agenda: D2 4

Economy Update – United States: ENERGY STAR Products Compliance Activities

Submitted by: United States



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ENERGY STAR Products Compliance Activities


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 Learn more at energystar.gov

Overview



- Entry Conditions – Partners with third-party certified products
- Market Surveillance – Monitoring use of the label
- Verification Testing – Ensuring certified products continue to meet ENERGY STAR performance requirements
- Enforcement - Trademark
- Evaluation

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Entry Conditions:

Recent Transition from Self-Certification to Third-Party Certification



- Self-Certification (1992-2010)
 - Partners test products, confirm conformance to specification, and label with the ENERGY STAR
 - Partners submit test data to EPA to qualify their products
 - EPA reviews test data and adds products to lists of qualified products
 - EPA verifies energy performance of select models only
- Third-Party Certification (starting in 2011)
 - Partners have products tested in EPA-recognized labs prior to certification and labeling
 - Certification Bodies (CBs) certify that products meet program requirements based on a review of test data
 - CBs submit certified data to EPA for creation of qualified product lists
 - *CBs responsible for conducting verification and challenge testing after certification*
 - *CBs evaluate retested products that have undergone significant post-certification changes*



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Entry Conditions:

Requirements for Partners, Certifiers, and Labs



- Partners have formal agreement with EPA
 - Partner commitments include third-party certification of products
 - Partners agree to abide by ENERGY STAR Program Identity Guidelines
- EPA-recognized Certification Bodies (CBs) are accredited to ISO guide 65
- EPA-recognized laboratories testing products are accredited to ISO 17025 by EPA-recognized Accreditation Bodies (ABs) (*Supervised or Witnessed Manufacturers Labs allowed with CB oversight*)

Certification requirements are based on international standards and agreements including the International Laboratory Accreditation Cooperation and the International Accreditation Forum



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EPA-Recognized Bodies



- Accreditation Bodies, Laboratories, and Certification Bodies are recognized on an ongoing basis.
- Conditions and criteria for recognition allow for broad participation

Current Number of Recognized Bodies:
Accreditation Bodies: 22
Laboratories: 218
Certification Bodies: 17



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Market Surveillance



- Trademark is registered with U.S. Customs & Border Control Service to allow for inspection of logo application for shipments entering the U.S.
- EPA checks retail stores around the U.S. to ensure that only qualified products are labeled with ENERGY STAR
- EPA monitors the use of the ENERGY STAR mark and name in trade media, advertisements, and the internet.
- Complaints regarding logo use can be reported to EPA
- Certification Bodies are required to run a challenge testing program to address concerns about product performance



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Verification Testing



- ENERGY STAR third-party certification requires annual testing of at least 10% of ENERGY STAR products off-the-shelf
- US Department of Energy initiated verification testing of ENERGY STAR products in 2010



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Enforcement



- Enforcement based on trademark law
 - Corrective actions are required to address violations (e.g., use of mark on non-certified products, failure to participate in verification testing, products determined to no longer meet requirements based on post-certification testing)
 - Failure to comply may result in termination of partnership (company may no longer use mark)
- Coordination with US Department of Energy and Federal Trade Commission regarding product failure to meet mandatory requirements



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Evaluation



- EPA is tracking all non-compliance issues and posting lists of disqualified products online: www.energystar.gov/integrity
- EPA and DOE are identifying root causes of failures to determine appropriate remedies (e.g., test procedure clarification, round-robin testing for labs to ensure consistency, partner negligence)
- Program requirements may be modified to address issues identified with increased monitoring and testing



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Questions



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