



Secretary Steven Chu, Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Secretary Chu:

Consumers Union, the non-profit publisher of *Consumer Reports*, has been a long-time advocate of enforcing and improving Energy Star labeling for energy efficient appliances. During routine product testing, Consumers Union has discovered large inaccuracies in energy-usage labeling for several appliance models and have brought these misleading claims to the attention of the Department of Energy.

Consumers Union is pleased to note the Department's October 14, 2009 notice in the Federal Register of its intention to increase enforcement of appliance standards and review manufacturer compliance with Energy Star certification requirements. We believe that this is an important first step in ensuring Energy Star labeling is meaningful and helpful to consumers. Consumers' Union's related press released is attached.

Consumers rely on energy-usage labeling in choosing energy efficient products, and such labels are only effective if they are reliable. Consumers Union urges the Department to continue to strengthen and update its efficiency standards for Energy Star labeled products and broaden the scope of Energy Star labeling to additional appliances. In addition, in order to increase compliance, Consumers Union advocates for third-party certification of compliance conducted by independent, accredited testing laboratories combined with DOE spot checking of Energy Star and energy-usage claims by manufacturers. We appreciate your attention to this important consumer issue and request the opportunity to meet with appropriate officials at DOE to further discuss strengthening the Energy Star program.

Sincerely,

Shannon Baker-Branstetter
Policy Analyst, Consumers Union

Cc: Scott Harris, General Counsel

Enclosure

Consumers Union

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FOR IMMEDIATE RELEASE

Consumers Union—Publisher of Consumer Reports Magazine
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Energy Star Ratings: Consumers Union Applauds New Guidelines

Washington, DC—The Department of Energy (DOE) announced on Wednesday a new policy to conduct random checks of industry compliance with Energy Star labels. Consumers Union, the non-profit publisher of *Consumer Reports* magazine, has been a long-time advocate for increased energy efficiency and increased enforcement action against the misuse of the Energy Star label for products that do not comply with Energy Star requirements. Today, Consumers Union sent a letter to DOE expressing its support for DOE's new guidelines and inviting DOE to discuss policies to further improve Energy Star compliance with Consumers Union.

"We applaud the Department of Energy for initiating this compliance review to help shed a light on the abuse of the Energy Star label," said Shannon Baker-Branstetter, policy analyst for Consumers Union. "Consumers rely on Energy Star labels to ensure they are buying the most energy-efficient appliances on the market, but we've discovered that some products say they comply with Energy Star standards when they actually don't."

During routine product testing, Consumers Union found that some companies have inaccurately labeled their products as Energy Star compliant when they are not. In tests of freezers for the September issue of *Consumer Reports*, one Energy Star freezer, the Haier HUF138EA, used significantly more energy than claimed on its Energy Guide label. On August 13, 2009, Consumers Union informed DOE it should investigate the misleading EnergyGuide and Energy Star labeling.

In Consumers Union's energy tests, freezers typically consumed on average 17 percent more energy than the amount indicated on the Energy Guide label. The Haier HUF138EA freezer; however, stood out as using 70 percent more energy than other freezers that were tested. Specifically, Consumers Union measured an energy draw of 955 kWh on one sample and 957 kWh on another. The manufacturer claimed 560 kWh as posted on the Haier's Energy Guide label. The company's web site currently indicates that the HUF138EA model uses 622 kWh. That deviates from the 560 kWh claimed on the Energy Guide label, which is the figure consumers will use to compare models in the store.

In another example from Consumers Union's October 2008 energy tests, an LG French-door refrigerator with an Energy Star label was using twice the energy in real life tests than the amount claimed on the manufacturers' label.

"Appliances are constantly changing and it's important for the Department of Energy to update procedures so that consumers know which appliances are the most energy efficient," said Shannon Baker-Branstetter. "For years, the federal testing procedures haven't kept pace with new technology and products. We urge DOE to update its Energy Star standards and ensure that Energy Star appliances will actually use less energy."

Consumers Union will continue its energy-use testing to assist consumers in reducing their energy consumption and looks forward to the Department of Energy's increased enforcement of Energy Star and energy-usage labeling.

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