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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF AIR AND RADIATION

November 12, 2020

Dear ENERGY STAR® Brand Owners:

As the U.S. Environmental Protection Agency (EPA) prepares selections for 2021 ENERGY STAR product verification testing, this is a reminder to partners about the importance of updating your product listings to reflect current product offerings, and retiring those that are no longer available for sale in the US or were never sold. By keeping your listings up-to-date, you help keep the ENERGY STAR product lists current for consumers and utilities, and help Certification Bodies (CBs) minimize delays associated with completing their verification testing obligations. In addition, maintaining a lower product count limits testing exposure by ensuring the number of products selected for testing is based on actual market presence.

Verification testing is designed to ensure continued performance of off-the-shelf products for end-users and other vested parties, such as utilities. Just as importantly, however, it protects the value of the brand for you, the program partner, by enforcing program requirements and product performance among competitors. Verification testing is conducted on 5 -10% of ENERGY STAR products annually (depending on the category) and is comprised of both random and nominated products. For an individual partner, this means the number of selected products may vary annually from several to none at all, and averages out over time. In 2021, 740 partners will be tested based on EPA nominations alone, 61 of which are partners with the highest noncompliance rates. With a narrow exception of certain product types, all active brand owners in the program will have been tested since verification testing started in 2012.

EPA's Disqualification Procedures provide a robust process for partner input on testing failures with preliminary notice of a failure, a 20-day comment period for partners to dispute testing results, an opportunity for conference with EPA, and an opportunity to appeal dispute determinations.

Here are some key numbers from Verification Testing:

- 14,462 products tested since 2011
- 51 product areas tested
- Approx. 1750 brand owners tested
- 1.9% of tested non-lighting products disqualified since 2011
- 17.6% of tested LEDs disqualified since 2013
- Approx. 370 brand owners that have disputed testing failures
- 27.0% of testing failures are disputed
- 51.7% of testing failure disputes are granted
- 4.8% of dispute denials are appealed

- 52.6% of appeals are granted

As you may know, disqualified model numbers may no longer be associated with ENERGY STAR products. To enforce this, EPA performs an annual online assessment to track disqualified products and ensure that the ENERGY STAR mark is no longer associated with those models. In 2019, 281 products were identified as mislabeled online, and 17 partners were under heightened oversight to perform additional corrective actions as a part of that effort.

In addition to disqualifying products that fail to perform, EPA performs extensive monitoring of the marketplace for improper use of the ENERGY STAR logo by partners and unauthorized use by entities without an ENERGY STAR partnership. These efforts help preserve the value of our brand and your products.

Thank you for your attention to verification testing requirements, and your continued support of ENERGY STAR.

Mariah Steele
Program Compliance
ENERGY STAR Labeled Products

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