

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



OFFICE OF
AIR AND RADIATION

July 23, 2010

Dear ENERGY STAR[®] Partner or Interested Party:

As part of our ongoing effort to enhance testing and verification across the ENERGY STAR Program, the U.S. Environmental Protection Agency (EPA) is releasing a **final draft** of its Conditions and Criteria for Recognition of Certification Bodies (CBs) for the ENERGY STAR Program. Comments on this final draft are due August 6, 2010.

These requirements, together with requirements for the recognition of accreditation bodies and laboratories (finalized June 30), constitute the scheme by which ENERGY STAR products will be certified and verified by third parties going forward. The final stage in this process, updating ENERGY STAR partner commitments and eligibility criteria to require participation in this scheme, will occur with stakeholder input during August and September.

EPA published a first draft of the CB requirements on June 4, and subsequently received and considered extensive input from stakeholders. EPA would like to thank all those who shared comments on the first draft; these contributions were carefully reviewed and considered during the development of the final draft document. Stakeholder comments on the first draft are available on the ENERGY STAR Web site at www.energystar.gov/testingandverification. Comments were generally supportive of EPA's intention to maintain the integrity of the ENERGY STAR mark through the use of third-party certification. A summary of key issues and responses will be available on the website next week.

Important changes from the first draft of the CB requirements document include:

1. To ensure that product qualifications remain valid over time, the CB must require ENERGY STAR partners to inform the CB of changes to their certified products that may affect their ENERGY STAR qualification status. The CB will then be required to re-evaluate product performance, and provide EPA with relevant data. EPA has opted for this approach in lieu of requiring the CB to maintain product design specifications or ensure ENERGY STAR partner facilities maintain manufacturing consistency.
2. EPA intends to retain responsibility for auditing and enforcing program labeling requirements. Accordingly, references to the CB being required to ensure products are labeled in accordance with ENERGY STAR program requirements have been removed.

3. Given the significant role CBs will play as part of the ENERGY STAR testing and verification scheme, EPA anticipates maintaining a close working relationship with them. In order to foster this level of cooperation, EPA will limit recognition to those CBs that have a substantial North American presence.
4. Language has been added requiring the CB to take into account accreditation to ISO/IEC 17025 and EPA recognition when certifying data from a first-party laboratory participating in a witnessed or supervised manufacturers' testing laboratory (WMTL/SMTL) program. The steps necessary to establish a relationship with and certify data from such laboratories will be less than what the CB requires of non-accredited laboratories.
5. EPA appreciates ENERGY STAR partners' concerns regarding product development cycles, and understands that a CB's ability to review product data in a timely manner can affect these cycles, notably time-to-market. In determining whether to recognize a CB for participation in the ENERGY STAR program, EPA has noted that it will evaluate the CB's product data review procedure to ensure it meets the needs of ENERGY STAR partners.

EPA welcomes comments on this final draft document. Stakeholders are encouraged to submit their comments to ENERGYSTARVerificationProgram@energystar.gov by **August 6, 2010**, noting, "Final Draft Certification and Verification Requirements," in the subject line of their email. EPA will review these comments, and will distribute the final CB requirements document in mid-August.

EPA is currently reviewing and accepting applications from accreditation bodies (ABs), and will begin reviewing applications from laboratories soon. Certification bodies represent the final group of organizations EPA anticipates recognizing as participants in the testing and verification scheme. EPA intends to post an application for EPA recognition of CBs to the ENERGY STAR Web site in mid-August.

I encourage you to visit the ENERGY STAR Testing and Verification Web site to track the Agency's progress in developing and implementing the enhanced testing and verification program. Should you have any questions, please contact Eamon Monahan at monahan.eamon@epa.gov.

Thank you for your continued support of ENERGY STAR.

Sincerely,



Ann Bailey, Chief
ENERGY STAR Labeling Branch
U.S. Environmental Protection Agency