

141°10'00" W.; to the point of beginning. The portion within Canada is excluded.

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Issued in Washington, DC, on January 25, 2006.

Kenneth McElroy,

Acting Manager, Airspace and Rules.

[FR Doc. 06-898 Filed 1-30-06; 8:45 am]

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FEDERAL TRADE COMMISSION

16 CFR Part 305

Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ("Appliance Labeling Rule")

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission ("Commission") is amending the Appliance Labeling Rule to update ranges of comparability for compact clothes washers, refrigerators, refrigerator-freezers, and freezers. In addition, the Commission announces that ranges of comparability for standard clothes washers will remain in effect until further notice. Finally, the Commission is issuing minor, technical amendments to update the definition of medium base compact fluorescent lamp and to correct a sample heat pump label in the Rule.

EFFECTIVE DATE: May 1, 2006.

FOR FURTHER INFORMATION CONTACT: Hampton Newsome, Attorney, Division of Enforcement, Federal Trade Commission, Washington, DC 20580 (202-326-2889); hnewsome@ftc.gov.

SUPPLEMENTARY INFORMATION: The Appliance Labeling Rule ("Rule") was issued by the Commission in 1979, 44 FR 66466 (Nov. 19, 1979), in response to a directive in the Energy Policy and Conservation Act of 1975 ("EPCA").¹ The Rule covers several categories of major household appliances including refrigerators, refrigerator-freezers, and freezers.

I. Background

The Rule requires manufacturers of all covered appliances to disclose specific energy consumption or efficiency information (derived from the DOE test

¹ 42 U.S.C. 6294. The statute also requires the Department of Energy ("DOE") to develop test procedures that measure how much energy the appliances use, and to determine the representative average cost a consumer pays for the different types of energy available.

procedures) at the point of sale in the form of an "EnergyGuide" label, in fact sheets (for some appliances), and in catalogs. The Rule requires manufacturers to include, on labels and fact sheets, an energy consumption or efficiency figure and a "range of comparability." This range shows the highest and lowest energy consumption or efficiencies for all comparable appliance models so consumers can compare the energy consumption or efficiency of similar models. The Rule also requires manufacturers to include, on labels for some products, a secondary energy usage disclosure in the form of an estimated annual operating cost based on a specified DOE national average cost for the fuel the appliance uses.

Section 305.8(b) of the Rule requires manufacturers, after filing an initial report, to report certain information annually to the Commission.² These reports, which assist the Commission in preparing the ranges of comparability, contain the estimated annual energy consumption or energy efficiency ratings for the appliances derived from tests performed pursuant to the DOE test procedures. Because manufacturers regularly add new models to their lines, improve existing models, and discontinue others, the data base from which the ranges of comparability are calculated changes constantly. To keep the information on labels up-to-date, the Commission, therefore, publishes new ranges if the upper or lower limits of the ranges have changed by more than 15%. Otherwise, the Commission publishes a statement that the prior ranges remain in effect for the next year.

II. 2005 Refrigerator and Clothes Washer Data

The Commission has analyzed the annual submissions of data for clothes washers, refrigerators, refrigerator-freezers, and freezers. Analysis of the refrigerators, refrigerator-freezers, and freezers submissions indicates that the ranges for these products have changed significantly.³ Therefore, the Commission is publishing new ranges of comparability in these categories. Today's publication of the new ranges for refrigerators, refrigerator-freezers, and freezers also means that, after May 1, 2006, manufacturers of these products must calculate the operating cost figures

² Reports for refrigerators, refrigerator-freezers, and freezers are due August 1. Reports for clothes washers are due October 1.

³ The Commission's analysis for refrigerators, refrigerator-freezers, and freezers excluded models with energy consumption figures that do not meet the current DOE energy conservation standards. See 62 FR 23102 (April 28, 1997).

at the bottom of labels for the products using the 2005 cost for electricity (9.06 cents per kilowatt-hour) (see 70 FR 32484 (June 3, 2005)).

Analysis of the clothes washer submissions indicate that there has been a significant change in the range for compact clothes washers but no significant change for standard clothes washers. Manufacturers should continue to use the existing range and energy cost information found in the Rule for standard clothes washers. The Commission, however, is amending the required range of comparability for compact clothes washers to reflect the new data.⁴ The Commission is not changing the energy cost figures (*i.e.*, the average national prices for electricity and natural gas) that manufacturers must use to calculate estimated operating costs on compact clothes washer labels. Manufacturers should continue to use the 2004 electricity and natural gas cost figures as currently required by the Rule for both compact and standard models. If standard and compact washer labels employed different energy cost figures for calculating operating costs, models with the identical energy consumption would bear labels disclosing different annual operating costs. This could cause consumer confusion and make it difficult for consumers to compare the operating costs of these washer types.

III. Definition of Medium Base Compact Fluorescent Lamp

The Energy Policy Act of 2005 (EPACT of 2005) (Pub. L. 109-58) amended the definition of "medium base compact fluorescent lamp" in part B of title III of the Energy Policy and Conservation Act (EPCA) (42 U.S.C. 6291-6309). On October 18, 2005 (70 FR 60407), DOE issued technical amendments to change, among other things, the regulatory definition of "medium base compact fluorescent lamp" to make it consistent with the amended Act. The Commission is changing the definition of this term in its Rule so that it is consistent with DOE's rules and the new statutory definition.

IV. Correction to Prototype Label 5 and Sample Label 9

The Commission is issuing a correction to Prototype Label 5 and Sample Label 9 in the Rule. The word "cooling," instead of "heating," was incorrectly placed in the label's depiction of the model's Heating Seasonal Performance Factor. In

⁴ Compact clothes washers account for a small fraction of the total washer models on the market.

addition, the description of the Seasonal Energy Efficiency Ratio (SEER) for heat pumps has been changed to remove an erroneous reference to central air conditioners.

V. Administrative Procedure Act

The amendments published in this notice involve routine, technical and minor, or conforming changes to the labeling requirements in the Rule. These technical amendments merely provide a routine change to the range and cost information required on EnergyGuide labels and fact sheets and technical corrections to the Rule. Accordingly, the Commission finds for good cause that public comment for these technical, procedural amendments is impractical and unnecessary (5 U.S.C. 553(b)(A)(B) and (d)).

VI. Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a Regulatory Flexibility Act analysis (5 U.S.C. 603–604) are not applicable to this proceeding because the amendments do not impose any new obligations on entities regulated by the Appliance Labeling Rule. These technical amendments merely provide a routine change to the range information required on EnergyGuide labels and make technical corrections to the Rule. Thus, the amendments will not have a “significant economic impact on a substantial number of small entities.” 5 U.S.C. 605. The Commission has concluded, therefore, that a regulatory flexibility analysis is not necessary, and certifies, under Section 605 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that the amendments announced today will not have a significant economic impact on a substantial number of small entities.

VII. Paperwork Reduction Act

In a June 13, 1988 notice (53 FR 22106), the Commission stated that the Rule contains disclosure and reporting requirements that constitute “information collection requirements” as defined by 5 CFR 1320.7(c), the regulation that implements the Paperwork Reduction Act.⁵ The Commission noted that the Rule had been reviewed and approved in 1984 by the Office of Management and Budget (“OMB”) and assigned OMB Control No. 3084–0068. OMB has reviewed the Rule and extended its approval for its recordkeeping and reporting requirements until December 31, 2007. The amendments now being adopted do not change the substance or frequency

of the recordkeeping, disclosure, or reporting requirements and, therefore, do not require further OMB clearance.

VIII. Amendments

List of Subjects in 16 CFR Part 305

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

■ For the reasons stated in this document, the Federal Trade Commission is amending 16 CFR part 305 as set forth below:

PART 305—RULE CONCERNING DISCLOSURES REGARDING ENERGY CONSUMPTION AND WATER USE OF CERTAIN HOME APPLIANCES AND OTHER PRODUCTS REQUIRED UNDER THE ENERGY POLICY AND CONSERVATION ACT (“APPLIANCE LABELING RULE”)

■ 1. The authority citation for part 305 continues to read as follows:

Authority: 42 U.S.C. 6294.

■ 2. In § 305.3, paragraph (l) is revised to read as follows:

§ 305.3 Description of covered products.

* * * * *

(l) *Medium base compact fluorescent lamp* means an integrally ballasted fluorescent lamp with a medium screw base, a rated input voltage range of 115 to 130 volts and which is designed as direct replacement for a general service incandescent lamp; however, the term does not include—

- (1) Any lamp that is—
 - (i) Specifically designed to be used for special purpose applications; and
 - (ii) Unlikely to be used in general purpose applications, such as the applications described in the definition of “General Service Incandescent Lamp” in this section; or
- (2) Any lamp not described in the definition of “General Service Incandescent Lamp” in this section that is excluded by the Department of Energy, by rule, because the lamp is—
 - (i) Designed for special applications; and
 - (ii) Unlikely to be used in general purpose applications.

* * * * *

■ 3. Appendix A1 to part 305 is revised to read as follows:

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

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■ 4. Appendix A2 to part 305 is revised to read as follows:

Appendix A1 to Part 305—Refrigerators With Automatic Defrost

RANGE INFORMATION

Manufacturer’s rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 2.5	327	327
2.5 to 4.4	307	385
4.5 to 6.4	305	511
6.5 to 8.4	(*)	(*)
8.5 to 10.4	348	348
10.5 to 12.4	(*)	(*)
12.5 to 14.4	311	311
14.5 to 16.4	428	428
16.5 and over	372	438

(*) No data submitted for units meeting the Department of Energy’s Energy Conservation Standards effective July 1, 2001.

■ 4. Appendix A2 to part 305 is revised to read as follows:

Appendix A2 to Part 305—Refrigerators and Refrigerator-Freezers With Manual Defrost

RANGE INFORMATION

Manufacturer’s rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 2.5	253	318
2.5 to 4.4	260	343
4.5 to 6.4	268	357
6.5 to 8.4	277	277
8.5 to 10.4	230	336
10.5 to 12.4	288	345
12.5 to 14.4	(*)	(*)
14.5 to 16.4	(*)	(*)
16.5 to 18.4	335	404
18.5 to 20.4	(*)	(*)
20.5 to 22.4	(*)	(*)
22.5 to 24.4	449	449
24.5 to 26.4	(*)	(*)
26.5 to 28.4	(*)	(*)
28.5 and over	(*)	(*)

(*) No data submitted for units meeting the Department of Energy’s Energy Conservation Standards effective July 1, 2001.

■ 5. Appendix A3 to part 305 is revised to read as follows:

⁵ 44 U.S.C. 3501–3520.

Appendix A3 to Part 305—Refrigerator-Freezers With Partial Automatic Defrost

RANGE INFORMATION

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 10.5	254	434
10.5 to 12.4	314	314
12.5 to 14.4	(*)	(*)
14.5 to 16.4	(*)	(*)
16.5 to 18.4	(*)	(*)
18.5 to 20.4	(*)	(*)
20.5 to 22.4	(*)	(*)
22.5 to 24.4	(*)	(*)
24.5 to 26.4	(*)	(*)
26.5 to 28.4	(*)	(*)
28.5 and over	(*)	(*)

(*) No data submitted for units meeting the Department of Energy's Energy Conservation Standards effective July 1, 2001.

■ 6. Appendix A4 to part 305 is revised to read as follows:

Appendix A4 to Part 305—Refrigerator-Freezers With Automatic Defrost With Top-Mounted Freezer Without Through-the-Door Ice Service

RANGE INFORMATION

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 10.5	325	460
10.5 to 12.4	369	408
12.5 to 14.4	373	440
14.5 to 16.4	372	455
16.5 to 18.4	391	484
18.5 to 20.4	387	489
20.5 to 22.4	405	527
22.5 to 24.4	450	499
24.5 to 26.4	445	520
26.5 to 28.4	(*)	(*)
28.5 and over	(*)	(*)

(*) No data submitted for units meeting the Department of Energy's Energy Conservation Standards effective July 1, 2001.

■ 7. Appendix A5 to part 305 is revised to read as follows:

Appendix A5 to Part 305—Refrigerator-Freezers With Automatic Defrost With Side-Mounted Freezer Without Through-the-Door Ice Service

RANGE INFORMATION

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 10.5	530	530
10.5 to 12.4	(*)	(*)
12.5 to 14.4	(*)	(*)
14.5 to 16.4	(*)	(*)
16.5 to 18.4	(*)	(*)
18.5 to 20.4	610	624
20.5 to 22.4	510	640
22.5 to 24.4	643	653
24.5 to 26.4	561	661
26.5 to 28.4	668	668
28.5 and over	585	689

(*) No data submitted for units meeting the Department of Energy's Energy Conservation Standards effective July 1, 2001.

■ 8. Appendix A6 to part 305 is revised to read as follows:

Appendix A6 to Part 305—Refrigerator-Freezers With Automatic Defrost With Bottom-Mounted Freezer Without Through-the-Door Ice Service

RANGE INFORMATION

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 10.5	430	451
10.5 to 12.4	439	500
12.5 to 14.4	(*)	(*)
14.5 to 16.4	453	544
16.5 to 18.4	465	548
18.5 to 20.4	476	573
20.5 to 22.4	483	569
22.5 to 24.4	440	520
24.5 to 26.4	465	594
26.5 to 28.4	475	530
28.5 and over	499	499

(*) No data submitted for units meeting the Department of Energy's Energy Conservation Standards effective July 1, 2001.

■ 9. Appendix A7 to part 305 is revised to read as follows:

Appendix A7 to Part 305—Refrigerator-Freezers With Automatic Defrost With Top-Mounted Freezer Without Through-the-Door Ice Service

RANGE INFORMATION

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 10.5	(*)	(*)
10.5 to 12.4	(*)	(*)
12.5 to 14.4	(*)	(*)
14.5 to 16.4	(*)	(*)
16.5 to 18.4	(*)	(*)
18.5 to 20.4	(*)	(*)
20.5 to 22.4	(*)	(*)
22.5 to 24.4	(*)	(*)
24.5 to 26.4	(*)	(*)
26.5 to 28.4	(*)	(*)
28.5 and over	(*)	(*)

(*) No data submitted for units meeting the Department of Energy's Energy Conservation Standards effective July 1, 2001.

■ 10. Appendix A8 to part 305 is revised to read as follows:

Appendix A8 to Part 305—Refrigerator-Freezers With Automatic Defrost With Side-Mounted Freezer With Through-the-Door Ice Service

RANGE INFORMATION

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 10.5	(*)	(*)
10.5 to 12.4	(*)	(*)
12.5 to 14.4	(*)	(*)
14.5 to 16.4	(*)	(*)
16.5 to 18.4	(*)	(*)
18.5 to 20.4	553	651
20.5 to 22.4	432	671
22.5 to 24.4	539	698
24.5 to 26.4	578	732
26.5 to 28.4	615	751
28.5 and over	565	790

(*) No data submitted for units meeting the Department of Energy's Energy Conservation Standards effective July 1, 2001.

Cost Information for Appendices A1 Through A8

When the ranges of comparability in Appendices A1 through A8 are used on EnergyGuide labels for refrigerators and refrigerator-freezers, the estimated annual operating cost disclosure appearing in the box at the bottom of the labels must be derived using the 2005 Representative Average Unit Cost for electricity (9.06¢ per kilowatt-hour), and the text below the box must identify the cost as such.

■ 11. Appendix B1 to part 305 is revised to read as follows:

Appendix B1 to Part 305—Upright Freezers With Manual Defrost

RANGE INFORMATION

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 5.5	272	328
5.5 to 7.4	354	354
7.5 to 9.4	292	341
9.5 to 11.4	353	392
11.5 to 13.4	354	410
13.5 to 15.4	409	341
15.5 to 17.4	430	477
17.5 to 19.4	392	392
19.5 to 21.4	512	512
21.5 to 23.4	(*)	(*)
23.5 to 25.4	580	580
25.5 to 27.4	(*)	(*)
27.5 to 29.4	477	477
29.5 and over	512	512

(*) No data submitted for units meeting the Department of Energy's Energy Conservation Standards effective July 1, 2001.

■ 12. Appendix B2 to Part 305 is revised to read as follows:

Appendix B2 to Part 305—Upright Freezers With Automatic Defrost

RANGE INFORMATION

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 5.5	482	491
5.5 to 7.4	(*)	(*)
7.5 to 9.4	(*)	(*)
9.5 to 11.4	(*)	(*)
11.5 to 13.4	575	575
13.5 to 15.4	582	655
15.5 to 17.4	601	683

RANGE INFORMATION—Continued

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
17.5 to 19.4	635	742
19.5 to 21.4	671	770
21.5 to 23.4	796	796
23.5 to 25.4	855	855
25.5 to 27.4	(*)	(*)
27.5 to 29.4	683	683
29.5 and over	(*)	(*)

(*) No data submitted for units meeting the Department of Energy's Energy Conservation Standards effective July 1, 2001.

■ 13. Appendix B3 to part 305 is revised to read as follows:

Appendix B3 to Part 305—Chest Freezers and All Other Freezers

RANGE INFORMATION

Manufacturer's rated total refrigerated volume (in cubic feet)	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Less than 5.5	185	357
5.5 to 7.4	215	381
7.5 to 9.4	251	251
9.5 to 11.4	248	312
11.5 to 13.4	276	350
13.5 to 15.4	354	394
15.5 to 17.4	282	360
17.5 to 19.4	(*)	(*)
19.5 to 21.4	350	415
21.5 to 23.4	460	512
23.5 to 25.4	570	570
25.5 to 27.4	354	394
27.5 to 29.4	(*)	(*)
29.5 and over	512	512

(*) No data submitted for units meeting the Department of Energy's Energy Conservation Standards effective July 1, 2001.

Cost Information for Appendices B1 Through B3

When the ranges of comparability in Appendices B1 through B3 are used on EnergyGuide labels for freezers, the estimated annual operating cost disclosure appearing in the box at the bottom of the labels must be derived using the 2005 Representative Average Unit Cost for electricity (9.06¢ per kilowatt-hour), and the text below the box must identify the cost as such.

■ 14. Appendix F2 to Part 305 is revised to read as follows:

Appendix F2 to Part 305—Compact Clothes Washers

RANGE INFORMATION

["Compact" includes all household clothes washers with a tub capacity of less than 1.6 cu. ft.]

Capacity	Range of estimated annual energy consumption (kWh/yr)	
	Low	High
Compact	125	462

Cost Information

When the above range of comparability is used on EnergyGuide labels for compact clothes washers, the estimated annual operating cost disclosure appearing in the box at the bottom of the labels must be derived using the 2004 Representative Average Unit Costs for electricity (8.60¢ per kilowatt-hour) and natural gas (91.0¢ per therm), and the text below the box must identify the costs as such.

■ 15. Prototype Label 1 in Appendix L to part 305 is revised to read as follows:

* * * * *

All copy Arial Narrow Regular or Bold as below.
Helvetica Condensed series typeface or other equivalent also acceptable.

← All copy x 28 pi. →

10/12 Arial Narrow → Based on standard U.S. Government tests

ENERGYGUIDE

12/14 Arial Narrow Bold → **Refrigerator-Freezer**
With Automatic Defrost
With Side-Mounted Freezer
With Through-the-Door-Ice Service

XYZ Corporation
Model ABC-W
Capacity: 23 Cubic Feet

Compare the Energy Use of this Refrigerator with Others Before You Buy.

14/14 Arial Narrow → This Model Uses 600kWh/year ← 10 Arial Narrow

1pt. Rule →

24pt. Rule → **Energy use (kWh/year) range of all similar models** ← 16 Arial Narrow Bold

10/12 Arial Narrow Use bold where indicated → **Uses Least Energy 539** ← 14/14 Arial Narrow Bold

10/12 Arial Narrow Use bold where indicated → **Uses Most Energy 698** ← 14/14 Arial Narrow Bold

1pt. Rule → kWh/year (kilowatt-hours per year) is a measure of energy (electricity) use. Your utility company uses it to compute your bill. Only models with 22.5 and 24.4 cubic feet and the above features are used in this scale.

Refrigerators using more energy cost more to operate.
This model's estimated yearly operating cost is: ← 14/14 Arial Narrow Bold

18 Arial Narrow Bold → **\$54** ← Box: 24 pt. Tall

10/12 Arial Narrow → Based on a 2005 U.S. Government national average cost of 9.06¢ per kWh for electricity. Your actual operating cost will vary depending on your local utility rates and your use of the product.

6/8 Arial Narrow → Important: Removal of this label before consumer purchase violates the Federal Trade Commission's Appliance Labeling Rule (16 C.F.R. Part 305).

Prototype Label 1

* * * * *

■ 16. Prototype Label 5 in Appendix L to part 305 is revised to read as follows:

* * * * *

All copy Arial Narrow Regular or Bold as below. Helvetica Condensed series typeface or other equivalent also acceptable.

All copy x 28 pi.

10/12 Arial Narrow → Based on standard U.S. Government tests

ENERGYGUIDE

Heat Pump Cooling and Heating Split System

XYZ Corporation Model 12345

Compare the Energy Efficiency of this Heat Pump with Others Before You Buy.

14/14 Arial Narrow → This Model (Cooling) 13.4SEER

24 pt. Rule → Energy efficiency range of all similar models

1pt. Rule → Least Efficient 10.9 Most Efficient 18.60

SEER, the Seasonal Energy Efficiency Ratio, is a measure of energy efficiency for heat pumps when cooling.

1pt. Rule → This Model (Heating) 8.4HSPF

Energy efficiency range of all similar models

Least Efficient 7.10 Most Efficient 10.55

HSPF, the Heating Seasonal Performance Factor, is a measure of energy efficiency for heat pumps when heating.

- These energy ratings are based on U.S. Government standard tests of this condenser model combined with the most common coil. The ratings will vary slightly with different coils
- Federal law requires the seller or installer of this appliance to make available a fact sheet or directory giving further information about the efficiency and operating cost of this equipment. Ask for this information.

Important: Removal of this label before consumer purchase violates the Federal Trade Commission's Appliance Labeling Rule (16 C.F.R. Part 305).

12/14 Arial Narrow Bold →

20/22 Arial Narrow Bold →

10 Arial Narrow →

16 Arial Narrow Bold →

14/14 Arial Narrow Bold →

10/12 Arial Narrow Use bold where indicated →

Bullets 10 pt. →

6/8 Arial Narrow →

Prototype Label 5

* * * * *

■ 17. Sample Label 1 in Appendix L to part 305 is revised to read as follows:

* * * * *

Based on standard U.S. Government tests

ENERGYGUIDE

Refrigerator-Freezer
With Automatic Defrost
With Side-Mounted Freezer
With Through-the-Door-Ice Service

XYZ Corporation
Model ABC-W
Capacity: 23 Cubic Feet

↓

Compare the Energy Use of this Refrigerator
with Others Before You Buy.

This Model Uses
600kWh/year

▼

Energy use (kWh/year) range of all similar models

<p>Uses Least Energy 539</p>	<p>Uses Most Energy 698</p>
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kWh/year (kilowatt-hours per year) is a measure of energy (electricity) use. Your utility company uses it to compute your bill. Only models with 22.5 and 24.4 cubic feet and the above features are used in this scale.

**Refrigerators using more energy cost more to operate.
This model's estimated yearly operating cost is:**

\$54

Based on a 2005 U.S. Government national average cost of 9.06¢ per kWh for electricity. Your actual operating cost will vary depending on your local utility rates and your use of the product.

Important: Removal of this label before consumer purchase violates the Federal Trade Commission's Appliance Labeling Rule (16 C.F.R. Part 305).

Sample Label 1

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■ 18. Sample Label 2 in Appendix L to part 305 is revised to read as follows:

* * * * *

Based on standard U.S. Government tests

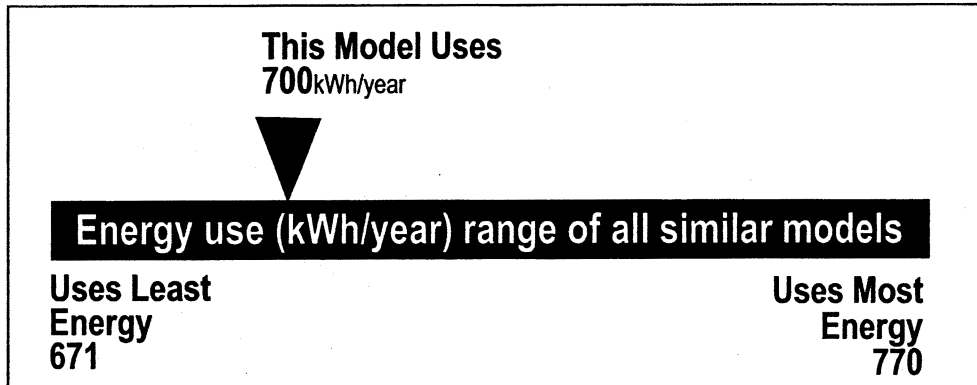
ENERGYGUIDE

Freezer
Upright Type
With Manual Defrost



XYZ Corporation
Model(s) MR328, XI12, NA 83
Capacity: 21.2 Cubic Feet

**Compare the Energy Use of this Refrigerator
with Others Before You Buy.**



kWh/year (kilowatt-hours per year) is a measure of energy (electricity) use. Your utility company uses it to compute your bill. Only models with 19.5 to 21.4 cubic feet with the above features are used in this scale.

**Freezers using more energy cost more to operate.
This model's estimated yearly operating cost is:**

\$63

Based on a 2005 U.S. Government national average cost of 9.06¢ per kWh for electricity. Your actual operating cost will vary depending on your local utility rates and your use of the product.

Important: Removal of this label before consumer purchase violates the Federal Trade Commission's Appliance Labeling Rule (16 C.F.R. Part 305).

Sample Label 2

* * * * *

■ 19. Sample Label 9 in Appendix L to part 305 is revised to read as follows:

* * * * *

Based on standard U.S. Government tests

ENERGYGUIDE

Heat Pump
Cooling and Heating
Split System

XYZ Corporation
Model 12345

Compare the Energy Efficiency of this Heat Pump with Others Before You Buy.

This Model (Cooling)
13.4SEER

Energy efficiency range of all similar models

<p>Least Efficient 10.9</p>	<p>Most Efficient 18.60</p>
--	--

SEER, the Seasonal Energy Efficiency Ratio, is a measure of energy efficiency for heat pumps when cooling.

This Model (Heating)
8.4HSPF

Energy efficiency range of all similar models

<p>Least Efficient 7.10</p>	<p>Most Efficient 10.55</p>
--	--

HSPF, the Heating Seasonal Performance Factor, is a measure of energy efficiency for heat pumps when heating.

- These energy ratings are based on U.S. Government standard tests of this condenser model combined with the most common coil. The ratings will vary slightly with different coils
- Federal law requires the seller or installer of this appliance to make available a fact sheet or directory giving further information about the efficiency and operating cost of this equipment. Ask for this information.

Important: Removal of this label before consumer purchase violates the Federal Trade Commission's Appliance Labeling Rule (16 C.F.R. Part 305).

Sample Label 9

* * * * *

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 06-882 Filed 1-30-06; 8:45 am]

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