

**Supporting Statement
Energy Labeling Rule
16 C.F.R. Part 305
(OMB No. 3084-0069)**

(1) Necessity for Collecting the Information

The FTC’s Energy Labeling Rule (“Rule”), issued pursuant to the Energy Policy and Conservation Act (“EPCA”),¹ requires energy labeling for major household appliances and other consumer products to help consumers compare competing models. When first issued in 1979, 44 FR 66466 (1979), the Rule applied to eight product categories: refrigerators, refrigerator-freezers, freezers, dishwashers, water heaters, clothes washers, room air conditioners, and furnaces. The Commission has since expanded the Rule’s coverage to include central air conditioners, heat pumps, plumbing products, lighting products, ceiling fans, certain types of water heaters, and televisions.²

EPCA mandates energy labeling to help consumers conserve energy by comparing the energy usage of competing models when purchasing appliances, which benefits both the environment and consumers. The Rule implements EPCA’s mandate by making information available to buyers by means of required disclosures at the point of sale. Absent these disclosures, consumers could not effectively compare the energy or water usage of competing models of products covered by the Rule, and the incentive for manufacturers to produce more efficient models would be diminished. Records must be maintained for at least two years after production of relevant products has been terminated. Without such records, it would be difficult to ensure that the required labeling and other disclosures are properly derived and accurate.

(2) Use of the Information

The primary purpose of EPCA and the Rule is to promote energy conservation by permitting and encouraging consumers to compare the energy efficiency or consumption (or water use) of competing products and to weigh such factors with other product features when making purchasing decisions. 42 U.S.C. § 6201. Commission staff use the information to publish a range of comparability data for industry members to use on the required labels.

Commission staff also use submissions for enforcement purposes to ensure that energy usage claims are accurate. The Rule’s recordkeeping requirement is designed to preserve evidence of how the required test procedures were followed in arriving at the energy usage claims made on labels and in catalogs and the required submissions.

¹ 42 U.S.C. 6291 *et seq.*

² See 52 FR 46888 (Dec. 10, 1987) (central air conditioners and heat pumps); 54 FR 28031 (Jul. 5, 1989) (fluorescent lamp ballasts); 58 FR 54955 (Oct. 25, 1993) (certain plumbing products); 59 FR 25176 (May 13, 1994) (lighting products); 59 FR 49556 (Sep. 28, 1994) (pool heaters); 71 FR 78057 (Dec. 26, 2006) (ceiling fans); 76 FR 1038 (Jan. 6, 2011) (televisions); and 80 FR 67285 (Nov. 2, 2015) (certain decorative and specialty light bulbs).

(3) Consideration of Using Improved Technology to Reduce Burden

The Rule permits the use of any technologies that covered firms may wish to employ and that may reduce the burden of information collection and submission to the Commission. The Rule's reporting requirements have been tailored to take maximum advantage of existing industry practices in order to minimize the compliance burden. The Commission allows manufacturers to fulfill reporting requirements through the submission of data in electronic format, consistent with the objectives of the Government Paperwork Elimination Act ("GPEA"), Pub. L. No. 105-277, Title XVII, 112 Stat. 2681-749. Disclosing energy usage information to consumers, however, entails labeling on products or their packaging; as such, electronic disclosure pursuant to the GPEA is impracticable.

(4) Efforts to Identify Duplication

The information collection requirements do not duplicate any other information collection requirements imposed by the Commission. In 2013, 78 FR 2200 (2013), the Commission streamlined the reporting requirements to allow manufacturers to comply with the Rule's reporting requirements by submitting reports electronically via the Department of Energy's ("DOE") Compliance Certification Management System online reporting database. This has reduced redundancy that previously existed between the two agency's reporting requirements.

(5) Efforts to Minimize Burden on Small Organizations

Although EPCA requires the Commission's Rule to cover all manufacturers of covered products, the Commission sought comments in the original rulemaking about minimizing impact on small businesses. It received no specific comments responding to that request. While some manufacturers subject to the Rule's requirements may be small businesses, staff believes that everything consistent with the requirements of EPCA has been done to minimize compliance burden. For example, while the proposed reporting and recordkeeping requirements for the plumbing fixtures category involve the "collection of information," the information sought – the manufacturer's name and address and the trade names, model numbers, and water usage rates of its covered products – is *de minimis*. Manufacturers already are required by state plumbing and/or building codes to include this information in their reports to state authorities.

(6) Consequences of Conducting the Collection Less Frequently

The primary disclosure the Rule requires is the placing of a single label on each covered product when it is manufactured or imported. Thus, there is no opportunity within the framework of EPCA to collect the information contained in this public disclosure requirement less frequently. Moreover, EPCA requires manufacturers of all covered products to submit test data annually.

(7) Circumstances Requiring Collection Inconsistent With Guidelines

The Rule's information collection requirements are consistent with all applicable guidelines contained in 5 C.F.R. § 1320.5(d)(2).

(8) Consultation Outside the Agency

Staff frequently consults with staff from DOE and, where appropriate, other federal and state agencies (e.g., the Environmental Protection Agency) on rulemaking and other aspects related to FTC's role under EPCA.

In addition, the Commission recently sought public comment on the PRA aspects of the Rule, as required by 5 C.F.R. 1320.8(d). *See* 84 FR 29515 (June 24, 2019). The Commission received one comment. The commenter highlighted the ongoing need for the Rule to ensure that consumers can make accurate and informed purchasing decisions. After considering the comment, FTC staff have reaffirmed their burden estimates under the Rule based on ongoing coordination with Department of Energy and experience with the regulated industries. The Commission is providing a second opportunity for public comment while seeking OMB approval to extend the existing PRA clearance for the notice provisions of the Rule and the FTC's shared enforcement of the CFPB Rule.

(9) Payments and Gifts to Respondents

Not applicable. The Rule contains no provisions for payments or gifts to respondents.

(10) & (11) Assurances of Confidentiality/Matters of a Sensitive Nature

The information to be disclosed is of a routine business nature. It is collected and disseminated by the industry among its membership and made available to the public. No personal or sensitive information is involved nor is any commercially confidential information included. To the extent that information covered by a recordkeeping requirement is collected by the Commission for law enforcement purposes, the confidentiality provisions of Sections 6(f) and 21 of the Federal Trade Commission Act, 15 U.S.C. §§ 46(f) and 57b-2, would apply. *See* also 16 C.F.R. §§ 4.10-4.11.

(12) Estimated Annual Hours Burden and Associated Labor Cost

These estimates of the time needed to comply with the requirements of the Rule are based on census data, Department of Energy figures and estimates, general knowledge of manufacturing practices, and trade association advice and figures. Staff calculated burden estimates based on the number of domestic manufacturers and/or the number of units shipped domestically in the various product categories.

Because the burden of compliance falls almost entirely on manufacturers and

importers (with a *de minimis* burden relating to retailers), staff calculated burden estimates based on the number of domestic manufacturers and/or the number of units shipped domestically in the various product categories.

Annual Hours Burden:

Staff estimates that Section 324 of EPCA and the Commission’s Rule impose burdens for testing (354,802 hours); reporting (1,828 hours); recordkeeping (1,019 hours); labeling (108,864 hours); online and retail catalog disclosures (6,800 hours); and online label posting (4,533 hours). The total burden for these activities is **478,000 hours** (rounded).

A. Testing

Under the Rule, manufacturers of covered products must test each basic model they produce to determine energy usage (or, in the case of plumbing fixtures, water consumption). Staff determined the burden imposed by this requirement by the number of basic models produced, the average number of units tested per model, and the time required to conduct the applicable test.

Manufacturers need not subject each basic model to testing annually; they must retest only if the product design changes in such a way as to affect energy consumption. Based on input from industry representatives for most manufacturer categories, staff believes that the frequency with which models are tested every year ranges roughly between 10% and 50% and that the average number of units tested per model varies by appliance category. In addition, the majority of tests conducted are required by DOE rules; therefore, it is likely that only a small portion of the tests conducted is attributable to the Rule’s requirements. Accordingly, staff assumes that 25% of all basic models are tested annually due to the Rule’s requirements. In addition, it is likely that only a small portion of the tests conducted is attributable to the Rule’s requirements. Thus, the estimated testing burden for the various categories of products covered by the Rule is as follows:³

Category of Manufacturer	Number of Basic Models	Percentage of Models Tested (FTC required)	Avg. Number of Units Tested Per Model	Labor Hours Per Unit Tested	Total Annual Testing Burden Hours
Refrigerators, Refrigerator-freezers, and Freezers	5,134	25%	4	4	20,536
Dishwashers	875	25%	4	1	875
Clothes washers	599	25%	4	2	1,198

³ The following numbers reflect estimates of the basic models in the market. The actual numbers will vary from year to year.

Water heaters	3,112	25%	2	24	37,344
Room air conditioners	1,585	25%	4	8	12,680
Furnaces	1,900	25%	2	8	7,600
Central A/C	1,270	25%	2	24	15,240
Heat pumps	903	25%	2	72	32,508
Pool heaters	215	25%	2	12	1,290
Fluorescent lamp ballasts	454	25%	4	3	1,362
Lamp products	5,100	25%	12	14	214,200
Plumbing fittings	1,700	25%	2	2	1,700
Plumbing fixtures	22,000	25%	1	.0833	458
Ceiling Fans	6,966	25%	3	1	5,225
Televisions	2,586	25%	2	2	2,586
					354,802

B. Reporting

The Rule contains reporting requirements for most covered products. Section 305.8 of the Rule requires that manufacturers of covered products “shall submit annually a report for each model in current production containing the same information that must be submitted to the Department of Energy pursuant to 10 CFR Part 429. In lieu of submitting the required information to the Commission as required by this section, manufacturers may submit such information to DOE via the Compliance Certification Management System, available at <https://regulations.doe.gov/ccms>, as provided by 10 CFR 429.12. See 16 CFR 305.8(a)(1). The Rule also requires manufacturers to furnish links to images of their EnergyGuide labels as part of these required annual reports. 16 CFR 305.8(a)(5). Manufacturers must submit data to the FTC both when they begin manufacturing new models and annually. 16 CFR 305.8; 42 U.S.C. 6296(b).

Reporting burden estimates are based on information from industry representatives. Manufacturers of some products, such as appliances and HVAC equipment, indicate that, for them, the reporting burden is best measured by the estimated time required to report on each model manufactured, while others, such as makers of fluorescent lamp ballasts and lamp products, state that an estimated number of annual burden hours by manufacturer is a more meaningful way to measure. The figures below reflect these different methodologies as well as the varied burden hour estimates provided by manufacturers of the different product categories that use the latter methodology.

Appliances, HVAC Equipment, Pool Heaters, and Televisions

Staff estimates that the average reporting burden for these manufacturers is approximately two minutes per basic model. Based on this estimate, multiplied by a total of 25,145 basic models of these products, the annual reporting burden for the appliance, HVAC equipment, and pool heater industry is an estimated **838 hours** (2 minutes × 25,145 models ÷ 60 minutes per hour).

Fluorescent Lamp Ballasts, Lamp Products, and Plumbing Products

The total annual reporting burden for manufacturers of fluorescent lamp ballasts, lamp products, and plumbing fixtures is based on the estimated average annual burden for each category of manufacturers, multiplied by the number of manufacturers in each respective category, as shown below:

Category of Manufacturer	Annual Burden Hours Per Manufacturer	Number of Manufacturers	Total Annual Reporting Burden Hours
Fluorescent lamp ballasts	6	20	120
Lamp products	15	50	750
Plumbing products	1	120	120

Total Reporting Burden Hours

The total reporting burden for industries covered by the Rule is **1,828 hours** annually (838+ 120 +750+120).

C. Recordkeeping

EPCA and the Rule require manufacturers to keep records of the test data generated in performing the tests to derive information included on labels and required by the Rule. As with reporting, burden is calculated by number of models for appliances, HVAC equipment, and pool heaters, and by number of manufacturers for fluorescent lamp ballasts, lamp products, and plumbing products.

Appliances, HVAC Equipment, Pool Heaters, and Televisions

The recordkeeping burden for manufacturers of appliances, HVAC equipment, and pool heaters varies directly with the number of tests performed. Staff estimates total recordkeeping burden to be approximately **419 hours** for these manufacturers, based on an estimated average of

one minute per record stored (whether in electronic or paper format), multiplied by 25,145 tests performed annually ($1 \times 25,145 \div 60$ minutes per hour).

Fluorescent Lamp Ballasts, Lamp Products, and Plumbing Products

The total annual recordkeeping burden for manufacturers of fluorescent lamp ballasts, lamp products, and plumbing fixtures is based on the estimated average annual burden for each category of manufacturers (derived from industry sources), multiplied by the number of manufacturers in each respective category, as shown below:

Category of Manufacturer	Annual Burden Hours Per Manufacturer	Number of Manufacturers	Total Annual Recordkeeping Burden Hours
Fluorescent lamp ballasts	2	20	40
Lamp products	10	50	500
Plumbing fixtures	0.5	120	60

Total Recordkeeping Burden Hours

The total recordkeeping burden for industries covered by the Rule is **1,019 hours** annually ($419+40+500+60$).

D. Labeling

EPCA and the Rule require that manufacturers of covered products provide certain information to consumers through labels on covered products. The burden imposed by this requirement consists of (1) the time needed to prepare labels, and (2) the time needed to affix required labels.

EPCA and the Rule specify the content, format, and specifications for the required labels, so manufacturers need only add the energy consumption figures derived from testing. In addition, most companies use automation to generate labels, and the labels do not change from year to year.

Given these considerations, staff estimates that the time to prepare labels for covered products is no more than four minutes per basic model. Based on DOE data, staff has estimated that manufacturers offer approximately 54,399 basic models of covered products. Based on these estimates, staff estimates that the approximate annual drafting burden involved in labeling covered products is **3,627 hours** [$54,399$ (all basic models) \times four minutes (drafting time per basic model) \div 60 (minutes per hour)].

Based on input from industry representatives and trade associations, staff estimates that it takes approximately 4 seconds to affix labels to products for retail sales.⁴ Based on an average of 4 seconds per unit, the annual burden for affixing labels to covered products is **105,237 hours** [4 (seconds) × 94,713,098 (the estimated number of total products shipped for sale annually) divided by 3,600 (seconds per hour)].

Total Labeling Burden Hours

The total labeling burden for all industries covered by the Rule is **108,864 hours** annually (105,237 hours for preparation plus 3,627 hours for affixing).

E. Online and Retail Sales Catalog Disclosures

The Rule requires that sellers offering covered products through retail sales catalogs (i.e., those publications from which a consumer can actually order merchandise) disclose in the catalog energy (or water) consumption for each covered product. Because this information is supplied by the product manufacturers, the burden on the retailer consists of incorporating the information into the catalog presentation.

In the past, staff has estimated that there are 100 sellers who offer covered products through paper retail catalogs. While the Rule initially imposed a burden on catalog sellers by requiring that they draft disclosures and incorporate them into the layouts of their catalogs, paper catalog sellers now have substantial experience with the Rule and its requirements. Energy and water consumption information has obvious relevance to consumers, so sellers are likely to disclose much of the required information with or without the Rule. Accordingly, given the small number of catalog sellers, their experience with incorporating energy and water consumption data into their catalogs, and the likelihood that many of the required disclosures would be made in the ordinary course of business, staff believes that any burden the Rule imposes on these paper catalog sellers would be minimal.

Staff estimates that there are an additional 400 online sellers of covered products who are subject to the Rule's catalog disclosure requirements. Staff estimates that these online sellers each require approximately 17 hours per year to incorporate the data into their online catalogs. This estimate is based on the assumption that entry of the required information takes 1 minute per covered product and an assumption that the average online catalog contains approximately 1,000 covered products (based on a sampling of websites of affected retailers). Given that there is a great variety among sellers in the volume of products they offer online, it is very difficult to estimate such volume with precision. In addition, this analysis assumes that information for all 1,000 products is entered into the catalog each year. This estimate likely overstates the actual burden because the number of incremental additions to the catalog from year to year is likely to

⁴ Estimates from trade association members for labeling costs ranged from 1 second to 8 seconds. Staff has chosen a middle-ground estimate of 4 seconds, although due to improvements in automation, staff believes this estimate likely overstates the time spent labeling most covered products.

be much lower after initial start-up efforts have been completed. The total catalog disclosure burden for all industries covered by the Rule is **6,800 hours** (400 sellers x 17 hours annually).

F. Online Label Posting

The Rule require manufacturers to post images of their EnergyGuide and Lighting Facts labels online. Staff estimates the burden associated with this requirement based on the number of models of covered products. Given approximately 54,399 total models at an estimated five minutes per model, staff estimates that this requirement entails a burden of **4,533 hours** (54,399 basic models × 5 minutes ÷ 60 minutes per hour).

Annual Labor Cost:

Staff derived labor costs by applying appropriate estimated hourly cost figures to the burden hours described above. In calculating the cost figures, staff assumes that test procedures are conducted by skilled technical personnel at an hourly rate of \$28.37, and that recordkeeping and reporting, and labeling and marking, generally are performed by clerical personnel at an hourly rate of \$16.24.

Based on the above estimates and assumptions, the total annual labor costs for the six different categories of burden under the Rule, applied to all the products covered by it, is **\$12,064,000** (rounded to the nearest thousand), derived as follows:⁵

Activity	Burden Hours Per Year	Wage Category/ Hourly Rate	Total Annual Labor Cost
Testing	354,802	Engineering technicians (\$28.37)	\$10,065,733
Reporting	1,828	Data Entry/Information Processing (\$16.24)	\$29,687
Recordkeeping	1,019	Data Entry/Information Processing (\$16.24)	\$16,549
Labeling	108,864	Data Entry/Information	\$1,767,951

⁵ The labor cost estimates below are derived from the Bureau of Labor Statistics figures in “Table 1. National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2018,” available at: <https://www.bls.gov/news.release/ocwage.t01.htm>.

		Processing (\$16.24)	
Online and Catalog disclosures	6,800	Data Entry/Information Processing (\$16.24)	\$110,432
Online Label Posting	4,533	Data Entry/Information Processing (\$16.24)	\$73,616
			\$12,063,968

(13) Estimated Annual Capital or Other Non-labor Costs: \$5,672,500.

Staff has examined the six distinct burdens imposed by EPCA through the Rule – testing, reporting, recordkeeping, labeling associated with energy and water use, online and retail catalog disclosures, and posting images of labels on manufacturer websites – as they affect the categories of products that the Rule covers.

Staff concludes that there are no current start-up costs associated with the Rule. Manufacturers have in place the capital equipment necessary – especially equipment to measure energy and/or water usage – to comply with the Rule. Under this analysis, testing, recordkeeping, and retail catalog disclosures are activities that incur no capital or other non-labor costs. Testing has been performed in these industries in the normal course of business for many years as has the associated recordkeeping. The same is true regarding compliance with the requirements for disclosures online and in paper catalogs. Manufacturers and retailers who make required disclosures online or in paper catalogs already are producing website content and producing their paper catalogs in the ordinary course of their businesses; accordingly, capital cost associated with the required disclosure would be *de minimis*.

Manufacturers that submit required reports to the Commission directly (rather than through trade associations) incur some nominal costs for paper and postage. Staff estimates that these costs do not exceed \$2,500.

Manufacturers must also incur the cost of procuring labels used in compliance with the Rule. Based on estimates of 189,000,000 units shipped annually, at an average cost of three cents for each label, the total (rounded) labeling cost is \$5,670,000.

The total cost for labeling and marking for all industries covered by the Rule is, therefore, \$5,672,500 annually (\$5,670,000 + \$2,500).

(14) Estimated Cost to Federal Government

Staff estimates that the cost to the Federal Trade Commission in FY 2019 of administering the reporting requirements of the Rule and compiling and publishing the ranges of

comparability as necessary will be \$126,834. This estimate is based on the assumption that one-half attorney work year and one-half of a legal technician work year will be expended.

(15) Adjustments

As part of this renewal, the Commission has revised and reorganized its Information Collection List to better reflect the organization and information burden of the Rule. The Energy Labeling Rule has been amended several times since 2004, and new information collections were added to the original information collection under the Rule titled “*The Appliance Labeling Rule*,” which collected the estimated Reporting, Record Keeping, and Third Party Disclosure burdens associated with the Rule’s labeling requirements for many covered products under a single Information Collection. Over the course of subsequent amendments that expanded the types of products covered by the Rule, these additional information collections (including several one-time burden estimates) were added to address the numerous amendments to the Rule. The current adjustments are intended to reflect the structure of the Rule and its information collection burdens in a more consistent manner.

The current adjustments consolidate a number of individual information collections into broader categories that reflect the six types of burden under the rule. As part of this reorganization, the FTC has grouped the Rule’s information collections into various industry segments within the six main categories of information burden associated with the Rule for different categories of covered products: (1) Testing of Covered Products; (2) Reporting of Test Data; (3) Recordkeeping; (4) Energy and Water Use Labeling; (5) Online and Retail Catalog Disclosures; and (6) Online Posting of Labels.

(1) Testing of Covered Products:

The following information collections reflect the burden hours associated with the testing of covered products to determine energy or water usage by product categories. Where appropriate, product categories have been grouped into a single information collection:

- Testing (Refrigerators, Refrigerator-freezers, and Freezers)
- Testing (Dishwashers)
- Testing (Clothes washers)
- Testing (Water heaters)
- Testing (Room air conditioners)
- Testing (Furnaces)
- Testing (Central A/C)
- Testing (Heat pumps)
- Testing (Pool heaters)
- Testing (Fluorescent lamp ballasts)
- Testing (Lamp products)
- Testing (Plumbing fittings)

- Testing (Plumbing fixtures)
- Testing (Ceiling fans)
- Testing (Televisions)

Several previous information collections listed below have been consolidated within the revised information collection categories listed above:

- Testing for color temperature disclosures
- Testing for television units
- Testing (expanded light bulb coverage)
- Testing (instantaneous water heaters)

(2) Reporting of Test Data:

The following information collections reflect the burden hours associated with manufacturers' obligation to submit annual reports to the Commission providing the same information regarding energy and water usage that must be submitted to the Department of Energy pursuant to 10 CFR 429. To avoid duplication in reporting, manufacturers may submit this information one time annually to the Department of Energy and the FTC via the Department of Energy's Compliance Certification Management System.

- Reporting (Appliances, HVAC Equipment, Pool Heaters, and Televisions)
- Reporting (Fluorescent lamp ballasts)
- Reporting (Lamp products)
- Reporting (Plumbing Products)

Several previous information collections listed below have been consolidated within the revised information collection categories listed above:

- Metal halide manufacturers reporting
- Reporting (online database)
- Reporting: enter label data (instantaneous water heaters) per unit

(3) Recordkeeping:

The following information collections reflect the burden hours associated with manufacturers' obligation to keep records of the test data generated in performing tests to derive information included on the labels required by the Rule:

- Recordkeeping (Appliances, HVAC equipment, pool heaters, and televisions)
- Recordkeeping (Flourescent lamp ballasts)
- Recordkeeping (Lamp products)

- Recordkeeping (Plumbing fixtures)

Several previous information collections listed below have been consolidated within the revised information collection categories listed above:

- Metal halide manufacturers recordkeeping
- Recordkeeping for TV units of covered models
- Television manufacturer data entry
- Recordkeeping (expanded light bulb coverage)
- Recordkeeping (instantaneous water heaters)

(4) Energy and Water Use Labeling:

The following information collections reflect the burden hours and labor costs associated with the requirement that manufacturers label covered products with information regarding energy and water usage, including the time needed to prepare and affix required labels.

- Energy and Water Use Labeling (Preparation of Labels)
- Energy and Water Use Labeling (Affixing of Labels)

Several previous information collections listed below have been consolidated within the revised information collection categories listed above:

- Product Labeling (disclosure) for TV units
- Manufacturers affixing of EnergyGuide labels on packaging
- Expanded light bulb coverage/model pkg labeling cost
- Expanded light bulb coverage/product labeling cost
- Labeling: affix labels (instantaneous water heaters) per unit
- Labeling cost for instantaneous electric water heaters

(5) Online and Retail Sales Catalog Disclosures: The new information collection labeled “Online and Retail Sales Catalog Disclosures” reflects the burden hours associated with the requirement that sellers offering covered products online or through retail sales catalogs must disclose the energy or water consumption for each covered product. The previous information collections listed below have been consolidated within this new information collection:

- Retail catalog disclosures of TV energy use
- TV manufacturers online disclosures
- Catalog disclosures (expanded light bulb coverage)
- Catalog disclosures for electric instantaneous water heaters

(6) *Online Posting of Label Images*: The FTC has renamed the existing information collection previously titled “Manufacturer posting of images of their EnergyGuide and Lighting Facts labels on their websites” as “Online Posting of Label Images.” This information collection reflects the burden hours associated with the requirement that manufacturers post images of their EnergyGuide and Lighting Facts labels online.

The FTC has also deleted five information collections that reflect one-time burden assessments associated with previous amendments to the Rule. These one-time burdens are now accounted for in the ongoing costs for industry to comply with the Rule. Accordingly, the following one-time costs have been deleted and discontinued:

- Model package relabeling (one-time cost)
- Product relabeling (one-time) cost
- Manufacturer updating of EnergyGuide labels: one-time burden
- Testing (one-time) for television units
- Package and Product Labeling (expanded light bulb coverage), one-time adjustment for new bulb types

(16) Plans for Tabulation and Publication

Not applicable.

(17) & (18) Failure to Display the OMB Expiration Date/Exceptions to Certification

Not applicable. The FTC certifies that this collection of information is consistent with the requirements of 5 CFR 1320.9, and the related provisions of 1320.8(b)(3) and is not seeking an exemption to these certification requirements.