

# Continental

## Refrigerator

May 28, 2010

ENERGY STAR Verification Program  
1310 L Street NW  
Washington, DC 20460

Subject: Draft Conditions and Criteria for Recognition of Laboratories for the ENERGY STAR Program

To whom it may concern:

Continental Refrigerator has been an ENERGY STAR Partner for over 8 years and remains a strong advocate for improvements that will benefit consumers, as well as reputable manufacturers, by ensuring the ongoing integrity of data in the ENERGY STAR list of qualified products. In January, 2009, Continental provided written feedback to Version 2.0 Draft Specification for Commercial Refrigerators and Freezers urging ENERGY STAR to only accept data from accredited agencies, or from approved 3<sup>rd</sup> party accredited laboratories. In February, 2009, Continental met with EPA staff to reiterate this message. Some of the recommendations were ultimately added to the final draft. Standards need to confirm that testing is conducted by qualified laboratories, that data submitted reflects the performance of the actual products being sold and that any products that do not perform as claimed will be identified in a timely manner. Qualification requirements need to be robust, make sense economically and be practical to implement, in order to ensure continued participation and the success of the ENERGY STAR brand.

After reviewing the Draft Criteria for Laboratories, we agree that requiring ISO/IEC 17025 accreditation for submitting data is a distinct improvement over the present specifications. A number of accredited, reputable and independent testing organizations, including CSA, Intertek/ETL, UL and NSF currently offer energy verification services to test, certify, and submit products for California Energy Commission, Department of Energy and Natural Resources Canada. Due to the logistics, cost and nature of testing some large products, including commercial food service equipment, accredited testing organizations typically offer several options, including data acceptance programs.

Manufacturers participating in these programs must go through a rigorous approval process that includes extensive documentation of the test facility, encompassing equipment calibrations and employee certifications, as well as on-site inspections and witness testing. In addition, the manufacturer is subject to annual audits, lab correlations, and random selections of models by the accredited organization to undergo retesting at their facility. All requirements covered are an integral part of the organization's ISO/IEC 17025 accreditation. If the accredited agency determines the competency and integrity of the manufacturer's laboratory meets requirements for data acceptance, the manufacturer can test a product for qualification and submit a comprehensive report to the organization. They review the data and, if it meets all requirements, the accredited agency certifies the product and submits it to the regulatory body.

Requiring all models of commercial foodservice equipment to be sent out to independent labs would not be feasible in regards to cost, logistics, or time for manufacturers large and small. Data acceptance provides a comprehensive, reliable and verifiable means for companies to test products in a way that is not economically or logistically prohibitive. The Draft Criteria for Laboratories does not appear to allow these types of programs. We urge EPA to specifically include data acceptance programs, as part of an organization's ISO/IEC 17025 accreditation, as an authorized means for accredited 3rd party agencies to submit data on behalf of manufacturers.

Sincerely,



Jeffrey E. Bauman  
Project Manager

cc: Christopher Kent (EPA)  
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