

ITW Food Equipment Group

May 28, 2010

Ms. Kathleen G. Vokes
U.S. Environmental Protection Agency
Climate Protection Partnership Division
ENERGY STAR Program
1200 Pennsylvania Ave. NW.
Washington, DC 20460

Reference: Draft Lab Requirements

Subject: ITW FEG Comments

Dear Ms. Vokes,

ITW FEG has reviewed the draft lab requirements for the enhanced ENERGY STAR program, along with the comments on the enhanced testing and verification process and EPA's subsequent response. It appears that all the arguments for implementing a more reasonable enhancement program for commercial food service equipment have been eloquently stated. It also appears that these arguments have been deemed to be without merit by EPA. This is particularly troubling due to the prophetic letter dated January 11, 2010 from the European Commission staff. They point out the limited success of the voluntary EU "Ecolabel" program which requires a costly third party certification. They also warn of the burden to small manufacturers and the resulting disparity. This seems to be an opportunity to learn from the past so that we are not condemned to repeat it.

We fully support the ENERGY STAR program and agree with the concept of maintaining the brand recognition. However, based on the EPA responses documented to date and the speed of the changes being rolled out, we feel the concerns of commercial food service equipment manufacturers are not being taken seriously. I cannot speak for all manufacturers but I can state that our company is seriously considering alternative approaches to customer incentives for purchasing resource conserving products, such as manufacturer rebates, utility partnerships and self declarations.

Verification Testing

We absolutely disagree that complete appliance testing is the only method appropriate for verification of ENERGY STAR qualification. Even the third party certification organizations such as UL, ETL and CSA International have gone on record as stating the factory surveillance process is more than suitable for this purpose. If it is acceptable for safety and sanitation certifications it should be adequate for energy consumption qualifications. Verification testing is non value added, costly and not practical for low volume, high cost products such as commercial food service equipment.

Qualification Testing

The draft lab requirements document only allows test labs that are accredited by an EPA recognized Accreditation Body (AB) to perform testing for ENERGY STAR products. This restriction has two significant effects. First, the current method of third-party test labs using an ISO/IEC 17025 based qualification process to accept manufacturer data submittals is no longer allowed for energy consumption tests. The second effect is that the Food Service Technology Center (FSTC), operated by Fisher-Nickel, inc., will no longer be qualified to submit test results to EPA for ENERGY STAR qualifications. The FSTC has performed the vast majority of all third party ENERGY STAR qualification tests on commercial food service equipment. They are also the leader in ASTM standards development for ENERGY STAR performance for commercial food service equipment.

We sincerely hope you will consider these comments in your ongoing efforts to enhance the integrity of the ENERGY STAR brand.

Sincerely,



Joel F. Hipp
Agency Approval Engineer
Warewash Division

copies to:

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