

June 4, 2010

**Comments on “Conditions and Criteria for Recognition of
Laboratories for the ENERGY STAR® Program *DRAFT*”**

JEITA Energy Saving Committee
(PC group)

1. General Comments

- (1) The detailed background (causes and root causes of the problem) that has led to the issuing of this laboratory requirement is unclear. Unless EPA discloses information with regard to the truth of the matter and investigation results that led to this draft, we will be unable to assess the cost-effectiveness of operations after the laboratory requirement comes into force.
- (2) We have pointed out that the idea of requiring third-party certification, proposed by the EPA in the past (Requirements for Computers Version 5.0 Draft Final), secures quality through the quality management under ISO9001/9002 (October 30, 2008). The details of the above (1) are unclear, and we still consider that quality is ensured by ISO9001/9002. We therefore ask you to review this proposal.

2. Comments to “DRAFT”

(1). General Requirements

- 1) Does “an EPA-recognized Accreditation Body (AB)” only exist in the US?
It should be “... established in each country”.
For countries that have signed up to the Mutual Recognition Scheme, it should be an Accreditation Body (AB) certified according to that scheme.
- 2) The noteworthy elements for ISO/IEC17025 listed in General Requirements should be clearly divided into specific requirements of the International ENERGY STAR Program and requirements of ISO/IEC17025 (to prevent mistakes caused by dual definitions).

(2). Reporting

- 1) We should establish a scheme where an accreditation Body (AB) issues a certificate of accreditation to a laboratory, and the laboratory submits just a copy of the certificate to EPA. “ENERGY STAR-relevant accredited test methods and a list of qualified personnel per the test methods” are checked during the accreditation process of ISO/IEC17025. Furthermore, we believe that EPA should not ask for company information that contains personal information.
- 2) The requirement for “in-house” laboratories includes the statements below. However, it is extremely difficult for manufacturers to comply with these two rules. We believe that these rules are not necessary since the independence of “in-house” laboratories is adequately secured just by ISO/IEC17025.
 - laboratory employee compensation or annual bonuses are not tied to the financial performance of the parent company;
 - laboratory engineering personnel do not originate with or return to the parent company, or otherwise look to the parent company for career advancement;
- 3) Major changes in the status or capability of the laboratory need to be reported. Please reconsider the meaning of this requirement between EPA and AB, because this can imply that the EPA itself is concerned about the laboratory accreditation and maintenance processes by an EPA-recognized Accreditation Body (AB).