Comments on Proposed 3rd Party QA Testing Program

9/20/05 CFL Spec Meeting

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PEARL Board’s Comments

I. Nominations Process
II. Appeals/Delisting Process
III. New Additions
Overall Summary

- Pleased with overall direction of specification (technical and 3rd party testing)

- Supportive of efforts to upgrade specification including:
  - Higher efficacy
  - In-situ test for reflectors
  - Shorter run-up time
  - Tighter allowable data range for lumen maintenance
  - Color

- More on technical part of specification from CEE
Nominations Process

• Need more clarity on interaction of nominated and random processes

• Recommend nomination process occurs FIRST, then fill out remaining samples with random generator (otherwise you could be prevented from nominating truly troubling model)

• Will nominations committee see the final list? If so, is it OK for a single manufacturer to have access to it?
Nominations (cont.)

- Treat each listed product equally
- DO NOT automatically eliminate a model from testing if its cross-listed
  - Marketer could have changed suppliers without notifying DOE (product now manufactured by new manufacturer with much lower quality)
  - Other option is to focus on OEMs, with assistance from Administrator
- Provide more than 5 working days for committee to review list
Nominations (cont.)

- Consider allowing retailers to nominate up to X models without having lab data to support it

- Reality check: If 1,500 listed models, and goal is 20% of list/yr, then looking at 300 models/yr

- If only 6 models/yr per company looking at 50 companies, doubtful if you could even find 25 companies’ products at retail
Nominations (cont.)

• Consider increasing annual per company limit of 6 models. Perhaps sliding scale something like:

  1->10 models       4 models/yr
  10->20 models      6 models/yr
  20->50 models      9 models/yr
  >50 models         12 models/yr
II. Appeals/Delisting

• What if product can’t be found at retail/internet, etc.? Automatic delisting within X days?

• What if manufacturer does not respond to inquiries from selected lab or Administrator to participate?
  – Is model delisted? Is replacement model from that company added to the list to test
II. Appeals/Delisting

• Draft does not state basis for approving/rejecting manufacturer appeals

• Request DOE to publish and implement appeal review protocol

• Also add an independent audit process to spot check overall process
III. New Additions

• Address mercury content
  – Number of CFL sales increasing
  – Pressure from various groups creates need to demonstrate action or be subjected to ill-advised legislation
  – Some manufacturers use very limited dosing controls; potential for widely ranging and elevated Hg levels
  – Europe has set limit of 5 mg per lamp
DOE Options for Hg

• Adopt European requirements
  or
• Add intent language to specification with deadlines for DOE to:
  1. Review/revise test methods
  2. Perform round robin testing
  3. Add test and report requirement
  4. Set mercury limit
Enforcement of Federal Standard

- Energy Bill sets mandatory standards for CFLs (refers to 2001 ES specification)
- Require Administrator to identify PEARL tested models that fail to meet federal standards (possible to fail ENERGY STAR but meet fed standard)
Enforcement of Federal Standard II

- Create mechanism to transfer list and data to enforcement agency (FTC ?) and to make list of non-complying products publicly available
- Will not create additional testing or cost burden (test methods unchanged)
Closing Thoughts

• We appreciate the opportunity to comment and remain available to have follow-up discussions on remaining issues.

• Looking forward to working with various stakeholders on new testing system and ability to participate in nominations and technical committees.

• PEARL available to perform Cycle 7 CFL testing during transition period to new testing system.