

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460



OFFICE OF  
AIR AND RADIATION

June 30, 2010

Dear ENERGY STAR<sup>®</sup> Partner or Interested Party:

The U.S. Environmental Protection Agency (EPA) has finalized its Conditions and Criteria for Recognition of Accreditation Bodies (AB) for ENERGY STAR Laboratory Recognition (“AB Requirements”) and Conditions and Criteria for Recognition of Laboratories for the ENERGY STAR Program (“Lab Requirements”). These final requirements are an important step in the enhanced testing and verification effort that EPA intends to have in place for all ENERGY STAR qualified products at the end of the year.

EPA published drafts of these requirements in May and subsequently received and considered extensive input from stakeholders. EPA used this feedback to inform the final versions of both sets of requirements. Comments are available on the ENERGY STAR Web site, and EPA’s key issue and response documents will be available there shortly. Stakeholder comments were generally supportive of EPA’s desire to maintain the integrity of the ENERGY STAR brand through the use of accredited labs. EPA did revise the attached documents as follows in response to stakeholder comments.

Important changes from the draft of the AB Requirements include:

1. The Agency is primarily concerned with changes to an AB’s International Laboratory Accreditation Cooperation (ILAC) signatory status rather than the contents of its ILAC Mutual Recognition Agreement (MRA) evaluation report. As EPA understands this peer review may contain confidential business information, ABs will not be required to provide EPA with their ILAC MRA peer evaluation reports.
2. EPA intends for there to be open lines of communication between the Agency and recognized ABs, allowing the Agency to stay informed of the number of laboratories seeking accreditation. Therefore, ABs are not required to submit a schedule of upcoming laboratory assessments.
3. EPA added a note to the final version clarifying the Agency’s interpretation of the impartiality language of ISO/IEC 17025. EPA will not require an AB to collect documentation beyond what is consistent with ISO/IEC 17025, but does make clear the rigor EPA expects when an AB evaluates a laboratory’s independence.

4. EPA provided clarification that meetings with ABs need not be in-person. Note that such meetings are on an “as necessary” basis, and EPA recognizes the need to accommodate international organizations.

Important changes from the draft of the Lab Requirements include:

1. EPA received considerable stakeholder comment on the proposed requirement that “in-house” laboratories go beyond ISO/IEC 17025 in providing additional documentation demonstrating impartiality. Further research has clarified that ABs monitor the impartiality of laboratories on an ongoing basis and that document review, in accordance with ISO/IEC17025, includes but is not limited to:
  - organization chart showing that the responsibilities, authorities, and inter-relationships of all personnel who manage, perform or verify laboratory results are free from influence that may adversely affect the quality of their work;
  - dates of internal audits, audit findings, and any corrective actions taken;
  - any customer complaints and corrective action taken;
  - original testing records containing sufficient information for repeatability, including the names of staff who participated;
  - evidence that laboratory employees participate in and regularly pass ethics and compliance audits; and,
  - evidence that mechanisms for reporting and responding to attempts to exert undue influence on test results are in place.

In light of the above, EPA has removed requirements that “in-house” laboratories go beyond ISO/IEC 17025 in providing additional documentation demonstrating impartiality.

2. EPA removed the requirement that laboratories provide the Agency with a list of personnel qualified to conduct ENERGY STAR-relevant test methods. Accreditation bodies collect this information during audits and will make this available to EPA upon request.

Applications for EPA recognition of both ABs and laboratories will be made available within the next week on the EPA website at [www.energystar.gov/testingandverification](http://www.energystar.gov/testingandverification). EPA encourages interested organizations to submit an application as soon as possible; the Agency recognizes the significance of having a broad range of organizations recognized to implement these important improvements to the program.

Please note that the Draft Conditions and Criteria for Recognition of Certification Bodies for the ENERGY STAR Program, released June 4, contains provisions for witnessed manufacturer testing labs (WMTL) and supervised manufacturer testing labs (SMTL). In that draft document, EPA proposed that these manufacturer-owned labs could provide testing for the ENERGY STAR program when participating in an approved program operated by an EPA-recognized certification body. The comment period for that document closed on June 25; EPA is in the process of reviewing stakeholder comments and expects to finalize the requirements in mid-July.

I encourage you to visit our site to track the Agency's progress in developing and implementing the enhanced testing and verification program. Should you have any questions, please contact Eamon Monahan at [monahan.eamon@epa.gov](mailto:monahan.eamon@epa.gov).

Thank you for your continued support of ENERGY STAR.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann Bailey". The signature is fluid and cursive, with the first name "Ann" and last name "Bailey" clearly distinguishable.

Ann Bailey, Chief  
ENERGY STAR Labeling Branch  
US Environmental Protection Agency