



January 31, 2023

VIA: Regulations.gov

Mr. Hampton Newsome
Attorney
Division of Enforcement
Bureau of Consumer Protection
Federal Trade Commission
600 Pennsylvania Avenue NW
Washington, DC 20580

RE: Energy Labeling Rule. (FTC-2022-0061-0002)

Dear Mr. Newsome:

The American Lighting Association (ALA) represents over 1,200 member companies in the residential lighting, ceiling fan and controls industries in the United States, Canada, the Caribbean and Mexico. Member companies are manufacturers, manufacturers' representatives, retail showrooms and lighting designers.

Previously, ALA worked closely with the Federal Trade Commission (FTC) to develop a commonsense approach to implementing the ENERGY GUIDE labelling requirements for ceiling fans. Now, FTC has proposed the Energy Labeling Rule Advance Notice of Proposed Rulemaking (ANPR)¹, in an attempt to modernize the label. ALA's members, having reviewed the proposal, submit these comments for FTC's consideration in hopes of continuing the spirit of compromise.

III. Potential Rule Improvements

B. Matching Label Format and Location to Consumer Shopping Patterns

Ceiling fans already require an ENERGY GUIDE label on the package and associated online product detail page, ALA believes this is sufficient to proactively provide consumers with this information prior to making a purchase for the vast majority of shopping patterns. Lighting showrooms with an active ceiling fan inventory on display currently utilize hang tags to promote product specifics, model variations (color, size number of blades) ENERGY STAR ratings, warranty details and price. Hang tags contain a lot of useful information for consumers. Adding a requirement to incorporate the ENERGY GUIDE label would over crowd the precious real estate of a hang tag.

C. Repair Instructions

Right to Repair language is not needed for ceiling fans because universal replacement parts for all consumer serviceable components, including replacement light bulbs, decorative glassware and blade options are widely available in the market.

¹ <https://www.regulations.gov/document/FTC-2022-0061-0002>

D. General Label Content and Format Requirement

ALA believes that the size of the label for ceiling fans is adequate, as is the font and type.

ALA proposes no changes to the label's content.

ALA opposes requiring a QR code on the label. Due to the design of the current label, there is no available space to incorporate a QR code. The label does not need to be bigger; furthermore, ceiling fan manufacturers are already required to provide a URL link to the ENERGY GUIDE label for retailers and also include this information in CCMS certifications.

As it has previously, ALA encourages FTC to keep the label as small as possible. ALA notes that the sizes of ceiling fan packages are significantly smaller than larger appliances such as refrigerators and stoves and thus the space available for labeling is limited. The industry recommends that the size of any amended label stay consistent with that of the current footprint.

F. Updating Cost Figures for Lighting Facts and Ceiling Fan Labels

ALA doubts the benefits of updating the cost of electricity on the label. It is without question that changing the cost per kWh will create a burden for manufacturers in terms of changing the label on product packaging.

If FTC determines that an update is warranted, the Commission must allow for a rolling change to update the label as new packaging is printed and not a forced relabeling of products already distributed into commerce. Given the lead time for product development and importation, the rolling change should not be enforceable until 36 months after the effective dates. This compliance timeline is consistent with other agencies in the federal government.

Allowing for a 36-month compliance timeline will be easiest on manufacturers and retailers. ALA regrets that the rolling change is likely to create confusion for consumers who find the same model of a product but with two different labels.

Conclusion

In closing, as it relates to ceiling fans, there are no changes, especially those proposed in the ANPR, necessary to make the label content more useful to consumers. ALA appreciates the opportunity to submit these comments and looks forward to engaging with FTC as it reviews the requirements for the ENERGY GUIDE label.

Respectfully Submitted,



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Vice President, Government Engagement

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