



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

OFFICE OF RESOURCE  
CONSERVATION AND RECOVERY

Federal Trade Commission  
Office of the Secretary  
Room H-135 (Annex N)  
600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20580

RE: Comments on Proposed Lamp Labeling Amendments, P084206

To Whom It May Concern:

The Resource Conservation and Sustainability Division (RCSD) in the U.S. Environmental Protection Agency (EPA) is providing the following comments on the Federal Trade Commission's (FTC) proposed amendments to the Appliance Labeling Rule (16 C.F.R Part 305) [RIN 3084-AB03], 74 Fed. Reg. 57950 (November 10, 2009). RCSD has carefully reviewed the proposal, and makes the following recommendations, specifically with respect to the proposed mercury disclosure requirements:

**General Comments**

- RCSD commends the Federal Trade Commission for proposing to require new labeling disclosure of the existence of mercury in CFLs, and to require the inclusion of an EPA web site for further information. RCSD supports these requirements.
- It is critically important to have requirements for mercury disclosure and web information on both the bulb packaging and the bulb product itself. RCSD believes that consistent messaging on mercury across both product and packaging will be most useful to the consumer. In addition, RCSD believes that requiring mercury disclosure on the product is especially important, given the practical reality that consumers rarely keep packaging for the entire life of a bulb.
- RCSD strongly recommends against using the chemical symbol "Hg" in a circle for CFL packaging or bulb labeling. While some states currently require this chemical symbol for mercury, these states have received much feedback from consumers that they had no idea what the "Hg" symbol meant. States' experience shows that the "Hg" element on the label is ineffective in communicating that the label contains mercury.



## Specific Comments

### Section IV Proposed Rule Changes, B. Proposed Package Labeling, 2. Required Package Disclosures f. Mercury Disclosure pg. 57958 and proposed 16 C.F.R. § 305.15(b)(3)(viii) and prototype label 7:

- RCSD does not support inclusion of an EPA toll-free hotline phone number, so the agency requests that the reference to an EPA hotline should be dropped from the recommended package labeling. RCSD also recommends against including an industry hotline, as is the current requirement in a few states. Funding of any hotline is too uncertain in the long run to support including a hotline number as a federal labeling requirement.
- RCSD supports the inclusion of an EPA web site on the CFL label, but consumers should be directed to [epa.gov/cfl](http://epa.gov/cfl) for further information, not [epa.gov/bulbrecycling](http://epa.gov/bulbrecycling). Since the web site [epa.gov/bulbrecycling](http://epa.gov/bulbrecycling) is already in use for a broader purpose, RCSD plans to use [epa.gov/cfl](http://epa.gov/cfl) to focus exclusively on compact fluorescent lamps.
- RCSD believes that the mercury disclosure could be more informative for the public by encompassing the entire lifecycle of the lamp and breakage. RCSD recommends the following language to reflect this: **"Contains Mercury: For proper handling, disposal, or clean-up see [epa.gov/cfl](http://epa.gov/cfl)."** The "Hg" symbol should not be used, and no phone number should be given. Both have been found by the states to be ineffective in conveying useful information.

### Section IV Proposed Rule Changes, C. Product Labeling pg. 57960 and proposed 16 C.F.R. § 305.15(b)(5)(ii):

- RCSD does not support inclusion of an EPA toll-free hotline phone number, so the agency requests that the reference to an EPA hotline should be dropped from the product itself. RCSD also recommends against including an industry hotline, as is the current requirement in a few states. Funding of any hotline is too uncertain in the long run to support including a hotline number as a federal labeling requirement.
- The product itself should contain the following disclosure: **"Contains Mercury. If broken or burned out, see [www.epa.gov/cfl](http://www.epa.gov/cfl)."** RCSD believes it is very important to convey to consumers that its web site provides guidance on cleaning up a broken CFL in a typical household setting. Thus, RCSD believes that it is important that the product disclosure include a reference to the bulb being "broken." Also, this language is a bit shorter than what is suggested for the packaging, since RCSD is mindful of the small space available on the product. Again, the "Hg" symbol should not be used.

RCSD thanks FTC for the opportunity to comment on its proposed lamp labeling rulemaking and invites FTC to discuss these comments further with RCSD, should there be any remaining questions or concerns.

*Betsy Smidinger*

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