



Division of Enforcement
Bureau of Consumer Protection

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

October 17, 2000

CERTIFIED MAIL

ABT Electronics
9000 Waukegan Rd.
Morton Grove, IL 60053

Dear Sir or Madam:

Staff of the Federal Trade Commission recently conducted a survey of online sellers of certain household appliances, to see whether they are in compliance with the Appliance Labeling Rule, a regulation that the FTC enforces. We found that your website is not in compliance with the Rule. This letter explains what the Rule requires and asks that you bring your website into compliance as soon as possible.

If you sell major home appliances through a website or a printed catalog, the Rule requires you to give your customers information about the energy consumption of those appliances. The appliances covered by the Rule include refrigerators, freezers, dishwashers, clothes washers, room air conditioners, and water heaters. Since you sell some of these appliances through your website, the Rule applies to you. The information you must disclose is:

- The size or capacity of each appliance.
- For refrigerators, freezers, dishwashers, clothes washers and water heaters, the appliance's estimated annual energy consumption.
- For room air conditioners, the energy efficiency rating ("EER").
- The range of estimated annual energy consumption or EERs of comparable appliances.

You may put this information next to the description of the appliance, or you may use a hyperlink to take the reader to another page that contains the required information. If you use a hyperlink, it should be:

- Next to the description of the appliance so that the reader will see it. The link should be clear and conspicuous, that is, easy to see and notice.

- Readily identified as a link. Use visual cues for the link: make it a different color than the surrounding text, underline it or incorporate a small graphic or icon. Using the same text style for all hyperlinks throughout your site will help the reader identify the link.
- Informative. It should give the visitor a reason to click on it. For example, labeling the link “Energy Efficiency Information” is more likely to bring a consumer to the link than a label that says “Legally Required Disclosures.” Consider making a link from a yellow-and-black EnergyGuide icon, which you can download from the FTC’s website at www.ftc.gov/appliances.
- A direct connection to the energy efficiency information. The link should go directly to the page providing the information, not to an intermediate page that requires the reader to click again. In addition, the reader should not have to scroll down the screen to find the applicable information.

The energy-consumption information you need to provide on your website can be found on the yellow-and-black EnergyGuide label that manufacturers are required to attach to the appliances. If you do not physically handle appliances, you should obtain the necessary information from the manufacturers.

The Appliance Labeling Rule is a legal requirement, and dealers who violate it are subject to financial penalties. For a website or other catalog seller, penalties may be assessed at up to \$110 for each day you are in violation.

We will revisit your website towards the end of January 2001, and hope to find the site in compliance at that time.

Further information about the requirements of the Appliance Labeling Rule is available at the FTC’s website, www.ftc.gov/appliances. If you have any questions, please contact staff attorney James Mills, (202) 326-3035, jmills@ftc.gov.

Sincerely,

Elaine D. Kolish
Associate Director for Enforcement



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
600 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20580

Division of Enforcement
Bureau of Consumer Protection

July 15, 2009

Via Federal Express

Bob Abt, President
Abt.com c/o Abt Electronics
1200 N. Milwaukee Avenue
Glenview, IL 60025

Dear Mr. Abt:

The staff of the Federal Trade Commission has reviewed your website, www.abtelelectronics.com, and has found that it is not in compliance with the Appliance Labeling Rule (16 C.F.R. Part 305), a regulation that the FTC enforces. This letter explains what the Rule requires and advises that you bring your website into compliance within 30 days.

The Appliance Labeling Rule requires those selling major appliances through a website to disclose information about the appliances' operating costs and energy consumption (16 C.F.R. § 305.20). This requirement helps ensure that the information provided on the yellow EnergyGuide labels in showrooms is also available to consumers shopping online. The Rule applies to your website because it contains the terms of sale, retail price, and instructions for ordering appliances. The appliances covered by the Rule include refrigerators, freezers, dishwashers, clothes washers, room air conditioners, and water heaters. For each covered appliance, you must either: (1) post an image of the manufacturer's EnergyGuide label or (2) disclose the energy information required by Section 305.20(a) of the Rule (attached to this letter). The image or required disclosure should be easy for consumers to find on your website.

We found that your website does not provide the required energy information for many covered products. In many other cases, your site provides an image of an obsolete version of the EnergyGuide label that does not comply with the Rule's current requirements. You should review your site and take whatever steps are necessary to ensure it is in compliance with the Rule.

We plan to revisit your website after 30 days. By sending this letter, we do not waive the FTC's right to take law enforcement action and seek financial penalties against you based on past or future violations.

Further information about the Appliance Labeling Rule is available at www.ftc.gov/appliances. If you have any questions, please contact me at (202) 326-3030.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura DeMartino".

Laura DeMartino
Assistant Director

Attachment

Attachment - Excerpts from the Appliance Labeling Rule

16 C.F.R. § 305.2 - Definitions

(h) *Catalog* means printed material, including material disseminated over the Internet, which contains the terms of sale, retail price, and instructions for ordering, from which a retail consumer can order a covered product.

16 C.F.R. § 305.20 - Paper catalogs and websites

(a) Any manufacturer, distributor, retailer, or private labeler who advertises in a catalog, a covered product (except ceiling fans, fluorescent lamp ballasts, metal halide lamp fixtures, general service fluorescent lamps, medium base compact fluorescent lamps, general service incandescent lamps including incandescent reflector lamps, showerheads, faucets, water closets, or urinals) shall include in such catalog either the EnergyGuide labels prepared in accordance with §§305.11 and 305.12 for products they offer or the following information:

- (1) The capacity of the model on each page that lists the covered product;
- (2) The estimated annual operating costs for refrigerators, refrigerator-freezers, freezers, clothes washers, dishwashers, room air conditioners, and water heaters as determined in accordance with §305.5 and appendix K of this part on each page that lists the covered product;
- (3) A statement conspicuously placed in the catalog:

(i) For refrigerators, refrigerator-freezers, and freezers (fill in the blanks with the appropriate year and energy cost figures):

Your operating costs will depend on your utility rates and use. The estimated operating cost is based on a [Year] national average electricity cost of [___ cents per kWh].

For more information, visit www.ftc.gov/appliances.

(ii) For room air conditioners and water heaters (fill in the blanks with the appropriate year and energy cost figures):

Your operating costs will depend on your utility rates and use. The estimated operating cost is based on a [Year] national average [electricity, natural gas, propane, or oil] cost of [\$ ___ per kWh, therm, or gallon].

For more information, visit www.ftc.gov/appliances.

(iii) For clothes washers and dishwashers (fill in the blanks with the appropriate information such as the year, and the energy cost figures):

Your operating costs will depend on your utility rates and use. The estimated operating cost is based on [4 washloads a week for dishwashers, or 8 washloads a week for clothes washers] and a [Year] national average cost of ___ cents per kWh for electricity and \$ ___ per therm for natural gas.

For more information, visit www.ftc.gov/appliances.